



## **VIETNAM'S LAW ON HIGHER EDUCATION (2012)**

Vietnam's *Law on Higher Education*, which took effect in January 2013, is the country's first law dedicated specifically to the higher education (HE) sector. *The Law* aims to reform and regulate HE in order to develop human resources needed for Vietnam's move towards a knowledge-based economy.

*The Law* covers areas not previously mentioned in legislation e.g. institutional autonomy, quality assurance, international cooperation, university research mission, university mission in science and technology, private universities, national and regional universities, and university classification and ranking.

### **I. National and regional universities:**

National universities in Hanoi and Ho Chi Minh City and regional universities in Thai Nguyen, Hue, and Da Nang will receive more state investment and be given increased autonomy.

- These institutions have until now had to run under 'special decrees', and were not covered by legislation.

### **II. Private universities:**

For the first time, some private or foreign-invested Higher Education Institutions (HEIs) which operate on a 'non-profit' basis (i.e. profits are re-invested in the local community) will receive priority in land allocation, tax, capital, and staff training (previously reserved for public HEIs).

- The term 'private' appears for the first time in Vietnamese legislation governing education. The use of this term indicates approval of the contribution of private education to the education system and the value of both state and non-state investment in education.

### **III. Institutional autonomy:**

*The Law*, for the first time, mentions the autonomy of HEIs and

- removes the government cap on tuition fees (though conditions may be attached to fee levels for public institutions)
- allows HEIs to issue degrees to their graduates
- allows HEIs to manage their academic affairs within the curriculum set by MOET (Ministry of Education and Training)
- allows HEIs to choose the education quality accreditation agency from a list of accreditation agencies approved by MOET

### **IV. Classification of universities:**

*The Law* outlines three categories of universities: research-based, application-based, and experiment-based.

- This classification may reflect a strategy to develop the research capacity of universities, whilst also producing graduates with employment-ready skills.

#### **V. University research responsibility:**

*The Law* provides legislative framework for university research and the promotion of linkages between universities and industry.

- Many universities in Vietnam still separate teaching and research, common since the period of Soviet influence.

#### **VI. The role of universities in science and technology:**

*The Law* outlines, for the first time, universities' role in science and technology, reflected in clauses which:

- allow HEIs to set up science and technology centres to pursue technical solutions to assist social and economic development
- allow HEIs to receive income from science and technology services and reinvest income in science, technology and business
- protect intellectual property and confidentiality of scientific inventions, and prioritise national interests.

#### **VII. Quality assurance:**

*The Law:*

- requires internal and external accreditation of HEIs. The results of quality accreditation must be publicly announced.
- requires education quality accreditation agencies to have legal status and to be accountable for their accreditation activities. MOET is responsible for providing legal status for these agencies and assessment of accreditation.

#### **VIII. Ranking of universities:**

The ranking criteria include a HEI's role in the education system, its training and research output and its quality assessment result. MOET will issue the ranking framework.

- The ranking of universities will inform the allocation of state budget.

#### **IX. Closure:**

*The Law* outlines regulations governing closure of institutions.

- These regulations provide a legal tool to manage the operation of HEIs, especially those in the private sector and foreign- invested sector.

#### **X. International cooperation:**

*The Law:*

- regulates the responsibilities of partners in twinning programs and representative offices, with the intention of protecting the rights of students and employees in foreign-invested HEIs.
- requires some compulsory units designed by Vietnam Ministry of Education and Training to be taught in foreign-invested HEIs. *The Law* does not specify the compulsory units.