

Workshop on Comments on the Draft Law on Teachers

On the morning of September 10, 2024, at the Institute for Legislative Studies under the National Assembly Standing Committee, VNU University of Law, in coordination with the Institute for Legislative Studies, organized the scientific workshop “Comments on the Draft Law on Teachers.”

According to the program of the 37th Session of the National Assembly Standing Committee, the Draft Law on Teachers was scheduled to be brought forward for discussion. Many experts, researchers, and relevant stakeholders provided comments on the completion of the draft, emphasizing the need to clarify the distinctive characteristics of the teaching profession compared to other occupations. At the same time, it is necessary to clearly define the concept of “teacher” and ensure the feasibility of the provisions and their consistency with the existing legal system.

According to Submission No. 864 of the Ministry of Education and Training, the development of the Law on Teachers aims to institutionalize the guidelines and policies of the Party and the State, particularly the viewpoint that “education development is the top national policy” and that teachers “play a decisive role in ensuring the quality of education.” The Law also aims to develop a teaching workforce that is sufficient in quantity and strong in quality, while creating motivation for teachers and honoring the teaching profession.

Participating in the discussion, Assoc. Prof. Dr. Nguyễn Hoàng Anh, Vice Rector of VNU University of Law, Vietnam National University, Hanoi, stated that the development of the Law on Teachers is necessary, but it needs to be carefully studied to ensure that the provisions of the Law do not constrain the development of other factors. She also emphasized the need to clarify the new aspects of the Law in order to honor the contributions of teachers, while also clarifying the novelty and differences between the Law on Teachers and related laws such as the Law on Public Employees and the Labor Code. In addition, Assoc. Prof. Dr. Nguyễn Hoàng Anh noted that a number of issues require further study, revision, and supplementation, including non-public education and foreign teachers teaching in Vietnam, among others.

At the workshop, Assoc. Prof. Dr. Chu Hồng Thanh, lecturer at VNU University of Law, Vietnam National University, Hanoi, and former Director of the Legal Department, Ministry of Education and Training, emphasized that the teaching profession requires not only knowledge but also specialized skills and pedagogical capabilities. The new draft law should clarify these distinctive characteristics of the teaching profession in order to ensure its persuasiveness. In addition, in his view, the draft law should clearly distinguish between the two concepts of “educational manager” and “teacher.”

Sharing his comments, Assoc. Prof. Dr. Đặng Minh Tuấn, Head of the Department of Constitutional Law and Administrative Law, VNU University of Law, Vietnam National University, Hanoi, stated that many countries around the world have legal regulations concerning teachers in order to ensure the quality of education and protect teachers’ rights and interests. These regulations often concern professional standards, working conditions, salaries, rights, and obligations of teachers. In some countries, teaching is considered a special profession and is strongly protected by law. Regarding the scope of regulation of the Law on Teachers, Assoc. Prof. Dr. Đặng Minh Tuấn noted that the Law on Teachers should be regulated at an appropriate level so that it can remain compatible with specialized legal provisions. Regarding management, international experience shows that regardless of the model adopted, there is always a trend toward decentralization, delegation of authority, and authorization in educational management. Therefore, greater decentralization and delegation of authority to local authorities, schools, and associations in educational management should be promoted.