

Professional Standards for School Teachers and Human Rights Education in Vietnam

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PROFESSIONAL ETHICS has been studied so far in many areas and in many countries. Professional standards for teachers have been concretized into criteria and indicators and made a requirement by law. This can be seen in the Philippines, New Zealand, Canada, the United States of America and other countries. It can be said that these professional standards guide teacher activities both inside and outside the classroom.

Rights of Children in Vietnam

In the process of building a state governed by the rule of law, Vietnam has been amending laws and the Constitution, and enacting new laws on national education management and development.

Child care, protection and education have long been enshrined in the Constitution and laws of Vietnam. The Law on Child Protection, Care and Education (2005) has provisions on child rights, including the respect and exercise of the child rights and severe punishment by law for all acts infringing upon the child rights and causing harm to the normal development of children. This law also stipulates prohibited acts:

1. Abandonment of children by their parents or guardians;
2. Seducing, enticing children to live a street life; abusing street children to seek personal benefit;
3. Seducing, deceiving, forcing children to illegally buy, sell, transport, store and/or use drugs; enticing children to gamble; selling to children or letting them use liquor, beer, cigarette or other stimulants harmful to their health;
4. Seducing, deceiving, leading, harboring or forcing children into prostitution; sexually abusing children;

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5. Abusing, seducing or forcing children to buy, sell or use violence-provoking or depraved cultural products; making, duplicating, circulating, transporting or storing pornographic cultural products; producing, trading in toys or games harmful to the healthy development of children;
6. Torturing, maltreating, affronting, appropriating, kidnapping, trafficking in or fraudulently exchanging children; abusing children for personal benefit; inciting children to hate their parents or guardians or to infringe upon the life, body, dignity or honor of others;
7. Abusing child labor, employing children for heavy or dangerous jobs, jobs in exposure to noxious substances or other jobs in contravention with the provisions of the labor law.”

This law, currently being modified, is planned to be amended by the National Assembly by the end of 2014.

The Marriage and Family Law of 2000 also provides for the basic principles on marriage and family; obligations and rights of parents; obligations and rights to care for and support and educate children; and obligations and rights of children. For example, Article 34 of the Law provides:

1. Parents have the obligations and rights to love, look after, rear, care for, and protect the legitimate rights and interests of their children; respect their children’s opinions; attend to the study and education of their children so as to ensure their healthy development in all physical, intellectual and moral aspects to become dutiful children of the family and useful citizens of the society;
2. Parents must not discriminate, ill-treat or persecute their children, or hurt their honor; must not abuse the labor power of their minor children; must not incite or compel their children to act against law and social morality.

The obligations and rights of children are included in Article 35 as follows:

1. Children have the duty to love, respect, show gratitude and piety to their parents, pay heed to the good advice of their parents, preserve the good traditions and prestige of their family;
2. Children have the obligations and rights to care for and support their parents;

3. Children are strictly forbidden to ill-treat, persecute or hurt the honor of their parents.

The Civil Code (2005) provides the legal status, legal standards for the conduct of individuals, legal persons, other subjects; the rights and obligations of subjects regarding personal identities and property in civil, marriage and family, business, trade, labor relations; obligations of guardians towards wards aged between fifteen years and under eighteen years; obligations of guardians towards wards who have lost their “civil act capacity;” management of property of wards. For instance, Article 65 of the Civil Code on the Obligations of Guardians towards Wards Aged under Fifteen Years stipulates “Guardians have the obligation

1. To take care of and educate the ward;
2. To represent the ward in civil transactions, except where it is provided for by law that wards aged under fifteen years can establish and perform civil transactions by themselves;
3. To manage the property of the ward;
4. To protect the legitimate rights and interests of the ward.”

Article 66 of the Civil Code on the Obligations of Guardians towards Wards Aged between Fifteen and under Eighteen Years provides: Guardians have the obligation

1. To represent the ward in civil transactions, except where it is provided for by law that wards who are aged between fifteen years and under eighteen years can establish and perform civil transactions by themselves;
2. To manage the property of the ward;
3. To protect legitimate rights and interests of the ward.”

The Labour Code of Vietnam (effective in May 2013) has a special chapter for underage employees (under eighteen years old) regarding their employment; the principle in employing them; employment of employee under fifteen years old; and the prohibited work and workplace for underage employees.

It can be said that the Vietnamese child-related laws provide the legal foundations that are strong enough to deal with any violation of child rights or any violation committed by the children themselves. Vietnam has a grow-

ing significant contribution to child protection, care and education by fully subscribing to the principles under the United Nations Convention on the Rights of the Child. Even so, the legal provisions on child protection, care and education and their actual implementation leave much to be desired.

In order for the new Constitution and legal amendments to cover all the legitimate expectations and rights of children, a national forum on children is convened every two years, starting in 2009, for children to have face-to-face dialogues with the leaders of the National Assembly, and the government ministries and organizations. The 2013 National Forum on Children entitled “Children Contribute their Ideas to Modifying the Law on Child Protection, Care and Education” was held on 8-9 August by the Ministry of Labour, War Invalids and Social Affairs and the National Assembly Committee on Culture, Education, Youth, Pioneers and Children in co-ordination with ministries concerned, UNICEF, United Nations Office on Drugs and Crime, Save the Children, PLAN, World Vision, Childfund and the Vietnam Association for Protection of Children’s Rights. One hundred seven-three children aged ten to sixteen years representing twenty-six million children in the whole country participated in the forum. This was a



good opportunity for children's representatives to express their ideas, wishes, and expectations regarding child-related issues to law and policy-making agencies.

Human Rights Education in Vietnam at Present and in the Future

The new Constitution (effective on 1 January 2014) and the laws of Vietnam, both existing and under deliberation in the National Assembly, are certainly of the people, by the people and for the people. To enforce and bring them to life, legal education in general and human rights education in particular in Vietnam at present and in the future should be provided in the following forms:

- a. As part of the activities, meetings, discussions, debates as well as propaganda campaigns of government agencies, professional associations, socio-political organizations, and social organizations such as youth unions, women's unions, children's brigades, pioneers' brigades, farmers' associations, veterans' associations - For example, human rights research and education in Vietnam were the primary subject discussed at a workshop held in Hanoi on 25 November 2013 by the Vietnam Academy of Social Sciences with the participation of many researchers and lecturers from universities and institutes nationwide. At the workshop, the participants noted that the teaching of human rights in Vietnam still has limitations. There are only five official educational establishments in the field nationwide. Documentation and training materials on human rights have not been systematized or designed especially for specific groups, while researchers' and lecturers' ability has not met the demand of the actual condition of education in the country. Moreover, the study of human rights has not delved into the details of theory, and the regional and international law and mechanisms. Urgent issues such as security, terrorism in relation with human rights; freedom of information and the press and human rights; climate change and human rights; development, poverty and human rights have not been studied deeply. Therefore, the participants stressed that the necessity of paying more attention to promoting human rights education at all levels in Vietnam. The participants suggested that Vietnam should build a network between domestic and foreign scientists and researchers in the realm of hu-

man rights study and education. They also called for greater efforts to share information among education and research institutions, state agencies, socio-political organizations and communities of scientists operating in this realm.

- b. The laws alone, however strict and strong, cannot solve all problems arising in life. The legal solutions are only meaningful and effective when based on economic, cultural and social solutions. Legal dissemination and education should therefore go hand in hand with moral education and job generation, and the organizing of work and learning activities.
- c. As part of the household or the so-called home-based moral and legal education - Moral and legal education in each home is of great significance in child personality formation and development. No other form of education can replace it. Parents and adults must set shining examples in abiding by the Constitution and laws for the young to follow. Economic measures should also be taken to improve the material and spiritual lives of the people, while creating more economic possibilities, to serve child protection, care and education, and intensify efforts in fighting and preventing crimes.
- d. In the official curriculums and extra-curricular activities of educational institutions - For example, the renewal of law teaching and education in educational institutions should be closely combined with lifeskills education for children, thus forming and nurturing in them a new sense of community and a new lifestyle in line with social morals and observance of the law. While future curriculums and textbooks would have radical changes in content, the content of human rights education would surely be further deepened.
- e. In national programs and projects launched by the Government, ministries or non-governmental organizations - Specifically, the implementation of the National Child Protection Program for the 2011-2015 period to create a habitat where all children, especially children in special circumstances and highly vulnerable children are protected and given equal opportunities to reintegrate themselves into the community and develop themselves physically, psychologically, cognitively, emotionally, sentimentally, morally and socially.

Professional Ethics for Teachers

Vietnam has just experienced the thirty-year period of renewal known as *Doi Moi* with a lot of changes made in the image of the country, its social life and even in education. Vietnamese education is also undergoing radical and comprehensive changes under the leadership of the government and direction of the Ministry of Education and Training. For various reasons, one of the burning issues of primary concern for teachers and educational personnel at all levels of education in particular and all strata of people in society in general is the professional ethics of teachers. In fact, the ethics-related issues are enshrined in legal documents such as the Education Law of 2005 in which Article 70 specifies the indispensable criteria the teacher must have; Article 72 stipulates the duties of the teacher, and Article 75 lists all the behaviors that the teacher is prohibited from doing. In addition, the professional ethics of teachers is also clearly specified in the *Constitution of Lower and Upper Secondary Schools and Multi-level General Schools, Decision No. 06/2006/QĐ-BNV* and *Circular No. 07/2004/TT/-BGD&ĐT* as well as in the *Professional Standards for Teachers at All Levels of Education*. It is reflected to the fullest by the *Moral Stipulations for Teachers*. All these legal documents provide the ground for appraising teachers by the public and the government.

The above-mentioned theoretical and legal foundations together with what is morally acceptable in the contemporary society specify a number of the most important values needed for all Vietnamese teachers nowadays such as justice, loyalty, democracy, courage, impartiality, fairness, tolerance, generosity, cooperation, obligation, goodwill, unity, integrity, self-respect, modesty, simplicity, honor, and industriousness.

Professional Standards of the Teacher

Although the professional ethics of the Vietnamese teachers is mentioned and enshrined in laws and other legal documents, it has not yet been included in a separate law. For this reason, teachers, educational personnel and managers have difficulty studying and abiding by it.

The professional standards, their criteria and indicators should be arranged in various sections and articles in a law or codes of professional con-

duct for teachers as done by such countries as the Philippines, New Zealand, Canada and the United States of America. By the same token, in our study, we have arranged them into key moral requirements as can be seen below:

Requirements for Political Qualities and a Sense of Obedience to the Law

Requirement 1: Implementation of Civic Duties

1. Strictly abiding by the lines and policies of the Party and the Government and the State Laws, local regulations, plans, statutes issued by the education sector;
2. Being proud of, and treasuring, the fine traditions of the people and the country;
3. Actively participating in activities for national defense and national and local socio-economic development;
4. Motivating own family members and residents in the community to abide by the lines and policies of the Party and the Government and the State Laws, local regulations, plans, statutes issued by the education sector.

Requirement 2: Having a Firm Political Stand

1. Having a proper attitude toward issues of national renewal and such global issues as peace, population, the environment, poverty, hunger, epidemics, and social evils;
2. Joining socio-political organizations to contribute to building a just, democratic and civilized society;
3. Defending justice and fighting against negative phenomena within the school, in the local community and society.

Moral Requirements in Relations with Colleagues

Requirement 1: Showing Love and Tolerance for Colleagues

1. Willingness to help own colleagues facing difficulties in their lives;
2. Being ready to protect own colleagues' legitimate interests, rights and justices;
3. Accepting the differences between the self and other people;
4. Not being biased against, victimize, and/or flatter own colleagues;
5. Not getting envious of own colleagues;
6. Having a moderate attitude and goodwill to solve disagreements or disputes with own colleagues.

Requirement 2: Respect for Colleagues

1. Being honest to own colleagues;
2. Keeping promises;
3. Respecting own colleagues' identities, not behaving or speaking in a manner aimed at hurting them.

Requirement 3: Modesty and Candor toward Own Colleagues

1. Being modest in learning from colleagues;
2. Being open to comments and criticisms of other colleagues;
3. Being candid in criticizing colleagues for the sake of mutual progress.

Requirement 4: Cooperation with Colleagues at Work

1. Being poised to cooperate and collaborate with colleagues at work;
2. Being ready to share work experiences with colleagues;
3. Being disinterested in helping and encouraging [instead] colleagues to work;
4. Being active in accepting disadvantages to cede advantages to colleagues.

Moral Requirements in Relations with Students

Requirement 1: Caring for, and Understanding, Each Student

1. Understanding the students' circumstances to be able to give proper care and education to them;
2. Appreciating and sharing weal and woe with students;
3. Knowing and making it easier for students to bring into full play their strengths and develop their gift, talent, interest and hobbies;
4. Paying attention to preventing possible risks and dangers for students.

Requirement 2: Showing Love and Tolerance for Students

1. Being close, open-minded, and friendly to students;
2. Being ready to forgive students for their mistakes and grant them opportunities to correct their mistakes;
3. Being active in helping students who need help or face troubles.

Moral Requirements for Teachers in Their Work

Requirement 1: Having a Sense of Responsibility for Work

1. Being ready to do any task entrusted by the school and to overcome difficulties to fulfill the tasks successfully;
2. Strictly observing the labor disciplines, work style as stipulated by the school.

Requirement 2: Loving the Teaching Profession with Professional Conscience

1. Actively participating in professional activities to constantly improve own professional competency;
2. Profiting from work experiences to apply good experiences to teaching and educational activities;
3. Avoiding taking advantage of own position, functions and tasks to serve own illegitimate interests;
4. Being brave to take responsibility for consequences of own action caused to students, their families, and the school or colleagues;
5. Being conscious of self-study and self-training to incessantly update own professional qualifications and to cultivate own morality.

Moral Requirements in Relations with Parents

Requirement 1: Having Healthy, Equal and Friendly Relations with Parents

1. Being disinterested in relations with parents without taking corrupt use of these relations;
2. Avoiding discrimination against parents;
3. Avoiding prejudices against parents;
4. Willingness to help and encourage other people to help parents when possible;
5. Knowing own position properly and keeping a distance with parents;
6. Not taking advantage of the reputation and prestige of the school to mobilize parents' resources for contributions.

Requirement 2: Taking the Initiative to Coordinate and Collaborate with Parents in Children's Education

1. Taking the initiative to establish/maintain and develop relations with parents based on understanding students' family circumstances;

2. Having equal partnerships with parents in children's education;
3. Being modest in learning from parents and sharing with them good experiences in education;
4. Knowing how to exploit the strong points, creativity, energy and enthusiasm of parents to unleash all children's potential.

Requirement 3: Having an Exemplary Lifestyle

1. Treating parents in a cultured and polite way;
2. Keeping and protecting the reputation and prestige of the teacher, keeping promises in relations with parents;
3. Never laying the blame on parents or others for the underachievement or immoral conduct of students;
4. Making proper use of resources, especially funds openly contributed by parents.

Moral Requirements in Relations with the School and Its Organizations

Requirement 1: Being Actively Involved in Building and Developing a Strong School

1. Strictly abiding by, and motivating other people to abide by, the school's constitution/statute;
2. Being responsible for school work without being indifferent to it;
3. Being optimistic about school prospects;
4. Using own knowledge and skills, first of all, for the sake of school development;
5. Sharing weal and woe with the school leadership and colleagues to overcome difficulties in the process of school development.

Requirement 2: Being Active in Consolidating Unity and Coordination with the School's Organizations in Education

1. Actively supporting and coordinating with the school's social organizations to mobilize resources for student education and development;
2. Making a positive contribution to enhancing the quality and effectiveness of these organizations for the sake of the school's educational development;
3. Protecting their reputation and prestige without using them for personal benefits.

Requirement 3: Being Honest, Straightforward, Objective and Sincere in Relations with the School Leadership

1. Being straightforward in expressing personal ideas about school leaders' management-related problems;
2. Being objective in evaluating school leaders' management and administration;
3. Being brave to struggle constructively with negative phenomena in the school for justice and impartiality;
4. Knowing own position in the school community, and being friendly to the school leadership to understand its work better.

Moral Requirements for the Self

Requirement 1: Having a Healthy and Exemplary Lifestyle

1. Being polite and cultured in words and actions;
2. Having exemplary behavior and decent clothes;
3. Leading a clean and disinterested life.

Requirement 2: Being Self-Respected, Self-Esteemed and Treasuring the Quality, Dignity and Personality of the Teacher

1. Being modest without being highly self-dignified;
2. Being straightforward without laying the blame on other people;
3. Having proper attitudes and knowing how to control own emotions;
4. Having a self-reliant spirit [and not] dependence on others.

Requirement 3: Having a High Sense of Responsibility for the Self

1. Being severe on the self with high expectations;
2. Avoiding self-torment and self-destruction;
3. Knowing how to protect legitimate personal interests.

Moral Requirements in Relations with the Community, People and Social Milieu

Requirement 1: Being United with, Respecting, Helping, and Protecting the Interests of the People

1. Being modest, friendly and honest in relations with the people;
2. Respecting, listening to the people and learning from them;

3. Accepting the diverse values of the people without discrimination and prejudice;
4. Helping the people in need;
5. Protecting the interests, political rights, civic rights and basic rights of the people;
6. Being grateful to those people who have sacrificed all or part of their lives for the country or the shared benefits of the public.

Requirement 2: Being Active in Building a Healthy Social Community

1. Setting a shining and exemplary example for the public to follow and protecting the reputation, honor and qualities of the teacher. Leading an honest, healthy and moral life in the community;
2. Taking the lead in building a cultured, civilized and happy life;
3. Taking the initiative to reconcile conflicts in the community in a constructive way;
4. Committing not to violate the community rules or constitution. Being actively involved in community-building movements and building a “learning society” in the community;
5. Conserving historical and cultural relics, cultural identities and traditions of the community and motivating local people to do the same;
6. Putting the interests of the community and society above personal ones when they are in conflict;
7. Courageously fighting against amoral manifestations in the social community.

Requirement 3: Having Responsibility to Participate in Building Local Authority.

1. Having proper relations with the local authorities, political and social organizations;
2. Being active in contributing constructive ideas to the firm and strong development of the local authorities, political and social organizations;
3. Courageously fighting against problematic acts in the management and problem-solving behaviors of the local authorities, political and social organizations for the benefit of the public and local development.

Moral Requirements in Relations with the Natural Environment

Requirement 1: Protecting the Environment

1. Protecting the habitat and keeping it green, clean and beautiful by growing trees, reminding other people not to litter, to damage or pollute the natural environment;
2. Preventing all acts of damaging or polluting the natural environment and involving local people in doing the same.

Requirement 2: Committing to Treasure and Economize Resources

1. Undertaking to treasure resources for the sustainable development of the environment;
2. Using all sources of energy and other resources in a thrifty way;
3. Avoiding unauthorized encroachments upon resources.

Conclusion

All the above-mentioned professional standards and criteria have been developed on the basis of a number of legal documents as regards the professional ethics of the teacher; studied through the survey and questionnaires and interviews of students, teachers and educational personnel; and agreed upon by the overwhelming majority of respondents. Perhaps, Vietnam has a long way to go to issue a separate code of professional standards for teachers covering all the ethical aspects of the teacher as arranged above.

Comparing with the codes of professional conduct for teachers in some countries, we may add some such points as confidentiality, love arising between a student and a teacher, teacher involvement in business. However, this article only deals with some results of studies undertaken by our groups of researchers and highly valued and accepted by the Study-Evaluating Council. Surely, though not fully satisfactory, this set of professional standards can serve as a basis for teacher evaluation made by managers at all levels and by teachers themselves.

These proposed standards of professional ethics include a number of provisions directly linked to human rights in general and child rights in particular. These provisions are important bases in stressing child-friendly school education.

General principles of human/child rights can be seen the following provisions:

- Joining socio-political organizations to contribute to building a just, democratic and civilized society;
- Defending justice and fighting against misconducts and misbehaviors and other non-standards acts within the school, in the local community and society;
- Being ready to protect own colleagues' legitimate interests and rights;
- Accepting the differences between the self and other people;
- Not being biased against, victimize, and/or flatter own colleagues.

Child rights are promoted in these provisions:

Moral Requirements in Relations with Students

Requirement 1: Caring for, and Understanding, Each Student

- Understanding the students' circumstances to be able to give proper care and education to them;
- Appreciating and sharing weal and woe with students;
- Knowing and making it easier for students to bring into full play their strengths and develop their gift, talent, interest and hobbies;
- Paying attention to preventing possible risks and dangers for students.

Moral Requirements in Relations with Parents

Requirement 1: Having Healthy, Equal and Friendly Relations with Parents

- Avoiding discrimination against parents;
- Avoiding prejudices against parents.

Moral Requirements in Relations with the School and Its Organization

Requirement 3: Being Honest, Straightforward, Objective and Sincere in Relations with the School Leadership

- Being brave to struggle constructively with negative phenomena in the school for justice and impartiality.

Moral Requirements in Relations with the Community, People and Social Milieu

Requirement 1: Being United with, Respecting, Helping, and Protecting the Interests of the People

- Protecting the interests, political rights, civic rights and basic rights of the people.

The focus on professional ethics of teachers adds to the effort to realize human/child rights within the school system. Thus too educating the teachers on the human/child rights aspects of professional standards enhances the child rights education as a whole. Teacher training provides an important component in ensuring that teachers understand the human/child rights aspects of professional ethics.

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