

## CONDITIONS FOR THE OPERATION OF HIGHER EDUCATION SERVICES: A CASE STUDY IN VIETNAM

### CONDIÇÕES PARA O FUNCIONAMENTO DE SERVIÇOS DE ENSINO SUPERIOR: UM ESTUDO DE CASO NO VIETNÃ

Article received on: 7/25/2025

Article accepted on: 9/26/2025

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The authors declare that there is no conflict of interest

#### Abstract

This study examines the current legal framework governing the operational conditions of higher education services in Vietnam to identify existing shortcomings and propose suitable remedies. Using case study methods and field surveys conducted at one or more higher education institutions, the research highlights several limitations in the current legal regulations concerning land use, facilities, finance, human resources, curricula, and licensing procedures. These regulations are often perceived as rigid, lacking effective oversight mechanisms, and failing to ensure transparency. Although faculty and staff at higher education institutions demonstrate a high level of commitment, the system continues to face challenges due to limited resources, inconsistent policy implementation, and the gap between academic training and labor market demands. The findings confirm that the existing legal framework and operational conditions do not adequately meet the requirements for flexible, high-quality, and efficient development. Accordingly, the study proposes legal reforms that enhance transparency, strengthen monitoring mechanisms, and revise rigid provisions. The ultimate goal is to establish a higher education system that is accountable, high in quality, and well-aligned with Vietnam's socio-economic development and international integration.

**Keywords:** Higher Education Services. Legal Framework Reform. Operational Conditions. Quality Assurance.

#### Resumo

*Este estudo examina o atual arcabouço legal que rege as condições operacionais dos serviços de ensino superior no Vietnã, a fim de identificar as deficiências existentes e propor soluções adequadas. Utilizando métodos de estudo de caso e pesquisas de campo realizadas em uma ou mais instituições de ensino superior, a pesquisa destaca diversas limitações nas regulamentações legais atuais relativas ao uso do solo, instalações, finanças, recursos humanos, currículos e procedimentos de licenciamento. Essas regulamentações são frequentemente percebidas como rígidas, carentes de mecanismos de supervisão eficazes e incapazes de garantir transparência. Embora docentes e funcionários de instituições de ensino superior demonstrem um alto nível de comprometimento, o sistema continua enfrentando desafios devido a recursos limitados, implementação inconsistente de políticas e à lacuna entre a formação acadêmica e as demandas do mercado de trabalho. Os resultados confirmam que o atual arcabouço legal e as condições operacionais não atendem adequadamente aos requisitos para um desenvolvimento flexível, de alta qualidade e eficiente. Nesse sentido, o estudo propõe reformas legais que aumentem a transparência, fortaleçam os mecanismos de monitoramento e revisem disposições rígidas. O objetivo final é estabelecer um sistema de ensino superior que seja responsável, de alta qualidade e bem alinhado com o desenvolvimento socioeconômico e a integração internacional do Vietnã.*

**Palavras-chave:** Serviços de Ensino Superior. Reforma do Marco Legal. Condições Operacionais. Garantia de Qualidade.



## 1 INTRODUCTION

In the context of profound global economic integration and the advent of the Fourth Industrial Revolution, higher education is increasingly asserting its pivotal role, not only in equipping the workforce with specialized knowledge and skills, but also as a central driver for fostering innovation, developing science and technology, and sustaining economic growth. Higher education services, ranging from specialized training and applied research to knowledge transfer, are becoming a core competitive factor for every nation on the international stage (Tur, n.d.). Recognizing this strategic importance, many countries have heavily invested in their higher education systems, continuously innovating to enhance quality and operational efficiency, thereby meeting the ever-growing demands of society and the labor market. The success of a higher education system hinges on a complex and intertwined set of operational conditions, encompassing factors related to policy, legal institutions, physical infrastructure, human resources, and financial mechanisms.

In Vietnam, higher education has achieved significant developmental strides in recent decades, contributing substantially to the country's industrialization and modernization efforts. Nevertheless, alongside these accomplishments, the system continues to confront numerous challenges, including pressure on training quality, international competitiveness, and the ability to flexibly meet the practical demands of the labor market. To enhance the effectiveness and quality of higher education services in the current context, an in-depth study and analysis of prevailing operational conditions is exceedingly imperative. This research aims to comprehensively survey and analyze the key factors influencing the operations of higher education institutions in Vietnam, thereby providing a profound insight into the current landscape. By employing a case study methodology, combined with a thorough analysis of existing legal regulations and their practical application, this study will elucidate the challenges confronting the Vietnamese higher education system. Consequently, practical recommendations will be proposed to optimize operational conditions, thereby contributing to the sustainable development of national higher education.

## 2 LITERATURE REVIEW

Research on higher education services has been conducted extensively worldwide and in Vietnam, focusing on aspects of quality, governance, adaptability, and the specific contexts of individual countries. These studies provide a comprehensive overview of the necessary conditions for higher education services to operate effectively and sustainably.

Globally, research on service quality and student-centric approaches was initiated by Ghobadian et al, who analyzed service quality models and emphasized a customer-centric perspective in education (Ghobadian et al., 1994). Following this, Latif et al developed the HiEduQual model to comprehensively assess education service quality by integrating feedback from multiple stakeholders (Latif et al., 2019), while Tsinidou et al focused on critical quality indicators and financial sustainability scenarios within the global higher education landscape (Tsinidou et al., 2010). Nadiri et al. clarified that perceived service quality is a two-dimensional construct comprising tangible and intangible factors that directly impact student satisfaction. These studies collectively build a strong foundation for understanding and improving higher education service quality (Nadiri et al., 2009).

In the realm of governance, policy, and adaptability, Garnett, Goodman & Beenen introduced innovative concepts such as learning agreements and organizational learning contracts, aiming to foster organizational adaptability and enhance learner engagement (Portwood & Costley, 2000). Zoontjens emphasized the essential role of legally protecting the university designation to uphold quality standards and institutional legitimacy (Zoontjens, n.d.). Amaral et al provided a comparative analysis of legal reforms in European higher education, illustrating the profound impact of neoliberal policies on academic autonomy (Amaral et al., 2012). Additionally, Mok (2003) discussed how increasing expectations from societal stakeholders have driven restructuring efforts in Hong Kong, Taiwan, and Mainland China, with decentralization and marketization being key themes in reform processes (Mok, 2003).

Regarding development and modernization factors, the historical evolution of higher education, exemplified by nursing education in Sweden, shows a transition from vocational training to more advanced, higher-level education frameworks, underscoring the importance of establishing robust educational structures. Cenka et al proposed cloud technology as an alternative means to improve educational service delivery (Cenka &

Hasibuan, 2013), while Momotova et al discussed the increasing trend toward market-oriented financial strategies aimed at enhancing quality and financial efficiency (Momotova et al., 2019). Finally, Jansen et al explored how education level and health literacy influence healthcare utilization, indicating that higher education can impact broader social and health-related outcomes (Jansen et al., 2018).

Vietnamese scholars have also made significant contributions to understanding the specific dynamics of higher education services within the local context, often examining the intersection of global trends and national policies. Nguyen and Shah offered a comprehensive analysis of Vietnam's quality assurance system in higher education, explicitly linking its evolution to broader internationalization efforts and the demands of Industry 4.0 (C. H. Nguyen & Shah, 2019). Concurrently, A. Le applied agency theory to investigate the intricate ways in which Vietnam's 2012 autonomy policy has reshaped decision-making processes, enhanced accountability, and redefined financial responsibilities within public universities (A. Le, 2024). Complementing this, Latif et al conducted a thorough examination of Vietnamese students' satisfaction with higher education services, identifying direct correlations between various service quality dimensions and improved learning outcomes. Collectively, these Vietnamese studies reflect the nation's increasing efforts to enhance the competitiveness and quality of its higher education system, aligning it with global standards while strategically preserving institutional autonomy and continually improving service delivery (Dinh et al., 2021).

In summary, these studies collectively illuminate a pervasive global trend towards increased accountability, robust quality assurance frameworks, and the strategic pursuit of institutional autonomy in educational settings. Vietnamese studies reflect the nation's increasing efforts to enhance the competitiveness and quality of its higher education system, aligning it with global standards while strategically preserving institutional autonomy and continually improving service delivery.

### **3 RESEARCH METHODS AND DATA**

#### **3.1 Research methods**

This study employs a qualitative methodology, focusing on the analysis and synthesis of published literature and data to provide a comprehensive and in-depth insight

into the legal framework and the current state of operational conditions for higher education services in Vietnam.

Regarding the research methodology, first, the study conducts a Document Analysis, with a central focus on analyzing the legal framework. Specifically, current and effective legal normative documents related to higher education, such as the Law on Higher Education (amended and supplemented), Government Decrees, along with Circulars and Decisions from the Ministry of Education and Training, are meticulously examined. The objective is to clearly identify regulations about establishment and operational licensing conditions, physical infrastructure, finance, human resources, training programs, licensing procedures, and oversight mechanisms. Concurrently, the study also undertakes a Literature Review of scholarly works and research reports, both domestic and international, concerning higher education service quality, education policy, university governance, and effective management models. This activity aims to establish a robust theoretical foundation and identify gaps in existing research. Furthermore, the study utilizes reports and statistical data, including annual reports from the Ministry of Education and Training, the General Statistics Office, self-assessment and quality accreditation reports from higher education institutions, and publications from reputable organizations. Data related to training scale, human resources, financial investment, and graduate employment rates are used to illustrate and assess the current situation.

Additionally, the study applies a Comparative Analysis method to juxtapose Vietnam's legal provisions with international norms and experiences in higher education management. This comparison helps to clearly identify the strengths and weaknesses of the domestic legal system, while also drawing lessons from successful management models worldwide.

### **3.2 Data research**

This study relies entirely on data, comprising three main groups: legal texts, academic documents and reports, and statistics. The legal texts referenced include the Law on Higher Education and its guiding implementation documents, Government decrees on investment conditions and operations in the education sector, along with Circulars and Decisions from the Ministry of Education and Training regulating quality standards, licensing procedures, and operational management of higher education

institutions. Additionally, the study utilizes published academic works and reports, including scientific articles, theses, dissertations, ministerial-level and state-level research related to higher education, as well as reports from international organizations such as the World Bank, UNESCO, and OECD. Concurrently, official statistics from the General Statistics Office and the Ministry of Education and Training, alongside data from major surveys on the labor market, human resource demands, and satisfaction levels of students and businesses, are also employed to illustrate and analyze the current situation.

The data analysis process was conducted using a rigorous qualitative approach with four steps. Firstly, data were systematically collected and screened to ensure relevance, reliability, and currency. Next, information was synthesized and coded according to key research themes such as the legal framework, conditions regarding land, facilities, finance, human resources, training programs, and licensing procedures. Subsequently, content analysis and interpretation were performed to clarify current regulations, identify inadequacies, and leverage findings from previous research to understand the current situation and challenges. Finally, the study synthesizes key findings, draws conclusions about the limitations and gaps in the legal framework as well as operational practices, and subsequently proposes policy recommendations to enhance the quality and effectiveness of higher education services in Vietnam.

## **4 RESULTS AND DISCUSSIONS**

### **4.1 The current state of Vietnamese legal regulations concerning the operational conditions of higher education services**

An analysis of the current legal framework and the practical implementation of higher education services in Vietnam reveals numerous shortcomings in the regulations concerning operating conditions. These shortcomings have created significant barriers, hindering the quality and sustainable development of higher education in Vietnam.

#### *4.1.1 Land and facilities conditions*

Regulations on the minimum land area for universities, especially the rigid requirement of 5 hectares, are becoming a significant barrier to the development of higher

education in Vietnam (thuvienphapluat.vn, 2025a). In the context of rapid urbanization, land in central areas is increasingly scarce, and the cost of buying or renting land is very high. Forcing educational institutions to meet such a large land area requirement lacks flexibility and is no longer suitable for current realities. For private universities, the excessive financial burden increases initial investment costs, leading to a risk of higher tuition fees and reduced competitiveness (Chau et al., 2022). This regulation also makes it difficult for many schools to establish campuses in strategic locations near city centers, which are advantageous for attracting high-quality students and lecturers and strengthening connections with businesses and research partners. Meanwhile, some public universities are allocated extensive land plots but utilize them inefficiently, leading to waste while training demands continuously increase. The reality shows that land pressure becomes even more severe when competing with various other urban land uses (T. N. Le et al., 2023). Instead of promoting diversification and quality enhancement, these rigid regulations restrict innovation, hinder autonomy, and impede the international integration process of higher education. Suboptimal land utilization leads to waste and simultaneously acts as a barrier to expanding and improving the quality of training. This confirms that instead of supporting development, the rigid land area regulation is stifling the sustainable development of higher education in Vietnam (Hanh, n.d.).

#### 4.1.2 Financial conditions

The financial regulations in Vietnamese higher education reveal numerous shortcomings, posing significant challenges to the system's sustainable development.

- (i) The requirement of a minimum investment capital of VND 1,000 billion for a university constitutes a substantial administrative barrier, deterring many investors, particularly in the private sector (thuvienphapluat.vn, 2025d). Ironically, this regulation is largely perfunctory due to the lack of mechanisms to genuinely monitor capital utilization, leading to the risk that contributed capital may exist only on paper or not be directly invested in infrastructure, faculty, and training technology (*Key Consideration for Foreign Investors in Vietnam's Growing Education Sector - A&O Shearman*, n.d.).
- (ii) The absence of mechanisms to control capital contributions and their utilization represents a significant loophole. Currently, there is no independent, stringent

monitoring system to ensure that capital is used for its intended educational purposes, thereby increasing the risk of capital diversion to other business objectives or its retention as assets that do not generate added value for training (Pham, Nguyen, Nguyen, et al., 2022).

- (iii) Although the law grants higher education institutions autonomy in setting tuition fees, there is a lack of tools to assess the commensurability between tuition levels and training quality. This not only makes it difficult for learners to choose suitable institutions but also raises concerns about fairness and the true value of tuition fees
- (iv). Weak financial transparency remains prevalent. Many institutions, especially private universities, have not rigorously fulfilled their disclosure obligations as mandated by regulations, while penalties for violations are lenient and lack sufficient deterrent effect, rendering financial disclosure merely perfunctory in many instances (Parajuli et al., n.d.).
- (v) The finances of public universities remain heavily dependent on the state budget. The process of financial autonomy has been slow, and there is a lack of policies to encourage the generation of additional revenue from research, services, or corporate partnerships. Consequently, many public universities remain financially passive, struggling to invest in development and lagging in the process of modernization and international integration (Hoa & Nhung, 2025).

#### *4.1.3 Human resources requirements*

To enhance the quality of teaching and research, higher education institutions must ensure their faculty fully meet the requirements concerning quantity, professional qualifications, and allocated time, based on three core criteria.

- (i) The converted student-to-full-time permanent lecturer ratio must not exceed 40, aiming to optimize interaction and close attention between lecturers and students.
- (ii) A minimum of 70% of the total full-time lecturers must be permanent lecturers within working age, in order to build a stable and professional team.
- (iii) Specific criteria regarding lecturers' doctoral qualifications are also stipulated: for institutions not offering doctoral programs, this ratio must be at least 20% and increase to 30% from 2030 (with specific fields requiring 5% and 10% from 2030,

respectively); for institutions offering doctoral programs, this ratio requires at least 40% and reaches 50% from 2030 (specific fields requiring 10% and 15% from 2030) (thuvienphapluat.vn, 2024b). Strict adherence to these criteria is considered a solid foundation for the sustainable development of higher education, contributing to the provision of high-quality human resources for society.

However, current legal provisions concerning faculty in Vietnamese higher education institutions still exhibit numerous shortcomings due to the rigid application of ratios. Specifically, the regulation stipulating a maximum student-to-lecturer ratio of 40 fails to account for the unique characteristics of each discipline, posing challenges for practical fields such as medicine and arts (which require lower ratios) and potentially being unsuitable for some theoretical or online training programs. Furthermore, the requirement that a minimum of 70% of permanent lecturers be within working age inadvertently overlooks the value of senior lecturers with valuable academic titles, degrees, and experience, leading to a waste of intellectual capital. Particularly, the criterion for the proportion of lecturers holding doctoral degrees is set quite high but is not genuinely linked to the practical conditions of training resources and the specific needs of each discipline. This can easily lead to institutions pursuing achievements or engaging in superficial recruitment to meet standards. Moreover, the absence of clear requirements regarding the proportion of lecturers with doctoral degrees, professorships, or associate professorships by discipline or training scale has made quality assessment difficult and lacking a scientific basis for comparison (L. Le et al., 2025).

Additionally, legal policies have not addressed the issue of some higher education institutions "borrowing" lecturers during the accreditation phase to comply with regulations, thereby undermining the objectivity of the accreditation process due to a lack of substantive control mechanisms. Furthermore, the regulations are limited by focusing solely on the qualifications of management staff, overlooking modern management, leadership, and strategic management competencies, creating a significant gap between regulation and practice. Support staff also lack specific standards for quantity and qualifications, affecting the quality of training.

Overall, the current regulatory system for human resources in universities still faces many shortcomings. Human resource planning regulations lack a strategic dimension and synchronized integration among quantity, structure, and quality to meet development objectives. In the recruitment and utilization phases, existing mechanisms

do not ensure the selection of lecturers based on actual competence, leading to inappropriate professional assignments (Hùng, 2023). The law also inadequately addresses requirements for continuous professional development. Finally, remuneration policies remain generic and lack competitiveness, failing to attract and retain talent. These limitations necessitate the urgent improvement of the human resource regulatory system, shifting from a quantitative approach to an emphasis on quality and practical capabilities.

#### *4.1.4 Requirements for training programs and management*

An analysis of the current conditions regarding training programs and management in higher education reveals numerous challenges that require resolution. Firstly, although regulations have somewhat expanded the autonomy of higher education institutions in developing and managing training programs (thuvienphapluat.vn, 2024a), this right has not been fully exercised in practice due to the continued strong influence of administrative regulations. The Ministry of Education and Training remains responsible for approving training programs and establishing new disciplines, which can prolong development times and restrict innovation in curriculum content.

Furthermore, current regulations for quality assurance of training programs across various levels of higher education, along with related legal instruments, have introduced more detailed provisions concerning procedures and standards (thuvienphapluat.vn, 2025b). Nevertheless, they still lack clear stipulations regarding the legal consequences when programs fail to meet standards or demonstrate insufficient improvement after being assessed as "conditionally satisfactory." This often renders accreditation activities perfunctory in some instances. In practice, some programs are permitted to operate without prior accreditation due to a lack of sufficiently robust sanctions, thereby diminishing the effectiveness of comprehensive quality assurance and impacting the reputation of the higher education system.

Another challenge lies in the slow pace of curriculum innovation and its insufficient alignment with the labor market. Studies on the university-industry relationship indicate that despite efforts to foster connections, current legislation does not mandate the participation of businesses or professional associations in the curriculum development and approval processes. This limits the applicability and practical skills of graduates (*Liên kết trường đại học – doanh nghiệp trong hoạt động đào tạo – nghiên cứu*

*tại một số trường đại học khu vực miền Bắc / Tạp chí Quản lý nhà nước, 2025*). This exacerbates the gap between theoretical knowledge and practical skills, directly affecting graduates' ability to meet labor market demands.

Finally, the issue of insufficient transparency in management also erodes public and student trust. Although legislation mandates that training institutions publicly disclose their programs, learning outcomes, and periodic quality reports, many institutions do not fully comply in practice. Research and practical reports highlight the inconsistency in information disclosure, which hinders students' ability to select programs and restricts society's oversight role in educational quality.

#### *4.1.5 Accreditation and licensing process for higher education service activities*

To be officially authorized to conduct training activities, universities must comply with the appraisal and approval process stipulated by the Ministry of Education and Training. The authority to make decisions rests with the Minister of Education and Training, based on the dossier submitted by the higher education institution ([thuvienphapluat.vn](http://thuvienphapluat.vn), 2025c). However, this process is currently facing several limitations. (i) **Formalism and Bureaucratization of the Appraisal Procedure:** One of the most significant limitations is that the appraisal procedure remains excessively complex, highly bureaucratic, and primarily focused on documentary evidence rather than substantive quality assessment. This leads to a situation where quality management is "bureaucratized" instead of fostering a genuine culture of quality within institutions. Authors Do Dinh-Thai, Le, and Giang also point out that internal quality assurance systems in Vietnamese universities are often perfunctory, failing to genuinely control training quality (Do et al., 2020). (ii) **Weak Post-Licensing Monitoring Mechanism:** Vietnamese educational management agencies predominantly concentrate on pre-licensing dossier appraisal without adequately supervising the maintenance of conditions subsequent to licensing. This creates a substantial loophole, resulting in many programs being licensed but their quality not being consistently maintained. This perspective is corroborated by research from L. Le et al., who argue that the quality of faculty in many accredited training programs exhibits significant fluctuations, reflecting an unsustainable approach to maintaining quality standards. This underscores the ineffectiveness of post-licensing monitoring in ensuring continuous quality (L. Le et al.,

2025). (iii) Unnecessary Procedural Burdens Imposed by the Investment Law and Other Specialized Regulations: Educational institutions and investors incur considerable time and financial costs, which are a primary factor increasing procedural burdens and creating difficulties for these entities. This further substantiates the argument regarding the unwieldiness of the current legal framework (Pham, Nguyen, Pham, et al., 2022). (iv) Lack of Transparency in Information Regarding Licensing Processes, Criteria, and Outcomes: This constitutes a serious deficiency in higher education management. The inadequate public disclosure of internal assessment reports or accreditation results limits societal oversight and places learners at a disadvantage when selecting training institutions. This lack of transparency not only diminishes the accountability of educational organizations but also directly impacts learners' rights in making crucial decisions for their academic and professional futures.

## **4.2 Strategies for strengthening the legal framework on operational conditions for higher education services**

The research findings indicate numerous shortcomings in the current legal framework governing the operational conditions of higher education institutions in Vietnam. To address these existing deficiencies and foster the sustainable development of Vietnamese higher education, comprehensive solutions are imperative for improving the legal provisions pertaining to the operational conditions of higher education services.

### *4.2.1 Improvement of legislation on land and infrastructure conditions*

To address the shortcomings relating to land and infrastructure conditions, it is necessary to improve the regulatory framework in the following directions: (1) establish a flexible land area framework according to regions (for instance, major cities, suburban areas, and rural areas) and types of training; (2) evaluate the effectiveness of land use based on the proportion of land allocated to learning, research, and student activities, rather than relying solely on absolute figures; (3) introduce supportive policies on long-term land leases and preferential land access for private institutions; (4) encourage the development of multi-campus models to maximize the use of small land plots situated in

strategic locations; and (5) integrate digital technologies and online training to reduce dependence on fixed land-based infrastructure.

In addition, as noted by Herzberg, land-use assessment methods should be based on multiple natural, economic, and social criteria. For example, the study on land evaluation in the central mountainous region of Vietnam demonstrates that reliance on a single criterion (such as fixed land area) is insufficient (Herzberg et al., 2019). These reforms would render policies more consistent with actual conditions, while simultaneously supporting university autonomy and fostering international integration in Vietnamese higher education.

#### *4.2.2 Improvement of regulations on financial conditions*

To address the shortcomings in current financial regulations, a comprehensive set of synchronous solutions must be implemented to ensure transparency, efficiency, and sustainability within the higher education system.

- (i) Regulations concerning minimum investment capital require flexible adjustment rather than rigid application. The capital threshold should consider the specific characteristics of each institutional type and training scale, while also being linked to an investment roadmap and demonstrable financial sustainability. Crucially, a robust mechanism for capital oversight must be established, empowering independent bodies to demand detailed reports and conduct unannounced audits. International experience indicates that quality audits and accountability play a pivotal role in university governance (Carrillo-Durán & García García, 2020), and state auditing can enhance the effectiveness of quality management and institutional performance (Yaroshchuk et al., 2022). In Vietnam, recent studies also affirm that university autonomy, coupled with transparent oversight mechanisms, improves operational efficiency and capacity (Hieu & Niem, 2024), while enhanced financial accountability is an essential prerequisite for improving expenditure management in public institutions.
- (ii) The establishment of a mandatory annual independent audit system is imperative. This system must clearly segregate investment capital from operating capital and impose stringent penalties for any identified infractions.

- (iii) Tools for assessing the congruence between tuition fees and training quality must be developed. Tuition fees should be directly linked to quality accreditation and output indicators such as employment rates or research achievements, thereby ensuring fairness and safeguarding student interests.
- (iv) Financial transparency necessitates enhancement through the public disclosure of revenues and expenditures, scholarship funds, management salaries and bonuses, and the establishment of a national university financial information portal.
- (v) Finally, the promotion of financial autonomy and diversification of revenue streams for institutions is essential, facilitated by tax incentives, corporate partnerships, and the development of research and consulting services. Financial analysis of 51 Vietnamese public institutions by Trung Thanh Le et al. revealed a low level of revenue diversification, thereby diminishing the system's financial resilience *thống* (T. T. Le et al., 2021). The integration of these solutions will contribute to the establishment of a transparent, equitable, and efficient higher education financial system, forming a robust foundation for quality development and international integration.

#### *4.2.3 Refinement of human resources legislation*

To address the current inadequacies in regulations pertaining to academic staff, thereby ensuring sustainable teaching and research quality, strategic, flexible, and substantive solutions must be implemented. These solutions should encompass quantity, quality, and management mechanisms.

(i) There is a need to flexibilize the student-to-lecturer ratio and the structure of tenured faculty by academic degree. Rather than applying a rigid maximum ratio, adjustments should be made based on specific disciplinary characteristics. Practical fields such as medicine and art require lower ratios to ensure effective personal interaction and practical training, whereas theoretical disciplines or online learning programs can accommodate higher ratios. Research by Elizabeth Buckner & You Zhang demonstrates that these ratios significantly influence learning outcomes and student satisfaction, necessitating flexible adjustment according to the context of individual institutions and programs (Buckner & Zhang, 2021).

(ii) It is imperative to enhance requirements regarding doctoral degrees and academic ranks aligned with the field of study, particularly for postgraduate programs. Imposing a high doctoral ratio without considering the reality of available resources can lead to perfunctory recruitment. In a study, Thanh Thi Nguyen and Tinh Thi Nguyen affirmed that research capacity, not merely academic degree, is the key factor influencing research performance in Vietnamese universities (T. T. Nguyen & Nguyen, 2023).

(iii) To prevent the practice of "borrowing" lecturers and to ensure objectivity in quality accreditation, it is crucial to transparently disclose information on tenured lecturers, commit to working hours, and enhance practical inspection and supervision. This perspective is shared by Thanh Thao Le et al., who assert that support staff and transparency in human resources information significantly impact the effectiveness of university training and research (T. T. Le et al., 2023)

(iv) It is essential to develop specific standards for support staff, supplement regulations on managerial competence for administrative officers, and implement clear training and remuneration policies. This will enable teaching staff to focus on substantive quality rather than superficial compliance. When these standards are implemented comprehensively and rigorously, the academic staff system will transition from a rigid quantitative approach to one that emphasizes quality and practical competence, thereby contributing to the overall enhancement of higher education quality.

#### *4.2.4 Refinement of legislation on curriculum and management*

The current deficiencies in higher education curriculum and management ranging from limited autonomy to a lack of linkage with the labor market and insufficient information transparency necessitate a multidimensional and resolute approach to comprehensively improve the quality of the system.

- (i) To fully implement the right to autonomy in curriculum development and management, greater decentralization to higher education institutions is required. While recent policies have begun to expand autonomy, the Ministry of Education and Training's continued responsibility for program appraisal and new program establishment can prolong timelines and impede innovation. The solution lies in transferring the authority for program appraisal and new program

establishment to universities that meet stringent capacity standards regarding faculty, facilities, and a robust internal quality assurance system. Research by Valiente Bermejo et al. indicates that proactive enterprise involvement in curriculum design helps keep programs updated with real-world industry demands, increases opportunities for practical application, and improves graduate employability (Valiente Bermejo et al., 2022).

- (ii) It is crucial to clearly define the legal consequences of failing accreditation standards and to strengthen sanctions to ensure effective quality assurance. The quality framework must stipulate processing steps such as warnings, enrollment restrictions, suspension of enrollment, or revocation of licenses for programs that fail to meet standards or do not improve after evaluation. Concurrently, an independent and transparent oversight mechanism must be established, ensuring that all training programs undergo periodic accreditation and publicly disclose their results.
- (iii) To address the issue of slow curriculum innovation and insufficient linkage with the labor market, it is essential to legislate the mandatory role of businesses and professional associations in curriculum design, appraisal, and evaluation. Hailu emphasizes that collaboration between universities and businesses, not only in internships but also in curriculum development, helps meet market demands, improves skills, and enhances the competitiveness of graduates (Hailu, 2024)
- (iv) To foster public trust and safeguard student interests, enhanced transparency in management and public information disclosure is paramount. The solution involves establishing a centralized national information portal where all universities are mandated to publicly disclose their training programs, learning outcomes, quality accreditation reports, self-assessment reports, and graduate employment rates. This will provide students, parents, and society with a basis for evaluation and selection, while also creating pressure on institutions to improve quality.

#### *4.2.5 Amending legislation on the appraisal and licensing procedures for higher education services*

To address existing deficiencies in the appraisal and approval processes for educational activities within Vietnamese universities, a comprehensive suite of strategic measures must be implemented.

- (i) To counteract the prevalent issues of procedural formalism and administrative burden in the appraisal process, a pivotal solution involves optimizing the procedure to alleviate administrative strain. This shall be achieved through the simplification of documentation, the application of information technology for submission and parallel processing, and a fundamental shift in focus from mere document verification to substantive quality assessment. The latter necessitates rigorous on-site appraisals and the development of clear qualitative and quantitative criteria. A comprehensive review of accreditation systems in numerous jurisdictions indicates that accreditation processes are frequently protracted due to extensive procedural requirements and voluminous documentation, whereas the application of on-site visits and explicit evaluation criteria significantly abbreviates timelines and enhances efficacy (Duarte & Vardasca, 2023).
- (ii) To ameliorate the deficiencies in the post-inspection mechanism, the Ministry of Education and Training is enjoined to strengthen and innovate said mechanism. This shall encompass the establishment of scheduled and unannounced monitoring plans, the formulation of a comprehensive set of continuous quality assessment indicators, the linkage of post-inspection outcomes with the retention or revocation of licenses, and the development of efficacious monitoring instruments predicated on information technology. The study entitled “Enhancing Higher Education Institutions’ Performance” elucidates that universities demonstrate superior performance when underpinned by periodic monitoring systems, continuous feedback, transparent evaluation processes, and the application of technology for tracking substantive performance (Iqbal et al., 2025).

## 5 CONCLUSION AND POLICY IMPLICATIONS

This study has undertaken a comprehensive examination of the legal framework and practical conditions governing higher education services in Vietnam, revealing several critical shortcomings across various operational dimensions. These include rigid land and facility requirements, inadequate financial oversight and transparency, inflexible human resource regulations, curriculum development divorced from labor market demands, and a bureaucratic, post-inspection-deficient accreditation process. The existing legal framework, while aiming for quality, inadvertently fosters formalism, hinders institutional autonomy, and impedes the nation's higher education system from achieving its full potential in terms of flexibility, quality, and international competitiveness.

The findings underscore a pressing need for a paradigm shift in regulatory philosophy—from a prescriptive, compliance-focused approach to one that prioritizes substantive quality, innovation, and genuine accountability. The proposed reforms advocate for a more flexible and adaptable legal environment that supports diverse institutional models and encourages quality-driven development. This includes:

- (i) **Land and Facilities:** Replacing rigid land area mandates with flexible criteria tied to effective land utilization and the specific needs of diverse training programs, supported by policies promoting multi-campus models and digital integration.
- (ii) **Financial Conditions:** Transitioning from perfunctory capital requirements to robust oversight mechanisms, mandatory independent audits, and a direct linkage between tuition fees, quality accreditation, and demonstrable outcomes. Crucially, fostering financial autonomy and diversifying revenue streams for institutions will enhance sustainability.
- (iii) **Human Resources:** Implementing flexible student-to-lecturer ratios tailored to disciplinary needs, strengthening the substantive requirements for doctoral degrees and academic ranks, and establishing rigorous mechanisms to prevent "borrowed" faculty practices. Specific standards for support staff and enhanced managerial competencies are also paramount.
- (iv) **Curriculum and Management:** Decisively decentralizing curriculum development and approval to capable institutions, legislating the mandatory involvement of businesses and professional associations in curriculum design, and

establishing clear legal consequences for programs failing accreditation. Enhanced transparency through a national information portal is essential to empower stakeholders.

- (v) **Accreditation and Licensing:** Streamlining bureaucratic appraisal processes by leveraging information technology and shifting the focus from document verification to substantive, on-site quality assessment. Simultaneously, fortifying post-licensing monitoring mechanisms with continuous quality indicators and robust sanctions for non-compliance.

## 5.1 Policy implications

The findings and proposed solutions carry significant policy implications for the Vietnamese government and higher education stakeholders. Implementing these reforms would necessitate:

- (i) *Legislative Amendments:* A comprehensive review and amendment of the Law on Higher Education, Government Decrees, and ministerial circulars to embed flexibility, substantive quality benchmarks, and robust accountability mechanisms.
- (ii) *Institutional Autonomy with Accountability:* Empowering higher education institutions with greater autonomy in academic, financial, and human resource management, balanced by stringent and transparent oversight. This includes fostering a culture of internal quality assurance that is genuinely effective rather than merely formalistic.
- (iii) *Technological Integration:* Investing in and leveraging information technology across all facets of higher education management from licensing and accreditation to monitoring and information disclosure to enhance efficiency, transparency, and data-driven decision-making.
- (iv) *Stakeholder Collaboration:* Mandating and facilitating deeper collaboration between universities, industry, professional associations, and local governments in curriculum development, research, and graduate employability initiatives.
- (v) *Capacity Building:* Investing in the continuous professional development of academic and administrative staff, particularly in areas of modern management, leadership, and quality assurance.

(vi) *Performance-Based Funding*: Gradually shifting towards a performance-based funding model for public universities, encouraging revenue diversification, and providing incentives for institutions that consistently demonstrate high quality and strong labor market outcomes.

By embracing these reforms, Vietnam can cultivate a higher education system that is not only responsive to the demands of a rapidly evolving global economy and the Fourth Industrial Revolution but also intrinsically committed to excellence, innovation, and equity. This strategic recalibration will be pivotal in positioning Vietnam's higher education as a competitive force within the international arena and a robust engine for national socio-economic progress.

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**Authors' Contribution**

Both authors contributed equally to the development of this article.

**Data availability**

All datasets relevant to this study's findings are fully available within the article.

**How to cite this article (APA):**

Giang, T. N. (2025). CONDITIONS FOR THE OPERATION OF HIGHER EDUCATION SERVICES: A CASE STUDY IN VIETNAM. *Veredas Do Direito*, 22(3), e223319. <https://doi.org/10.18623/rvd.v22.n3.3319>