

## **Cabinet Resolution No. (29) of 2008 Concerning the Private Education Regulatory Bylaw**

### **The Cabinet:**

- Having reviewed the Constitution,
- And Federal Law No. (1) of 1972 concerning the Competencies of Ministries and Powers of Ministers, and its amending laws,
- And Federal Law No. (8) of 1980 concerning the Regulation of Labor Relations, and its amending laws,
- And Federal Law No. (8) of 1984 concerning Commercial Companies, and its amending laws,
- And Federal Decree-Law No. (3) of 2007 concerning Private Education,
- And Cabinet Resolution No. (16/108m) of 2008 approving the draft Private Education Regulatory Bylaw,
- And based on the proposal of the Minister of Education and the approval of the Cabinet,

Has decided:

### **Chapter One**

#### **Article (1)**

#### **Definitions**

The following terms in this Bylaw shall have the meanings assigned to each, unless otherwise specified:

The State: The United Arab Emirates.

The Ministry: The Ministry of Education.

The Minister: The Minister of Education.

Private School: Any non-governmental school that practices the profession of education from kindergarten to high school, using the Ministry's curriculum or any other curriculum approved by the Ministry.

## **Article (2)**

### **Objectives of the Bylaw**

This Bylaw aims to define the minimum national standards for the quality of private education and the management of private schools to ensure the following:

1. Achieving the goals of education in the State and contributing to the development of its systems to serve the community.
2. Providing appropriate educational opportunities for the children of expatriate communities residing in the State.
3. Providing more choices for students regarding the desired type of education.
4. Encouraging competition among different private schools, which helps improve the quality of education.
5. Working to link education with the rapid societal and technological changes that have significant implications for education systems.

## **Chapter Two - Licensing Requirements for Private Schools**

### **Article (3) Related Judicial Rulings**

#### **General Regulations**

1. To establish a private school in the State, a license must be obtained from the Ministry.
2. A license issued for a specific private school cannot be transferred, sold, or exchanged without the Ministry's approval.
3. Subject to any other conditions stipulated in this Bylaw, a private school must meet the following conditions:
  - a- The school's location and building must be suitable for the educational process and meet health, safety, and security specifications as determined by ministerial resolutions in this regard.
  - b- Its activities must be limited to educational and pedagogical pursuits.

## **Article (4)**

### **Preliminary License**

The Minister may issue a preliminary license to the applicant to allow them to begin foundational work while the application is under consideration, without the applicant having the right to collect tuition fees from students or conduct teaching until the final license is obtained from the Ministry in accordance with the conditions stated in this Bylaw.

Approval of the preliminary license does not, in any way, mean that the applicant has been licensed to open the school.

## **Article (5)**

### **Conditions for Obtaining the License**

a- Without prejudice to the provisions of Article (3) of this Bylaw, national companies wishing to establish private schools must meet the following conditions:

1. The share of the national partner shall not be less than 51%.
2. It must be registered with the relevant official authorities in the State.
3. Its place of business must be within the State.
4. It must be able to meet the financial obligations of the private school, as determined by the executive ministerial resolutions of this Bylaw.
5. It must have a natural person representing it who meets the conditions stipulated in clause (b) of this Article.

b- If the applicant for a private school license is a natural person, they must meet the following conditions:

1. Must be a citizen.
2. Must be at least 25 years old.
3. Must have full civil capacity.
4. Must not have been previously convicted of a penalty restricting freedom for a felony or a crime against honor or trust, unless they have been rehabilitated according to the law.

5. Must be able to meet the financial obligations of the private school, as determined by the executive ministerial resolutions of this Bylaw.

## **Article (6)**

### **License Application Documents**

a- The license applicant must ensure that all information in the license application is accurate, in the form and detail specified by the Ministry in the executive ministerial resolutions of this Bylaw, and must sign a declaration to that effect.

b- If the license application is approved, the Ministry will issue a license valid for three years.

## **Article (7)**

### **Licensing Requirements**

a- After granting the license and within a period determined by the Ministry from the opening of the school, the Ministry will conduct a comprehensive field evaluation of it.

b- Before the license period expires, the school must provide evidence of obtaining the academic accreditation stipulated in Article (19) of this Bylaw from the Ministry or an institution authorized by the Ministry, or provide evidence that it has applied for accreditation and is in the process of completing accreditation procedures.

c- A school that has not obtained accreditation may request a renewal of its license for an additional period, provided that it is subject to accreditation procedures. If the school fails to obtain accreditation during this additional period, the Ministry may suspend the license and take whatever measures it deems appropriate.

## **Article (8) Related Judicial Rulings**

### **Responsibilities of Licensees**

- a- The licensee must manage the school in a manner consistent with the plan approved by the Ministry, which was submitted as part of the license application documents. The school must not undertake any actions that could be considered a breach of this plan without submitting a written request for its amendment and obtaining prior approval from the Ministry.
- b- The licensee must maintain a valid license at all times and apply for license extensions regularly.

## **Article (9)**

### **Tuition Fees**

The Ministry shall approve the tuition fees for private schools when they first start operating, as well as any increases that may occur to these fees, in accordance with the organizing rules issued by the Ministry in this regard.

## **Article (10)**

### **Assessing Compliance with Licensing Rules**

Licensed schools are subject to periodic evaluation and inspection by the competent authority in the Ministry to ensure the schools' compliance with the provisions of this Bylaw and related rules and procedures.

## **Chapter Three - Private Education Curricula**

### **Article (11)**

#### **Curriculum of Arab Private Schools**

The curriculum in Arab private schools must be consistent with the curriculum in public schools. Private schools may add additional subjects and topics provided they were included in the plan approved by the

Ministry. Arab private schools may also request the Ministry's approval to offer different academic programs than those offered in public schools, as long as these programs are subject to the Ministry's approval and comply with the standards adopted by the Ministry in this regard.

## **Article (12)**

### **Curriculum of Private Schools Teaching in Languages Other Than Arabic**

Private schools that teach in languages other than Arabic are obligated to include Islamic Education, Arabic Language, and National Education subjects in their curricula and to teach these subjects in accordance with the regulations issued by the Ministry in this regard.

## **Article (13)**

### **Annual Report**

All private schools must prepare a comprehensive annual report on the educational situation in the school and submit it to the Ministry in the form and at the time specified by the Ministry.

## **Article (14)**

### **School Calendar**

a- All schools must adhere to the school breaks and holidays announced by the State.

b- The number of school days in the academic year must not be less than (175) days, and the number of actual teaching hours must not be less than (790) hours annually.

## **Article (15)**

### **Evaluation and Examinations**

a- The Ministry's requirements and rules regarding the evaluation and examination of public school students shall apply to students of Arab private schools.

b- The high school completion certificate from non-Arab private schools shall be equalized with the General Secondary Certificate in the United Arab Emirates in accordance with the conditions specified by the Ministry.

## **Article (16) Related Judicial Rulings**

### **Student Affairs**

Every private school must have an integrated system for school activities, student counseling, and health care, in accordance with the regulations and rules specified by the Ministry.

## **Article (17)**

### **Rights of Families**

The Ministry shall prepare an official document on the rights of students' families in their dealings with private schools, with the aim of protecting the privacy of students and their families, ensuring impartial dealings between the family and the private school, and encouraging parents to be active and supportive members of the school community. Families shall be informed of this document.

## **Article (18)**

### **General Conditions of Employment**

a- All contract terms and conditions of employment for workers in schools are subject to the provisions of the State's labor law.

b- All employees in private schools must be of good repute and must not have been previously convicted of a penalty restricting freedom for a felony or a crime against honor or trust, unless they have been rehabilitated according to the law.

c- The requirements and conditions to be met by employees in private schools, whether they are principals, teaching staff, or administrative staff, including the determination of minimum academic qualifications,

experience, and necessary technical skills, shall be specified by a resolution issued by the Minister.

## **Chapter Four - Accreditation**

### **Article (19)**

#### **Academic Accreditation**

a- An authority called the "Private Schools Accreditation Authority" shall be established. Its objectives, composition, and system of work shall be determined by a resolution issued by the Cabinet based on the Minister's proposal. This authority will be responsible for preparing standards for academic accreditation in accordance with the regulations and criteria specified by ministerial resolutions in this regard.

b- The Authority shall grant academic accreditation to private schools that meet the required academic accreditation standards, either through a direct evaluation of the school conducted by the Authority itself or by the school obtaining academic accreditation from another accreditation body after being evaluated by that body, provided that the accreditation standards of the other body are consistent with the standards of the Private Schools Accreditation Authority.

c- All private schools must obtain academic accreditation as a condition for continuing to operate, in accordance with the provisions of Article (7).

### **Article (20)**

#### **Additional Requirements for Licensed but Unaccredited Schools**

Licensed private schools that are not accredited by the Private Schools Accreditation Authority must meet the following additional conditions and procedures until they obtain accreditation:

a- Obtain prior approval from the Ministry before introducing any new educational programs or making fundamental changes to existing programs.



b- Undergo an annual field inspection and a periodic comprehensive field evaluation.

## **Chapter Five - Supervision and Penalties**

### **Article (21)**

#### **Right to Access School Information and Records**

a- The competent authority in the Ministry, which shall be designated by a resolution from the Minister, has the right to visit any private school during regular teaching hours. It also has the right to inspect the school's records, visit classrooms, or take any other measures the Ministry deems necessary to determine the school's compliance with the provisions of the regulatory bylaw and the quality of the instructional program.

b- Every private school must provide any documents or records related to the school's operations and performance requested by the Ministry, and must also provide all facilities to Ministry employees officially assigned by the competent authority to assist them in performing their work.

### **Article (22) Related Judicial Rulings**

#### **General Regulations for Violations and Penalties**

a- To ensure compliance with the provisions and articles of this Bylaw, the Ministry will prepare a graduated system of penalties that includes warnings, imposition of financial fines, placing the license under probation, and revoking the license.

b- The Ministry shall warn the violating school in writing before imposing a financial fine on it, and the school will be allowed to clarify its position and take measures to rectify the violation.

c- The value of the financial fine imposed on a violating private school under this Bylaw shall not be less than (5,000) five thousand dirhams and not more than (50,000) fifty thousand dirhams at one time.

d- The Ministry shall place the private school's license under probation as a preliminary step to its revocation in the case of serious or repeated

violations. In this case, the school must rectify the causes of the violation within a specific time determined by the Ministry.

e. The license shall be revoked in the following cases:

1. Inaccuracy or falsehood of the information provided in the license application.
2. The school engaging in any activities that violate those stated in the work plan approved by the Ministry.
3. The school's inability to meet its financial obligations and commitments necessary for its continued operation.
4. A significant flaw in the safety, security, and health conditions for the school's students or employees.
5. The school's violation of the laws and regulations in force in the State.
6. Any other violations for which this Bylaw or the ministerial resolutions issued for its implementation stipulate the revocation of the license as a penalty.

In the event of revoking the license of a violating school, the school shall be placed under financial and administrative supervision until the end of the academic year, after appointing someone to supervise it until the closing date mentioned in the ministerial resolution.

## **Article (23)**

### **Preservation of Customs and Traditions**

Private schools, in carrying out their work and practicing their various activities, including their curricula, shall commit to respecting the values of Islamic Sharia, the foundations of public order, the customs and traditions observed in the State, and respecting the national identity.

In the event of a private school's non-compliance or deliberate violation of this commitment, the Minister, based on a recommendation from the competent authority in the Ministry, shall have the right to permanently close the school.

## **Chapter Six - General Provisions**

### **Article (24)**

#### **Delegation of Powers**

a- The Minister may delegate some of the competencies and powers mentioned in this Bylaw to the local education councils (authorities) in each emirate or their equivalent. In this case, and within the limits stipulated in this delegation, these councils (authorities) shall have the same powers as the Minister mentioned in this Bylaw, including stipulating higher quality standards than those mentioned in this Bylaw, provided they do not conflict with its provisions.

b- For this delegation to be effective, prior approval from the Ministry is required for the work plans submitted by the local education councils (authorities) in each emirate or their equivalent, and for any subsequent amendments thereto.

c- Taking into account the provisions of clause (a) of this Article, the Minister has the right to ensure that the provisions of this Bylaw are implemented properly and in a manner that achieves its purpose, and also has the right to issue the executive regulations that ensure this.

### **Article (25)**

#### **Application of the Regulatory Bylaw**

a- The Ministry shall issue the necessary executive instructions to implement all that is mentioned in this Bylaw or any other matters, provided they do not go beyond its provisions.

b- The Minister or his delegate may issue the necessary resolutions for the proper functioning of schools, provided they do not conflict with the provisions of this Bylaw.

c- The concerned authorities, within their respective jurisdictions, shall implement this Bylaw from the date of its issuance.

d- The Ministry shall issue an English translation of this Bylaw.

## **Article (26)**

This Resolution shall be published in the Official Gazette and shall come into force from the date of its issuance.

Mohammed bin Rashid Al Maktoum

Prime Minister

Issued by us in Abu Dhabi:

July 6, 2008