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Organization

Education for Child Labour and Migrant Children

Information kits for schools and teachers

International
Programme on
the Elimination
of Child Labour
(IPEC)



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Introduction

The problem of child labour in Thailand remains among vulnerable communities and, particularly, among unregistered migrant workers from neighbouring countries. Child labour continues to be documented in agriculture, seafood processing and fisheries, manufacturing, domestic work and entertainment services.

The ILO-IPEC Project on Combating the Worst Forms of Child Labour in Shrimp and Seafood Processing Areas of Thailand - implemented during 2010 – 2014 - aims to address child labour and forced labour in shrimp and seafood processing areas and help to create an industry that is free of child labour and forced labour. The ILO-IPEC programme is financed by the US Department of Labour.

The application for “Education for all” policy, in general, and the access to primary education in particular, is one the best ways to best ways to address child labour and promote equitable social and economic development. Children whatever their origin should have access to education and support for them to grow and to develop into productive adults who can contribute to the society and live meaningful lives. Tackling child labour cannot be separated from education for all efforts.

The Royal Thai Government issued and revised laws and regulations including the Cabinet Resolution on Education for Unregistered Persons (2005) and the Ministerial regulation to provide education to children without requirement of evidence for legal status or Thai citizenship (2005) which allowed non-Thai and unregistered migrants to access the Thai education system.

Despite the fact that policies and administrative procedures are in place, migrant children still face problems to access education into Thailand grant children’s low enrolment rates can be explained through closer scrutiny of education available, access requirements, community attitudes, and mobile nature & economic needs from migrant family themselves.

The objectives of this information kit, therefore, are to raise awareness of educators, school managers and teachers in Thailand on importance of education as a strategy to address child labour problem; and to provide information on administrative process to enrol children into education institutions based on the Ministerial regulation to provide education to children without requirement of evidence for legal status or Thai citizenship (2005) which allowed non-Thai and unregistered migrants to access the Thai education system.

ILO – IPEC hopes that “Education for Child Labour and Migrant Children - Information kits for Schools and Teachers” will be useful for educators, school managers and teachers in Thailand.

ILO – IPEC, April 2014

Part I: Laying the background

1.1 Migrant children in Thailand – what is their situation?

There are globally some 67 million children who do not access primary education and there are about 71 million people who do not access lower secondary education. If they're not in schools, where are they? What do they want? Well, some of them engaged in child labour. Many of them have to help their parents or are engaged in economic activities at too early an age.

The children who face the risk of exclusion are typically children who live in rural areas. They're typically children who live in urban areas, in deprived rural slums. They're children who belong to minority populations, girls in general, children of migrant family - our topic here today, street children, children who are subjected to trafficking in persons, child domestic workers and children who are affected by crises or conflicts situations.

Thailand is an economic powerhouse in the Southeast Asian region. As its economy develops and Thai wages rise, demand for migrant labour to take '3D' jobs (dirty, dangerous and difficult) has exponentially grown. In 2013, the Ministry of Labour estimated that nearly 2.5 million migrant workers from the Lao PDR, Myanmar and Cambodia live in Thailand, half of whom are undocumented. Migrant workers often relocate together with their families, and as such there is a large invisible population of migrant children in Thailand.

In 2010 the Ministry of Education reported that of the estimated 260,000 stateless children in the country, only 60,000 were enrolled in the public education system. World Education estimates that there are approximately 200,000 – 400,000 migrant children living in Thailand. Among these, only 20 – 40% of them can access to education.

Despite Thailand's 2005 Education for All policies guaranteeing access to primary education for all children in Thailand regardless of nationality or registration, in 2010 the Ministry of Education reported that of the estimated 260,000 stateless children in the country, only 60,000 were enrolled in the public education system. World Education estimates that there are approximately 200,000 – 400,000 migrant children living in Thailand. Among these, only 20 – 40% of them can access to education.

1.2 Education and child labour: How does education link to child labour problem?

The international community's efforts to achieve Education For All (EFA) and the progressive elimination of child labour are inextricably linked. On the one hand, education is a key element in the prevention of child labour. Children with no access to quality education have little alternative but to enter the labour market, where they are often forced to work in dangerous and exploitative conditions. On the other hand, child labour is one of the main obstacles to EFA, since children who are working full time cannot go to school. In addition, the academic achievement of children who combine work and school often suffers. There is a strong tendency for these children to drop out of school and enter into full-time employment.

The ILO is promoting EFA¹ in the context of its Decent Work campaign, not only as a means to combat child labour, but also as part of its work to develop vocational and skills training, promote the status of teachers and uphold their individual rights and the rights of their organizations.

For the goal of universal primary education to be reached by 2015, governments will need not only to accelerate efforts to achieve EFA, but also to step up efforts to eliminate child labour. The prevention and elimination of child labour should be an integral part of education policy worldwide.

The education sector has great potential to contribute to the elimination of child labour. The prevention and elimination of child labour should be an integral part of education policy development and reform worldwide.

1.3 Education and child labour: How to mainstream child labour into education?

1.3.1 Tackling the barriers: Formal education

The most effective way to tackle child labour is to ensure that all children have access to good quality basic education, at least to the minimum age of employment. Increasing children's knowledge and skills in a child-friendly environment can provide children, as well as their parents, with a sense of spending time in a sensible manner, and give them hope for a future as productive and independent adults. Regular school attendance provides a protective environment, a healthy discipline and reduces the time available for child labour.

Some measures that have the potential to make education more inclusive:

- abolishing school fees
- cash transfers
- school feeding programmes
- improving the quality of education and quality of teachers
- utilising the education system to help monitor child labour and other forms of exclusion.

1.3.2 Tackling the barriers: Non-formal transitional education

Non-formal education can complement formal education in overcoming exclusion and reaching children and youth who are unreached by the formal system. It can sometimes provide flexibility in terms of the curriculum, as well as the language, time and place of instruction, all of which may facilitate participation. Thus, it may be relevant to children's needs in some contexts.

When working well, non-formal education can also help bring children into formal education. It may provide a good opportunity to involve parents, the community and civil society in the planning and implementation of learning.

¹ <http://www.ilo.org/ipec/Action/Education/ChildlabourandEducationforAll/lang--en/index.htm> .

1.3.3 Non-formal transitional education and working children²

Many initiatives have been undertaken to help education reach working children, by providing quality non-formal, “transitional” education outside of the formal school system in order to create a bridge between work and school. It is often not possible to put (former) working children directly into formal school. Transitional education can help children who have been in child labour to “catch up” with their peers who began their schooling at the appropriate age.

1.4 The education sector plan and child labour

National policy processes present an opportunity to put the issue of child labour into the mainstream agenda. Sector programmes provide an overview of a given sector, including an analysis of the conditions that must be addressed. Education Sector Plans have a pivotal role for the planning and implementation of education activities in the country.

1.4.1 Child labour in education sector plans

There are two main reasons why it is important for national authorities to address child labour in education sector plans.

- First, national authorities need to recognize that specific population groups face particular barriers in accessing education. Children in such groups may not necessarily be reached by general programmes to expand access, unless the barriers they face are properly addressed.
- Second, the sector plans ought to identify the steps to be taken to tackle barriers and to effectively reach the excluded groups.

Checklist: Child labour aspects in the analysis of education sector plans³

The following checklist highlights areas which could be considered as good practice in mainstreaming child labour concerns into national education sector plans.

Using knowledge and data on child labour

1. The education sector plan should recognize and incorporate a summary of any data on child labour and children's work.
2. The plan should assess the implications of that data for education strategy. For example, if there are particular geographical areas in which it is known that there are large concentrations of children working; does the education strategy address this?
3. If a government has established a national action plan to tackle child labour based on ILO Conventions, the education sector plan should show a link between education strategies and the national action plan on child labour.

Targeting of interventions

4. Are there possibilities for joint targeting of communities in which it is known that child labour is a significant issue? For example, if the government has a plan to tackle child labour in certain geographical areas, can this be reinforced by targeted education interventions in the same areas?

² ILO-IPEC website. Child Labour and Education For All. Online:

<http://www.ilo.org/ipsec/Action/Education/ChildlabourandEducationforAll/lang--en/index.htm> .

³ ILO-IPEC (2001). Mainstreaming child labour concerns in education sector plans and programmes. Online: http://ilo.org/ipsec/Informationresources/WCMS_171033/lang--en/index.htm .

Education costs

5. Indirect costs of education can be a significant barrier to poor families. Are there plans to reduce indirect costs, in particular costs of books, uniforms and transport?

Rural areas

6. 60% of child labour is in agriculture. Is there a clear strategy for extending education access in rural areas? If there is evidence that children stop attending school at a certain time of the year to work in agriculture, does the education strategy respond to this?

Girls

7. Girls involvement in domestic work, either for long periods within the family household or in third party households, can represent a major barrier to education participation, yet is often ignored. Has consideration been given to this group and how to tackle their exclusion from education?

Access to school

8. Are there any school entrance restrictions that would create obstacles to out of school children returning to school (e.g. age restrictions which prevent a child above a certain age from entering school)?

Reintegration

9. Former child labourers and other excluded groups may need special transitional education as a bridge to entry or re-entry into the formal education system. Once back in the formal education system children who have been out of school for some time may need support to ensure that they remain in school and are able to learn effectively and progress within the system. Does the education plan consider this?
10. Is there a possibility to add a "transition" class to existing schools, designed to cater for children returning to school and to ease their transition back into formal schooling?

Non-formal education

11. Is there an effective linkage between non formal and formal systems? Can children easily make a transition from NFE to formal education?
12. If there is a system of non-formal education, is this being adequately monitored to assess standards and effectiveness?

Monitoring

13. Do management systems provide clear and properly observed procedures for school attendance monitoring?
14. If a child stops attending school before completion of compulsory education is there a system for checking on where the child is and what the child is doing?

School to work transition

15. As countries make progress at the primary level and more focus also begins to be placed on secondary education, do national plans address issues of how to support the school to work transition?

Linkage of education sector plan with other sectors/plans/laws

16. If the Government has a national plan on child labour/child protection, is a linkage with this reflected in the Education Sector Plan?

Quality of education/inclusive education

17. To provide quality education it is important to provide enough properly trained teachers. Does the teacher training programme provide an opportunity to sensitise teachers to concepts of inclusive education, including special problems which may affect working children's participation in education (irregular attendance, tiredness during school hours, etc.)?

1.5 Relevant Framework

1.5.1 Education for All

Thailand has ratified a number of international conventions relating to education rights for migrant children: among others, the Convention on the Rights of the Child (CRC)

and the 1990 World Declaration for Education For All (EFA) and other international tools which contain clauses on the right to education. By ratifying these conventions, Thailand has put itself under the obligation to create an environment that respects, protects and fulfils the right to education.

The Constitution of Thailand B.E. 2550 (2007) states clearly in section 30, paragraph 2, that “unjust discrimination against a person on the grounds of the difference in origin, race, language, sex, age, disability, physical or health condition, personal status, economic or social standing, religious belief, education or for having a constitutionally political view, shall not be permitted”.

The National Education Act (1999) and its amendment (2002) strongly emphasise on education policy. In accordance with those international tools, in Thailand primary education is compulsory, free, and universal. The National Education Act guarantees access of primary education to all persons irrespective of nationality in Thailand. It extended compulsory education from eight to 12 years and increased free education from 12 to 15 years. The government subsidized tuition fees, uniforms, textbooks, and additional charges from school but did not provide food and transportation. Section 49-50 illustrates the equal right to receive the qualitative education for the duration at least twelve years free of charge provided. It contains a clause on child rights includes the rights of children who are physically and mentally disabilities, and children with special talents.

National Education for All Plan of Action for the period 2002-2015 In compliance with the Dakar Framework for Action, Thailand developed the National Education for All Plan of Action for the period 2002-2015 taking into consideration the harmony with relevant provisions of the 1997 Constitution of Kingdom of Thailand, and the 1999 National Education Act, which states in Section 43 that “all persons shall enjoy their right to receive at least twelve years of a free, quality education provided by the government”.

One of the five Principles of the plan includes “in the provision of education, all individuals shall have equal rights and opportunities to receive basic education provided by the state for duration of at least twelve years. Such education, provided on a nationwide basis, shall be of quality and free of charge”. One objective of the plan is that the provision of EFA is specifically aimed at disadvantaged groups including children without citizenship and those of an ethnic minority (Ministry of Education, 2004).

Cabinet Resolution on Education for Unregistered Persons (2005)

The Ministry of Education Regulation on Proof of Admission of Students into Educational Institutes (2004) and the Cabinet Resolution on Education for Unregistered Persons (2005) set operational guidelines related to the management of education for children in Thailand.

Ministerial regulation to provide education to children without requirement of evidence for legal status or Thai citizenship (2005)

This ministerial regulation sets operational guidelines related to the management of education for children in Thailand. All education institutions are duty bound to admit children of school age to study in their institutes, with or without evidence of civil

registration, by using birth certificates or letters of certification of birth, or other proof issued by government authorities, or documents which are accepted by the Ministry of Education. In the event where the afore-mentioned evidence is missing, parents, care-takers, or non-governmental organizations can present personal history records of persons and children, or the educational institute concerned can conduct an interview to note down details related to the personal history of the child concerned.

The Ministerial Regulation on the right of persons in providing basic education through learning centres (2011) provides a more systematic management of education in migrant learning centres so as to enable them to attain the same standards and curricula as those in place in mainstream schools. This further helps students who graduate from such educational centres to be able to transfer to public schools or normal classrooms for higher education.

1.6 Existing models of education for migrant children in Thailand

Models of education provision to migrant children in Thailand can be falling into one of the following:

- Thai government schools
- Migrant learning centres
- School within school
- Non-formal education
- Private schools.

1.6.1 Thai government schools

Ban-Ta-Ard school, for example, which teaches 180 migrant children (which is three times the number of Thai students), has been recognized as a model school for multi-lingual teaching. The classes are conducted in Thai, Myanmar language and English. In addition, a coordinating unit that provides education to persons without any evidence of civil registration or Thai nationality, and a Myanmar and Karen language centre have been established in collaboration with the NGOs.

Usually, schools deliver Thai language classes to migrant students attending Thai government schools. Under this model, Thai government schools create special classrooms(s) — sometimes a separate building is constructed — where migrant students may access.

1.6.2 Migrant learning centres

The key players for migrant learning centres are migrant communities, community based organisations (CBO), and non- government organisations (NGO). Communities or CBOs are often the ones who set up and run the school.

The learning centres were scattered geographically and in their approach: with diverse programmes, teaching and learning methods, content and curricula. In these

alternative schools, children are taught in their native language and in many cases follow the Burmese educational curriculum with additional courses such as Thai language and computer skills. Some learning centres used curricula from Myanmar without teaching Thai while others used originally created curricula or provided career training that couldn't be transferred to the Thai school system. Some teachers were volunteers.

According to Migrant Working Group (MWG), in 2009 there are 116 migrant learning centres scattering in areas where there is dense population of migrant workers in Thailand. Among this number, 70 learning centres are located in Tak Province, 16 in Chiang Mai, 13 in Ranong, and 10 in Pang-Nga. Other provinces where there are migrant learning centres include Samutsakorn, Bangkok and Kanchanaburi. There are approximately 15,000 – 20,000 students in these learning centres, while higher number of unknown migrant children still do not access any form of education.

Those unable to attend Thai schools and going to local learning centres run by NGOs also face challenges. As for the future prospect, children graduated from learning centres cannot pursue higher education in Thai schools and do not have any prospects of attending university, as their education is not officially recognised by the Thai Education Ministry.

1.6.3 School within School (Public schools VS. migrant learning centres)

School within school is the model that allows migrant learning centres (MLCs) to support migrant students as they transition into a Thai school. This model significantly helps solving the issue of certificates for students after they graduate. It also helps migrant children to be entitled to education budget per head allocated to each school by the Ministry of Education.

In this model, as migrant students begin to prepare and enter Thai schools, MLCs work with Thai schools to coordinate and share basic resources. In certain cases, a relationship between a MLCs and Thai school is formalized through a Memorandum of Understanding and the MLC becomes a School within a School.

The School within a School approach allows migrant students in grades 1 through 3 to officially enrol in the Thai school system, while they continue to receive education at the MLC. MLCs receive some RTG benefits including stationary and materials, milk and monitoring visits by RTG teachers.

Additionally, migrant students are educated in Thai government's curriculum as well as MLC specific courses such as Burmese language and traditional arts. All participating students take government examinations and their scores are forwarded to the affiliated Thai schools.

1.6.4 Non-formal and informal education centres

The Non-Formal and Informal Education Centre for the Special Target Groups has developed the Educational Institutions' Primary Education Curriculum for migrant children and persons without Thai nationality aged 6-15 years based on the strands of learning and learning standards in the Non-Formal Basic Education Curriculum 2008. The application of this curriculum is still quite limited. After the launch of the curriculum, at least two district

NFE Offices (Muang District of Ranong, and Mae Sot District of Tak Provinces) collaborate with NGO migrant learning centres pilot tested the NFE curriculum in 2013.

1.6.5 Private schools

Migrant learning centres with capacity can upgrade themselves into private school by applying to the Ministry of Education accordance to the Private School Act of 2007. This way, a learning centre will have a status as similar to the Thai private schools, and are obliged to follow the rules of the MOE in design of curriculum, school management, school and teaching standards as well as monitoring and evaluation of education performance. So far at least 2 migrant learning centres in Tak Province have succeeded in upgrading themselves in to private schools.

However, this option is not feasible for all migrant learning centres. The process takes time and costly. The school also needs to have a full scale management structure to comply with the law.

Part II: Guidelines for schools and teachers

Excerpt from: Handbook and Guideline on Education Provision for Persons without Legal Status or Non Thai Persons, published by Office of the Permanent Secretary, Ministry of Education (2013)

2.1 Background and legal framework

2.1.1 *The Cabinet Resolution on Education for Unregistered Persons (2005)*

In July 2005, the Thai cabinet, following a Ministry of Education proposal, approved the new registration which allowed non-Thai and unregistered migrants to access the Thai education system with no restriction to level of education. It is a progressive policy to ensure free education to all children in Thailand, including migrant children, to secondary education.

2.1.2 *Ministerial regulation to provide education to children without requirement of evidence for legal status or Thai citizenship (2005)*

This ministerial regulation sets operational guidelines related to the management of education for children in Thailand. All education institutions are duty bound to admit children of school age to study in their institutes, with or without evidence of civil registration, by using birth certificates or letters of certification of birth, or other proof issued by government authorities, or documents which are accepted by the Ministry of Education. In the event where the afore-mentioned evidence is missing, parents, care-takers, or non-governmental organizations can present personal history records of persons and children, or the educational institute concerned can conduct an interview to note down details related to the personal history of the child concerned.

2.2 Guideline for Providing Education for persons without legal status or Thai citizenship

The guideline is divided by levels and types of education as per the following:

- Basic education
- Non-formal and informal education
- Vocational and technical education
- Higher education
- Other education institutions.

2.2.1 Basic education

Definitions

According to the National Education Act B.E. 2542 (1999) and Amendments (Second National Education Act B.E. 2545 (2002)), relevant definitions are as follow:

Section 10

In the provision of education, all individuals shall have equal rights and opportunities to receive basic education provided by the State for the duration of at least 12 years. Such education, provided on a nationwide basis, shall be of quality and free of charge.

Section 17

Compulsory education shall be for nine years, requiring children aged seven to enrol in basic education institutions until the age of 16 with the exception of those who have already completed grade 9.

1. How to enrol children into school

a) Planning and sending children into school

- Planning to enrol children:
 - ESAOs, local administration organisations and relevant agencies inform the guideline for enrolment to schools.
 - Education Service Areas Committee conduct school mapping.
 - ESAOs, local administration organisations and relevant agencies conduct household survey and identify children who should be enrolled into school.
 - Schools conduct enrolment plan.
 - ESAOs and schools announce the school enrolment.
 - Schools report their enrolment plan to ESAOs.
- Sending children into school - Primary education:
 - Education Service Areas Committee, local administration organisations and relevant agencies send a letter to inform parents that their children are now school aged.
 - ESAOs and schools announce the school enrolment for both Thai and non-Thai children through various means.
 - Parents enrol children into schools prior to the opening of education year.
 - Schools report its enrolment rate to ESAOs, LAOs and relevant agencies.
 - Education Service Areas Committee, LAOs and other agencies follow up children who are not yet enrolled in schools.
 - Education Service Areas Committee summarized the enrolment rate and report to Office of the Basic Education Commission (OBEC).

- Sending children into school - Secondary education:
 - Primary schools send name lists of children expected to graduate to secondary schools within the service areas.
 - Education Service Areas Committee, local administration organisations and relevant agencies send a letter to inform parents that their children are now school aged.
 - ESAOs and schools announce the school enrolment for both Thai and non-Thai children through various means.
 - Parents enrol children into schools prior to the opening of education year.
 - Schools report its enrolment rate to ESAOs, LAOs and relevant agencies.
 - Education Service Areas Committee, LAOs and other agencies follow up children who are not yet enrolled in schools.
 - Education Service Areas Committee summarized the enrolment rate and report to Office of the Basic Education Commission (OBEC).

b) Roles and responsibilities of schools

- Develop an enrolment plan
- Announce schools' enrolment
- Conduct survey on school aged children population
- Enrol children
- Check evidence and required papers
- Register children into school system
- Report the OBEC on enrolment rate

In case the children have no documents on legal status or Thai citizenship, but have been enrolled to other schools:

- **In enrolling children**, check other relevant documents; for example, if children do not have birth registration, schools can use hospital's record on the birth of children, household registrations, or other relevant documents issued by the government.
- **In case of no other relevant government issued documents**, parents, guardians, or NGOs can record the child's personal history and use it as an evidence for enrolment
- **In education performance records and other student's records**, it should be noted that the child "has no official documents on legal status"

c) Allowing children aged over or under compulsory age to enrol into school

- Children shall be allowed to be enrolled in schools in case that they are younger or older than seven years of age
- Children younger than seven years old are allowed to be enrolled in the following cases:
 - i. They graduated from pre-primary education

- ii. Schools are requested by parents and that they have been assessed by schools that they are ready
- Children younger than seven years old are allowed to be enrolled in the following cases:
 - iii. They have serious communicable diseases which hamper them for being in school for long period of time
 - iv. They are in other difficult situations that hamper them from being in schools

d) Proactively monitoring and ensure that children are enrolled into school

In case parents do not send children to school providing compulsory education, schools shall act as the following:

- Contact parents and ask them to send children to school
- If within seven days after the education year open and parents still do not send children to school, schools shall send official letters to parents and/or report the ESAOs or LAOs.

2. While children are studying in school

- a) Register children's education evidence - In education performance records and other student's records, it should be noted that the child "has no official documents on legal status"
- b) Add or correct children's date/month/year of birth
- c) Recheck needed documents required by children
- d) Issue student ID Card
- e) Evaluate children's performance to pass on to the next level
- f) Provide assistance to students who need to seek for permission to travel out of the service areas
- g) Follow up children in case of they are absent from class

3. When students have to transfer to other schools during the education year

Schools shall facilitate the process to help children find new school that is closer to where they live. Schools should follow these steps:

- Parents submit request to transfer children
- School issues a letter to receiving school and report to ESAOs or LAOs
- Receiving school enrol children and report to ESAOs or LAOs

4. When students graduate

Schools should follow these steps:

- Issue a graduation certificate for students which include information on name, student ID number, date of birth, and name of parents.

- Remove student from the school record
- Send the list of graduated children to secondary schools in the area
- Report to ESAOs and/or LAOs on statistic of graduated students

2.2.2 Non-formal and informal education

Definitions

According to the Promotion of Non-Formal and Informal Education Act, B.E. 2551 (2008), relevant definitions are as follow:

Section 4

- “non-formal education” means educational activities which have clear target groups of service users and educational objectives, forms, curricula, methods of provision and course or training durations which are flexible and diverse according to the needs and learning aptitudes of such target groups, and standard procedures for assessments and evaluations of educational performance for the benefit of granting educational credentials or classification of educational performances;
- “informal education” means educational activities in the daily lifestyle of a person through which a person may choose to continue learning throughout his/her lifetime pursuant to the interests, needs, opportunities, preparedness and learning aptitude of each person;
- “educational establishment” means an educational establishment which provides non-formal and informal education in the Office of the Non-Formal and Informal Education;
- “network party” means a person, family, community, communal society, local administrative organization, private body, professional body, religious institution, business operator and other bodies, including other educational establishments not attached to the Office of the Non-Formal and Informal Education, which participates in or has the objective of carrying out non-formal and informal education.

Section 14

- There shall be an Office of the Non-Formal and Informal Education within the Office of the Permanent Secretary, Ministry of Education, abbreviated as “ONIE”, with the Secretary-General of the Office of the Non-Formal and Informal Education, abbreviated as “Secretary-General of the ONIE”, holding the status of Director-General and superior official of government officials, employees and wage-earners, and being responsible for the operations of the Office.

1. How to enrol children into school

a) Check student’s required documents for enrolment

- If children do not have birth registration, schools can use hospital’s record on the birth of children, household registrations, or other relevant documents issued by the government.
- In case of no other relevant government issued documents, parents, guardians, or NGOs can record the child’s personal history and use it as an evidence for enrolment.
- In case of no personal history recorded by parents, guardians or NGOs, school can record such personal history by itself.

b) Provide counselling service to prospect students on: learning methods, registration requirement and process, extra-curriculum activities, graduation criteria, and qualifications of students.

- c) Evaluation of performances shall be based on:
- Knowledge on core subjects according to the core curriculum such as Thai and foreign language skills, IT, mathematics and science.
 - Knowledge and skills on career development including project development, IT skills and ethical issues.
 - Life skills.
 - Knowledge and skills on community and social development including leadership skills.

2. While students are studying in school

- a) For registration of learners – ONIE shall perform the following steps:
- In education performance records and other student's records, it should be noted that the child "has no official documents on legal status"
 - Add or correct children's date/month/year of birth
- b) ONIE centres shall also develop a friendly learning environment to support learners including
- Advice centre
 - Holistic and integrated learning
 - Conduct a learner-centred activities on academic and life skills
 - Collaborate with other stakeholders in providing education to learners
 - Self-learning activities both in form of individuals and groups
 - Short-term vocational training

3. When students have to transfer to other ONIE centres during the education year

- a) Temporary transfer – the original ONIE centre shall prepare necessary documents and send to the receiving centre. The receiving ONIE centre shall report students' performance back to the original centre.
- b) Permanent transfer – the original ONIE centre shall prepare necessary documents and send to the receiving centre.

4. When students graduate

- a) ONIE centre shall issue a graduation certificate for students as similar to students with Thai citizenship.
- b) ONIE centre shall motivate students to pursue higher education.

2.2.3 Vocational and technical education

Definitions

According to “Towards a Learning Society in Thailand – an Introduction to Education in Thailand” by Ministry of Education, relevant definitions are as follow:

Formal vocational and technical education is conducted at three levels: upper secondary (leading to the Lower Certificate of Vocational Education), post-secondary (leading to a Diploma or Vocational Associate Degree) and university level (leading to a Degree). There are currently over 1 million students enrolled in the various vocational study pathways. Eight fields of study are undertaken as majors: trade and industry, agriculture, home economics, fisheries, business and tourism, arts and crafts, textiles and commerce.

Vocational and technical education can be categorized into three following formats:

- Formal education
- Non formal education
- Bilateral education – which takes place under collaboration of vocational and technical education institutes and private sector.

1. How to enrol children into school

- Check required documents for enrolment.
- If children do not have birth registration, schools can use hospital’s record on the birth of children, household registrations, or other relevant documents issued by the government.
- In case of no other relevant government issued documents, parents, guardians, or NGOs can record the child’s personal history and use it as an evidence for enrolment.
- In case of no personal history recorded by parents, guardians or NGOs, school can record such personal history by itself.

2. While students are studying in school

- Register children’s education evidence - In education performance records and other student’s records, it should be noted that the child “has no official documents on legal status”.
- Add or correct children’s date/month/year of birth.
- Recheck needed documents required by students.

3. When students have to transfer to other schools during the education year

Education institution shall facilitate the process to help children find new school that is closer to where they live. Education institution should follow these steps:

- Students shall contact the school’s registrar to obtain his/her school performance record to submit to receiving education institution.
- Receiving school enrol students and request for school performance record.

4. When students graduate

Education institutions should issue a graduation certificate for students as similar to students with Thai citizenship.

2.2.4 Higher education

Definitions

According to “the Development of Education – National Report of Thailand” by Ministry of Education, relevant definitions are as follow:

Higher education is provided at universities, institutes, colleges (and other types of specialized institution). It is divided into two levels, namely lower-than degree level and degree level:

- Lower – than degree or diploma level – offered mainly by public and private, vocational colleges and institutes, as well as colleges of physical education, dramatic arts and fine arts. The majority of courses is associated with vocational training and teacher education and requires two years of study
- Degree level programmes take between two to six years of study depending on whether students have already completed a diploma course and what subject they have chosen. Most Bachelor degrees take four years though some subjects such as medicine, dentistry and veterinary science take six.

1. How to enrol children into school

- a) Qualification of students:
 - Check required documents.
 - If students do not have birth registration, schools can use hospital’s record on the birth of students, household registrations, or other relevant documents issued by the government.
 - In case of no other relevant government issued documents, parents, guardians, or NGOs can record the child’s personal history and use it as an evidence for enrolment.
 - In case of no personal history recorded by parents, guardians or NGOs, school can record such personal history by itself.
- b) Enrolment of students.
- c) Registration of students.

2. While students are studying in school

- Register children’s education evidence - In education performance records and other student’s records, it should be noted that the child “has no official documents on legal status”.
- Add or correct children’s date/month/year of birth.
- Recheck needed documents required by students.

3. When students have to transfer to other schools during the education year

Education institution shall facilitate the process to help children find new school that is closer to where they live. Education institution should follow these steps:

- Students shall contact the school's registrar to obtain his/her school performance record to submit to receiving education institution
- Receiving school enrol students and request for school performance record

4. When students graduate

Education institutions shall issue a graduation certificate for students as similar to students with Thai citizenship.

2.2.5 Other education institutions

Definitions

According to the National Education Act B.E. 2542 (1999) and Amendments (Second National Education Act B.E. 2545 (2002)), relevant definitions are as follow:

Section 4

"Educational institutions" means early childhood development institutions, schools, learning centres, colleges, institutes, universities, educational agencies, or other state or private bodies with powers and duties or aims of providing education.

Section 21

Ministries, bureaus, departments, state enterprises, and other state agencies shall be authorized to provide specialized education in accord with their needs and expertise, bearing in mind the national education policy and standards. The criteria, methods, and conditions as stipulated in the ministerial regulations shall be observed.

For other education institutions apart from the four types of education as discussed earlier, they have to comply with the Ministerial regulation to provide education to children without requirement of evidence for legal status or Thai citizenship (2005). Guideline for enrolling children into the institutes should be according to their regulations. Education institutions shall also applied the guidelines as earlier provided for the other four types of education institutions.

Part III: Case study of a school providing education for migrant children

Case of Samutsakorn Province

The Collaboration of Labour Protection Network (LPN) and Wat Srisutharam School

Background

Wat Srisutharam School provides education to ethnic/stateless population in Thailand, and later to migrant children even before the 2005 cabinet resolution. Presently, the school has approximately 200 migrant students in comparison with 100 Thai students. This number includes those who study at the preparation centre operated by LPN in the school premise.

4-5 years ago, when migrant children were not provided access to Thai school, the children were enrolled into learning centres operated by LPN in the province. After the 2005 cabinet resolution was issued by the Thai government, LPN realized that its role was not to operate a school but to facilitate the enrolment process of migrant children into the public schools on the basis of the new policy.

Challenges in access to school

According to the Wat Srisutharam School Director, there have been challenges for school to implement the national policy on education provision for migrant children.

- Although the policy clearly gives the green light, but at implementation level – clear guidelines for practice is still lacking. As a result, schools follow the policy differently.
- There is no database on the population of migrant children available in the province, therefore it is not possible for schools to monitor and follow up with children if they reach the age for school enrolment. A high number of migrant children and their parents found in fishery related factories in the area do not know that they have right to education, or their parents do not want their children to go to school.
- Children who are entitled to subsidized fund per head must have 13 digit-ID. This ID is given to migrant workers who enter Thailand legally. But most migrant workers - more than 50% - enter Thailand illegally therefore this ID is not eligible for them.

Cooperation of Labour Rights Protection Network Foundation (LPN) and the School

Role of LPN

LPN has worked together with the school to overcome education access barriers to migrant children by:

- It had referred 120 Mon and Burmese migrant children to receive education.
- It organised a preparatory class within the school and supplied teachers who can speak Burmese to teach the Thai language to students before they transfer to the regular classroom.
- It supported the school with the provision of needed equipment such as tables and chairs (ILO-IPEC, 2010).
- On the family front, LPN helped teachers to organize an orientation meeting at the start of each semester for parents of migrant children to inform them of their children's educational performance and to encourage them to take an active role in supporting their children in learning.
- LPN staff visited family members on a weekly basis to discuss both their children's progress as well as health care and work-related issues.
- LPN rented vehicles to transport the students.

Role of school

The school – with support from LPN – had actually gone out of their way to facilitate the process of enrolment for migrant children. For example, LPN plays the role of children guardian and certifies the children's status so that they have a proper and legal reference when enrolling into school.

In some cases, children do not have a house registration which is required for the enrolment process. They would be registered under the house number of the school itself. So far, 49 migrant children were registered under this circumstance. Some schools do not go this far to support migrant children into getting access to education as they have to do more than they required.

Challenges

Some challenges on providing migrant children's education rights are identified as follow:

- LPN cannot access/motivate schools in municipality area; therefore it has to refer all children to Wat Srisutharam School which is out of town. For this reason, LPN has to provide transportation to school for all children – which added up its costs at the rate of 30,000 Baht per month for 2 cars plus gasoline. Although it ask for contribution from children's parents for 300 Bht/month/family, less than 50% of the amount could be collected.
- Quality of teachers is still a challenge. At the preparation centre, teachers do not have teaching degree due to lack of promising salary and benefit.
- Education budget per head which provided by the government does not cover migrant children learning at preparation centre. Therefore the NGO has to bear this cost while the funding situation is not stabilised.
- Another challenge is that when children finish high level of education they may have problem with workplace in providing necessary documents for recruitment.

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