

**Federal Decree-Law No. (18) of 2020
on Private Education**

We, Khalifa bin Zayed Al Nahyan, President of the United Arab Emirates,

- Having reviewed the Constitution; and
- Federal Law No. (1) of 1972, Concerning the Competences of Ministries and the Powers of Ministers, as amended; and
- Federal Law No. (11) of 1972, Concerning Compulsory Education; and
- Federal Law No. (8) of 1980, Regulating Labor Relations, as amended; and
- Federal Law No. (7) of 1999, Promulgating the Pension and Social Security Law, as amended; and
- Federal Law No. (29) of 2006, Concerning the Rights of People with Special Needs, as amended; and
- Federal Decree-Law No. (3) of 2007, on Private Education; and
- Federal Law No. (2) of 2015, on Commercial Companies, as amended; and
- Federal Law No. (3) of 2016, Concerning Child Rights (*Wadeema*); and
- Based on the proposal of the Minister of Education and the approval of the Cabinet,

Hereby enact the following Decree-Law:

Article (1)

Definitions

For the purpose of applying the provisions of the present Decree-Law, the following words and expressions shall bear the meanings assigned thereto respectively, unless the context requires otherwise:

- State** : United Arab Emirates.
Ministry : Ministry of Education.
Minister : Minister of Education.

- Education Authority** : The local government authority in the State, which is in charge of private education, within its respective competence.
- Private Education** : Education in private schools.
- Private School** : Any non-government education facility in the State which provides educational services from preschool to pre-university stages. It may be for-profit or not-for-profit.
- Non-Profit Private School** : A private school in the State which is not intended to distribute profit to its owners. All financial returns shall be invested to operate and develop the school.
- School Fees** : The money paid to a private school by each student enrolled therein for all the educational services and activities provided thereby.
- License** : The document issued by the ministry or the education authority for the private school whereby it is authorized to practice the educational activity.
- Competent Authorities** : The official authorities in charge of any affair related to the private school, each within its respective area of competence.
- Teacher** : A member of the teaching staff in the private school.
- Private School Principal** : A person who is appointed by the holder of the private school license holder and who is responsible for the academic, administrative, financial and operational aspects related to the leadership and management of the school in accordance with the approved procedures and regulations.
- Curriculum** : The educational system provided by the private school in accordance with the license granted.
- Educational Series** : An integrated package of the printed support curricula, carriers and sources of education which meet the approved learning standards and outcomes.

- Educational Activity** : The educational services provided by the private school to its students from preschool to pre-university stages according to the curriculum.
- Field Visit** : The visits or trips organized by the private school for all or some of its students inside or outside the State.
- People with Special Needs “People of Determination”** : Persons who suffer from a temporary or permanent, total or partial deficiency or infirmity in their physical, sensory, mental, communication, educational or psychological abilities to an extent that limits their possibility of performing the ordinary requirements as their peers who do not have special needs.
- Public School** : A Government-owned school which applies the curriculum of the Ministry.
- FAEE** : The Federal Agency for Early Education (FAEE), established under Federal Decree Law No. (43) of 2022 Establishing the Federal Authority for Early Education.
- Center** : The National Center for Education Quality, established under Federal Decree Law No. (44) of 2022 establishing the National Center for Education Quality.
- Early Education Stage** : An educational stage that begins when the child reaches (4) four years of age up to (10) ten years of age

Article (2)

Objectives of the Decree-Law

The present Decree-Law aims at:

1. Regulating the educational process in private schools;
2. Raising the quality of education in private schools and improving the educational environment therein;
3. Attracting the best investments in private education;

4. Ensuring the application of the best global educational practices in private education and linking its outcomes to the social, economic and technical variables in the State;
5. Regulating education, following up on the application of the quality standards and improving performance and outcomes in private schools; and
6. Stimulating competitiveness between private schools with regard to providing distinguished educational services of global quality.

Article (3)

Applicability of the Decree-Law

The provisions of the present decree-Law shall apply to private schools in the State.

Article (4)

Authority in Charge of Applying the Decree-Law

The Ministry shall apply the provisions of the present Decree-Law and the Education Authority shall apply the same within the area of its competence.

Article (5)

License

1. No natural or legal person shall operate any private school without obtaining the license required for this purpose.
2. The Ministry or the Education Authority shall have the exclusive authority to grant license to private schools which include, among their education stages, the early childhood education stage.
3. The FAEE or Education Authority shall have the exclusive authority to grant license to private schools whose activity is limited to early childhood education.
4. For the purpose of licensing the private schools referred to in Clauses (2) and (3) of this article, the Ministry and Education Authority shall observe all controls, standards and requirements laid down by the FAEE including the educational, administrative, health and environmental

requirements and the requirements for safety and security of buildings, means of transport, materials used for the making of tools, furniture, games and equipment for child care and education service.

Article (6)

Name of the Private School

Any private school shall have a distinguished name in accordance with the conditions and controls set by the Executive Regulations of the present Decree-Law.

Article (7)

License Conditions

The following requirements shall be met in order to obtain a license:

1. A license application containing the academic and financial study shall be submitted to the Ministry or the Education Authority.
2. Its work shall be limited to the practice of educational activities.
3. The necessary approvals shall be obtained from the Competent Authorities.
4. The location and building of the private school shall be in accordance with the standards and requirements set by the Executive Regulations of the present Decree-Law.
5. Any private school shall have a principal.
6. Any other requirements set by the Executive Regulations of the present Decree-Law shall be met.

Article (8)

Requirements for the Natural Applicant for a License

Any license applicant, if a natural person, shall meet the following requirements:

1. He shall not be under 25 years of age.
2. He shall enjoy full civil capacity.

3. He has not been given a custodial sentence for a felony or misdemeanor involving breach of honor or trust, unless he has been rehabilitated.
4. He shall obtain the necessary official approvals.
5. He shall be able to meet the financial obligations of the private school as determined in the Executive Regulations of the present Decree-Law.
6. He shall meet any other requirements set by the Executive Regulations of the present Decree-Law.

Article (9)

Requirements for the Legal Applicant for a License

Any license applicant, if a legal person, shall meet the following requirements:

1. It shall be licensed by the Competent Authorities and its incorporation purposes shall include the establishment and foundation of private schools.
2. It shall be able to meet the financial obligations of the private school as determined in the Executive Regulations of the present Decree-Law.
3. All partners shall meet the requirements set forth in Clauses (1), (2), (3) and (4) of Article (8) of the present Decree-Law.
4. It shall have a natural representative who shall meet the requirements set forth in Clauses (1), (2), (3) and (4) of Article (8) of the present Decree-Law.
5. It shall meet any other requirements set by the Executive Regulations of the present Decree-Law.

Article (10)

Assignment of the License

The license may not be assigned explicitly or implicitly, except after obtaining the approval of the Ministry or the Education Authority. The Executive Regulations of the present Decree-Law shall set the procedures and conditions for assignment of the license.

Article (10 BIS)

Sharing of License's Data

1. The Education Authority shall provide the Ministry with all licenses issued thereby in favor of the private schools.
2. The Education Authority shall provide the FAEE with all licenses issued thereby in favor of the private schools whose activities are limited to early childhood education.
3. The Education Authority shall provide the FAEE with all licenses issued thereby in favor of the private schools whose activities include, among others, early childhood education stage.
4. The Education Authority shall observe the controls related to electronic linkage in respect of sharing the data of licenses issued thereby with both the Ministry and the FAEE, as provided for in the Executive Regulations of this Decree Law.

Article (11)

Obligations of the Private School

Private schools shall:

1. Appoint teachers and qualified administrative and technical staff in accordance with the controls specified by the executive regulations of this decree law;
2. Ensure that school staff and leaders obtain professional licenses in accordance with the controls specified by the Executive Regulations of this decree law.
3. Ensure that all employees enjoy good reputation, and that none of them has previously been sentenced to a penalty for a felony or misdemeanor involving moral turpitude or breach of trust, unless rehabilitated.
4. Provides all educational, pedagogical, administrative, health, environmental, security and safety requirements within their premises.
5. Manage the school and its facilities in accordance with the instructions and guidelines specified by the Executive Regulations of this decree law.
6. Maintain academic quality in accordance with the standards and controls specified by the Executive Regulations of this decree law.

7. Adhere to the provisions of the approved national framework for compliance and the approved national framework for educational quality.
8. Submit an annual report to the Ministry, the FAEE, or Education Authority on its academic, financial, and administrative status.
9. Provide the Ministry, the FAEE, Center, or Education Authority with any information or data it requests.
10. Allow authorized employees of the Ministry, the FAEE, Center, or Educational Body to enter the private school to carry out audit, evaluation, and oversight of its facilities and work by reviewing records, papers, and documents.
11. Not change the name of the private school, its address, its partners, its building, its facilities, or the educational curriculum it offers, or make any fundamental modification to its activities before obtaining the approval of the ministry, the FAEE, or educational body;
12. Not exploit the private school and its facilities for purposes other than those for which it is licensed, or carry out any other additional activities or unlicensed training courses, unless it obtains the approval of the Ministry, the FAEE, or the Education Authority;
13. Be obligated to obtain the approval of the Ministry, the FAEE, or the Education Authority before organizing any field visits or official visits to the school or inviting external speakers to it;
14. Create records and files for students and staff in accordance with what is specified in the Executive Regulations of this decree law;
15. Preserving Islamic and Arab principles and values, public order and morals, and the values and traditions of the state;
16. Respect national identity and sovereignty;
17. Play the national anthem, and raise the state flag only;
18. Not place pictures or paintings of figures or symbols other than State leaders;
19. Not hold lectures or seminars that are not related to the educational process.
20. Comply with any other obligations determined by the Ministry, the FAEE, or Education Authority in accordance with the decisions issued by it.

Article (12)

Non-profit Private School

Under the present Decree-Law, non-profit private schools may be established as determined by the Executive Regulations of the present Decree-Law.

Article (14)

School Curriculum

1. Upon licensing, a private school shall be authorized to implement only one educational curriculum, and after the approval of the Ministry, the FAEE, or Education Authority, another curriculum may be added.
2. The Ministry or Education Authority shall approve the educational curricula for private schools whose educational stages include the Early education stage.
3. The FAEE or Education Authority shall be exclusively competent to approve educational curricula for private schools that are limited to the Early education stage. .
4. The Ministry and the Education Authority shall take into account all the standards and requirements set by the FAEE for the purposes of approving educational curricula for the Early education stage.
5. A private school shall not teach any educational curriculum that violates or exceeds the scope of the license, except after obtaining the approval of the Ministry, the FAEE, or the Education Authority.
6. The private school that applies the Ministry's curriculum shall comply with the regulations and standards applied to the government school.
7. The private school that applies an educational curriculum other than the Ministry's curriculum shall be committed to including in its curricula the subjects of Islamic education, the Arabic language, social studies, national education, and moral education approved by the Ministry. In all cases, it is prohibited for all curricula to include any violation of the laws of the state or the culture of society, its Islamic and social values, or national constants. It

shall not contain anything that encourages violence or racism or incites discord and strife among members of society.

8. The private school shall be committed to the guidelines and instructions issued by the Ministry, the FAEE, or the Education Authority regarding educational series and other educational sources.
9. The private school shall be committed to obtaining accreditations from specialized international councils for the purposes of approving the implementation of the educational curriculum in accordance with what is specified in the executive regulations of this decree law.

Article (15)

School Calendar and Official Holidays

1. All private schools shall apply the academic calendar approved by the Cabinet upon the recommendation of the Minister and in coordination with the Education Authority.
2. The academic year in private schools, for a single morning shift, except in the cases which require otherwise shall be regulated under a resolution to be issued by the Ministry or the Education Authority.
3. All private schools shall comply with the official holidays declared by the State.

Article (16)

Examinations

1. Private schools which apply the curriculum of the Ministry shall comply with the assessment and examination regulations applicable to public schools.
2. Private schools which adopt a curriculum other than the curriculum of the Ministry shall obtain a prior approval of the Ministry or the Education Authority of the application of the assessment and examination procedures and systems.
3. Private schools shall apply the standardized and diagnostic tests as well as the national and international tests imposed by the Ministry or the Education Authority.

Article (17)

Certificate Equivalency

1. School certificates issued by private schools which apply the curriculum of the Ministry shall be equivalent to school certificates issued by public schools and shall be certified in accordance with the procedures set by the Ministry in this regard.
2. Equivalency and certification of the school certificates issued by private schools which apply a curriculum other than that of the Ministry shall be made in accordance with the procedures set out in the Executive Regulations of the present Decree-Law and under the legislation in force in the State.

Article (18)

Student Affairs

Private schools shall have a clear and declared student affairs policy. The following shall be taken into account in this policy:

1. Equality and non-discrimination between students on grounds of race, sex, belief or social level and other matters causing discrimination;
2. Dealing with students and their parents in a highly professional manner and without bias;
3. Compliance with the conditions and procedures set by the Executive Regulations of the present Decree-Law with regard to the enrollment, admission and transfer of students between different private schools as well as the procedures and standards for follow-up and provision of services;
4. Provision of an enabling environment and supportive programs for the special educational needs for admission of students with special needs “students of determination” in accordance with the conditions and controls set by the Executive Regulations of the present Decree-Law and the rules set by the Competent Authorities; and
5. Any other provisions and controls for regulating student affairs as set out in the Executive Regulations of the present Decree-Law.

Article (19)

School Activities and Programs

Private schools shall:

1. Prepare an integrated program of school activities, mentoring and health, social and psychological care in accordance with the controls and rules set by the Executive Regulations of the present Decree-Law;
2. Comply with the activities and events determined by the Ministry or the Education Authority; and
3. Obtain the prior approvals of the Ministry or the Education Authority of events and festivals in accordance with the controls and rules set by the Executive Regulations of the present Decree-Law.

Article (20)

Safety and Protection of Students

1. Private schools shall comply with the security and safety policy set by the Ministry or the Education Authority.
2. Private schools shall comply with the requirements and conditions related to school transport in accordance with the legislation in force in this regard.
3. Private schools shall be responsible for the safety and protection of students enrolled therein during the school day inside the school and its facilities and buses or during any student activity outside it.

Article (21)

Code of Conduct

1. Private schools shall comply with the unified code of conduct issued by the Ministry and the education authorities.

2. Subject to the provision of Clause (1) of this Article, private schools may set additional internal controls and procedures on discipline, provided that they are approved by the Ministry or the Education Authority, without prejudice to the unified code of conduct issued by the Ministry and the education authorities.

Article (22)

Personnel Affairs

1. Private schools' employees shall be subject to the legislation in force in the State.
2. Private schools shall create a special file for each employee. Such file shall be accompanied by his academic qualifications, experience certificate, employment contract, a copy of his passport, his annual reports, including the performance assessment reports, the violations committed by him, the penalties imposed on him, his annual leaves and any other documents determined by the Executive Regulations of the present Decree-Law.
3. Private schools shall comply with the procedures, instructions, conditions and standards related to the appointment of their employees as set out in the Executive Regulations of the present Decree-Law.
4. The service of a principal of a private school or any of its employees may not be terminated during a semester without obtaining a prior approval of the Ministry or the Education Authority.
5. The Executive Regulations of the present Decree-Law shall establish any other provisions or controls regulating the personnel affairs.

Article (23)

License to Practice the Profession

1. In order to appoint a teacher or renew his employment contract with a private school, he shall have a valid teacher license issued by the Ministry as set out in the Executive Regulations of the present Decree-Law.

2. Private schools shall, upon appointing the teaching staff, comply with the conditions and requirements set by the Executive Regulations of the present Decree-Law.

Article (24)

Professional Code of Ethics

The Ministry shall prepare a code of ethics of the teaching profession in private schools and whereby the controls, values and responsibilities of all employees in private schools, including teachers, shall be determined.

Article (25)

School Compliance

1. The Ministry or Education Authority shall monitor the extent of compliance of private schools whose educational stages include the early education stage in accordance with the approved national framework for compliance.
2. The FAEE or Education Authority shall monitor the extent of compliance of private schools limited to the early education stage in accordance with the approved national framework for compliance.

Article (26)

Evaluation and Control

1. The Center shall develop a national framework for evaluating the quality of education that includes unified standards and controls for evaluating the quality of private schools' performance in coordination with the Ministry, the FAEE, and the Education Authority.
2. The Center or Education Authority shall evaluate and monitor education in private schools in accordance with the approved national framework for evaluating the quality of education.
3. The Education Authority shall provide the Center with the results of the evaluation of the quality of education of private schools.

4. The Center shall issue an annual report on the results of evaluating the quality of education in private schools and work to publish it and make it available within the Center's database.

Article (27)

Gifts and Donations

1. Private schools shall not carry out any of the following actions, except after obtaining a written approval of the Ministry or the Education Authority:
 - a. Raising funds, receiving subsidies or gifts from natural or legal persons or disposing of any of them, whether inside or outside the State; and
 - b. Providing financial support to any entity, whether inside or outside the State.
2. In case of obtaining the approval of the Education Authority in accordance with Clause (1) of this Article, the private schools concerned shall coordinate with the official authorities accredited to raise funds in the State.

Article (28)

Administrative Violations and Penalties Imposed on Private Schools

1. The Ministry or the Education Authority may impose any of the following penalties on any private school in case of violating the provisions of the present Decree-Law or the Executive Regulations thereof:
 - a. Notice;
 - b. Fine which shall not exceed (AED 1,000,000) One Million UAE Dirhams per case;
 - c. Temporary closure or suspension of the educational activity for a period not exceeding one academic year; or
 - d. Permanent closure.
2. The Executive Regulations of the present Decree-Law shall determine the violations and penalties imposed on private schools as referred to in Clause (1) of this Article and the controls for imposing such penalties.
3. Without prejudice to the penalties set forth in this Article, the Ministry or the Education Authority may permanently and immediately close the private school in case of performing

actions contrary to the public order or public morals or detrimental to the public security in the State or prejudicial to the security, health and safety requirements.

4. Complaints may be filed about the decisions issued on the penalties set forth in Clause (1) of this Article as determined in the Executive Regulations of the present Decree-Law.

Article (29)

Lack of the Licensing Requirements

1. If the private school or its owner lacks any of the conditions set forth in Articles (6), (7), (8) and (9) of the present Decree-Law, the Ministry or the Education Authority shall issue a decision closing such school or withdrawing its license.
2. Notwithstanding the provisions of Clause (1) of this Article, the Ministry or the Education Authority may grant the violating private school a grace period not exceeding one year from the date of being notified of the violation. Such grace period may be extended to another year to adjust its affairs.

Article (30)

Penalties

Without prejudice to any more severe penalty stipulated in any other law, any person who violates the provisions of Articles (1-5), (10), (13-2), (23) and (27) of the present Decree-Law shall be punished by imprisonment for a term not exceeding one year and/or a fine of not less than (AED 10,000) Ten Thousand UAE Dirhams and not more than (AED 1,000,000) One Million UAE Dirhams. The penalty shall be doubled in case of a repeated violation.

Article (31)

Capacity of Judicial Officers

The employees who are identified by a resolution issued by the Minister of Justice upon the recommendation of the Minister or the Chairman of the Education Authority shall have the capacity of judicial officers with regard to detecting the violations of the provisions of the present

Decree-Law, the Executive Regulations thereof and the resolutions issued in implementation hereof, each within his respective area of competence.

Article (32)

Adjustment of Affairs

The Minister or the Chairman of the Education Authority shall grant the private schools existing before the entry into force of the provisions of the present Decree-Law a grace period(s) to adjust their affairs to comply with some provisions of the present Decree-Law, provided that the total of such grace periods does not exceed two years from the date of entry into force of the present Decree-Law.

Article (33)

Fees

The Cabinet shall issue, based on the proposal of the Minister of Finance, a resolution determining the due fees for the services provided by the Ministry within its respective area of competence to implement the provisions of the present Decree-Law and the Executive Regulations thereof.

Article (34)

Proceeds from Fines

Proceeds from fines imposed in implementation of the provisions of the present Decree-Law and the Executive Regulations thereof shall devolve to the Ministry or the Education Authority, each within its respective area of competence.

Article (35)

Executive Regulations

The Cabinet shall, based on the proposal of the Minister and after coordinating with the Education Authorities, issue the Executive Regulations of the present Decree-Law.

Article (36)

Repeals

1. Federal Decree-Law No. (3) of 2007 referred to above is hereby repealed. Moreover, any provision contradicting or contrary to the provisions of the present Decree-Law is hereby repealed.
2. The regulations and resolutions issued before the entry into force of the provisions of the present Decree-Law shall remain in force, without prejudice to the provisions of the present Decree-Law until the issuance of the Executive Regulations of the present Decree-Law and the resolutions which replace them.

Article (37)

Publishing and Entry into Force of the Decree-Law

The present Decree-Law shall be published in the Official Gazette and shall enter into force after six months from the date of publishing hereof.

Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates

Issued by Us at the Presidential Palace in Abu Dhabi

On: 10 Safar 1442 A.H.

Corresponding to: 27 September 2020 AD