



The Implementation Process of Autonomy in Local Public Universities: Opportunities and Challenges



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Abstract

In Vietnam, autonomy in public institutions has received much attention so far. The implementation of university autonomy, however, must be placed in the specific circumstances of each institution. Especially, in the case of universities directly managed by the Provincial People's Committee with fundamental differences in uniformity due to subjective and objective factors, it is essential to have a reasonable, practical, and scientific roadmap and steps to ensure positive, proactive and sustainable implementation of autonomy in these universities. To conduct this research, the author uses the method of data collection from 30 state management agencies in education such as the Ministry of Education and Training, the Association of Universities and Colleges, and state legal documents on university autonomy to clarify adequacies and limitations and propose appropriate solutions following the reality and scientific arguments, contributing to promoting the implementation of independence in local public universities to ensure proactive and sustainable integration.

Keywords: Autonomy; Education; Local; Public; University.

1. Introduction

University autonomy has been an indispensable development direction of universities in the world and is considered a mandatory requirement of university governance to constantly ensure and improve education quality. The universities in Vietnam in their comprehensive reform of education are inevitably facing great opportunities and challenges in the development – the implementation of university autonomy.

According to the Vietnamese Dictionary (2001), autonomy is "self-governance without being dominated by anyone". According to the International Association of Universities (IAU, 1998), "Institutional autonomy can be defined as a necessary degree of independence from external interference that a university should have regarding its organization and internal governance, the allocation of financial resources and the generation of income from non-state sources, the recruitment of staff, the establishment of learning conditions and, finally, the freedom to conduct teaching and research" [3, p. 293]. Autonomy is only properly understood when mentioning the division of responsibilities among agencies and units constituting a system. However, in terms of training and scientific research, university autonomy is the university's ability to make its own management decisions within the framework of allowable regulations.

Currently, the term *Accountability* is included in the management terminology system of our country with the phrase "self-responsibility", especially it has been included in the State's legal documents such as the Education Law, the University Charter, the College Charter, [Decree No 43/NĐ-CP \(2006\)](#) without a clear explanation of the content

of this phrase. Consequently, there are different interpretations of this term. When universities have autonomy in administrative activities, of course, they must also be responsible for all aspects of their activities. Then, "self-responsibility" will not be considered a separate right and not be equivalent to autonomy. Especially, when this concept is formalized in legal documents without a clear explanation, there will be a misunderstanding that the universities are given complete freedom in their activities without any responsibility to anyone or any other organization.

In Vietnam, since the Government issued Resolution No. 77/NQ-CP on pilot innovation of the operation mechanism towards autonomy for public higher education institutions in the period 2014-2017 in 2014, over 20 public universities have been piloted to renew their operating mechanism in the spirit of Resolution 77. This Resolution barely focuses on the commitment of universities to financial self-sufficiency, especially the guarantee of operating expenses for recurrent expenses and investment expenses. However, since the Law amending and supplementing several articles of the [Law on Higher Education and Law amending and supplementing a number of articles of Law on Higher Education \(2018\)](#) (Law No. 034/2018/QH14); [Decree No 99 \(2019\) /NĐ-CP](#); [Decree No 60 \(2021\) /NĐ-CP](#) were enacted, university autonomy has been legalized, regardless of the type of public or private universities. Nevertheless, the process of autonomy for public universities, especially the tertiary education institutions managed by the Provincial People's Committee, still reveals a large number of challenges. On the other hand, in the irreversible trend of movement and development of higher education as well as innovation policies for public non-business units in Vietnam at present, university autonomy will open up great opportunities, promoting the universities to manage and operate effectively with an excellent reputation and accelerating the integration process.

2. Research Literature Review

University autonomy is a topic of special interest to a large number of domestic and foreign experts, educational administrators, scholars, and researchers in different fields, especially in the context that autonomy is becoming one of the mainstream development trends of universities around the world in general and in Vietnam in particular.

The term "autonomy" refers to the changing relationships between the state and universities. From the perspective of promoting academic freedom and gradually reducing the control of universities by public authorities, university autonomy is understood as the freedom of the university institution in decision-making and enforcing the decisions on the internal operations of the university without state control or interference; any influence of the state if any must also be following the law [Son \(2021\)](#).

[Thi and Dai \(2005\)](#), in the study "Vietnamese public universities in the face of increasing demands of socio-economic development: Opportunities and challenges", pointed out the important role as well as challenges facing public universities, the ability to apply international experiences to facilitate their development, increase investment and innovate management mechanisms ([Thi and Dai, 2005](#)).

[Hai \(2007\)](#) in the study "The autonomy and social responsibility of universities in our country" claimed that there is confusion about centralized and decentralized management. He also emphasized that autonomy and social responsibilities are the main driving force and levers for the rapid development of higher education; and pointed out the fundamental solutions to eliminate the "ask-give" mechanism [Hai \(2007\)](#).

[Trong \(2015\)](#) in the study "Renovation in management of higher education in Vietnam today", outlined fairly comprehensive goals and contents in the next decade, posing the following requirements: renewing management thinking, performing three functions and five main tasks in the socialist-oriented market mechanism, creating motivation by appropriate decentralization of management, identifying higher education institutions as the focal point of innovation, implementing appropriate macro-management methods, mobilizing the participation of the community, supervising and adjusting policies properly ([Trong, 2015](#)).

Based on several domestic and international types of research, it can be seen that the research on university autonomy has received a lot of attention from many experts, scholars, and administrators in higher education institutions. In the State's renovation process, the renewal of the financial autonomy mechanism of public universities is a requirement to improve the quality of higher education, contributing to the renewal of the public financial management mechanism in Vietnam. According to the results of previous scholars, the author has systematized theoretical and practical perspectives and analyzed opportunities and challenges in financial autonomy at local public universities in Vietnam.

3. Research Approaches and Methods

The author applied a random sampling method with 30 state management agencies in education such as the Ministry of Education and Training, the Association of Universities and Colleges, and the state's legal documents on university autonomy to clarify and collect necessary information for research purposes. The number of samples is randomly selected based on the list of universities across the country that have been implementing university autonomy. The study is a cross-sectional one with a pre-designed questionnaire with contents related to autonomous activities at local universities. All the information obtained from the questionnaire will be synthesized, coded, entered, and processed through SPSS software.

4. Research Results and Discussion

4.1. University Autonomy from a Legal Perspective

With the current policy of promoting administrative reform in our country, it is necessary to clearly distinguish the management mechanism between administrative agencies and non-business units. This distinction aims to

socialize the provision of services to the society, and mobilize the contributions of the social community in all aspects to develop non-business activities: from financial resources to managing activities of human resources, from the strategic plan of the unit to the effective organization... and to gradually reduce the State's subsidy in the fields of operation of the affiliated units, especially the non-business units. It can be said that [Decree No 43 \(2006\)](#), [Resolution No 77 \(2014\)](#), and [Decree No 60 \(2021\)](#) respectively represent a long step forward in the thinking and vision of the Party and the State in renovating the management model at non-business establishments in general and public universities in particular. The relationship between the state-society and higher education institutions has been identified. The autonomy-accountability is step-by-step proposed, piloted, evaluated, consolidated, and steadily developed. It can be summarized from the above documents that the autonomy of these institutions (universities) is expressed mainly on three major contents: the autonomy in performing tasks, the autonomy in payroll organization and the autonomy in finance.

First of all, the Decree 43 dated April 25th 2006 of the Government stipulates the right to autonomy and self-responsibility for the performance of tasks, the organization, payroll and finance for public non-business units. Later, in 2009, Circular No. 07/2009/TTLT-BGDĐT-BNV (Joint Circular of the Ministry of Education and the Ministry of Home Affairs) guided the implementation of Decree No. 43 of the Government to thoroughly understand the effective implementation of the issues permitted by the state as well as to exercise the right to autonomy and self-responsibility in the performance of tasks, organizational structure, payroll, recruitment, management and use of human resources. This Decree and Joint Circular provide the universities with a legal basis in the implementation process to gradually get rid of the ask-for-give mechanism, a significant obstacle creating stagnation in the development process.

After the enactment of the, The Resolution No. 77/NQ-CP of the Government on piloting the renewal of operating mechanisms of public higher education institutions in 2014, more than 20 public universities have completed the project on renovating the operating mechanism that has been issued by the Government. Positively, there are universities in Vietnam listed in the Top 1000 best universities in the world in 2019 (ARWU- World University Ranking Organization) and since 2020, more universities have constantly been added to the list while their ranks have continuously increased. A large number of universities have been successful in complete financial autonomy without receiving any investment from the State's budget for their operations and recurring expenditures. The university governance system become more transparent and adaptable to changes. The university council has been put into actual operation with the timeliness in governance, and its effectiveness is proven to be much higher than that of the governing ministry/sector/unit. The autonomous innovation pilot has created a corridor for higher education institutions to enhance their remuneration, attract more experts, strengthen human resources, and release potential resources inside the university. Meanwhile, the use of funds and facilities as well as equipment is much more effective than the traditional administrative management method applied for many years. Besides, the autonomy also provides the universities with favourable conditions to continuously improve the quality of education, the internationalization and integration and enhance the quality of human resources. However, there existed obstacles to autonomy. For example, there is still a mentality of relying on and taking advantage of the governing bodies; direct direction and the fear of giving up the authority of governing bodies, leading to uncompleted and unrealistic autonomy. In some universities, the University Council become devoid of real power, contrary to Party's policy in Resolution No. 19-NQ/TW and related Resolutions. Without a strong legal framework to clearly define the role of each subject in the implementation of university autonomy, there are differences in the governance of the governing bodies towards the universities. In some universities where the governing ministry/sector/unit strictly implements the Party's policy and the State law on university autonomy, the university can do most of the work by itself. Meanwhile, in several universities, when the governing ministry/sector/unit desire to maintain its power and rights, it tightens and even violently interferes with the autonomy. Due to the lack of consistency in the guiding documents, the scope of autonomy becomes limited while many universities still struggle with accountability due to their fear of responsibility.

Together with the above-mentioned documents, the scope and mechanism of financial autonomy related to universities are set out in the [Decree No 16 \(2015\) /NĐ-CP](#) dated February 14, 2015, of the Government, stipulating the autonomy mechanism of public non-business units. The Decree aims to increase the autonomy of universities in the use of assets, financial resources, and human resources in public service provision, and to facilitate the use of advantages in assets, financial resources, and human resources to provide public services under the market mechanism. Besides the positive results, however, there are still several limitations in the implementation of autonomy. As a result, the Government has issued [Decree No 60 \(2021\) /NĐ-CP](#) dated June 21st, 2021 to deal with these limitations. [Decree No 60 \(2021\)](#) has clarified the content of "financial sources". Unlike the previous Decree ([Decree No 16, 2015](#)) which aggregates revenue from all resources and does not separate revenue from performing political tasks assigned by the State and business and service activities, the Decree No. 60 supplements and specifies the financial sources of the university, including revenue from public non-business service activities; revenue from production and business activities; joint venture activities with organizations and individuals under the provisions of law and revenue from leasing public properties. In addition, in comparison with [Decree No 16 \(2015\)/NĐ-CP](#), the regulation on autonomy in a joint venture and association activities is supplemented to ensure uniformity and general consistency in the distribution of income from joint venture activities of the public non-business units. Regarding the scope of autonomy, [Decree No 16 \(2015\)/NĐ-CP](#) stipulates that the assignment of autonomy and self-responsibility to public administrative units has been stabilized for 3 years (Clause 2, Article 20). [Decree No 60 \(2021\)/NĐ-CP](#) stipulates that public non-business units develop a financial autonomy plan in a stable period of 5 years, in line with the socio-economic development period prescribed by the Government (Clause 1, Article 35). At the same time, the

regulations on a roadmap to raise the level of financial autonomy of public non-business units to cover part of recurrent expenditures are supplemented (Clause 4, Article 35), which is not mentioned in the previous Decree.

It can be said that the system of legal documents of the state regulating and guiding the implementation of university autonomy in our country is increasingly being improved. However, in general, these documents only meet the management and governance issues of higher education institutions, which have not yet delved into the basic content of the autonomy and self-responsibility of tertiary education. The empowerment of autonomy and self-responsibility in the fields of task performance, organizational structure, payroll in terms of recruitment, management and use of human resources are merely important stages to ensure that universities can exercise their autonomy in these fields. Meanwhile, other fields of the university such as training programs, scientific standards, and science - training... have not been able to discuss in depth. These issues are the contents associated with the reform process of Vietnam's higher education.

4.2. Requirement for a Suitable Roadmap Towards Sustainable Autonomy

Currently, there are more than 170 universities in Vietnam including public universities, private universities, and universities associated with foreign institutes. It is an education system containing different methods of budget management, training, and human resource utilization in subjective and objective conditions in different regions. In particular, it is becoming more and more challenging for local universities (mainly managed by the Provincial People's Committee) with a somewhat lower starting point to implement autonomy in terms of integration and international cooperation in education and training. The main problem is caused by the administration mechanism due to the differences between the university charter framework issued by the Ministry of Education and Training and that of the local governing bodies such as the People's Committee or Departments of Education and Training. These differences lead to the different starting points in the implementation of autonomy of the universities.

For local universities, there are major obstacles in the implementation of the autonomy mechanism compared to those under the management of the Ministry of Education and Training. Being managed by the Ministry of Education and Training in terms of training and education and managed by the local authority in terms of human resources and operating budget, it is difficult to get to know the level of autonomy in the university. Specifically, the framework of payroll of lecturers or officers is stipulated based on the total number of students at the university by the Ministry of Education and Training while the funding from the budget (by the province) is based on the number of students regardless of the staff and its tasks. Consequently, some universities cannot ensure their recurrent expenditure in operation due to objective reasons such as enrollment decline or the low number of learners.

Another challenge that needs to be mentioned is that, according to the [Decree No 60 \(2021\)](#) on financial autonomy, universities have started a roadmap to increase tuition fees (ranging from 5 to 15% depending on the extent to which the university has ensured its autonomy, on whether the university has been accredited for higher education quality, and the diversity of faculties). However, for local universities, it is not easy to implement this roadmap because there are regulations for tuition fee ceilings set by the local government.

In addition, there are other external factors influencing and dominating the university such as a policy of downsizing the staff organization, and reorganizing public non-business units. It is shown in the survey that in the process of organizing and rearranging internal units, many universities have merged many important departments such as training, enrollment, scientific management, and international cooperation into one department while in some universities, the departments of administration, personnel, facilities and finance are also merged. However, the university's mission, vision and development strategy (which is required to be issued and monitored in the Higher Education Accreditation) all clearly define the tasks, plans and achievement targets of the focal units of the university such as training, science and technology, international cooperation, faculties, etc. The heterogeneity leads to inadequacies in the organization occurring in many universities. The purely administrative barriers related to administrative procedures in each locality still exist. For example, regulations on international cooperation (related to foreign factors) are both the motivation and aspiration of universities, but also fall under the scope of local state management (the Department of Foreign Affairs being in charge of and advising the People's Committee). The University Council or the governing body (the provincial Party Committee and the Provincial People's Committee for local universities before Decree No. 99) is responsible for the appointment of the Rector and Vice-rectors. Regarding the procedure for recognizing the rector of a public university, it is quite clearly stated in Clause 6, Article 7 of Decree No. 99, however, except for the position of Rector, other positions in the administration board (Vice-rectors) are not explicitly mentioned in the document, which creates a vague thought that the right to appoint and recognize the Vice-rectors is under the authority of the University Council. In many localities, nevertheless, the administrators (Rector, Vice-rectors) have long been defaulted to being managed by the Standing Board of the Provincial Party Committee. It is the overlapping nature of this existing human resource management identifier that makes it difficult and confusing for the University Council to exercise its responsibilities of the University Council, especially in the coordination between the representative organization of the university and the local state management agencies such as the Department of Home Affairs and relevant local departments and agencies. The transition from the previous term "appointment" to the current term "accreditation" of the direct management agency for the title of Rector without considering the perspective of the long-term interests of the higher education institution, listening to and understanding the legitimate aspirations of the university with the highest representative organization being the University Council, will invisibly deprive or even infringe on the autonomy which has been considered to have the highest symbolic meaning since the introduction of the Law on amending and supplementing several articles of the [Law on Higher Education and Law amending and supplementing a number of articles of Law on Higher Education \(2018\)](#) (Law No. 34/2018/QH14) and [Decree No 99 \(2019\)/ND-CP](#) detailing and guiding the implementation of several articles of the Law amending and supplementing several articles of the Law on Higher

Education. These legal documents are the ones that affirm and protect the freedom to decide on the direction and destiny of the higher education institution itself. Moreover, the division between the Party organization and the government created to ensure the principles of university operation and governance is another internal factor which significantly contributes to hindering the process of implementing autonomy for local universities. The goal of higher education innovation, the implementation of autonomy, accountability, and coordination mechanisms to solve internal and external tasks of the university are not always consistent at many local universities. The mechanism can be "very open" in some provinces while "closed and binding" in others.

It can be said that the content of university autonomy and financial autonomy for public non-business units (including universities) has been legalized and according to these documents, the scope of autonomy is quite wide and comprehensive. However, it is extremely challenging to effectively implement the autonomy with a long-established operating mechanism, especially with the radical transformation in the spirit of higher education innovation for universities with lower ratings such as the locally managed universities. Therefore, to effectively implement and enforce the autonomy associated with accountability in the higher education system, it is necessary to take reasonable steps. It is believed that it is essential to take into account the historical factors of formation and development, the obvious shortcomings in the scale and quality of the staff and most importantly the brand attraction to develop a roadmap with at least a gap of 3 to 5 years so that universities can innovate radically in terms of quality and meet the conditions to ensure the full implementation of the allowed autonomy.

4.3. Fundamental Measures to Ensure the Implementation of Sustainable Autonomy for Local Public Universities in the Current Period

The implementation of the autonomy of local public universities has been legalized at the macro level by the State. However, the basic element to promote autonomy by the local public university model is to deal with the hindrances to complete autonomy. There are relevant issues including protection of high autonomy in the organization of personnel; the promotion of the organizational governance model of delegation of authority associated with accountability and responsibility; partial support and promotion by favourable and open mechanisms and policies; encouragement in the increase of internal resources to ensure the standards of management, operation, and training according to higher education quality accreditation standards; reasonable stability in terms of enrollment scale; sustainable brand development in both training and scientific research.

* In terms of mechanisms and policies: in addition to the legalized document system, the Ministry of Education and Training needs to have an overall review and evaluation program on the public university sector directly managed by the Provincial People's Committee to assess the current situation, develop medium- and short-term goals to develop a reasonable roadmap for implementing university autonomy. Based on understanding the difficulties and obstacles due to the unequal development history of each university (newly established universities, upgraded universities, or the universities with specific training fields of culture-arts, sports, research-oriented universities, application-oriented universities, etc.), thereby having flexible mechanisms and policies to encourage universities to increase their initiative in integration and development to keep up with the common development level of the domestic university system. Meanwhile, a "channel" of communication should be created to help universities connect and learn from each other's experiences, especially valuable lessons from the practice of implementing university autonomy of 23 universities in the pilot project under Resolution No. 77.

Localities need to be more proactive in the role of the governing body of universities to create an open corridor for more effective coordination between functional sectors and universities in promoting active and proper autonomy.

* Model of organization and deployment: replicating models with high practicality and suitable applicability to local public universities. Forming centres and research groups on cooperation to promote autonomy, and operate in the field of international cooperation at local universities. In the beginning, it is necessary to build University Councils at local universities that are strong enough in quantity and quality, capable of planning appropriate development strategies and policies; defining clear and adaptive mission objectives; make a proper decision in the administrative organization to ensure the management of the university. Performing the steps to classify universities; conducting assessments (internal & external assessment), comprehensive quality accreditation (managers, lecturers, staff, students, technical facilities for training...). The university information system should be publicly disclosed, paying attention to the short-term and long-term competitiveness in the market mechanism. Expanding the autonomy pilot in many universities and fields, especially in the field of training (method, quantity, quality of input and output...), international cooperation in investment, scientific research, technology transfer, academic exchange (incoming and outgoing delegation, the utilization of human resources and facilities for training and research) in universities with a long history of operation and high reputation in society.

Developing an effective coordination mechanism between collectives and individuals leading the universities (Party Committee, University Council, Board of Rectors; Secretary of the Party Committee, President of the University Council and the Rector). Developing a regulation on the implementation of autonomous content with accompanying responsibilities and a specific legal framework. Establishing strict self-monitoring and control mechanisms in the areas of autonomy associated with accountability.

* The development and completion of internal standards associated with the quality accreditation of higher education: the development of a university can be seen in 3 issues: the development of strong infrastructure; the development of human resources that is sufficient in quantity and strong in quality and the natural attraction to learners in all fields of training (including the university's brand and reputation for training results). In terms of physical infrastructure, universities need to take advantage of the local master planning in association with long-term

vision and goals. It is advisable not to look at immediate, short-term plans. Normally, each university needs to have a minimum of 7 to 10ha, of which 3ha is for the land fund for future development. Meanwhile, the university should take advantage of public investment projects from direct governing agencies to supplement material resources and equipment for training and scientific research. In terms of human resources, in addition to synchronous and adequate planning, it is also necessary to encourage and promote the attraction and use of high-quality human resources (Prof., Assoc. Prof, PhDs, experts). Simultaneously, radical innovation in the recruitment, appointment, treatment, and training must be objective and transparent to maximize the current capacity of the staff. The project of job placement must be developed, which gradually moves towards remuneration (salary, bonus, income) according to actual contribution and dedication. All information about activities to serve learners must be publicized. In addition, the university also needs to commit to promoting a culture of quality, taking the spirit of serving learners as the goal of the operation.

To well implement their autonomy and social responsibility, universities must necessarily assert themselves, firstly, by building development plans and strategies to respond to rapid changes and requirements of socio-economic development practices and ensure the increase and effective use of funding sources. Moreover, the universities must be transparent about their capacity, potential, quality and effectiveness in the present and future with convincing databases and arguments. Meanwhile, activities must be reported to the stakeholders, first of all, the governing agencies to enhance the university's social responsibility to relevant interest groups and constantly improve itself, to meet the challenges, demands, and requirements from both external and internal subjects.

What is the source of the findings? What instruments were used to solicit these findings? Are these opinions or what you got from the respondents? Who were these respondents?

As you present the results, there is a need for clear reference to the research questions being addressed. You also need to link the findings with literature and present a more plausible discussion of the findings.

5. Conclusion

The implementation of the autonomy in local universities is an issue that is required to bring the satisfaction to both external stakeholders including the university, its direct management agency (the Provincial People's Committee), and the Ministry of Education and Training and internal stakeholders including the University leaders (Party Committee, University Council, University Administrators) and to be associated with the accountability and regular supervision of the society. In addition to consensus, trust, and sharing for the common cause, the university itself must fulfil the standards and conditions attached to the subject to be able to implement the assigned autonomy in all aspects of activities including human resources, facilities, finance, and training programs, learners. An open mechanism together with a proper development strategy will put universities on the trajectory of the sustainable autonomy attached to both their obligations and responsibilities.

In the coming time, in order to effectively promote the university autonomy mechanism at local public universities in particular and the universities in the education system in Vietnam in general, it is necessary to conduct a system of fundamental solutions as follows: (i) Quickly issue a system of documents guiding the implementation of the Law on Higher Education, along with reviewing and adjusting to synchronize regulations in related laws to avoid overlaps; (ii) Promulgating specific incentives (conditional incentives) to encourage higher education institutions to accelerate the implementation of the autonomy mechanism; (iii) Local universities need to actively and proactively plan and develop a roadmap for autonomy, establish organizational structure, arrange human resources and improve management capacity; (iv) Open new majors according to practical needs and towards the diversification of training, access training programs and curricula of universities in developed countries; (v) Renovate the training program in the direction of linking training with scientific research, improve practical skills for both lecturers and learners, innovate teaching and learning methods towards learner-centered approach.

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