

Executive Council Chairman's Decision

No. (26) of 2013 Concerning the Private Schools Regulations in the Emirate of Abu Dhabi

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council.

- Having reviewed Law No. (1) of 1974 regarding the reorganization of the governmental apparatus in the Emirate of Abu Dhabi and its amending laws.
- And Law No. (8) of 2008 regarding the reorganization of the Abu Dhabi Education Council.
- And the decision of the Crown Prince, Chairman of the Abu Dhabi Education Council No. (4) of 2008 concerning the internal regulations for private education in the Emirate of Abu Dhabi.

Have issued the following decision:

Article One

The provisions attached to this decision regarding the private schools regulations in the Emirate of Abu Dhabi shall be enforced.

Article Two

The aforementioned decision of the Crown Prince, Chairman of the Abu Dhabi Education Council No. (4) of 2008 is hereby repealed.

Article Three

This decision shall be effective from the date of its issuance and shall be published in the Official Gazette.

Mohamed bin Zayed Al Nahyan

Crown Prince

Chairman of the Executive Council

Issued by us in Abu Dhabi:

On: 12 - February - 2013 AD

Corresponding to 2 Rabi' al-Thani - 1434 AH

Private Schools Regulations in the Emirate of Abu Dhabi

Attached to the Executive Council Chairman's Decision No. (26) of 2013

Chapter One: Definitions

Article (1)

In the application of the provisions of this decision, the following words and phrases shall have the meanings assigned to each of them, unless the context indicates otherwise:

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| The State: | The United Arab Emirates. |
| The Emirate: | The Emirate of Abu Dhabi. |
| The Council: | The Abu Dhabi Education Council. |
| The Director General: | The Director General of the Abu Dhabi Education Council or his authorized representative. |
| The Regulations: | The set of rules and provisions contained in this decision and the decisions issued in implementation thereof. |
| The Evaluation Committee: | The permanent committee formed by a decision of the Director General, which has the authority to make all decisions regarding private school licenses. |
| The Compliance Committee: | The permanent committee formed by a decision of the Director General, which has the authority to issue compliance orders regarding violations committed by private schools. |
| The Grievances Committee: | The permanent committee formed by a decision of the Director General, which has the authority to review grievances from private schools and make appropriate decisions regarding them. |

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| The Private School/ Schools: | Any non-governmental institution concerned with education from kindergarten to secondary school. |
| The School Principal: | The leader responsible for managing the daily operations of the school. |
| Special Education: | The services, means, and educational programs that include special modifications in curricula or teaching aids in response to the special needs of students who face difficulties that negatively affect their learning abilities. |
| Special Educational Needs: | The requirements necessary to assist students with disabilities, learning difficulties, and gifted and talented students to obtain the best possible education and develop their abilities in a manner appropriate to their individual conditions. |
| Development Order: | Instructions issued by the Council to the school to identify certain aspects that need improvement, including the necessary corrective actions and timelines for those actions. |
| Private Schools Policies and Guidelines Handbook: | The policies, decisions, and other documents related to matters concerning the ownership, operation, and regulation of private schools in the Emirate, issued by the Council after approval by the Director General. |
| Board of Trustees: | The school's board of trustees, composed of an odd number of not less than five and not more than nine persons who possess the competence and experience to carry out the tasks entrusted to them under the provisions of this decision. |

Chapter Two: Core Values of Education

Article (2)

Private schools shall abide by the provisions of this decision and operate in accordance with the following core values:

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| * Teamwork: | Emphasizing the values of cooperation with others. |
| * Integrity and Honesty: | Commitment to right conduct under any circumstances. |
| * Transparency: | Dealing with others in a manner characterized by clarity, truthfulness, and honesty. |
| * Respect: | Respect for students, colleagues, parents, and the community. |
| * Accountability: | The individual's responsibility for their words and actions. |
| * Care and Compassion: | Caring for others and feeling a sense of responsibility towards them. |

Article (3)

Students of school age are entitled to a distinguished level of education that suits their needs. These students should be enabled to participate in achieving the goals of the Emirate's economic vision through a distinguished educational system that encourages them to:

- * Invest their potential and capabilities, which qualifies them to compete at a global level.
- * Possess a firm awareness of the Arab and Islamic culture prevailing in the State, based on love and tolerance.
- * Be prepared to face global challenges.

Ethical Leadership

Article (4)

School owners and principals shall embody ethical leadership through their commitment to the culture and heritage of the State. To achieve this end and to ensure that schools adopt firm and positive educational values and principles, relationships within schools must be based on integrity, trust, and mutual respect.

Student Protection

Article (5)

- The registration of a student in a school is considered an implicit agreement by its principal to assume the role of a guardian and bear the responsibilities of this role during the times the student is under the school's care. This includes the student's transit to and from the school when using school-provided transportation, and during activities organized by the school.
- The school and its principal shall at all times ensure the right of students not to be subjected to exploitation, violence, physical abuse, sexual assault, any verbal insult, moral threat, or harm of any kind. The school must publish and implement a policy for protecting students from any form of such abuse. Anyone who suspects that a student has been subjected to any form of this abuse must immediately report it to the school principal. In the event of any such cases, the school principal must adhere to the student protection procedures issued by the Council for this purpose. The principal must immediately suspend any school employee accused of assaulting any student. The school principal must inform the Council immediately of any violations of the student protection policy and must send a written report to the Council within twenty-four hours of the occurrence or suspicion of any such violations.
- The Council shall take the necessary measures to ensure the protection of students.

Moral Commitment

Article (6)

Private schools shall conduct their activities in accordance with the prevailing values, ethics, customs, and culture of the State. They shall also refrain from any activities that constitute an insult to religions.

Chapter Three: School Licensing

Mandatory Licensing

Article (7)

-1 It is prohibited for any natural or legal person to establish an educational institution without first obtaining a private school license from the Council, in accordance with the terms and provisions of this decision and the decisions issued in implementation thereof.

-2 If the applicant for a private school license is a company, the following conditions must be met:

- The contribution of citizens shall not be less than 51% of the capital.
- It must be registered with a competent government authority.
- It must have sufficient financial capacity to meet all financial requirements stated in the Council's policies and regulations.
- A representative must be appointed who meets the conditions stipulated in clause (3) of this article.

-3 If the applicant for a private school license is a natural person, the following conditions must be met:

- They must be a citizen of the State or a citizen of one of the Gulf Cooperation Council (GCC) countries, in implementation of Cabinet Decision No. (6) of 2004, as amended by Decision No. (26) of 2005.
- Their age must not be less than 25 years.
- They must have full legal capacity.
- They must not have been previously convicted of a felony or a misdemeanor involving moral turpitude or dishonesty, unless they have been legally rehabilitated.
- They must have sufficient financial capacity to meet all financial requirements stated in the Council's policies and regulations.

License Categories

Article (8)

Licenses are divided into three categories as follows:

- 1 Provisional license for new schools.
- 2 General license.
- 3 Council-accredited school license.

Granting a Provisional License for a New School

Article (9)

The Director General shall grant a provisional license to operate a new school based on a written request that meets the conditions and criteria, submitted to the Council in accordance with the licensing provisions in the Private Schools Policies and Guidelines Handbook. The provisional license is valid for one year, renewable according to the rules and regulations in force by the Council. All applications for provisional licenses must be approved by the Director General if they meet all relevant requirements. If an application does not meet the conditions and criteria, it may be resubmitted.

Approval of the Operational Plan

Article (10)

In accordance with the Director General's decision regarding the application for granting a provisional license, this application and any other conditions imposed by the Council shall constitute the proposed and approved operational plan. The school must adhere to this plan without any modification, unless the Council approves any subsequent amendments.

Renewal of the Provisional License

Article (11)

A request to renew the provisional license must be submitted sixty days before its expiry. The Council will verify and assess the school's progress regarding its operational plan and its adherence to the implementation phases. The Council has the right to conduct inspection and monitoring visits if necessary when considering the renewal request. The provisional license shall not be renewed for more than one academic year from the date of commencement of educational activities at the school.

Granting the General License

Article (12)

- For the school to continue its operations, it must obtain a general license within two years from the date of commencement of educational activities. The general license is valid for two years and may be renewed by a decision of the Director General.
- The Council shall grant this license to any school that has undergone inspection and received a rating of no less than (Satisfactory).

Renewal of the General License

Article (13)

The private school must submit an application to renew the general license sixty days before its expiry date. The Council may conduct inspection and monitoring visits whenever necessary and when considering the renewal of the general license.

Granting the Accredited License

Article (14)

The Director General shall grant the accredited license after the school has undergone inspection and evaluation by the Council or any other party accredited by the Council, provided that the school meets the minimum

accreditation standards set by the Council in accordance with the provisions of this decision. The accredited license is valid for a period not exceeding five years.

Revocation of Licenses

Article (15)

The Director General may revoke the provisional license, the general license, or the accredited license at any time in accordance with the provisions of this decision.

Licensing Fees and Financial Guarantees

Article (16)

- The Council shall determine the value of the fees required for licensing applications as well as for the issuance of any of the licenses referred to in this decision. The Director General shall issue a decision specifying the value of these fees after their approval by the Executive Council.
- The Council may request non-accredited schools to provide a bank guarantee in favor of the Council to cover the value of compensation paid to parents, school employees, or any other party that may result from the school's non-compliance with any of the provisions of this decision. The Private Schools Policies and Guidelines Handbook shall specify the related conditions. The value of the bank guarantee shall be equivalent to (5%) of the total annual school fees for the maximum capacity of the school as stated in the license application approved by the Council.

Official Holidays

Article (17)

It is prohibited for any school to hold a school day during any of the official holidays determined by the Emirate without obtaining prior written approval from the Council. The Director General shall, from time to time, issue a decision specifying the school holidays. Schools must adhere to these holidays, provided they do not conflict with the dates of international

examinations or external examinations held by different educational systems within the State.

Website

Article (18)

The school must establish its own website and update it with information regularly. As a minimum, the website must provide a general overview of the school's contact details, the services it offers, mandatory fees, transportation fees, optional activity fees, and other fees, annual management reports, inspection reports, school development plans, student achievement data, and policies relevant to students and parents.

Approval of the School Calendar

Article (19)

- The Council shall determine the school calendar and the minimum number of teaching hours, which shall not be less than (175) school days per academic year.
- The school must submit a request for the Council's approval of its school calendar at least eight months before the start of the academic year.

Official Portraits, the National Flag, and the National Anthem of the State

Article (20)

The school is obligated to display the official portraits and raise the state flag in a prominent and visible location. Students and faculty members must show reverence and respect for the national anthem of the State, which shall be recited at the beginning of every morning assembly.

Chapter Four: School Accreditation

Obtaining Accreditation

Article (21)

- The Council shall determine the criteria for school and certificate accreditation.
- Accreditation is a system for recognizing the most successful school models and encouraging creativity and innovation at the educational level. The Council, or parties accredited by it for this purpose, shall grant accreditation to schools through the following:
 - * Conducting an evaluation that proves, through inspection, the existence of effective leadership and management, headed by an effective Board of Trustees that follows best practices in management, as stated in the Private Schools Policies and Guidelines Handbook.
 - * Obtaining a rating of no less than "Good" in overall performance.
 - * Not receiving a rating of less than "Satisfactory" in any of the evaluation criteria.
 - * The Council deems that it has conducted an effective self-evaluation and has tangible plans and procedures for school development.
 - * Meeting any other requirements as specified by the Private Schools Policies and Guidelines Handbook.
- The accreditation criteria, as stated in the Private Schools Policies and Guidelines Handbook, apply to all private schools. The accreditation license issued by the Council is valid for a period not exceeding five years, renewable for a similar period provided the school continues to adhere to the school's accreditation criteria as determined by the decision.
- The Council shall grant the accredited school certain exemptions from the requirements it imposes on other schools, allowing the Board of Trustees of accredited schools to make its own decisions without needing the Council's approval, but only notifying it of them.

Chapter Five: Governance, Management, and Staff

Governance

Article (22)

- The school shall prepare a set of governance rules related to the formation and duties of the Board of Trustees, provided that these rules are consistently in compliance with the provisions of this decision and the Private Schools Policies and Guidelines Handbook. Any of these provisions shall be null and void if they conflict with any clause of this decision, the decisions issued in its implementation, or the Private Schools Policies and Guidelines Handbook.
- The school shall submit the governance rules to the Council for its endorsement and approval immediately upon completion and within a period not exceeding three months from the date the Council issues the provisional license. It shall also commit to submitting any proposed amendments to these rules to obtain the Council's approval before they are implemented.

Appointment and Duties of the Board of Trustees

Article (23)

- The Board of Trustees is responsible to the Council for implementing the school's strategic plans and achieving its goals and mission. The Board of Trustees provides support and advice to the school principal and staff regarding the clarification of the strategic vision, and provides advice on financial and other professional matters and quality assurance.
- The school owner(s) shall appoint a Board of Trustees that includes representatives of students' parents and competent individuals. The main duties of the Board of Trustees are as follows:
 - * Assuming responsibility before the Council for informing the school community stakeholders of the school's mission and goals, periodically reviewing them, and working towards their implementation.

* Ensuring effectiveness and efficiency in the management of the school's affairs in accordance with the provisions of this decision and the Private Schools Policies and Guidelines Handbook.

* Entrusting the school principal with the responsibility for implementing the plans and policies adopted by the Board of Trustees.

- The Board of Trustees is responsible to the Council for implementing the school's strategic plans and achieving its goals and mission. The Board of Trustees provides support and advice to the school principal and staff regarding the clarification of the strategic vision and provides advice on financial and other professional matters and quality assurance.

- The Board of Trustees is responsible for appointing and, if necessary, dismissing the school principal with the Council's approval. The Board of Trustees is also responsible for evaluating the principal's performance, approving school policies and development plans, and ensuring that the development policies and plans set by the school principal support the achievement of the school's vision and values, while adhering to the provisions of this decision and the Private Schools Policies and Guidelines Handbook. The Board of Trustees also undertakes the responsibility of overseeing the achievement of goals and the progress made towards realizing the school's objectives and aspirations.

- The school owner may chair the Board of Trustees or be a member of it, and has the right to vote when making decisions as stipulated in the governance rules. Neither the owner nor any of the partners have the right to participate in the management of the school's daily operations.

Formation of Sub-Committees of the Board of Trustees

Article (24)

The Board of Trustees has the right to form the necessary number of sub-committees if it so desires. These committees shall operate according to the responsibilities and powers specified in their formation decision, with their role being to provide assistance and support to the Board of Trustees.

Meetings of the Board of Trustees

Article (25)

The Board of Trustees shall meet at least once every three months upon the invitation of its chairman or the school owner. Meetings of the Board of Trustees may not be held unless at least two-thirds of the members are present. Decisions are made by a majority vote of the attending members of the Board of Trustees. In the event of a tie, the side of the session's chairman shall prevail. Meetings of the Board of Trustees shall be recorded and documented, and the minutes shall be provided to the Council when necessary or upon request.

School Complaints Committee

Article (26)

Each school shall form a permanent complaints committee, responsible for reviewing written complaints submitted against the school and its mode of operation. The school principal shall chair the committee and may delegate his powers in this committee to whom he deems appropriate. The committee is obligated to submit a report with its responses to these complaints to the Board of Trustees without any delay, in accordance with the school's policy for handling complaints and in line with the Council's requirements, values, and aspirations. Schools must send an acknowledgment of receipt of written complaints from parents or teachers within twenty-four hours of receiving them. The committee must study these complaints and respond to the complainants in writing, either by regular mail or email, within a period not exceeding ten working days. The school must also document the minutes of meetings between the committee members and the complainants, whether they are parents or teachers, and submit them to the Board of Trustees - and to the Council if requested. The school must also provide the Council with the name and contact information of the chairman of the complaints committee.

School Development Committee

Article (27)

- Each school shall form a permanent development committee responsible for preparing the annual school development plan, and any other plan following the issuance of a development order after an inspection by the Council. The committee is chaired by the school principal and includes members from the school leadership team and teaching staff. The committee may also include representatives of parents and students. The committee submits the development plans to the Board of Trustees for approval, and to the Council if requested.
- The School Development Committee supervises the school's progress regarding the agreed-upon key performance indicators stated in the development plan. Members of the Board of Trustees may attend the meetings of this committee and, if they attend, they shall have full membership rights.

Chapter Six: School Principals and Vice Principals

Authorities of the School Principal

Article (28)

- The school principal is the chief administrative officer of the school and is committed to the following:
 - 1- Implementing the provisions of this decision, the Private Schools Policies and Guidelines Handbook, and any other rules issued by the Council.
 - 2- Informing the school owner or its Board of Trustees of the measures approved by the Council as required by the school's applicable governance rules.
 - 3- Preparing the staffing structure plan and submitting it to the Board of Trustees for consideration, necessary amendments, and approval.
 - 4- Leading the recruitment and appointment processes under that plan, and making necessary recommendations to the Board of Trustees for appointing or terminating employees.

-5- Ensuring that textbooks and various educational materials do not contain anything that contradicts the values and customs of the society in the State, or offends religious beliefs or social practices.

- The school principal or vice principal may not be the owner of the school or one of its owners, either directly, indirectly, or nominally. The school principal or vice principal may not be a first or second-degree relative of the school owner or one of its owners.

Approval and Licensing of the School Principal and Vice Principal

Article (29)

The school must appoint a principal and vice principal who have obtained a valid school leadership license issued by the Council. Until the procedures for obtaining a school leadership license are implemented, transitional procedures for approving the appointment of the school principal and vice principal will be applied as stated in the Private Schools Policies and Guidelines Handbook.

Approval of Faculty Appointments

Article (30)

The school must appoint faculty members who have obtained a valid teacher license issued by the Council. Until the procedures for obtaining a teacher license are implemented, transitional procedures for approving the appointment of faculty members will be applied as stated in the Private Schools Policies and Guidelines Handbook.

Chapter Seven: Faculty and Other Staff

Licensing and Qualifications

Article (31)

The Council shall determine the teacher licensing framework and the validity period of the license through its applicable legislation and the Private Schools Policies and Guidelines Handbook. Faculty members and other staff who have a direct relationship with teaching, leadership, and

school administration must meet the minimum qualifications and standards specified by the Private Schools Policies and Guidelines Handbook upon their appointment. Faculty qualifications include a minimum of a bachelor's degree, training courses, and experience as stated in the Private Schools Policies and Guidelines Handbook.

Quality of Teaching

Article (32)

The school is committed to providing a distinguished level of education and learning, and ensuring that its teachers use modern, innovative, diverse, and creative teaching strategies that focus on meeting the needs of students. It is also committed to using information technology and its applications to improve and enrich the educational process.

Continuous Professional Development and Performance Management

Article (33)

- The school is committed to providing a professional development program for its faculty and other staff. Schools shall offer these programs free of charge to the training targets, with training hours not less than twenty-five hours per year for each trainee. The hours allocated for professional development and training programs will not be counted towards the teachers' teaching load.
- The school principal or their delegate is responsible for conducting an annual written evaluation of all faculty members and school staff regarding their professional performance. These reports are to be delivered confidentially to the concerned individuals, and the Council has the right to review these reports when needed.
- The Private Schools Policies and Guidelines Handbook outlines the minimum professional development requirements for schools.
- At the end of each academic year, the school principal shall send a written memorandum to the Council detailing the teachers' attendance at their respective professional development programs according to the training requirements.

Rights and Responsibilities

Article (34)

The rights and responsibilities of school employees are determined by the provisions of Federal Law No. (8) of 1980 concerning the regulation of labor relations and its amendments. Schools are fully committed to this law and its implementing decisions.

Ethical and Professional Charter

Article (35)

School owners, the Board of Trustees, sub-committee members, teachers, and other school staff are committed to the Council's ethical and professional charter and its standards. In case of a violation of this charter, any infractions will be dealt with by the school by imposing appropriate disciplinary measures in accordance with the Council's policies and procedures. The disciplinary action taken will depend on the severity of the violation and the employee's behavioral history.

Employment Terms and Contracts

Article (36)

- The school must prepare, publish, and periodically review an employment handbook that details the school's policies regarding employment matters as well as the school's organizational structure, including jobs and job descriptions, appointment procedures, and other necessary procedures for hiring candidates. This handbook should also include orientation programs for new employees, mechanisms for managing employee performance, employment conditions, contract terms, salary scales, bonuses, allowances, and disciplinary procedures, in addition to any other matters related to the employment process.
- The employment handbook should always be consistent with the requirements of the Private Schools Policies and Guidelines Handbook.

Chapter Eight: School Reports and Other Documents

Article (37)

The school must maintain the reports and documents mentioned in Articles (38) and (39) of this decision. The Council will not renew the school's license unless it commits to submitting these reports and documents to the Council in accordance with established procedures.

School Management Report

Article (38)

At the end of the academic year, the school shall prepare a report on school management to be kept in the school records, and a copy shall be sent to the Council to be kept in the school's file. This report shall include data on school operations and student achievements during the past academic year, a summary of the financial position, the professional development plan, the results of inspections, school performance development standards and plans, and the dissemination of best practices.

Financial Reports and Financial Audit

Article (39)

- At the beginning of each academic year, the school shall appoint a certified external auditor to conduct accounting audits, provided that the auditor is in no way related to the school, its owners, or any member of the Board of Trustees, except for the contractual relationship. The school must inform the Council in writing of the name of the certified auditor immediately after contracting with them.
- The Board of Trustees shall submit the school's financial reports to the Council, accompanied by the audit reports certified by the auditor, using the designated form, within sixty days of the end of the school's fiscal year. The annual financial reports and audit reports must include data and statistics that clarify the school's income and expenses, the profit and loss account, and any other information that enables the Council to ascertain the financial status of the school.