

# **Cabinet Resolution No. (29) of 2008 Concerning the Organizational Regulations of Private Education**

## **The Cabinet,**

- Having reviewed the Constitution; and
- Federal Law No. (1) of 1972, Concerning the Competences of Ministries and Capacities of Ministers and its Amending Laws thereof; and
- Federal Law No. (8) and 1980, Regulating Labour Relations and its Amending Laws thereof; and
- Federal Law No. (8) of 1984, Concerning Commercial Companies and its Amending Laws thereof; and
- Federal Decree-Law No. (3) of 2007, Concerning Private Education; and
- Cabinet Resolution No. (16/108C) of 2008, Approving the Draft of the Organizational Regulations of Private Education; and
- Based upon the Minister of Education’s proposal and the Cabinet’s Approval,

## **Resolved:**

### **Part One**

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

#### **Definitions**

The following terms stipulated in this Regulations shall have the meanings assigned to each, unless the context requires otherwise:

**Country** : United Arab Emirates

**Ministry** : Ministry of Education.

**Minister** : Minister of Education.

**Private School** : Each non-government school that practices the profession of education from the level of pre-kindergarten up to the secondary level with the Ministry's curriculum or any other curriculum approved by the Ministry.

**Article (2)**  
**Regulations' Objectives**

The purposes of these bylaws are to establish national minimum standards for the quality of private school education, promote the effective operation of private schools, and to attain the following objectives:

1. Advance the national educational objectives and participate in the development of a national educational system for the benefit of the whole society;
2. Provide appropriate educational opportunities for the children of non-citizens who live in the UAE;
3. Provide a quality alternative to the public school system;
4. Encourage competition among private schools that will lead to improved educational quality; and
5. Effectively link private education with other technical and societal initiatives for the continuous improvement of the national educational system.

**Part Two**  
**Private School Licensing Requirements**

**Article (3)**  
**General Controls**

1. No private school shall operate without a valid approved license granted by the Ministry.
2. A license shall be granted to a specific operator and shall not be transferred, assigned, sold, or exchanged without the permission of the Ministry.
3. The private school must comply with the following conditions:
  - a. The location of the school shall be appropriate for school purposes and satisfy the health, safety and security requirements as determined by the Minister's decree.
  - b. The use of the school shall be restricted to educational activities.

## **Article (4)**

### **Provisional License**

Upon request, the Ministry may grant a provisional license to an applicant for a new standard license that permits the applicant to initiate business operations while the standard license application is pending review but does not authorize the provisional license holder to collect tuitions or provide instruction to students. The granting of this provisional license does not imply that the applicant has the authority to open the school.

## **Article (5)**

### **Condition to Obtain the License**

A. If an applicant is a company, in addition to the provisions of Article 3, any company that wants to establish a private school must satisfy all of the following conditions:

1. Include a citizen owner that controls at least 51% of the capital of the company.
2. Be registered with the appropriate government authorities
3. Maintain its basic operation in the UAE.
4. Be of sufficient financial capacity to fulfill all of the financial requirements as determined by Ministerial decree.
5. Identify a person to act as the company representative provided, he or she satisfies the conditions identified in subsection B.
6. B. If an applicant is a person, then the following conditions must be met:
  7. The applicant must be a citizen.
  8. Be at least 25 years of age.
  9. The applicant must be legally competent.
  10. The applicant shall not have a record of conviction involving a serious crime related to honor or moral turpitude.
  11. The applicant shall have sufficient financial capacity to fulfill all of the financial requirements as determined by Ministerial decree.

## **Article (6)**

### **Document of the License Application**

- a. Each applicant seeking approval to operate a private school shall complete under affirmation a truthful written application in such form and manner as determined by the Ministry.
- b. Upon review and approval of the application the Ministry may grant a license valid for a three-year period.

## **Article (7)**

### **License Requirements**

- a. After issuing the license the Ministry shall conduct an on-site comprehensive review of the school.
- b. Prior to the expiration of the license, the private school must provide evidence of accreditation as stated in Article 19, by the Ministry or by an organization authorized by the Ministry or provide evidence that it has made formal application for accreditation and is in the process of evaluation.
- c. Such license may be renewed for another three-year period if a school is making reasonable progress toward accreditation or has been accredited by the Ministry or by an organization authorized by the Ministry. The school must be accredited prior to expiration of the period renewal. The Ministry has the authority to revoke or suspend the operation of the school or take any other action which may be reasonable and necessary upon failure to obtain accreditation in that period.

## **Article (8)**

### **Responsibilities of Licensees**

- a. Each licensee shall operate the school in a manner consistent with its approved plan of operation submitted as part of its application for licensure. The school may not engage in any activity in substantial deviation from its approved plan of operation without the approval of the Ministry after filing a written request for the change to the plan of operation.
- b. Each licensee shall maintain a valid current license and make timely application for renewals.

## **Article (9)**

### **Tuition Fees**

School tuition and fees shall be included in the application for licensure and are subject to approval by the Ministry. Increases in tuition and fees require prior approval in accordance with guidelines specified by Ministerial decree.

## **Article (10)**

### **Evaluation of Compliance to License Regulations**

Each licensed private school shall be subject to periodic review and inspection by the Ministry to determine compliance with these bylaws and associated rules.

## **Part Three**

### **Private School Curriculum**

## **Article (11)**

### **Arabic Curriculum of Private Schools**

The curriculum provided in these private schools shall be consistent with the curriculum provided in the public schools, however it may include such additional courses and subjects as identified in its approved plan for operation. Any such private school may request approval of the Ministry to provide a different program of instruction than that used in the public schools so long as it produces a plan acceptable to the Ministry that meets the Ministry instructional standards.

## **Article (12)**

### **Curriculum of Private Schools Taught in Non-Arabic Languages**

The curriculum provided in these schools shall be approved by the Ministry or the authorized accrediting organization and taught in a manner consistent with the culture and values of the United Arab Emirates. The curriculum shall include Arabic language, Islamic studies and civic studies taught in accordance with Ministry guidelines.

## **Article (13)**

### **Annual Reporting**

All private schools shall file annual comprehensive reports and data as required by the Ministry.

## **Article (14)**

### **School Calendar**

- a. All private schools must close on all public holidays that are announced by the government.
- b. The school must conduct at least 175 days of school sessions with at least 790 hours of actual class work each school year.

## **Article (15)**

### **Evaluation and Examinations**

- a. The Ministry requirements for evaluation and examination of public-school students shall apply to Arab language private schools.
- b. The secondary school completion certificate in the non-Arab language private schools shall be equated with the General Secondary School certificate in UAE in accordance with the conditions specified by the Ministry.

## **Article (16)**

### **Student Affairs**

All schools should have an integrated and comprehensive system for school activities, student counseling and student health care in accordance with Ministry rules and regulations in this respect.

## **Article (17)**

### **Family Rights**

The Minister shall issue a list of rights for families in their dealings with private schools that protects the privacy of students and families, promotes fair dealings between the family and the school, and encourages the parents to be active and supportive members of the school community. Families shall be notified of these rights.

## **Article (18)**

### **General Employment Rules**

All rules and regulations that govern school employee contracts and working conditions must be in accordance with the provisions of federal labor law. All persons employed by the school shall be of good moral and ethical character. The Minister may issue a decree establishing minimum educational qualifications for school staff.

## **Part Four**

### **Accreditation**

## **Article (19)**

### **Academic Accreditation**

- a. A Private School Accreditation Commission shall be established. The functions of the Commission, its membership, and the system of operation shall be determined by a Federal Cabinet decree based on a proposal of the Minister. The Commission will develop standards for accreditation which will be issued in the form of a Ministerial decree.
- b. The Private School Accreditation Commission may award accreditation to private schools that meet its approved standards either by means of direct review by the Commission or by review and approval by another accrediting authority determined by the Commission to have standards consistent with its own.
- c. All private schools must be accredited as a condition of continued authority to operate under the conditions imposed by Article (7).

## **Article (20)**

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

Licensed schools not yet accredited shall be subject to the following additional requirements until they are accredited:

- a. Any new educational programs and any substantial program revisions must be approved prior to operation by the Ministry.
- b. An annual on-site inspection and review.

## **Part Five**

### **Monitoring and Penalties**

## **Article (21)**

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

- a. The Ministry shall have the right to visit any private school during its regular hours of instruction. The Ministry shall have the authority to review records, visit classes and conduct such other activities as are reasonably necessary to determine whether the school is operating in compliance with its license, the bylaws and associated rules, and to determine the adequacy of the school program.
- b. Each private school shall provide copies of documents and reports as may be requested and provide resources to the Ministry officials as needed to complete their work.

## **Article (22)**

### **General Controls of Violations and Penalties**

- a. The Ministry may establish a system of progressive penalties to ensure compliance with these bylaws and any implementing regulations or decrees. The system shall include provisions for warning and fines; and probation and revocation of the license to operate.
- b. The Ministry shall establish a process that provides written warning notice to the school prior to the imposition of a fine and allows the school to explain its actions and remediate the violation.
- c. The Ministry may establish a schedule of fines to be assessed against a school that violates



these bylaws or rules adopted under the authority of these bylaws. The minimum amount of a fine shall be 5,000 aed and the maximum amount of a fine shall be 50,000 aed per offense.

- d. The Ministry may assign a probationary status to a license for serious or habitual offenses as a final step prior to revocation and require that corrective action be taken within a specified time period.
- e. A license may be revoked if:
  - 1. the application is untruthful;
  - 2. the school is operated in substantial deviation from its approved plan of operation;
  - 3. the school becomes financially insolvent;
  - 4. the health and safety of children or staff are at serious risk;
  - 5. the school operates in serious violation of other federal or government rules or regulations; or
  - 6. any violation of these bylaws that is worthy of the action of revoking a license.

In the case of license revocation, the school shall be placed under financial and administrative supervision until the end of the school year after the appointment of a person who shall supervise its activities until the closing date set forth in the Ministerial resolution.

## **Article (23)**

### **Preserving Habits and Traditions**

The Minister may order the permanent closing of any school that knowingly and intentionally violates the Islamic Sharia, the United Arab Emirates regulations, the public morals or public orders.

**Part Six**  
**General Provisions**

**Article (24)**

**Delegation of Competences**

- a. The Minister of Education may delegate responsibility for the administration of some of these bylaws to an Emirate Education Authority and these Authorities or their legal equivalent. For the delegation to be effective, the Minister must approve a plan submitted by the Emirate Education Authority. Any changes or modifications to the plan must be approved by the Minister. Notwithstanding any delegation by the Minister, the Minister retains the authority to ensure that the bylaws are properly interpreted and administered and may issue directives as may be necessary.
- b. In the event that the Minister of Education delegates some of these bylaws to an Emirate Education Authority or their legal equivalents, these Authorities shall have the same rights of enforcement provided under these bylaws as are given to the Minister of Education, including requiring higher standards that do not conflict with these bylaws.
- c. Notwithstanding sections (1) and (2) above, the Minister has the right and authority to issue rules and decrees which ensure that the bylaws are properly executed.

**Article (25)**

**Implementing the Organizational Regulations**

- a. The Minister may issue administrative and executive decrees and regulations as needed to ensure full and appropriate implementation of these bylaws.
- b. The Minister may issue administrative and executive decrees that are deemed necessary for the effective administration of private school matters and are consistent with these bylaws.
- c. These bylaws shall be implemented by all concerned authorities from the date hereof.
- d. These bylaws shall be issued in Arabic with official English translation.

## **Article (26)**

### **Publication in the Official Gazette**

These bylaws will be published in the official government journal and will be effective as of that day.

**Mohammed bin Rashid Al Maktoum**

**Prime Minister**

Issued by us,

On: 03 Rajab 1429 A.H.

Corresponding to: 06 July 2008 AD