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University governance and disciplinary accountability: Legal measures following National Anti-Corruption Commission findings at Mahasarakham University, Thailand

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ABSTRACT

This study examined university governance and disciplinary accountability following findings of misconduct by Thailand's National Anti-Corruption Commission (NACC), focusing on Mahasarakham University. Documentary and doctrinal legal research methods were employed, incorporating legal content analysis, judicial case analysis, and cross-case comparison. The materials included constitutional provisions, anti-corruption legislation, higher education personnel regulations, university disciplinary rules, and relevant Administrative Court decisions. The findings revealed that disciplinary accountability operates through interconnected national and institutional legal frameworks. Judicial analysis identified significant issues concerning the binding effects of NACC determinations, the statutory limits of investigative authority, the legal elements of corruption, and the validity of university disciplinary orders. The decisions demonstrated that administrative irregularities do not automatically constitute corruption and that disciplinary sanctions must comply with the applicable statutory and procedural requirements. The study recommends clarifying institutional disciplinary authority, establishing standardized administrative procedures, strengthening legal review mechanisms, and improving the protection of personnel rights. The findings contribute to understanding the relationship between external anti-corruption oversight and institutional governance in public higher education.

Keywords: University governance, disciplinary accountability, National Anti-Corruption Commission, administrative law, judicial review, Thailand.

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INTRODUCTION

Effective university governance depends on the establishment of transparent administrative structures, clearly defined institutional responsibilities, and mechanisms that promote accountability, integrity, and fairness in organizational decision-making. Higher education institutions are increasingly expected to demonstrate compliance with national legal frameworks while maintaining their institutional autonomy and ensuring the equitable administration of personnel. Shattock (2013) emphasized that changes in university governance have strengthened executive decision-making and altered the relationships among institutional authorities, governing bodies, and administrative structures. Similarly, Macheridis and Paulsson (2021) observed that accountability in higher education has evolved through institutional reforms and changing expectations concerning how universities justify their decisions and demonstrate responsible governance. These developments suggest that disciplinary administration should be understood not merely as a legal obligation but also as an essential component of institutional governance. The effectiveness of disciplinary procedures influences organizational legitimacy, administrative efficiency, personnel confidence, and public trust in higher

education institutions.

Accountability is particularly significant in disciplinary proceedings because institutional decisions must reconcile legal obligations with the rights and interests of personnel. Bovens (2007) conceptualized accountability as a relationship in which an individual or institution is required to explain and justify its conduct before an authorized body that may evaluate the conduct and impose consequences. Within higher education, this concept provides a framework for examining the responsibilities of university administrators when responding to allegations of misconduct and implementing disciplinary sanctions. Furthermore, procedural fairness is fundamental to the legitimacy of administrative decisions. Tyler (2006) argued that perceptions of legitimate authority and fair procedures contribute to compliance with legal and institutional rules. More recently, Assefa et al. (2026) examined organizational justice in higher education through distributive, procedural, and interactional dimensions, highlighting the importance of fairness in faculty members' experiences of institutional administration. These perspectives indicate that university disciplinary systems should ensure not only compliance with applicable legislation but also consistency, transparency, proportionality, and appropriate procedural safeguards.

In Thailand, disciplinary accountability in public institutions is governed by constitutional provisions, anti-corruption legislation, and the personnel administration regulations applicable to particular categories of public officials. Section 234(2) of the Constitution of the Kingdom of Thailand, B.E. 2560 (2017), empowers the National Anti-Corruption Commission (NACC) to investigate and determine whether state officials have acquired unusual wealth, committed corruption, or engaged in misconduct related to the performance of official or judicial duties. The Organic Act on Anti-Corruption, B.E. 2561 (2018), further establishes procedures for investigating alleged misconduct and referring cases to the relevant authorities for subsequent legal or disciplinary action. Under Section 91(2), when the NACC determines that an offense provides grounds for disciplinary action, it must forward its report, investigation file, supporting evidence, and decision to the official's superior or the authority empowered to appoint or remove the official within thirty days. This statutory mechanism connects the investigative authority of the national anti-corruption institution with the disciplinary responsibilities of public organizations, including higher education institutions.

Section 98, paragraph one, of the Organic Act on Anti-Corruption, B.E. 2561 (2018), further establishes that the superior or authorized appointing authority must consider disciplinary sanctions based on the offenses identified in the NACC's decision without appointing a separate disciplinary inquiry committee. The investigation file prepared by the NACC is deemed to constitute the disciplinary investigation file under the relevant personnel administration laws and regulations. This procedure is intended to prevent duplication of investigations and facilitate the implementation of disciplinary decisions. However, the relationship between the findings of an external investigative authority and the responsibilities of institutional decision-makers raises important questions concerning administrative discretion and the legality of disciplinary orders. The Organisation for Economic Co-operation and Development (OECD, 2021) identified several challenges within Thailand's public-sector disciplinary system, including institutional fragmentation, the need for greater procedural consistency, and the importance of strengthening fairness, objectivity, and coordination among responsible agencies. The report recommended improvements in disciplinary processes to promote more coherent and effective enforcement of public integrity standards.

These challenges remain relevant, as reflected in the OECD's subsequent assessment of Thailand's public integrity framework. The OECD (2026) reported that, although Thailand had made progress in several areas of public-sector integrity, improvements in the disciplinary framework remained limited. The report emphasized the need to strengthen disciplinary mechanisms, clarify institutional responsibilities, and improve the consistency and effectiveness of sanctions. These observations are particularly relevant to public universities, where disciplinary procedures operate within specialized personnel administration systems while remaining subject to national anti-corruption legislation. Consequently, university administrators must reconcile the obligation to implement NACC findings with the procedural requirements established by institutional regulations. This relationship creates a governance challenge involving the distribution of authority, the interpretation of legal responsibilities, and the protection of procedural rights in disciplinary decision-making.

Mahasarakham University provides an institutional context for investigating these legal and administrative challenges. The university is responsible for implementing disciplinary procedures concerning civil servants and university employees in accordance with applicable national laws and its internal regulations. Clause 8 of the Mahasarakham University Regulation on the Authority to Impose Disciplinary Sanctions, Procedures for Issuing Disciplinary Orders, and the Amendment of Such Orders, B.E. 2562 (2019), establishes the President's authority to impose sanctions for serious disciplinary offenses involving civil servants, subject to consideration by the designated university personnel administration committee. Related institutional regulations also govern disciplinary procedures for university employees, with necessary modifications based on their employment status. These provisions establish an internal administrative framework for disciplinary decision-making. However, when the NACC finds that a university official has committed misconduct and forwards its findings for disciplinary action,

the university must meet relevant statutory requirements and ensure its disciplinary orders comply with applicable personnel regulations and administrative procedures.

Mahasarakham University was selected as the institutional case because disciplinary proceedings arising from NACC determinations have resulted in administrative litigation involving university personnel. The relevant judicial decisions provide an opportunity to examine how external anti-corruption findings influence institutional disciplinary authority, administrative discretion, and procedural accountability. In particular, disputes concerning the legal elements of corruption, the scope of delegated administrative authority, and the validity of disciplinary orders illustrate the challenges of implementing national anti-corruption requirements within university personnel administration.

The interaction between national anti-corruption legislation and university personnel regulations raises several important legal and administrative questions. First, the extent to which NACC findings bind the university's disciplinary decision-making authority requires careful examination. Second, uncertainty may arise over whether university administrators or personnel committees may consider additional facts, assess the appropriateness of specific sanctions, or exercise discretion in determining disciplinary consequences. Third, the relationship between the statutory requirement to rely on the NACC investigation file and the university's internal procedures for issuing disciplinary orders must be clarified to prevent procedural irregularities and subsequent legal disputes. Although Section 99 of the Organic Act on Anti-Corruption, B.E. 2561 (2018), establishes a mechanism for reconsideration when relevant new evidence is obtained, its application must be distinguished from the ordinary exercise of disciplinary discretion by the employing institution. These issues demonstrate that implementing NACC findings requires an understanding of both legal obligations and the institutional processes through which disciplinary accountability is exercised.

From the perspective of higher education governance, unclear disciplinary authority may affect the consistency, transparency, and legitimacy of personnel administration. Shattock (2013) highlighted the significance of institutional governance arrangements in shaping administrative decision-making, while Macheridis and Paulsson (2021) demonstrated the growing importance of accountability relationships in higher education institutions. When disciplinary responsibilities are distributed among external investigative agencies, university executives, and internal personnel committees, clearly defined procedures are necessary to ensure that decisions are implemented consistently and within the limits of legally authorized powers. Furthermore, the principles of procedural justice discussed by Tyler (2006) and organizational justice examined by Assefa et al. (2026) suggest that administrative legitimacy is closely associated with the fairness of decision-making processes. In university disciplinary proceedings, these considerations are relevant to protecting personnel rights, maintaining institutional confidence, and reducing the risk of arbitrary or inconsistent administrative action.

Despite the existing legal framework and broader studies of public-sector accountability, the specific relationship between NACC determinations and university-level disciplinary decision-making requires further institutional analysis. Existing research has examined accountability in higher education (Macheridis and Paulsson, 2021), changes in university governance (Shattock, 2013), and the legitimacy of administrative procedures (Bovens, 2007; Tyler, 2006). In addition, the OECD (2021, 2026) has assessed structural and procedural challenges in Thailand's public-sector disciplinary system. However, these sources do not specifically address the legal and administrative questions that arise when Mahasarakham University implements disciplinary sanctions following NACC findings. This study therefore addresses the research gap in how national anti-corruption requirements interact with university-specific disciplinary regulations, particularly regarding institutional authority, administrative discretion, procedural compliance, and the protection of personnel rights.

The study addresses three research questions:

1. What legal measures govern disciplinary sanctions at Mahasarakham University following NACC determinations of misconduct?
2. How do judicial decisions clarify the binding effects of NACC findings, the limits of institutional disciplinary authority, and the legality of disciplinary orders?
3. What legal and administrative measures can strengthen disciplinary accountability, procedural fairness, and institutional governance at Mahasarakham University?

Accordingly, this study examines the legal measures and institutional procedures governing disciplinary sanctions at Mahasarakham University following the National Anti-Corruption Commission's findings of misconduct. Specifically, the study analyzes relevant legal provisions and university regulations, identifies legal and administrative challenges in implementing NACC findings, and proposes measures to improve disciplinary procedures and institutional accountability. The study examines the relationship between national anti-corruption enforcement and university personnel administration, with particular attention to the scope of disciplinary authority, the exercise of administrative discretion, and compliance with legally prescribed procedures. The findings are expected to improve disciplinary governance at Mahasarakham University by providing recommendations for clearer institutional regulations, more consistent administrative decision-making, and stronger procedural safeguards. Furthermore, the study seeks to contribute to the broader literature on higher education governance by demonstrating how public universities can balance

statutory accountability, institutional administrative responsibilities, and the principles of fairness and legal certainty in disciplinary proceedings.

LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK

University disciplinary accountability is closely associated with the principles of administrative legality, institutional responsibility, and procedural fairness. Bovens (2007) conceptualized accountability as a relationship in which public authorities must explain and justify their actions and may be held responsible for their consequences. In higher education, Macheridis and Paulsson (2021) emphasized that accountability involves multiple institutional and external relationships. These perspectives provide a foundation for examining the responsibilities of university administrators when implementing disciplinary sanctions following determinations by external anti-corruption authorities.

The principle of administrative legality requires disciplinary decisions to be based on legally established authority and implemented through prescribed procedures. In the Thai legal context, disciplinary orders are administrative actions that may affect the employment status, rights, and professional interests of public officials. Accordingly, the exercise of disciplinary authority must comply with statutory requirements concerning administrative competence, procedural fairness, the consideration of evidence, and the provision of reasons. The principles of proportionality and lawful administrative discretion are also relevant when determining sanctions, particularly where the applicable legislation permits consideration of the circumstances surrounding misconduct.

Previous Thai legal studies have examined concerns relating to the NACC's disciplinary jurisdiction, the binding effects of its determinations, and the discretion exercised by employing agencies. Research by Mahawirun (2019), Srisuwan (2023), Sakhon (2023), and Siridech (2013) addresses related questions concerning judicial review, the scope of NACC authority, and disciplinary decision-making. Collectively, these studies indicate the importance of distinguishing the investigative powers of anti-corruption authorities from the responsibilities of public institutions to implement disciplinary consequences. However, the application of these legal relationships to institutional governance and disciplinary decision-making within a specific public university requires closer examination.

Procedural justice provides an additional perspective for understanding the legitimacy of disciplinary administration. Tyler (2006) emphasized that fair procedures contribute to confidence in institutional authority and the acceptance of administrative decisions. Applied to university governance, this perspective highlights the importance of impartial decision-making, legally appropriate sanctions, and access to administrative and judicial remedies. The present study integrates these principles with doctrinal legal analysis and judicial case examination to investigate how national anti-corruption enforcement interacts with disciplinary accountability at Mahasarakham University.

MATERIALS AND METHODS

Research design

This study employed a doctrinal legal research design supported by documentary analysis and the examination of selected judicial decisions to investigate the relationship between national anti-corruption oversight and institutional disciplinary accountability at Mahasarakham University, Thailand. The research focused on the relationship between national anti-corruption legislation, institutional disciplinary authority, and administrative procedures governing personnel management in higher education. Legal content analysis, judicial case analysis, and cross-case analysis were employed to examine the applicable legal framework, interpret the responsibilities of university administrators, identify legal and administrative challenges, and formulate recommendations for strengthening institutional accountability. The analysis emphasized four dimensions: the binding effect of NACC determinations, the statutory authority of the NACC, the scope of university disciplinary discretion, and the legality and procedural fairness of disciplinary orders.

Research materials and sources

The research utilized primary and secondary documentary sources relevant to anti-corruption enforcement and disciplinary governance in Thai higher education institutions. Primary sources included the Constitution of the Kingdom of Thailand, B.E. 2560 (2017); the Organic Act on Anti-Corruption, B.E. 2561 (2018); the Act on Regulations for Civil Servants in Higher Education Institutions, B.E. 2547 (2004), and its amendments; the Administrative Procedure Act, B.E. 2539 (1996); disciplinary penalty standards issued by the Civil Service Commission for Higher Education Institutions; and Mahasarakham University regulations concerning disciplinary authority, personnel administration, disciplinary sanctions, and appeals. Additional primary materials comprised NACC determinations, university disciplinary orders, administrative appeals, appeal decisions, Constitutional Court decisions, Administrative Court judgments, and relevant legal case documents. Secondary sources included academic books, peer-reviewed journal articles, theses, research reports, and official publications addressing university governance, public-sector accountability, administrative discretion, disciplinary sanctions, and procedural justice. The judicial

case analysis focused on cases involving Mahasarakham University personnel subjected to disciplinary proceedings following NACC findings.

The judicial materials included decisions of the Khon Kaen Administrative Court and the Supreme Administrative Court concerning disciplinary disputes involving Mahasarakham University personnel. The principal decisions examined included Khon Kaen Administrative Court Case Nos. B.197/2560, B.220/2560, B.202/2560, B.221/2560, and B.222/2560, together with relevant appellate judgments and orders, including Supreme Administrative Court Case Nos. A.2173/2566 and A.77/2566. The corresponding judgments and orders were examined as related judicial records rather than automatically treated as independent disputes. Case selection was based on the relevance of the judicial issues to NACC findings, university disciplinary authority, the classification of misconduct, procedural legality, and administrative remedies (Table 1).

Table 1. Documentary sources and analytical framework.

Documentary source	Analytical focus
Constitution and anti-corruption legislation	NACC authority and binding determinations
Higher education personnel legislation	Disciplinary offenses and penalties
University regulations	Institutional authority and disciplinary procedures
NACC determinations and university orders	Implementation of disciplinary decisions
Court decisions and appeal records	Judicial interpretation and procedural legality
Scholarly publications	Governance, accountability, and fairness

Data collection

Documentary data were collected systematically in accordance with the research objectives. Relevant legislation and university regulations were first compiled to identify the legal responsibilities of the NACC and Mahasarakham University's disciplinary authorities. Institutional and judicial documents were subsequently gathered to examine how NACC determinations were incorporated into university disciplinary decisions. These materials included investigation findings, disciplinary orders, appeal documents, court pleadings, judgments, and related administrative records. Academic literature on university governance, institutional accountability, administrative law, and procedural fairness was also reviewed to provide theoretical and comparative perspectives. The collected documents were examined for relevance, completeness, and authenticity by comparing information with original legislation, official administrative records, and judicial decisions. The documents were then classified by legal function and governance implications for systematic analysis.

Data analysis

Data were analyzed through legal content analysis, judicial case analysis, and cross-case comparison. The analysis was organized around four principal dimensions of university governance and disciplinary accountability. For each judicial case, the analysis examined the circumstances of the alleged misconduct, the NACC determination, the university's disciplinary action, the legal questions presented before the court, the judicial reasoning, and the resulting judgment or order. Particular attention was given to the legal elements of corruption, the statutory limits of NACC jurisdiction, the validity of disciplinary orders, and the consequences of judicial annulment. Related first-instance and appellate decisions were compared to distinguish the development of legal reasoning within the same dispute from similarities and differences across separate disputes. The resulting patterns were synthesized to identify legal and institutional challenges affecting disciplinary accountability at Mahasarakham University.

First, the binding effect of NACC determinations was examined to establish the extent to which investigative findings, disciplinary offenses, and supporting evidence constrain university decision-making. Second, the statutory jurisdiction of the NACC was analyzed to distinguish external investigative authority from institutional disciplinary responsibilities. Third, the scope of administrative discretion exercised by Mahasarakham University was evaluated in relation to personnel regulations, disciplinary penalty standards, and the determination of appropriate sanctions. Fourth, procedural compliance and fairness were assessed by examining the authority of decision-makers, administrative procedures, impartiality, consideration of evidence, reasons supporting disciplinary orders, and available appeal mechanisms. Relevant judicial cases were examined to identify legal interpretations and administrative challenges. Cross-case comparisons were used to identify recurring issues and differences in the application of disciplinary provisions.

The findings were synthesized to explain the relationship between national anti-corruption enforcement and institutional disciplinary governance and to develop recommendations for improving accountability and legal compliance.

Trustworthiness and data verification

The trustworthiness of the findings was strengthened through documentary verification and triangulation across legal and institutional sources. Primary legislation, official government documents, university regulations, and judicial decisions were prioritized when interpreting legal requirements. Information from NACC determinations, disciplinary orders, appeal records, and court decisions was compared to examine the consistency of factual accounts and legal reasoning. The analysis also distinguished between established case facts, formal determinations made by competent authorities, judicial interpretations, and the researcher's analytical conclusions. These procedures supported the credibility, transparency, and consistency of the legal analysis while reducing the risk of relying on incomplete or conflicting documentary evidence.

RESULTS

Legal frameworks and institutional governance in disciplinary sanctions following NACC findings

The documentary analysis revealed that disciplinary sanctions imposed by Mahasarakham University following findings of misconduct by the National Anti-Corruption Commission (NACC) are governed by an interconnected legal and institutional framework rather than a single legislative instrument. This framework encompasses constitutional provisions defining the authority of the NACC, the Organic Act on Anti-Corruption governing the investigation and determination of misconduct, laws regulating personnel administration in higher education institutions, and Mahasarakham University's internal regulations concerning disciplinary authority and administrative procedures. These legal instruments establish the relationship between external anti-corruption enforcement and the university's responsibilities for implementing disciplinary sanctions.

The findings indicate that the disciplinary process involves two interconnected dimensions of accountability. The first concerns national accountability, under which the NACC exercises its constitutionally established authority to investigate alleged misconduct by state officials and determine whether the allegations are substantiated. The second concerns institutional accountability, under which Mahasarakham University must implement the relevant disciplinary measures through its authorized administrative bodies in accordance with applicable laws and university regulations. This arrangement demonstrates that disciplinary governance in public higher education institutions depends on coordination between external regulatory authorities and internal university administration.

Furthermore, the analysis identified several essential elements of disciplinary governance, including the legal authority to investigate misconduct, the binding effect of NACC findings, the responsibilities of university administrators, the determination of disciplinary sanctions, and compliance with established administrative procedures. These elements matter because the university must meet its statutory obligations while ensuring that legally authorized officials issue disciplinary orders and that they comply with the relevant personnel administration framework. The principal legal measures identified in the analysis are presented below (Table 2).

Table 2. Legal framework governing disciplinary sanctions following NACC findings.

Legal framework	Principal governance function
Constitution of Thailand (2017)	Establishes the NACC's constitutional authority
Organic Act on Anti-Corruption (2018)	Governs NACC findings and disciplinary referrals
Higher Education Civil Service Act (2004)	Establishes disciplinary offenses, sanctions, and authority
CSC-HEI disciplinary standards	Establishes disciplinary penalty standards
MSU regulations (2019)	Defines university disciplinary decision-making procedures
MSU regulations (2010)	Regulates disciplinary administration for university employees
Appeal legislation and MSU regulations (2014)	Establishes administrative remedies and legal safeguards

Constitutional foundations of anti-corruption oversight and university accountability

The findings revealed that the Constitution of the Kingdom of Thailand, B.E. 2560 (2017), establishes the fundamental legal basis for the authority of the NACC and its role in promoting integrity and accountability within public institutions. Section 234(2) provides that the NACC has the authority and responsibility to investigate and determine whether state officials have acquired unusual

wealth, engaged in corruption, committed offenses related to their official positions, or committed offenses associated with the administration of justice. These constitutional powers establish the NACC as an independent oversight institution responsible for addressing misconduct within the public sector. In the context of Mahasarakham University, the constitutional framework is relevant to civil servants and university employees who fall within the applicable legal definition of state officials. Where allegations of corruption or official misconduct concern such personnel and fall within the NACC's statutory jurisdiction, the Commission may investigate the allegations and issue a determination in accordance with the Constitution and the Organic Act on Anti-Corruption. When the NACC determines that the alleged conduct provides grounds for disciplinary action, the matter proceeds to the relevant university authority for implementation under the applicable disciplinary framework.

The analysis identified an important distinction between the constitutional authority of the NACC and the administrative responsibilities of Mahasarakham University. The NACC exercises independent investigative and decision-making powers concerning misconduct within its jurisdiction, whereas the university is responsible for implementing disciplinary consequences through its legally designated authorities. This division of responsibilities establishes a system in which external oversight and internal administrative accountability operate within a common legal framework. From the perspective of university governance, the constitutional provisions have three significant implications. First, they establish external oversight of misconduct involving university personnel who are legally classified as state officials. Second, they require university administrators to recognize the legal consequences of NACC findings and respond through the appropriate disciplinary procedures. Third, they reinforce the principle that institutional autonomy does not exempt public universities from compliance with national anti-corruption legislation.

The findings therefore demonstrate that the Constitution serves not only as the legal foundation for anti-corruption investigations but also as an important mechanism connecting national public-sector accountability with university personnel administration. This relationship highlights the obligation of Mahasarakham University to maintain an administrative system capable of implementing legally authorized anti-corruption decisions while ensuring that subsequent disciplinary actions comply with the university's governing regulations.

The Organic Act on Anti-Corruption, B.E. 2561 (2018): Disciplinary enforcement and institutional responsibilities

The analysis revealed that the Organic Act on Anti-Corruption, B.E. 2561 (2018), constitutes the principal statutory framework governing the implementation of disciplinary proceedings following NACC findings of misconduct. The Act establishes the procedures through which the NACC's investigative determinations are communicated to the relevant administrative authorities and provides the legal basis for subsequent disciplinary action against state officials.

Section 91(2) stipulates that when the NACC determines that an allegation is substantiated and that the conduct constitutes grounds for disciplinary proceedings, the Commission must forward its report, investigation file, supporting evidence, and decision to the official's superior or the authority empowered to appoint or remove the official within thirty days. This provision establishes a formal mechanism for transferring the results of an anti-corruption investigation to the institution responsible for disciplinary enforcement. For Mahasarakham University, this provision creates an administrative obligation to receive and process NACC findings through the university's legally authorized personnel management structure. Once the relevant documents are received, the responsible university authorities must determine the subsequent disciplinary procedures in accordance with the applicable statutory requirements. The university's responsibility therefore extends beyond acknowledging the NACC's decision to ensuring that the disciplinary process is implemented through the proper administrative channels.

Section 98, paragraph one, further establishes that the superior or the authority empowered to appoint or remove the accused official shall determine disciplinary sanctions based on the offenses identified in the NACC's decision without appointing a separate disciplinary inquiry committee. The investigation file prepared by the NACC is deemed to constitute the disciplinary investigation file required under the laws, regulations, or bylaws governing the accused official's personnel administration. The findings indicate that this provision has substantial implications for the exercise of disciplinary authority within Mahasarakham University. In cases falling within the statutory requirements, the university is not required to conduct a new disciplinary investigation to establish the same misconduct already determined by the NACC. Instead, the NACC's findings and investigation file provide the legal and evidentiary foundation for the subsequent disciplinary proceedings. This requirement reduces duplication between national investigative procedures and institutional disciplinary investigations while reinforcing the legal significance of the NACC's determination.

Nevertheless, the analysis also identified the distinction between the determination of misconduct and the administrative implementation of disciplinary sanctions. Although Section 98 establishes the legal effect of NACC findings, the authorized superior or appointing authority remains responsible for issuing disciplinary orders. Consequently, Mahasarakham University must ensure

that the relevant disciplinary sanction is determined and imposed in accordance with the applicable personnel administration laws and institutional regulations. The analysis further indicates that the university's administrative discretion must be exercised within the limits established by the Organic Act. The statutory requirement to rely on the NACC's findings restricts the university's ability to independently reinvestigate or disregard the misconduct determined within the Commission's lawful jurisdiction. However, the subsequent disciplinary decision must still satisfy applicable legal requirements concerning the authority of the decision-maker, the classification of the disciplinary offense, the prescribed sanction, and the procedures for issuing a valid administrative order.

Section 99 of the Organic Act on Anti-Corruption, B.E. 2561 (2018), establishes an additional legal safeguard. Where the relevant superior or appointing authority obtains new evidence indicating that the accused official did not commit the alleged offense or that the conduct constituted a different offense, the authority must submit the evidence to the NACC for reconsideration within the legally prescribed period. This mechanism provides a specific statutory procedure for addressing new evidence rather than permitting the university to independently reverse the NACC's findings. From the perspective of university governance and disciplinary accountability, the findings demonstrate that the Organic Act establishes a structured relationship between national anti-corruption enforcement and institutional personnel administration. The NACC is responsible for investigating and determining misconduct within its jurisdiction, while Mahasarakham University is responsible for implementing the resulting disciplinary measures through authorized administrative procedures. Accordingly, the Organic Act performs three principal functions in the university's disciplinary governance system. It establishes the legal effect of NACC findings, defines the responsibilities of institutional disciplinary authorities, and provides procedural requirements intended to support consistent disciplinary enforcement. These functions strengthen accountability by requiring the university to respond to substantiated misconduct while ensuring that disciplinary decisions remain subject to established legal and administrative procedures.

The Act on Regulations for Civil Servants in Higher Education Institutions, B.E. 2547 (2004), and its amendments: Institutional governance and disciplinary authority

The findings revealed that the Act on Regulations for Civil Servants in Higher Education Institutions, B.E. 2547 (2004), and its amendments constitute a principal legal framework governing personnel administration and disciplinary accountability in Thai public higher education institutions. The Act establishes requirements concerning professional conduct, disciplinary offenses, disciplinary proceedings, sanctions, and the administrative responsibilities of authorized university officials. It also provides a legal foundation for higher education institution councils to establish regulations governing personnel management, including disciplinary procedures, termination of service, appeals, and grievances. These provisions are significant for university governance because they define the institutional responsibilities and administrative mechanisms through which disciplinary accountability is maintained (Act on Regulations for Civil Servants in Higher Education Institutions, 2004).

The analysis indicated that the Act places considerable importance on ethical conduct and professional responsibility in the performance of official duties. Civil servants in higher education institutions are required to perform their responsibilities honestly, impartially, and in accordance with applicable laws and regulations while protecting the interests of the state. Corruption in the performance of official duties, including the improper exercise or omission of official responsibilities to obtain unlawful benefits for oneself or others, constitutes a serious disciplinary offense. Similarly, intentional or negligent noncompliance with applicable legal and administrative requirements that causes serious damage to public interests may constitute a serious disciplinary violation. These statutory obligations establish standards of conduct that support institutional integrity, administrative accountability, and public confidence in higher education governance.

Regarding disciplinary sanctions, Section 48 of the Act prescribes five categories of penalties: reprimand, salary deduction, salary reduction, removal from service, and dismissal from service. The two most severe penalties, removal and dismissal, apply to serious disciplinary offenses. The determination of an appropriate sanction must be based on the classification and seriousness of the misconduct and the relevant legal requirements. These provisions establish a framework for consistent disciplinary enforcement and provide university administrators with statutory guidance when exercising disciplinary authority (Act on Regulations for Civil Servants in Higher Education Institutions, 2004, Section 48).

The findings further demonstrated that the Act establishes responsibilities for university administrators in disciplinary proceedings. Ordinarily, when reasonable grounds exist to believe that a civil servant has committed a disciplinary offense, the authorized superior must initiate the prescribed disciplinary procedures, subject to statutory exceptions and the relevant university regulations. However, where the National Anti-Corruption Commission (NACC) has investigated misconduct and issued a determination within its statutory authority, the disciplinary process must also comply with the Organic Act on Anti-Corruption, B.E. 2561 (2018). In such circumstances, the NACC investigation file serves as the disciplinary investigation file for the purposes specified by the Organic

Act, thereby eliminating the requirement to establish a separate disciplinary inquiry committee for the same substantiated misconduct (Organic Act on Anti-Corruption, 2018, Section 98).

An additional finding concerns disciplinary proceedings involving former civil servants in higher education institutions. Section 53/1 of the Act provides that when the NACC or another legally authorized anti-corruption body determines that a former civil servant committed misconduct, disciplinary proceedings and sanctions must comply with the criteria and conditions established by the applicable anti-corruption legislation. This provision extends the relevance of disciplinary accountability beyond the period of active employment, subject to the statutory requirements governing such cases (Act on Regulations for Civil Servants in Higher Education Institutions, 2004, Section 53/1).

In the context of Mahasarakham University, the analysis identified the Act as an important legal connection between national anti-corruption enforcement and internal personnel administration. Although the NACC is responsible for investigating and determining misconduct within its jurisdiction, the university remains responsible for implementing disciplinary sanctions through its legally authorized administrative bodies. The university must therefore determine the applicable disciplinary provisions, identify the official or committee empowered to act, and ensure that the resulting order complies with national legislation and institutional regulations.

From the perspective of university governance, these findings demonstrate that the Act performs three interconnected functions. First, it establishes standards of professional conduct and disciplinary responsibility for civil servants in higher education institutions. Second, it provides the legal framework for determining disciplinary penalties and allocating administrative authority within universities. Third, it connects national anti-corruption decisions with institutional disciplinary procedures, thereby supporting consistency and legal accountability in personnel administration.

Disciplinary penalty standards established by the civil service commission for higher education institutions: Consistency and institutional accountability

The findings revealed that the Notification of the Civil Service Commission for Higher Education Institutions (CSC-HEI) concerning disciplinary penalty standards establishes an important regulatory framework for ensuring consistency in disciplinary sanctions imposed upon civil servants in Thai higher education institutions. Issued under the statutory authority governing higher education personnel administration, the notification provides minimum disciplinary standards for university councils to incorporate into their institutional regulations. These standards are intended to promote consistent disciplinary enforcement, prevent unjustified differences in administrative treatment, and strengthen accountability in the exercise of disciplinary authority (Civil Service Commission for Higher Education Institutions [CSC-HEI], 2007).

The analysis indicated that higher education institutions are responsible for establishing disciplinary rules and procedures that comply with the minimum standards prescribed by the CSC-HEI. Although university councils possess regulatory authority over institutional personnel administration, their disciplinary regulations must remain consistent with the applicable national legal framework. This requirement establishes a relationship between institutional administrative autonomy and standardized disciplinary accountability. Universities may develop procedures appropriate to their organizational structures, but they must not establish disciplinary arrangements that undermine mandatory legal requirements or prescribed disciplinary standards.

With respect to serious disciplinary misconduct, the findings indicated that the regulatory framework recognizes removal from service and dismissal from service as the principal sanctions. These penalties reflect the seriousness of conduct that violates fundamental obligations of honesty, integrity, and responsibility in public administration. In cases involving corruption in the performance of official duties, the applicable disciplinary standards establish particularly strict requirements for determining sanctions. Consequently, university administrators must consider the legal classification of the misconduct, the relevant penalty standards, and any binding statutory requirements when determining the appropriate disciplinary consequence.

The analysis further demonstrated that the disciplinary penalty standards have direct implications for Mahasarakham University when implementing NACC findings of misconduct. Once the NACC has determined that an allegation is substantiated and has referred the matter for disciplinary action, the university must consider the relevant findings together with the disciplinary framework established by the Act on Regulations for Civil Servants in Higher Education Institutions and the applicable CSC-HEI standards. The university's decision-making authority must therefore be exercised within the boundaries established by national legislation and its own personnel administration regulations.

The findings also identified the relationship between standardization and administrative discretion as an important issue in university disciplinary governance. Although the authorized university official or committee is responsible for determining and issuing the disciplinary order, such authority does not permit unrestricted discretion in selecting sanctions. The decision must comply with the applicable statutory classification of the offense and any legally binding minimum penalties. Where the law or relevant disciplinary standards prescribe a particular penalty for a defined category of misconduct, the

university must follow that requirement. Where discretion is legally permitted, the decision must remain consistent with the seriousness of the offense, the applicable regulations, and the principles governing lawful administrative action.

From the perspective of institutional accountability, these standards serve an important function in reducing inconsistencies between disciplinary decisions involving comparable offenses. They also provide a regulatory foundation for evaluating whether university administrators have exercised their disciplinary responsibilities within the scope of their legal authority. By establishing minimum requirements for disciplinary sanctions, the CSC-HEI framework supports transparency, consistency, and accountability in public higher education personnel administration.

The findings further suggest that disciplinary standardization must be considered alongside procedural fairness. Compliance with prescribed penalty standards is essential, but the validity of disciplinary action also depends on whether the appropriate authority issues the order and follows the legally required procedures. Accordingly, Mahasarakham University must ensure that the implementation of NACC findings satisfies both substantive disciplinary requirements and procedural obligations. This distinction is important because a disciplinary order may raise legal concerns if it is issued by an unauthorized official or through procedures inconsistent with applicable legislation, even where the underlying misconduct has been substantiated.

Mahasarakham University Regulations on Disciplinary Authority and Administrative Procedures: Institutional decision-making and accountability

The findings revealed that the Mahasarakham University Regulations on the Authority to Impose Disciplinary Sanctions, Procedures for Issuing Disciplinary Orders, and the Amendment of Such Orders, B.E. 2562 (2019), constitute an important institutional framework governing disciplinary decision-making and administrative accountability. These regulations define the authority of university administrators, establish procedures for issuing and amending disciplinary orders, and provide criteria for determining appropriate sanctions. Their significance lies in translating national disciplinary requirements into institutional administrative procedures, thereby ensuring that disciplinary decisions are implemented through legally authorized university governance structures (Mahasarakham University, 2019).

The analysis indicated that the President of Mahasarakham University holds a central role in administering disciplinary measures against civil servants who have committed serious disciplinary offenses. Under Clause 8 of the regulations, the President exercises the prescribed disciplinary authority, while the university's Personnel Management Committee (K.B.M.) participates in the decision-making process. The matter must be submitted to the committee for consideration, after which the President issues the disciplinary order or takes the appropriate administrative action in accordance with the committee's resolution. This procedure establishes an institutional mechanism through which disciplinary authority is exercised within a formal administrative structure rather than solely through individual executive discretion (Mahasarakham University, 2019, Clause 8).

The findings further indicated that the regulations distinguish between the legal authority to impose disciplinary sanctions and the administrative procedures required to implement them. Although the President is responsible for issuing disciplinary orders, the involvement of the Personnel Management Committee introduces a collective decision-making process intended to ensure that the relevant facts, legal requirements, and disciplinary standards are considered. This allocation of responsibilities is particularly important when the National Anti-Corruption Commission (NACC) has already determined that misconduct occurred, because the university must implement the legal consequences of the NACC's decision while complying with its own institutional procedures.

Regarding the determination of disciplinary sanctions, the regulations require that penalties correspond to the seriousness of the offense and be imposed without malice, prejudice, or arbitrary treatment. Disciplinary sanctions must not be imposed upon individuals who have not committed the relevant offense. The regulations also recognize the consideration of mitigating circumstances, including previous meritorious service, expressions of remorse, efforts to remedy damage, admissions of wrongdoing, and cooperation during the investigative or disciplinary process. However, such considerations must remain consistent with the statutory requirements governing serious disciplinary offenses. Where misconduct legally constitutes a serious disciplinary offense, mitigating circumstances cannot justify imposing a penalty below the minimum sanction prescribed by law (Mahasarakham University, 2019).

The analysis identified the relationship between the NACC's findings and the university's internal disciplinary procedures as a significant aspect of institutional accountability. Under Section 98 of the Organic Act on Anti-Corruption, B.E. 2561 (2018), the university must rely on the NACC's investigation file and determination when initiating the relevant disciplinary process, without appointing a separate disciplinary inquiry committee for the same substantiated misconduct. Nevertheless, the university remains responsible for determining and issuing disciplinary orders through the officials and administrative bodies authorized under its personnel management regulations (Organic Act on Anti-Corruption, 2018, Section 98).

From the perspective of university governance, the

findings demonstrate that disciplinary implementation involves a structured relationship between external anti-corruption oversight and internal administrative authority. The NACC determines misconduct within its statutory jurisdiction, whereas the university's authorized administrative bodies are responsible for implementing the corresponding disciplinary sanctions. The Personnel Management Committee and the President therefore perform complementary institutional responsibilities in ensuring that disciplinary decisions comply with national legislation and university regulations (Table 3).

Table 3. Distribution of disciplinary authority and institutional responsibilities.

Responsible authority	Principal responsibility
National Anti-Corruption Commission	Investigates and determines misconduct within its statutory jurisdiction
University President	Exercises legally prescribed disciplinary authority and issues orders
University Personnel Management Committee	Considers disciplinary matters under applicable university regulations
University Appeals and Grievances Committee	Reviews matters within its legally prescribed appeal authority
Administrative Court	Exercises judicial review within its jurisdiction

Mahasarakham University Regulations on Disciplinary Administration for University Employees, B.E. 2553 (2010): Personnel status and institutional accountability

The findings revealed that the Mahasarakham University Regulations on the Authority to Impose Disciplinary Sanctions, Procedures for Issuing and Amending Disciplinary Orders, Maintenance of Discipline, and Termination of Employment for University Employees, B.E. 2553 (2010), establish an institutional framework for disciplinary administration involving university personnel who are not classified as civil servants in higher education institutions. These regulations are significant because Mahasarakham University's personnel management system includes different employment categories that may be subject to distinct legal provisions and administrative requirements. Accordingly, the implementation of disciplinary sanctions following NACC findings must take into account the employment status and applicable regulatory framework of the individual concerned (Mahasarakham University, 2010).

The analysis indicated that the 2010 regulations provide for the application of relevant disciplinary provisions governing civil servants in higher education institutions to university employees, with necessary modifications (mutatis mutandis). This approach enables the university to apply established disciplinary principles and administrative procedures across different personnel categories while recognizing differences in their legal status, conditions of employment, and applicable institutional regulations. The findings therefore demonstrate that disciplinary accountability is not confined to civil servants but also extends to university employees where the relevant laws and regulations authorize such action.

In cases where the NACC determines that a university employee has committed misconduct, the university must first establish whether the individual falls within the statutory definition of a state official and whether the NACC's determination is legally applicable to the alleged conduct. Where the relevant statutory requirements are satisfied, the disciplinary process must comply with the Organic Act on Anti-Corruption, B.E. 2561 (2018), together with the university's personnel regulations governing the individual concerned. This requirement demonstrates the importance of distinguishing the authority of the NACC to investigate misconduct from the institutional authority to impose employment-related disciplinary consequences.

The findings further identified personnel classification as an important factor in determining the applicable disciplinary procedures. The university must consider the legal status of the accused employee, the provisions governing the individual at the time of the alleged misconduct, and the rules applicable when disciplinary action is undertaken. These considerations are necessary to establish the appropriate legal basis for disciplinary proceedings, identify the authorized decision-maker, and determine the permissible disciplinary sanctions. Failure to distinguish between personnel categories may create uncertainty concerning the validity of disciplinary orders and the administrative procedures required for their implementation.

Another significant finding concerns the application of disciplinary principles across the university's personnel management system. Although the principle of mutatis mutandis permits the adaptation of disciplinary provisions originally established for civil servants, its application does not eliminate the need to examine the specific legal requirements governing university employees. Any adaptation must remain compatible with the employee's legal status and applicable regulations. Consequently, disciplinary sanctions cannot be implemented solely on the assumption that every provision governing civil servants applies identically to university employees.

From the perspective of university governance, the 2010 regulations demonstrate an institutional effort to establish a coherent disciplinary framework across

different employment categories. This arrangement supports administrative consistency while requiring university authorities to recognize differences in statutory rights, employment conditions, and disciplinary procedures. The relationship between personnel classification and disciplinary authority is particularly important in cases involving NACC findings because the university must ensure that sanctions are imposed under the correct legal provisions and by appropriately authorized officials.

Legal measures for appeals and judicial review: Procedural fairness and protection of personnel rights

The findings revealed that the legal framework governing disciplinary sanctions at Mahasarakham University includes administrative appeal procedures and judicial review mechanisms designed to protect the rights of personnel subjected to disciplinary action. These measures provide opportunities to challenge disciplinary decisions, examine the legality of administrative orders, and address potential errors in the exercise of disciplinary authority. The availability of such mechanisms is an important component of university governance because it establishes accountability for administrative decisions and provides procedural safeguards against unlawful or inappropriate disciplinary sanctions.

For civil servants in higher education institutions, the Act on Regulations for Civil Servants in Higher Education Institutions, B.E. 2547 (2004), and its amendments establish procedures for challenging disciplinary orders through the competent administrative appeal mechanisms. Civil servants who receive disciplinary sanctions or orders terminating their service may exercise their appeal rights in accordance with the applicable statutory requirements and prescribed periods. The findings indicate that these procedures provide an institutional mechanism for reviewing whether disciplinary orders have been issued by authorized officials, whether the relevant legal requirements have been followed, and whether the imposed sanctions comply with applicable disciplinary standards (Act on Regulations for Civil Servants in Higher Education Institutions, 2004, as amended).

For university employees, the Mahasarakham University Regulations on Appeals and the Consideration of Appeals, B.E. 2557 (2014), establish an internal administrative framework for reviewing disciplinary decisions. Under these regulations, the designated Appeals and Grievances Committee is responsible for considering appeals and examining the relevant circumstances surrounding disciplinary orders. Its review functions may include consideration of whether a disciplinary sanction should be upheld, modified, reduced, revoked, or otherwise corrected in accordance with the applicable legal provisions. This mechanism establishes an internal accountability process through which university employees may seek administrative reconsideration of decisions affecting their employment rights and professional status (Mahasarakham University, 2014).

The analysis identified Section 101 of the Organic Act on Anti-Corruption, B.E. 2561 (2018), as particularly significant for disciplinary cases arising from NACC findings. The provision establishes that an individual subjected to disciplinary sanctions under Section 98 who is entitled to bring a case before the Administrative Court may file a lawsuit within ninety days from the date the disciplinary sanction is imposed without first completing the ordinary administrative appeal procedures established under the applicable personnel management laws or regulations. Alternatively, the individual may pursue an administrative appeal concerning the disciplinary authority's discretion in determining the sanction before seeking judicial review, as permitted by the relevant legal framework (Organic Act on Anti-Corruption, 2018, Section 101).

The findings indicate that Section 101 establishes an important distinction between ordinary university disciplinary proceedings and cases arising from NACC determinations. In ordinary disciplinary cases, the applicable personnel regulations may prescribe internal administrative appeal procedures before judicial proceedings can be initiated. However, where disciplinary sanctions are imposed under Section 98 of the Organic Act, the statutory framework provides an alternative route to judicial review without requiring prior exhaustion of the ordinary administrative appeal process. This mechanism strengthens access to judicial remedies and provides an external legal safeguard for individuals affected by disciplinary orders issued following NACC findings.

An additional finding concerns the scope of administrative appeals and judicial review in cases involving NACC determinations. Although an affected individual may challenge the disciplinary sanction through the legally available procedures, the authority of the relevant administrative review body must be considered in relation to the binding effect of the NACC's findings. In particular, the university's internal appeal mechanisms cannot be presumed to possess unrestricted authority to overturn factual or legal determinations made by the NACC within its statutory jurisdiction. The distinction between reviewing the university's exercise of disciplinary discretion and challenging the NACC's underlying determination is therefore essential to understanding the limits of institutional authority.

The analysis further demonstrated that the legal validity of disciplinary orders depends on compliance with both substantive and procedural requirements. These include identifying the appropriate legal basis for disciplinary action, confirming the authority of the official responsible for issuing the order, applying the correct disciplinary standards, following prescribed administrative procedures, and notifying the affected individual of the available legal remedies. In this regard, the right to appeal and the

availability of judicial review function as accountability mechanisms through which the legality of administrative decisions may be examined. From the perspective of university governance, these legal remedies contribute to the balance between institutional disciplinary authority and the protection of personnel rights. The NACC's findings may establish a binding foundation for disciplinary proceedings, but the university remains responsible for implementing sanctions in accordance with the law. Administrative appeals and judicial review therefore provide mechanisms for examining whether university authorities have acted within their statutory powers and complied with the procedural requirements governing disciplinary decisions (Table 4).

Table 4. Disciplinary procedures and legal safeguards following NACC findings.

Procedural stage	Legal or institutional requirement	Accountability implication
NACC determination	Misconduct determined within statutory authority	External oversight
Referral to university	Investigation documents forwarded to competent authority	Institutional responsibility
Review of legal authority	Identify applicable law and personnel status	Legal compliance
Determination of sanctions	Apply appropriate disciplinary provisions	Consistency and fairness
Issuance of disciplinary order	Follow authorized university procedures	Administrative accountability
Appeal or judicial review	Apply relevant statutory remedies	Protection of personnel rights

Judicial case analysis and institutional disciplinary accountability

A key consideration in interpreting these judicial decisions is the distinction between the anti-corruption legislation in force at the time of the disputed disciplinary proceedings and the current statutory framework. Some disputes examined in this study arose before the enactment of the Organic Act on Anti-Corruption, B.E. 2561 (2018). Accordingly, the study interprets the judicial findings within the legal framework applicable to each dispute, while examining the 2018 Act separately to assess its implications for current university disciplinary governance.

The analysis of judicial decisions concerning disciplinary proceedings at Mahasarakham University identified important legal issues regarding the binding effects of NACC findings, the classification of disciplinary offenses, the limits of administrative authority, and the legality of disciplinary sanctions. The cases demonstrate that the implementation of NACC determinations requires consideration not only of the findings of the anti-corruption authority but also of the statutory jurisdiction under which those findings were made and the legal requirements governing subsequent university disciplinary orders. The principal judicial issues are presented below.

Judicial review of NACC findings and university disciplinary orders

The judicial analysis identified an important distinction between NACC determinations and disciplinary orders issued by Mahasarakham University. In the proceedings associated with Khon Kaen Administrative Court Case No. B.197/2560 and Supreme Administrative Court Case No. A.2173/2566, the courts examined the relationship between the investigative authority of the NACC and the legality of disciplinary action taken by the university. The judicial reasoning distinguished the NACC's determination of misconduct from the university's subsequent administrative order affecting the accused's employment status and legal rights. The study therefore identified judicial review as an essential mechanism for examining whether disciplinary sanctions were imposed within legally established authority.

Legal elements of corruption and serious disciplinary misconduct

The proceedings concerning Khon Kaen Administrative Court Case No. B.197/2560 and Supreme Administrative Court Case No. A.2173/2566 involved allegations relating to advance construction payments, the examination of financial guarantees, and the handling of potential financial damage to the university. The judicial analysis emphasized that serious disciplinary misconduct involving corruption required evidence of an intention to obtain an unlawful benefit for oneself or another person. Procedural irregularities, administrative negligence, or errors in exercising official responsibilities were not, in themselves, sufficient to establish corruption without the necessary legal elements. The study thus identified the distinction between administrative misconduct and corruption as an important consideration when evaluating the legal basis of disciplinary sanctions.

Delegated authority and the determination of disciplinary liability

A related issue arose in Khon Kaen Administrative Court Case No. B.220/2560 and Supreme Administrative Court Case No. A.77/2566, involving the approval of payments

beyond the scope of delegated authority. According to the judicial analysis, the university president's failure to object was considered relevant to the subsequent ratification of the administrative action. The payments also corresponded to contractual amounts, and the evidence did not establish that the official had obtained an unlawful benefit or intended to provide an improper advantage to the contractor. The decisions therefore showed that exceeding delegated authority did not automatically establish corruption without considering the relevant circumstances and the required elements of the offense.

Limits of NACC jurisdiction and the validity of disciplinary orders

The study further identified the importance of distinguishing misconduct within the NACC's statutory jurisdiction from other disciplinary offenses. In the proceedings associated with Supreme Administrative Court Case No. A.2173/2566, the judicial analysis indicated that when the principal allegation of corruption was not established, an associated determination concerning another disciplinary offense could fall outside the NACC's authority under the legislation applicable to the dispute. In such circumstances, the university could not automatically rely on that determination as a substitute for its ordinary disciplinary investigation. Where the university considered that the conduct might constitute a separate disciplinary violation, the applicable personnel administration legislation remained relevant.

The analysis also identified the consequences of disciplinary orders issued without a sufficient legal basis. Where the necessary elements of corruption were not established, or a disciplinary determination exceeded the relevant statutory jurisdiction, the resulting university disciplinary orders were subject to annulment. The judicial decisions discussed in the source study included the annulment of dismissal orders and associated appeal decisions, with consequences for restoring affected personnel to their previous or equivalent positions. These findings demonstrate that compliance with external anti-corruption determinations does not eliminate the university's responsibility to ensure the legality of its administrative actions.

Administrative appeals and time limits for judicial review

Additional judicial issues concerned the time limits for initiating Administrative Court proceedings when administrative appeals remained unresolved. The decisions associated with Khon Kaen Administrative Court Case Nos. B.221/2560 and B.222/2560 and Supreme Administrative Court Order Nos. KB.4/2562 and KB.216/2562 addressed the consequences of delays in appeal consideration. The judicial analysis indicated that, under the procedural framework applicable to those disputes, the right to initiate judicial proceedings arose after the relevant appeal consideration period had expired. Continuing to await an administrative appeal decision did not automatically suspend or restart the judicial filing period. These decisions highlight the importance of accurately informing university personnel of applicable appeal procedures and judicial deadlines (Table 5).

Table 5. Selected judicial decisions and their implications for university disciplinary accountability.

Judicial decision (case number)	Principal legal issue	Institutional implication
Supreme Administrative Court, A.2173/2566 (Red A.168/2569)	Elements of corruption; NACC jurisdiction; legality of sanctions	Verify the statutory basis and legal elements of the offense
Supreme Administrative Court, A.77/2566 (Red A.1242/2569)	Delegated authority and payment approval	Distinguish administrative irregularity from corruption
Supreme Administrative Court Order KB.4/2562	Delay in administrative appeal and judicial filing period	Provide clear information on litigation deadlines
Supreme Administrative Court Order KB.216/2562	Appeal-related procedural time limits	Strengthen notification of legal remedies

DISCUSSION

The findings demonstrate that disciplinary sanctions at Mahasarakham University following National Anti-Corruption Commission (NACC) determinations are governed by national anti-corruption legislation, higher education personnel laws, and university regulations. This framework connects external oversight with institutional accountability. Bovens (2007) emphasized that accountability requires clearly defined responsibilities and mechanisms for evaluating administrative actions, while Macheridis and Paulsson (2021) highlighted the

complexity of accountability relationships in higher education. Similarly, Chongla-iad et al. (2021) identified the importance of clear administrative authority and transparent personnel management in Thai universities. The present findings confirm that effective disciplinary governance requires coordination between national anti-corruption authorities and university administrators.

The findings further indicate that the NACC's determinations influence university disciplinary proceedings while leaving responsibility for issuing disciplinary orders with authorized university officials. Section 98 of the Organic Act on Anti-Corruption, B.E. 2561 (2018), permits the NACC's investigation file to serve as the disciplinary investigation record without requiring a separate inquiry committee. This finding corresponds with Engkprapakul (2025), who identified legal concerns regarding the relationship between NACC investigations and the disciplinary authority of employing institutions. The OECD (2021) similarly emphasized that unclear administrative responsibilities and institutional fragmentation can undermine disciplinary enforcement. Therefore, Mahasarakham University must clearly distinguish between the NACC's investigative authority and the university's responsibility for implementing sanctions.

The judicial case analysis provides further evidence of the legal complexity involved in implementing NACC determinations within university disciplinary administration. The decisions concerning Supreme Administrative Court Case Nos. A.2173/2566 and A.77/2566 demonstrate the importance of distinguishing administrative irregularities from corruption and examining whether the statutory elements of serious disciplinary misconduct have been established. The cases also highlight the legal consequences of disciplinary decisions based on findings that exceed the relevant investigative authority or lack a sufficient statutory foundation. These observations extend the discussion of institutional accountability by showing that university disciplinary governance requires both compliance with national anti-corruption mechanisms and independent attention to the legality of administrative implementation. The findings support the broader principle that accountability mechanisms must operate within clearly defined legal responsibilities (Bovens, 2007) and reinforce the need for transparent administrative procedures in higher education institutions (Macheridis and Paulsson, 2021).

The findings also demonstrate that disciplinary sanctions must comply with the applicable legal standards and reflect the seriousness of the offense. The Act on Regulations for Civil Servants in Higher Education Institutions, B.E. 2547 (2004), establishes disciplinary offenses and penalties, while university regulations determine the responsible administrative authorities. The OECD (2021) emphasized that consistency and objectivity are essential to effective disciplinary systems. Similarly, Wacharinrat et al. (2023) identified standardized procedures, transparency, and accountability as important principles of governance in Thai public higher education institutions. These findings suggest that Mahasarakham University should establish clear disciplinary guidelines to ensure consistent and legally appropriate decisions for different categories of university personnel.

Procedural fairness and the protection of personnel rights are equally important. The findings indicate that disciplinary orders must be issued through legally authorized procedures and accompanied by appropriate appeal or judicial review mechanisms. Tyler (2006) emphasized that procedural fairness contributes to the legitimacy of institutional decisions, while Kleebsuwan (2025) highlighted the importance of procedural safeguards in anti-corruption investigations involving Thai public personnel. Section 101 of the Organic Act on Anti-Corruption, B.E. 2561 (2018), also provides qualifying individuals with access to judicial review without first completing ordinary administrative appeals. These provisions demonstrate that disciplinary accountability must balance enforcement with the protection of individual rights.

The findings suggest that Mahasarakham University should strengthen disciplinary governance through clearer administrative responsibilities, standardized procedures, and improved legal knowledge among responsible officials. These recommendations are consistent with Macheridis and Paulsson (2021), who emphasized institutional accountability, and Chongla-iad et al. (2021), who highlighted the importance of appropriate personnel management regulations. The OECD (2026) also identified continuing challenges in Thailand's disciplinary administration. Accordingly, institutional guidelines should specify procedures for receiving NACC findings, identifying authorized decision-makers, determining sanctions, and informing affected personnel of their legal remedies.

Although this study focuses on a Thai public university, the findings provide a framework for examining disciplinary accountability in higher education systems where external investigative authorities and institutional administrators exercise interconnected responsibilities. The distinction between investigative findings, disciplinary authority, and judicial oversight may be relevant to universities in other Southeast Asian and developing countries. However, researchers must consider differences in national legal systems and institutional governance arrangements before applying these findings to other jurisdictions. Comparative research could further examine how universities reconcile statutory anti-corruption requirements with institutional autonomy, administrative discretion, and procedural fairness.

The study demonstrates that effective disciplinary accountability requires coordination between national anti-corruption enforcement and internal university governance. Its contribution lies in clarifying the relationship between NACC determinations, institutional

disciplinary authority, administrative discretion, and procedural fairness. These findings support existing research on accountability and institutional legitimacy (Bovens, 2007; Tyler, 2006). However, because the study relies primarily on documentary analysis, future research should examine actual disciplinary cases, administrative court decisions, and university personnel's experiences. Strengthening legal clarity and institutional procedures could contribute to more transparent, consistent, and equitable disciplinary governance in Thai higher education institutions.

This study was limited to documentary and doctrinal legal analysis within Mahasarakham University's institutional context. Although the research examined relevant judicial decisions and legal documents, it did not include interviews with university administrators, legal officers, personnel committee members, or affected employees. Consequently, the findings primarily reflect the legal and institutional dimensions of disciplinary accountability rather than the firsthand experiences of individuals involved in disciplinary proceedings. The study also focused on selected judicial disputes, which may not represent all disciplinary cases within the university. Future research should incorporate empirical interviews and comparative institutional studies to examine the practical implementation and effectiveness of disciplinary procedures.

CONCLUSION

This study concludes that disciplinary sanctions imposed by Mahasarakham University following the National Anti-Corruption Commission's (NACC) findings of misconduct are governed by an interconnected framework of national anti-corruption legislation, higher education personnel laws, and university regulations. The findings show that while the NACC has statutory authority to investigate and determine misconduct, the university's legally authorized administrative bodies remain responsible for implementing disciplinary sanctions. Accordingly, effective disciplinary accountability requires clear institutional authority, compliance with applicable legal provisions, and consistent administrative procedures.

The judicial case analysis further demonstrated that the legality of disciplinary sanctions depends on the statutory jurisdiction of the NACC, the establishment of the necessary elements of misconduct, and compliance with applicable administrative procedures. The examined decisions highlighted that administrative irregularities or actions exceeding delegated authority do not automatically constitute corruption in the absence of the required legal elements. They also demonstrated that disciplinary orders may be subject to annulment when the underlying determination exceeds statutory authority or the resulting administrative action lacks a sufficient legal basis. These findings reinforce the importance of distinguishing external anti-corruption oversight from the university's continuing responsibility to ensure lawful and procedurally appropriate disciplinary decisions.

The study further reveals that the implementation of NACC findings presents challenges concerning administrative discretion, disciplinary standards, personnel classification, and procedural fairness. Although the university must rely on legally binding NACC findings, disciplinary orders must comply with the relevant personnel regulations and statutory requirements. Clear distinctions between investigative authority and disciplinary decision-making are therefore essential to preventing administrative uncertainty and ensuring the legality of sanctions.

To strengthen university governance, Mahasarakham University should establish comprehensive disciplinary guidelines, clarify the responsibilities of authorized officials and committees, standardize procedures for determining sanctions, and ensure that affected personnel are informed of their appeal and judicial review rights. Improving the legal competencies of university administrators would further support transparent and consistent disciplinary administration. Overall, the study contributes to understanding the relationship between national anti-corruption enforcement and institutional accountability in higher education. Its findings provide a foundation for improving disciplinary governance and promoting lawful, fair, and transparent personnel administration in Thai public universities.

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