

Improving Policies and the Legal Framework for Physical Education in Vietnamese Schools: An Approach Based on Education and Sports Law

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Abstract
This study examines the formation, development, and refinement of policies and the legal framework governing physical education in Vietnamese schools by analyzing education and sports legislation from 2005–2015. It employs documentary research, doctrinal legal analysis, systematic analysis, and historical legal analysis to examine the relationships among the laws and decrees regulating physical education. The findings indicate that the legal framework was progressively refined by expanding its regulatory scope, strengthening coherence between education and sports legislation, and more clearly defining mechanisms of state management and the responsibilities of regulatory authorities and educational institutions in organizing physical education. The promulgation of Decree No. 11/2015/ND-CP marked a transition from fragmented regulation toward a dedicated legal framework for physical education and school sports activities. Nevertheless, the study identifies several limitations, including the fragmentation of legal instruments, insufficiently coordinated intersectoral mechanisms, a lack of quality assessment and accountability instruments, and the continued predominance of administrative control in the management model. Accordingly, the study proposes policy improvements to strengthen the coherence of the legal system, introduce quality-oriented governance in physical education, promote intersectoral coordination, and improve policy implementation in the context of educational reform.

Keywords: physical education, education policy, legal framework, state management, school sports

1. Introduction

Physical education (PE) is regarded as an integral component of holistic education, contributing to physical development, character formation, the cultivation of willpower, and the promotion of healthy lifestyles among learners. In the context of fundamental and comprehensive educational reform in Vietnam, human development is no longer confined to knowledge and professional skills but also encompasses the harmonious development of intellectual abilities, physical capacities, and personal qualities. This places PE in an increasingly important position within the national education system and requires a sufficiently clear, coherent, and effective policy and legal framework to regulate its organization, management, and implementation in schools.

Unlike many other specialized fields, PE is inherently interdisciplinary and is simultaneously governed by education law and sports law. Consequently, its management and implementation depend not only on curricula, teaching staff, and physical facilities but are also directly influenced by regulations on state management, the allocation of responsibilities among regulatory authorities, professional standards, provisions applicable to learners, and coordination mechanisms between the education and sports sectors. The effectiveness of PE therefore reflects not only the quality of teaching but also the degree to which the policies and laws governing this field have been developed and refined.

Between 2005 and 2015, Vietnam gradually established a relatively comprehensive system of legal normative documents governing PE in schools. The initial foundation was laid by the 2005 Education Law, which established PE as a compulsory

component of the educational process aimed at learners' comprehensive development (National Assembly, 2005) [9]. Subsequently, the 2009 Law Amending and Supplementing a Number of Articles of the Education Law further refined regulations concerning the organization of educational activities, helping establish a legal basis for improving the quality of PE in educational institutions (National Assembly, 2009) [11]. In parallel, the 2006 Law on Physical Training and Sports introduced relatively comprehensive provisions on PE and school sports activities for the first time, clearly defining the responsibilities of the State, educational institutions, and relevant stakeholders in promoting the physical development of pupils and students (National Assembly, 2006) [10].

The refinement of legislation extended beyond statutory laws and was further specified through implementing decrees. Decree No. 75/2006/ND-CP and its subsequent amendments and supplements provided guidance on implementing the Education Law, establishing a basis for educational institutions to deliver PE curricula in accordance with legal requirements (Government, 2006, 2011, 2013a) [1, 4, 6]. In the field of physical training and sports, Decree No. 112/2007/ND-CP provided detailed regulations on the organization of PE and school sports activities, clarifying the responsibilities of regulatory authorities and educational institutions in implementing the Law on Physical Training and Sports (Government, 2007) [2]. Notably, Decree No. 11/2015/ND-CP represented a significant development by establishing, for the first time, a dedicated legal framework for PE and school sports activities. It introduced specific provisions concerning curricula, implementation conditions, teaching staff, physical facilities, extracurricular activities, and the responsibilities of state regulatory authorities (Government, 2015) [8]. The promulgation of this decree marked a shift from sector-specific management toward a more integrated governance approach to PE within the national education system.

At the higher education level, the 2012 Law on Higher Education and Decree No. 141/2013/ND-CP further extended the legal framework governing the organization of PE in higher education institutions, particularly in the context of increasing university autonomy and strengthening institutional accountability (National Assembly, 2012; Government, 2013b) [7, 12]. Granting universities greater autonomy also created a need to maintain minimum PE standards and ensure that learners have access to physical education programmes in accordance with legal requirements. This indicates that PE is not merely a specialized educational activity but also a component of university governance, closely associated with educational quality assurance and human resource development.

Alongside the refinement of sector-specific regulations, the legal system progressively established mechanisms for state management of PE. Decree No. 32/2008/ND-CP defined the functions, duties, and powers of the Ministry of Education and Training, including its responsibility for managing PE activities in educational institutions (Government, 2008) [3]. Meanwhile, Decree No. 36/2012/ND-CP, which regulated the functions of ministries and ministerial-level agencies, established a legal basis for intersectoral coordination in the management of PE and school sports (Government, 2012) [5]. Clearly delineating management responsibilities helped strengthen administrative effectiveness while facilitating the consistent implementation of PE policies nationwide.

Although a relatively comprehensive legal system had been established, policy development during this period revealed several issues requiring further investigation. First, PE regulations were dispersed across numerous laws and decrees, making coherence and consistency in their application essential. Second, the intersection of education law and sports law required alignment in objectives, content, and implementation mechanisms. Third, reforms in educational governance, particularly in higher education, introduced new requirements concerning autonomy, accountability, and quality assurance, while many PE regulations continued to follow traditional administrative management approaches. These circumstances demonstrate the importance of comprehensively assessing policy formation and development, as well as the degree of refinement of the legal framework governing PE, to improve management effectiveness and implementation in subsequent periods.

From the perspectives of legal scholarship and educational management, examining PE policies and the legal framework involves more than describing the development of legal normative documents. It also requires analysing the coherence, continuity, and interconnections among legal instruments in the education and sports sectors. Such analysis makes it possible to identify the foundational principles already established while highlighting issues requiring further refinement to meet educational development needs in a changing context.

On this basis, the study entitled “Improving Policies and the Legal Framework for Physical Education in Vietnamese Schools: An Approach Based on Education and Sports Law” examines the formation and development of the policy system, assesses the degree of refinement of the legal framework governing PE in schools, clarifies the relationship between education law and sports law, and proposes directions for improving policies and legislation to achieve greater coherence, coordination, and alignment with educational governance reforms. The study is expected to contribute theoretical and practical foundations for policymaking, strengthen the effectiveness of state management, and support the sustainable development of PE within Vietnam's education system.

2. Theoretical and Legal Framework

2.1. Theoretical Framework for Policies and the Legal Framework Governing Physical Education

In educational policy research, a legal framework is understood as the body of legal norms, management mechanisms, and regulatory instruments designed to ensure that educational activities are organized consistently and effectively in accordance with national development objectives. In the context of physical education (PE), the legal framework not only establishes the rights and obligations of stakeholders involved in the educational process but also defines implementation mechanisms, necessary conditions, state management responsibilities, and coordination arrangements among competent authorities. The degree of refinement of this framework therefore directly influences governance effectiveness, the quality of teaching provision, and the prospects for the sustainable development of PE in schools.

From a public policy perspective, PE can be understood as a field simultaneously governed by two policy systems:

education policy and sports policy. Education policy establishes the objective of comprehensive human development, within which physical development constitutes an inseparable component of the educational process. Sports policy, meanwhile, seeks to improve public health, promote participation in physical exercise, and develop the nation's sports workforce. This intersection gives PE an interdisciplinary character, requiring the legal system to maintain coherence among educational objectives, physical development requirements, and state management mechanisms.

From the perspective of educational governance, the legal framework performs three fundamental functions. The first is a guiding function, exercised through the establishment of objectives, principles, and standards for PE activities. The second is a regulatory function, exercised by defining the responsibilities of regulatory authorities, educational institutions, teachers, and learners throughout implementation. The third is an enabling function, exercised through provisions concerning curricula, facilities, personnel, resources, and inspection and supervision mechanisms designed to maintain PE quality throughout the education system. Together, these three functions provide a foundation for assessing the comprehensiveness, coherence, and feasibility of PE policies.

Accordingly, this study conceptualizes the legal framework governing PE as a system comprising four closely interconnected components: (i) regulations defining the objectives and position of PE within the education system; (ii) regulations governing implementation, including curricula, teaching activities, and school sports; (iii) regulations concerning enabling conditions, such as personnel, facilities, and resources; and (iv) regulations on state management, the allocation of responsibilities, and coordination mechanisms among regulatory authorities. This approach allows the study to assess not only the provisions of individual legal instruments but also the interconnections within the entire body of legislation governing PE.

2.2. The Legal Framework Governing Physical Education in Vietnamese Schools

The legal framework governing PE in Vietnamese schools has developed through the combination of education law, higher education law, sports law, and legal instruments defining the state management functions of competent authorities. Together, these instruments establish a relatively comprehensive legal foundation for organizing, managing, and developing PE throughout the national education system.

At the foundational legislative level, the 2005 Education Law established PE as a compulsory educational component contributing to learners' comprehensive development. It also defined the responsibilities of educational institutions in organizing educational activities consistent with their educational objectives (National Assembly, 2005) [9]. The 2009 Law Amending and Supplementing a Number of Articles of the Education Law further refined regulations concerning the organization of educational activities, providing a legal basis for improving PE quality across educational levels (National Assembly, 2009) [11]. In higher education, the 2012 Law on Higher Education extended the legal framework by strengthening the autonomy of higher education institutions while maintaining their responsibility to organize PE as a component of their educational programmes (National Assembly, 2012) [12]. These provisions reflect the State's consistent position that physical development constitutes an inseparable element of comprehensive education.

Alongside education legislation, the 2006 Law on Physical Training and Sports established a specialized legal foundation for PE and school sports activities. The law defined the State's responsibility to invest in PE development, established the obligations of educational institutions to organize teaching and sports activities, and encouraged participation in physical exercise among pupils and students (National Assembly, 2006) [10]. PE was therefore approached not only as an educational concern but also as an integral component of the national strategy for developing physical training and sports.

To give effect to these laws, the Government promulgated several implementing decrees. In the education sector, Decree No. 75/2006/ND-CP and the amending and supplementary decrees issued in 2011 and 2013 provided detailed regulations for implementing the Education Law, contributing to the standardization of educational activities within educational institutions (Government, 2006, 2011, 2013a) [1, 4, 6]. In higher education, Decree No. 141/2013/ND-CP provided guidance on implementing the Law on Higher Education, clarifying the responsibilities of educational institutions for ensuring quality and the conditions necessary to deliver PE programmes (Government, 2013b) [7].

In the sports sector, Decree No. 112/2007/ND-CP, guiding the implementation of the Law on Physical Training and Sports, specified provisions concerning PE and school sports activities, including curriculum content, implementation responsibilities, and necessary conditions (Government, 2007) [2]. In 2015, Decree No. 11/2015/ND-CP was promulgated as a dedicated legal instrument governing PE in schools. It introduced relatively comprehensive provisions concerning PE curricula, extracurricular sports activities, teacher standards, physical facilities, teaching equipment, and the responsibilities of central and local regulatory authorities (Government, 2015) [8]. The adoption of this specialized decree reflected a transition from fragmented regulation toward a more coherent legal framework for PE.

In addition to sector-specific regulations, mechanisms for state management of PE were established through legal instruments defining the functions, duties, and powers of regulatory authorities. Decree No. 32/2008/ND-CP specified the Ministry of Education and Training's responsibility for managing PE within the national education system (Government, 2008) [3]. Decree No. 36/2012/ND-CP, meanwhile, established a basis for allocating state management responsibilities among ministries and sectors, thereby promoting coordination between the education and sports sectors (Government, 2012) [5].

Taken together, these laws and decrees demonstrate that Vietnam's legal framework for PE was developed through a multilayered and interdisciplinary approach. Statutory laws established fundamental principles and development orientations; implementing decrees specified implementation mechanisms; and regulations concerning institutional organization provided the foundation for management and coordination among state authorities. The connections among these three groups of legal instruments establish the legal basis for assessing the degree of refinement of PE policies in schools. They also constitute the analytical framework employed in this study to examine the coherence,

coordination, and enforceability of the legal system governing PE in Vietnam.

3. Research Methods

This study adopts a qualitative research approach, employing documentary research and doctrinal legal analysis to clarify the formation, development, and refinement of the legal framework governing physical education in Vietnamese schools. The research data comprise legal normative documents promulgated by the National Assembly and the Government between 2005 and 2015, including the Education Law, the Law Amending and Supplementing several Articles of the Education Law, the Law on Higher Education, the Law on Physical Training and Sports, and relevant implementing decrees. The study employs four principal methods.

First, documentary research. All relevant laws and decrees were collected, systematically organized, and classified chronologically and according to their regulatory subject matter. This review was intended to identify the development of PE policies and establish the relationships among legal instruments within the same legal system.

Second, doctrinal legal analysis. This constitutes the principal method of the study. The legal instruments were analysed according to four categories of provisions: (i) the objectives and position of PE within the education system; (ii) PE curricula, content, and activities; (iii) enabling conditions, including personnel, facilities, and resources; and (iv) state management mechanisms and the allocation of responsibilities among regulatory authorities. The analysis focused on coherence, continuity, and the extent to which statutory provisions were specified in subordinate legal instruments.

Third, systematic analysis. Rather than examining legal instruments in isolation, the study analysed them in relation to the broader body of education and sports legislation. This method helped clarify the connections among the Education Law, the Law on Higher Education, the Law on Physical Training and Sports, and their implementing decrees, thereby allowing an assessment of the degree of coordination within the legal framework governing PE in schools.

Fourth, historical legal analysis. The study examined the development of PE policies and legislation chronologically from 2005 to 2015. By comparing legal instruments promulgated at different points in time, it identified the processes through which policies were supplemented, amended, and refined, while clarifying the transition from dispersed statutory provisions toward a relatively coherent legal framework for PE in schools.

Combining these four methods enabled the study to examine the legal system from both substantive and structural perspectives, thereby assessing the degree of refinement of PE policies and the legal framework in terms of coherence, coordination, continuity, and practical applicability in educational management.

4. Research Findings

4.1. The Formation and Development of Physical Education Policies Within Vietnam's Legal System, 2005–2015

The analysis of legal normative documents indicates that physical education (PE) policies in Vietnamese schools between 2005 and 2015 did not emerge from a single legal instrument. Rather, they developed through the progressive refinement of education legislation and legislation governing physical training and sports. During this period, the State established a multilayered legal structure in which statutory laws defined fundamental principles and development orientations, while implementing decrees specified organizational mechanisms, enabling conditions, and the responsibilities of regulatory actors. This process reflected a shift from treating PE as a supplementary component of educational activities to recognizing it as an integral element of human development policy and educational governance.

The initial foundation for this development was established by the 2005 Education Law. Compared with earlier regulations, the law situated PE within the broader objective of learners' comprehensive development, affirming that education should not be limited to the acquisition of knowledge but should also promote physical, moral, aesthetic, and personal development (National Assembly, 2005) [9]. This approach demonstrates that the State did not regard PE merely as an extracurricular activity or a sports movement but established it as a compulsory component of the educational curriculum. The significance of this provision lay not only in safeguarding learners' right to physical education but also in providing a legal basis for educational institutions to allocate curricula, personnel, and resources to PE activities.

The promulgation of Decree No. 75/2006/ND-CP helped give effect to the provisions of the 2005 Education Law by providing guidance on curriculum implementation throughout the national education system (Government, 2006) [1]. Although the decree did not establish a separate chapter devoted to PE, it created a legal basis for educational institutions to deliver compulsory educational content as required by law. This period can therefore be characterized as a stage in which PE policy was primarily regulated within the framework of education legislation, with particular emphasis on establishing its position within educational programmes.

Another significant development occurred in the same year with the National Assembly's adoption of the 2006 Law on Physical Training and Sports. Whereas the Education Law approached PE from the perspective of learner development, the Law on Physical Training and Sports extended its regulatory scope to community physical development and the establishment of a national sports system (National Assembly, 2006) [10]. Within this framework, PE was regarded as a link between education and sports, fulfilling an educational function while establishing the foundation for lifelong physical exercise habits. The law stipulated the State's responsibility to invest in PE development and defined the obligations of educational institutions to organize PE instruction and school sports activities. For the first time, PE was thus governed simultaneously by two statutory laws with different regulatory scopes but a shared objective of improving human resource quality.

To implement the Law on Physical Training and Sports, the Government promulgated Decree No. 112/2007/ND-CP, detailing and guiding the implementation of several provisions of the law (Government, 2007) [2]. Analysis of the decree indicates that it translated many of the law's guiding principles into specific regulations concerning PE curricula, school sports activities, enabling conditions, and the responsibilities of educational institutions. Consequently, PE

was no longer defined solely in terms of educational objectives but increasingly governed by management provisions with greater practical applicability.

The period from 2009 to 2013 marked a process of legislative refinement and adjustment in response to educational reform requirements. The 2009 Law Amending and Supplementing a Number of Articles of the Education Law reaffirmed the role of PE within educational programmes while providing a basis for revising implementing regulations (National Assembly, 2009) [11]. Subsequently, Decree No. 31/2011/ND-CP and Decree No. 07/2013/ND-CP amended and supplemented Decree No. 75/2006/ND-CP to update its provisions in line with emerging management requirements (Government, 2011; Government, 2013a) [4, 6]. Although these decrees did not focus exclusively on PE, improvements to the mechanisms for implementing the Education Law helped maintain coherence across the broader education policy system, including PE.

A notable transition in policy development was the adoption of the 2012 Law on Higher Education. The analysis indicates that this law situated PE within the context of university governance, particularly the expansion of institutional autonomy (National Assembly, 2012) [12]. Under these circumstances, maintaining PE as a component of university curricula reflected the State's consistent position that university autonomy must operate within minimum educational quality standards. Decree No. 141/2013/ND-CP further specified the provisions of the Law on Higher Education, establishing a legal basis for implementing PE amid reforms in university governance (Government, 2013b) [7].

The culmination of policy development during the period under review was the Government's promulgation of Decree No. 11/2015/ND-CP on Physical Education and Sports Activities in Schools. Compared with earlier legal instruments, this decree marked a transition from fragmented regulation toward a dedicated legal framework for PE (Government, 2015) [8]. It provided relatively comprehensive regulations concerning objectives, curricula, curricular and extracurricular activities, teacher standards, physical facilities, the responsibilities of educational institutions, and state management mechanisms. This development indicates that PE had come to be recognized as a distinct field of governance within the education system rather than merely a component of the curriculum.

Overall, the findings identify three prominent trends in the development of PE policies in Vietnam between 2005 and 2015. First, the regulatory scope expanded progressively, from establishing PE as a compulsory educational component to introducing specialized provisions governing its organization and management. Second, the connections between education legislation and sports legislation became increasingly pronounced, creating an interdisciplinary legal foundation for PE development. Third, policy gradually shifted from an administrative management approach toward a governance-oriented approach, reflected in clearer definitions of stakeholder responsibilities, implementation conditions, and coordination mechanisms among regulatory authorities. These developments provide an important basis for assessing the degree of refinement of the PE legal framework in the subsequent sections of the study.

4.2. Structure and Degree of Refinement of the Legal Framework Governing Physical Education in Schools

The analysis of legal normative documents shows that the legal framework governing physical education (PE) in Vietnamese schools was developed as a multilayered structure in which different groups of legal instruments performed distinct yet complementary regulatory functions. Rather than being consolidated into a single specialized law, PE was simultaneously regulated by education law, higher education law, sports law, and legal instruments governing the organization of state management authorities. This structure reflects the interdisciplinary character of PE and demonstrates how policymaking evolved from establishing general principles toward developing a legal system capable of regulating PE activities in schools relatively comprehensively.

At the highest legislative level, statutory laws establish fundamental principles and development orientations. The 2005 Education Law identified PE as a compulsory component of the educational process associated with the objective of comprehensive human development, while the 2009 amending law retained this orientation and refined several provisions concerning the organization of educational activities (National Assembly, 2005, 2009) [9, 11]. These provisions indicate that PE was primarily recognized as an educational entitlement of learners and a responsibility of educational institutions. Nevertheless, the laws largely established objectives and principles without specifying curricula, enabling conditions, or implementation mechanisms. This demonstrates that the general nature of statutory provisions was necessary to maintain policy stability, while also creating a need for subordinate legal instruments to translate these principles into specific management requirements.

Alongside education legislation, the 2006 Law on Physical Training and Sports introduced another regulatory dimension to PE. Whereas the Education Law approached PE from the perspective of comprehensive education, the Law on Physical Training and Sports emphasized physical development, the promotion of exercise participation, and the development of school sports (National Assembly, 2006) [10]. These approaches were complementary rather than contradictory. On the one hand, PE was established as a compulsory educational activity; on the other, it was recognized as a foundation for cultivating a culture of physical exercise and identifying potential sports talent. This intersection gives Vietnam's PE legal framework its distinctive character, as a specialized field is simultaneously governed by two legal systems with different regulatory objectives but a common commitment to human development.

At the subordinate legislative level, government decrees translate general statutory principles into provisions applicable in practice. Decree No. 75/2006/ND-CP and its amendments and supplements issued in 2011 and 2013 primarily guided the implementation of the Education Law, clarifying mechanisms for organizing educational programmes and the responsibilities of educational institutions (Government, 2006, 2011, 2013a) [1, 4, 6]. Although PE-related provisions had not yet been established as a distinct regulatory regime, these instruments provided a coherent legal foundation for implementing educational

programmes throughout the system. This indicates that PE initially remained subject primarily to general educational management mechanisms.

A notable change emerged with Decree No. 112/2007/ND-CP, which guided the implementation of the Law on Physical Training and Sports. Compared with earlier instruments, the decree introduced more specific provisions on PE and school sports activities, ranging from the responsibilities of educational institutions to the organization of extracurricular activities and the conditions required for implementation (Government, 2007) [2]. This represented an important transition from policy-oriented provisions toward governance-related regulations, as PE requirements were no longer defined solely through objectives but were linked to specific responsibilities assigned to implementing actors.

The findings also indicate that Decree No. 11/2015/ND-CP represented the most significant refinement of the PE legal framework during the period under review. Unlike previous decrees, Decree No. 11/2015/ND-CP was specifically designed to regulate PE and sports activities in schools, establishing a relatively comprehensive legal structure encompassing objectives, curricula, curricular and extracurricular activities, teacher standards, facilities, equipment, funding, the responsibilities of educational institutions, and state management mechanisms (Government, 2015) [8]. From a legislative perspective, the promulgation of a specialized decree demonstrates that PE had become recognized as a distinct area of management requiring its own regulatory provisions rather than simply a component of educational programmes.

A prominent feature of the legal framework is the connection between sector-specific regulations and provisions governing the organization of state management authorities. Decree No. 32/2008/ND-CP designated the Ministry of Education and Training as the authority responsible for managing PE within the national education system (Government, 2008) [3]. Meanwhile, Decree No. 36/2012/ND-CP, which prescribed the functions and duties of ministries and ministerial-level agencies, provided a legal basis for allocating responsibilities and facilitating intersectoral coordination between the Ministry of Education and Training and state regulatory authorities responsible for physical training and sports (Government, 2012) [5]. These provisions reflect the recognition that PE effectiveness depends not only on curriculum content but also on coordination mechanisms among regulatory actors.

Nevertheless, the analysis identifies several structural limitations within the legal framework. First, PE regulations were dispersed across numerous laws and decrees, making legal interpretation and application heavily dependent on establishing connections among different instruments. Second, although various matters were addressed in different legal documents, a coherent system of cross-references had not been established, allowing certain provisions to be interpreted differently in practice. Third, despite the significant progress achieved through Decree No. 11/2015/ND-CP in establishing a specialized legal framework, the decree primarily emphasized organizational requirements and enabling conditions, while mechanisms for assessing implementation effectiveness, quality accreditation, and institutional accountability remained insufficiently developed.

Overall, the findings indicate that the legal framework governing PE in schools between 2005 and 2015 became increasingly comprehensive in three respects: (i) the expansion of regulatory scope from general educational principles to specialized provisions; (ii) stronger connections between education legislation and sports legislation; and (iii) the gradual establishment of governance mechanisms with clearer allocations of responsibility among regulatory actors. Nevertheless, legal refinement was reflected primarily in the addition of regulatory provisions, while system-wide coherence, oversight mechanisms, and effective enforcement remained areas requiring further improvement.

4.3. State Management Mechanisms and the Allocation of Responsibilities for Physical Education in Vietnam

The analysis of legal instruments indicates that state management of physical education (PE) in Vietnamese schools was structured around a multilevel management model combining the Government's unified oversight, the sector-specific management responsibilities of the Ministry of Education and Training (MOET), coordination with state authorities responsible for physical training and sports, and the implementation responsibilities of educational institutions. This model reflects the interdisciplinary nature of PE, which operates within the national education system while also contributing to national sports development strategies and public health objectives. The legal analysis further indicates that the management framework not only defined the authority of individual actors but also gradually established coordination arrangements intended to ensure consistency in the organization and implementation of PE nationwide.

At the central level, the Government exercises unified state management over PE through the promulgation of implementing decrees and regulations allocating responsibilities among ministries and sectors. Decree No. 36/2012/ND-CP, which prescribed the functions, duties, powers, and organizational structures of ministries and ministerial-level agencies, established the principle of sector-based management while providing a legal basis for delineating responsibilities among regulatory authorities involved in developing and implementing PE policies (Government, 2012) [5]. The analysis indicates that this approach helped maintain consistency in state management while reducing overlaps in policy formulation and implementation.

Within this framework, MOET was designated as the principal authority responsible for sector-specific management of PE throughout the national education system. Decree No. 32/2008/ND-CP, which prescribed MOET's functions, duties, powers, and organizational structure, established the Ministry's responsibilities for curriculum development, the issuance of professional regulations, implementation guidance, and inspection of PE provision in educational institutions (Government, 2008) [3]. These provisions demonstrate that PE was not managed as an isolated activity but was integrated into the general management framework of the education system. MOET's responsibilities extended beyond curriculum issuance to include ensuring implementation conditions, providing professional guidance, and conducting inspection and supervision to maintain PE quality.

Alongside MOET's role, the 2006 Law on Physical Training and Sports broadened the management framework by defining the responsibilities of state authorities in the sports sector for coordinating the development of PE and school

sports activities (National Assembly, 2006) [10]. Analysis of this provision indicates that legislators did not treat education and sports as separate domains but adopted a coordinated management model in which PE served educational objectives while contributing to national strategies for physical development and sports participation. This approach facilitated the mobilization of resources across different sectors while maintaining connections between formal PE curricula, extracurricular sports activities, and physical exercise movements among pupils and students.

A central component of the management framework concerns the responsibilities assigned to educational institutions. Analysis of the 2005 Education Law, the 2012 Law on Higher Education, and their implementing decrees indicates that schools were entrusted with direct responsibility for organizing PE, including developing teaching plans, assigning teaching staff, providing physical facilities, and organizing sports activities appropriate to the circumstances of each educational level (National Assembly, 2005, 2012; Government, 2006; Government, 2013) [1, 6, 9, 12]. This reflects a transition from a fully centralized management model toward one that places greater responsibility on educational institutions for translating legal requirements into educational practice.

In higher education, management mechanisms display distinctive characteristics associated with university governance reforms. The 2012 Law on Higher Education granted higher education institutions greater autonomy in organizing educational activities while maintaining their legal responsibility to deliver PE as prescribed by law (National Assembly, 2012) [12]. Decree No. 141/2013/ND-CP further specified universities' responsibilities for maintaining educational quality, including PE (Government, 2013) [6]. The analysis indicates that this mechanism established a balance between institutional autonomy and accountability. Educational institutions could exercise discretion in organizing implementation, but they were not permitted to alter the minimum PE standards established by law.

The most substantial development in the management framework came with Decree No. 11/2015/ND-CP. Beyond defining the responsibilities of individual actors, the decree established coordination mechanisms among management levels and educational institutions for organizing PE and school sports activities (Government, 2015) [8]. Compared with earlier instruments, it extended the regulatory scope to encompass the development of environments conducive to physical exercise, the provision of facilities, the expansion of extracurricular activities, and the mobilization of resources for PE. This indicates that state management of PE was gradually shifting from regulating teaching content toward overseeing the broader physical education ecosystem within schools.

Nevertheless, the findings identify several features indicating that the management framework remained strongly influenced by the traditional administrative management model. Most provisions focused on allocating responsibilities among regulatory authorities and educational institutions, whereas horizontal coordination mechanisms among stakeholders had not been developed into a coherent governance process. Relations between education authorities and sports authorities were established primarily at the level of general principles, while specific arrangements for coordinating implementation, sharing resources, or assessing outcomes remained insufficiently defined.

Furthermore, legal instruments placed considerable emphasis on organizational responsibilities and enabling conditions without fully establishing modern governance instruments, such as systems for evaluating policy implementation effectiveness, mechanisms for monitoring PE quality, outcome assessment indicators, or institutional accountability procedures. As educational governance increasingly moves from compliance-based management toward quality- and performance-oriented governance, this regulatory gap may constrain the capacity to monitor and assess the practical effects of PE policies.

Another notable finding concerns management decentralization. Although decentralization had expanded, the discretion available to educational institutions in curriculum development, the diversification of sports activities, and the mobilization of social resources remained substantially influenced by administrative regulations. This reflects the transitional character of the period, during which the legal system sought to strengthen institutional autonomy while retaining control mechanisms intended to maintain consistency in state management.

Taken together, the findings identify three significant developments in state management of PE between 2005 and 2015. First, a multilevel management model was clearly established, with responsibilities allocated among the Government, MOET, relevant state regulatory authorities, and educational institutions. Second, coordination mechanisms between education legislation and sports legislation gradually emerged, providing a foundation for interdisciplinary management of PE. Third, the responsibilities of educational institutions expanded, particularly in the context of university governance reform and increasing autonomy. Nevertheless, the findings also indicate that the prevailing management model remained more concerned with allocating responsibilities than with results-based governance. Evaluation, supervision, and accountability mechanisms had not developed sufficiently to meet the demands of educational governance reform. These findings provide a basis for assessing the degree of policy refinement and identifying directions for further improvement of the PE legal framework in subsequent periods.

4.4. Assessing the Degree of Refinement of Policies and the Legal Framework Governing Physical Education in Schools

The synthesis of findings from the analysis of legal normative documents indicates that the development of policies and the legal framework governing physical education (PE) in Vietnamese schools between 2005 and 2015 became progressively more comprehensive in regulatory scope, management provisions, and implementation mechanisms. Whereas the initial phase focused primarily on establishing the position of PE within the national education system, subsequent legal instruments extended regulation to include implementation conditions, the allocation of management responsibilities, and mechanisms for organizing school sports activities. This development reflects a transition from regarding PE as a component of educational programmes to recognizing it as a field of governance requiring its own legal regulations.

One prominent achievement of policy refinement was the gradual establishment of an interconnected legal system encompassing education and sports. The 2005 Education

Law and its 2009 amendments established the objective of learners' comprehensive development, with PE recognized as a compulsory component of the educational process (National Assembly, 2005, 2009) [9, 11]. Meanwhile, the 2006 Law on Physical Training and Sports broadened this approach by positioning PE as a foundation for physical development, the promotion of sports participation, and improvements in public health (National Assembly, 2006) [10]. The findings indicate that these two legislative systems did not operate independently but complemented one another, providing a legal foundation through which PE could fulfil educational objectives while contributing to national strategies for human resource and physical development.

Beyond consistency in policy orientation, the refinement of the legal framework was also reflected in the progressive specification of statutory provisions through implementing decrees. Decrees promulgated between 2006 and 2013 gradually translated legal principles into regulations concerning organizational arrangements, enabling conditions, and the responsibilities of educational institutions (Government, 2006, 2007, 2011, 2013a, 2013b) [1, 2, 4, 6, 7]. In particular, Decree No. 11/2015/ND-CP marked a significant development by establishing, for the first time, a dedicated legal instrument governing PE and sports activities in schools (Government, 2015) [8]. Its promulgation indicates that the legal system had moved from fragmented regulation toward a more systematic framework for sector-specific management.

The findings further indicate that the legal framework expanded its regulatory scope beyond teaching programmes to encompass factors necessary for quality assurance. Whereas statutory laws primarily established objectives and principles, subsequent decrees introduced provisions concerning teaching staff, physical facilities, equipment, extracurricular activities, and the responsibilities of regulatory actors. This reflects a change in policy thinking whereby PE quality was no longer assessed solely in terms of teaching content but also in relation to the conditions necessary for effective educational provision.

Another notable development concerned state management mechanisms for PE. Legal instruments progressively clarified the allocation of responsibilities among the Government, MOET, relevant state regulatory authorities, and educational institutions (Government, 2008, 2012) [3, 5]. Compared with the preceding period, the management framework shifted toward strengthening the responsibilities of individual actors in organizing and implementing PE. In particular, the 2012 Law on Higher Education and Decree No. 141/2013/ND-CP situated PE within the context of university governance reform, combining institutional autonomy with requirements to maintain minimum standards for curricula and educational quality (National Assembly, 2012; Government, 2013b) [7, 12].

Despite these positive developments, the analysis also indicates that the degree of refinement remained uneven across different regulatory areas. First, PE-related provisions continued to be distributed across multiple laws and decrees. Although this structure reflected the interdisciplinary nature of PE, it also contributed to legal fragmentation. Applying the law in practice required the combined interpretation of instruments with different regulatory scopes, including education law, higher education law, sports law, and regulations concerning the organization of state authorities. This indicates that system-wide coherence was achieved primarily through continuity among legal instruments rather than through a centralized regulatory mechanism.

Second, the analysis indicates that legal instruments predominantly addressed organizational obligations and management responsibilities, while provisions concerning the assessment of policy implementation effectiveness remained insufficiently developed. The legal framework had not established a unified set of criteria or assessment mechanism for evaluating PE quality in schools. Inspection and supervision provisions were directed primarily toward ensuring legal compliance, whereas the assessment of PE learning outcomes, learners' physical development, and the effectiveness of PE programmes had not been systematically institutionalized.

Third, although responsibilities among regulatory authorities had been delineated relatively clearly, provisions concerning intersectoral coordination remained largely principle-based. Legal instruments identified the responsibilities of individual actors but did not specify coordination procedures for curriculum development, resource mobilization, data sharing, or the evaluation of implementation outcomes. Consequently, connections between educational management and sports management were established primarily at the legal level, while corresponding mechanisms for coordination in policy implementation remained insufficiently specified.

A further finding is that the legal system during 2005–2015 continued to reflect the defining characteristics of an administrative management model. Regulations concentrated on determining functions, duties, powers, and organizational conditions, while modern governance principles, such as results-based management, accountability, quality assurance, and policy impact assessment, had not become central regulatory concerns. This reflects the context of administrative and educational management reforms in Vietnam during the period under review, when policy priorities remained focused on establishing the legal foundation and standardizing the operations of educational institutions.

These findings indicate that the development of PE policies and the legal framework between 2005 and 2015 followed a trajectory characterized by an expanding regulatory scope, increasing specialization, and the gradual establishment of intersectoral management mechanisms. Nevertheless, the degree of refinement was reflected primarily in improvements to the legal structure and the allocation of responsibilities, whereas provisions relating to quality-based governance, implementation monitoring, policy evaluation, and accountability remained insufficiently developed. This finding demonstrates that the PE legal framework had established an important foundation for organizing and managing PE in schools, while also raising issues requiring further analysis in the Discussion section, particularly concerning educational governance, coherence within the legal system, and directions for policy reform in the contemporary context of educational development.

5. Limitations and Their Underlying Causes

5.1. Limitations of Policies and the Legal Framework Governing Physical Education in Schools

The analysis of legal normative documents indicates that, although Vietnam progressively established a relatively comprehensive legal framework for physical education (PE), the degree of refinement remained uneven across its various components. These limitations were evident not only in the

structure of the legal instruments but also in their capacity to establish a coherent governance mechanism for PE in schools.

First, regulations governing PE remained dispersed across legal instruments with different regulatory scopes. Relevant provisions were distributed among the Education Law, the Law on Higher Education, the Law on Physical Training and Sports, and numerous implementing decrees. Although this structure reflected the interdisciplinary nature of PE, it also reduced the coherence of the legal framework. To establish a complete legal basis for a particular management matter, regulatory authorities and educational institutions had to consult and cross-reference several different instruments. This increased the complexity of legal application and affected the transparency of the policy system.

Second, the connections between education legislation and sports legislation remained largely confined to objectives and general principles. Both legal systems recognized PE as an important component of human development, yet provisions governing coordination mechanisms for implementation had not been fully institutionalized. Although legal instruments defined the responsibilities of individual regulatory authorities relatively clearly, they did not establish consistent coordination procedures for curriculum development, resource allocation, inspection, evaluation, and information sharing. Consequently, the interconnectedness of the two legal systems was maintained primarily through continuity in regulatory content rather than through an integrated coordination mechanism.

Third, the legal framework placed considerable emphasis on provisions concerning the inputs required for PE activities without giving corresponding attention to mechanisms for assessing outcomes. Most legal instruments addressed curricula, teaching staff, physical facilities, teaching arrangements, and school sports activities. By contrast, provisions concerning policy effectiveness evaluation, monitoring learners' physical development, PE quality accreditation, and assessing the impact of PE programmes had not been developed into a coherent system. As a result, management practices remained primarily oriented toward monitoring regulatory compliance rather than assessing the substantive effectiveness of policies.

Fourth, state management mechanisms for PE continued to reflect the characteristics of the traditional administrative management model. Legal instruments emphasized the definition of functions, duties, and powers of individual regulatory authorities but did not adequately provide for modern governance instruments such as accountability, results-based management, performance evaluation, and evidence-based monitoring. As higher education progressively moved toward institutional autonomy and quality-oriented governance, this gap could constrain the legal system's capacity to respond to emerging requirements in educational governance.

Fifth, the legal framework did not adequately accommodate differences among educational levels and types of educational institutions. Most regulations were designed for general application across the entire education system, despite substantial differences between general education and higher education in educational objectives, organizational arrangements, and levels of autonomy. The absence of provisions tailored to specific educational contexts could limit institutions' ability to apply policies in ways appropriate to their practical circumstances.

Overall, these limitations do not diminish the significance of the legal system established between 2005 and 2015. They nevertheless indicate that policy refinement remained primarily focused on extending regulatory scope and introducing additional management provisions. Issues concerning systemic integration, quality-based governance, and the evaluation of implementation effectiveness had not received attention commensurate with the requirements of educational reform.

5.2. Underlying Causes of the Limitations

The limitations of PE policies and the legal framework arose not only from the substantive provisions of individual legal instruments but also from the broader development of the education system and the process of state management reform during the period under review. The analysis identifies four principal groups of causes.

First, the interdisciplinary nature of PE was an important factor contributing to the fragmented structure of the legal system. Unlike many other specialized educational fields, PE was simultaneously governed by education legislation and sports legislation. Each legal system developed around different management objectives: the former focused on safeguarding educational rights and quality, while the latter emphasized physical development and sports participation. Integrating these two approaches into a coherent legal framework required a more complex process of policy coordination, resulting in regulations being issued through multiple instruments at different points in time.

Second, legal refinement proceeded in stages corresponding to successive phases of educational reform. Legal instruments promulgated between 2005 and 2015 primarily focused on establishing the initial legal foundation for PE, prioritizing the definition of objectives, the allocation of responsibilities, and the standardization of educational institutions' operations. Within this context, quality governance, policy evaluation, accountability, and results-based management had not yet become central concerns in legislative development. This helps explain why the legal system had become relatively comprehensive in organizational terms while remaining limited in its evaluation and oversight mechanisms.

Third, the transition from administrative management to educational governance was gradual and not fully coordinated. Throughout much of the period under review, management practices continued to rely on the allocation of functions and duties and the monitoring of legal compliance. Requirements concerning accountability and quality assurance became more clearly articulated only following the adoption of the 2012 Law on Higher Education and policies promoting university autonomy. However, these changes were not fully reflected in regulations governing PE, creating a gap between emerging governance requirements and the substantive provisions of the legal framework.

Fourth, the development of PE policies was influenced by a sector-specific legislative approach. Laws and decrees were generally formulated to address particular management requirements at specific points in time. Consequently, connections among legal instruments were established primarily through subsequent amendments and supplements after the instruments had entered into force. Although this approach enabled the legal system to adapt to changing management requirements, it also contributed to regulatory

fragmentation and the absence of a consistent system of cross-references among legal instruments.

Furthermore, Vietnam's socioeconomic development context between 2005 and 2015 also influenced policy formulation. Educational reforms during this period prioritized expanding educational provision, standardizing the education system, and strengthening the legal foundations of state management. PE was therefore approached primarily in terms of ensuring its organization, implementation, and widespread provision in schools. Emerging requirements such as developing lifelong physical competence, quality governance, digital management, and data integration for policymaking became prominent only in subsequent periods.

In general, the limitations of PE policies and the legal framework resulted not merely from legislative techniques but also reflected the characteristics of legal development and educational reform in Vietnam. Identifying these underlying causes is essential for explaining existing regulatory gaps and provides a scholarly basis for further analysis and discussion of directions for improving policies and the legal framework in subsequent periods.

6. Recommendations for Improving Policies and the Legal Framework Governing Physical Education in Schools

The findings indicate that improvements to policies and the legal framework governing physical education (PE) in schools should be pursued through a coordinated approach integrating educational reform with the modernization of state governance. On this basis, the study proposes the following directions for improvement.

First, the legal system should be further refined to strengthen coherence between education legislation and sports legislation. Although existing legal instruments have established a relatively comprehensive foundation, PE-related provisions remain distributed across numerous laws and decrees. Legislative review and amendment should therefore ensure consistency in terminology, objectives, management principles, and regulatory scope across legal instruments to reduce fragmentation. Establishing clear cross-referencing and interconnections among these instruments would improve transparency and facilitate legal application by regulatory authorities and educational institutions.

Second, PE governance should move decisively from an administrative management approach toward one based on quality and performance outcomes. In addition to provisions concerning curricula, personnel, and physical facilities, the legal framework should incorporate criteria for assessing PE quality, mechanisms for monitoring learners' physical development, procedures for evaluating policy implementation effectiveness, and institutional accountability requirements. Developing a consistent system of assessment indicators would shift the focus of management from monitoring regulatory compliance toward evaluating the effectiveness of PE activities, thereby improving governance quality and the efficient use of invested resources.

Third, intersectoral coordination mechanisms for PE management should be strengthened. As a field situated at the intersection of education and sports, PE policy effectiveness depends substantially on coordination among central and local state regulatory authorities. Accordingly, more specific provisions are needed concerning cooperation in curriculum development, professional guidance, inspection, evaluation, data sharing, and resource mobilization. Such coordination would not only improve policy implementation but also facilitate the development of school sports activities aligned with the objectives of improving health and supporting learners' comprehensive development.

Fourth, educational institutions should be granted greater discretion, accompanied by stronger accountability. In the context of educational governance reform and expanding institutional autonomy, educational institutions should have greater authority to organize PE programmes, select sports activities appropriate to their circumstances, and make effective use of social resources. However, increased discretion must be accompanied by oversight mechanisms, public disclosure of implementation outcomes, and periodic evaluation to ensure that quality standards are consistently maintained throughout the education system.

Fifth, regulations concerning the conditions required to ensure PE quality should be refined through a comprehensive approach. The legal framework should not focus exclusively on minimum requirements for facilities and personnel but should also incorporate standards concerning educational environments, safety in physical activities, the application of science and technology in teaching, and equitable access for learners. At the same time, mechanisms should be established for periodically assessing the extent to which quality assurance conditions are met, providing a basis for policy adjustment and resource allocation.

Sixth, digital transformation in PE management and supervision should be promoted. Establishing an integrated database covering curricula, teaching staff, physical facilities, learning outcomes, and learners' physical development would support regulatory authorities in policy formulation, monitoring, and evaluation. Digital data systems would also improve transparency, facilitate information sharing across management levels, and enable educational institutions to develop evidence-based PE development plans.

Finally, policy refinement should be situated within the broader context of modern educational development and international integration. Legal provisions governing PE should promote lifelong physical competence, the formation of healthy lifestyles, and improvements in human resource quality. This requires policymaking to address not only immediate management needs but also long-term objectives, ensuring adaptability to changes in the education system, scientific and technological advances, and emerging requirements for improving human resource quality. From this perspective, improving PE policies and the legal framework would not only enhance the effectiveness of state management but also establish a sustainable legal foundation for learners' comprehensive development and the long-term sustainability of Vietnam's education system.

7. Conclusion

This study examined the formation and development of policies and assessed the degree of refinement of the legal framework governing physical education in Vietnamese schools through an analysis of legal instruments promulgated between 2005 and 2015. The findings indicate that the legal system was progressively refined through an expanded regulatory scope, stronger connections between education legislation and sports legislation, and clearer definitions of state management mechanisms and the responsibilities of regulatory authorities and educational institutions in

organizing physical education. The promulgation of Decree No. 11/2015/ND-CP marked an important transition from fragmented regulation toward a dedicated legal framework for physical education and sports activities in schools.

Despite these achievements, the study also identifies several limitations in the existing legal framework, including fragmented legal provisions, insufficiently specified intersectoral coordination mechanisms, inadequate instruments for quality assessment and accountability, and a management model that continues to emphasize administrative control over results-based governance. These limitations highlight the need for further policy refinement to meet the demands of educational reform and the modernization of state governance.

The study contributes to the systematic understanding of the legal foundations of physical education and provides an analytical framework for policy assessment from an educational governance perspective. However, its scope is limited to the analysis of legal normative documents and does not examine actual implementation practices within educational institutions. Future research should therefore combine legal analysis with empirical investigations, assessments of policy implementation effectiveness, and comparisons of international experiences to develop recommendations for improving the legal framework in response to educational development requirements in a changing context.

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