

A comparative study between the new and old university laws in Saudi Arabia

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Abstract: The Saudi government is making significant efforts to update laws and regulations related to education to keep pace with the rapid changes in today's world. One of the most critical recent laws related to the higher education sector in the country is the replacement of the law of the Higher Education and Universities Council System (HEUC) issued in 1993 with the Law of Universities (LU) of 2019. The current comparative study aimed to define the essential similarities and differences between the two laws when related to public universities in Saudi Arabia. One of the most notable similarities between the HEUC and LU is that the government still has significant influence within the Universities Affairs Council, which is responsible for supervising universities. Likewise, the government has a significant impact on public universities where the government appoints leaders of trustees, university presidents, and some leadership positions in universities. On the other hand, there are meaningful dissimilarities in legal articles between the HEUC and the LU, notably the difference in organizational and administrative structures within public universities. The LU also provided more freedom to government universities to diversify sources of income and financial independence from the government money.

Keywords: Higher education in Saudi Arabia, Saudi universities, Education Law, Education Legislation.

I. INTRODUCTION

Formal education started in the Kingdom of Saudi Arabia (KSA) in 1926 when King Abdulaziz established a directorate of education in the western part of the country to establish public schools and supervise private schools. At that time, there were only twenty public schools (Hakeem, 2012). The number of educational institutions snowballed during the second half of the last century, and today, the number of public schools in the country exceeds 24,000 schools for boys and girls, where females study for most of their academic years in separate schools according to Islamic law applied by the Saudi government (General Authority for Statistics [GAS], 2022).

The Saudi government acknowledged the importance of higher education for the prosperity and progress of the country. Therefore, the government sent fourteen students to study in higher education institutions in Egypt in 1927. Since then, the Saudi government has sent and funded thousands of Saudi students studying in higher education institutions worldwide. The government understood the need for the country to start higher education institutions within its borders and not just send Saudis who want to study university abroad. As a result, the government agreed to support the development of and fund higher education institutes. The first higher education college in Saudi Arabia opened its door in 1950 in the holy city of Makkah, and the first university established in KSA was King Saud University in the capital city of Riyadh in 1957 (Othman, 2021). Today, the number of universities is forty-two, and the number of colleges reached twenty-one in 2021 (GAS, 2022).

The higher education system in KSA is centralized, where the Ministry of Education directly supervises higher education institutions. The regulations and laws issued by the government or the Ministry of Education must be applied to higher education institutions, especially public ones, which are funded almost entirely by the central government in the capital, Riyadh (Hakeem, 2012). Over the years, the government has issued several laws and regulations that attempt to organize work and define responsibilities for university tasks, in particular, and the higher education sector in Saudi Arabia, in general. One of the significant laws related to universities and the Higher Education Council is the law issued by a royal decree in 1993. The law is called the Higher Education and Universities Council System (HEUC). Many regulations have

been attached to the HEUC, and this law and its attachments are still applied in public universities, except for three public universities. In 2019, a royal decree issued a new law called the Universities Law (UL), which replaced the HEUC. UL is currently experimentally applied to three public universities and will later be applied to all public higher education institutions.

The Research Problem

In the first half of 2016, the Saudi government launched a strategic plan to diversify the country's sources of income, not relying entirely on oil income, and to reduce expenditures and privatize many government institutions, including the partial privatization of public universities (Vision2030, 2022). Since the establishment of public and higher education in Saudi Arabia, central and higher education institutions were under the supervision of the Ministry of Education until 1975, when the Ministry of Higher Education was established (Hakeem, 2012). The Ministry of Higher Education became the body responsible for supervising and following up on the issues of Saudi universities. Furthermore, the Ministry of Higher Education was to issue orders to universities. The appointment of the presidents of public universities and the Minister of Higher Education was made by the King by a royal decree. In 2015, the Ministry of Higher Education was abolished, and the Ministry of Education became responsible for monitoring the higher education sector in KSA (Ministry of Education, 2022).

Since the government launched Saudi Vision 2030 in Saudi Arabia in 2016, Saudi Arabia has witnessed significant changes and reforms in various social, economic, and educational aspects. In recent years, the government has been trying earnestly to reduce expenditures and privatize many sectors, including education, which consumes a large part of government budgets. The Saudi government allocated about 185 billion Saudi riyals, about 49.3 billion US dollars, for education in 2022, equivalent to 19.4% of the government budget (Ministry of Finance, 2021).

In light of Saudi Vision 2030, the Saudi government seeks to transform public higher education institutions from entities that depend entirely on government funding to produce educational organizations with multiple financial sources (Vision2030, 2022). In 2019, the new Universities Law was issued and experimentally applied to the three largest public universities in the country. The new law offers public universities a sort of freedom to diversify sources of revenue and partial administrative independence from the Ministry of Education. The current study compared the articles of the HEUC and those of the LU laws, which replaced it, and discovered significant similarities and differences between the two laws.

The Importance of the Study

The study attempts to bridge the gap in the literature on the new university law. The researcher did not find scientific studies of the HEUC or the LU articles. Therefore, the researcher expects the result of the study to be valuable.

Research questions

What are the main similarities between the HEUC and the LU?

What are the main differences between the HEUC and the LU?

Objectives of the study

To understand the most significant similarities the HEUC and the LU.

To discover the most important differences between the HEUC and the LU.

Study Methodology

The researcher applied the descriptive comparative research method to answer the research questions. The comparative descriptive approach is used to describe and compare many subjects, including legislation and law (Khalil, 2009). The researcher carefully read the HEUC and the LU in KSA to understand the similarities and differences between them.

Definition of Key Terms

The Higher Education Council: The Higher Education Council was the authority responsible for regulating the affairs of universities in the past, and the Council of Universities Affairs has replaced it.

University Affairs Council: University Affairs Council is the official authority to organize university affairs. The University Affairs Council is responsible for setting regulations for universities in light of the general policies in the country.

Universities: The term university or universities in this study means all government higher education institutions that are under the supervision and management of the Saudi Ministry of Education. In Saudi Arabia, there are higher education institutions under the supervision of other ministries, such as military colleges and military and medical colleges affiliated with the National Guard and other government agencies. There are also many technical colleges affiliated with the Vocational Training Corporation.

Vision 2030: Vision 2030 is an ambitious plan launched by the Saudi government that aims to carry out reforms in many aspects, and one of the most important ambitions of Vision 2030 is that the Saudi economy does not depend entirely on selling oil and diversifying the country's sources of income (Vision2030, 2022).

Civil service system and work system: There are two job systems in KSA in general. The first system is the civil service system related to public sector employees or state employees, and these jobs do not have a contract, but employees often continue to retirement or resignation. Employees belonging to the civil service system have specific salaries and bonuses according to the state employee system, and most faculty members and employees in public universities are considered state employees who follow the civil service system. The work system is the second job system in KSA, intended for private-sector employees such as companies and non-public organizations. According to the Labor Law, the employer signs an employment contract with the employee. The contract must state the duties of the employee, his financial rights, and the term of the work contract. The government is currently seeking to privatize many sectors, including education, and among the initiatives are that most of the public sector employees in the future belong to the work system or contracts. The articles of the new University Law specified that all employees and faculty members appointed in the future would be following the work system, where a contract signed between the representatives of the university and the new employee has a specific work period with a specific time like two or three years.

II. LITERATURE REVIEW

The Kingdom of Saudi Arabia (KSA), with a population of 35 million, is in western Asia. According to official statistics, all citizens in KSA are Muslims, and the official language is Arabic. The political system in KSA is a traditional monarchy in which the king is the official and supreme ruler of the country and holds the position of prime minister (Ministry of Foreign Affairs, 2022).

The history of the current Saudi state dates back to 1932, when King Abdulaziz Ibn Saud succeeded in unifying large areas of the Arabian Peninsula under the name of the Kingdom of Saudi Arabia. After the death of King Abdulaziz, his sons succeeded him in leading the country. The current king of KSA is King Salman, the sixth son of King Abdulaziz. In 2017, King Salman appointed his son Muhammad to the position of crown prince (Ministry of Foreign Affairs, 2022).

Since 2015, Prince Mohammed bin Salman has been carrying out major economic and social reforms in KSA, with the full support of the king and society. The Crown Prince has launched an ambitious government plan called Saudi Vision 2030. Saudi Vision 2030 is a strategic plan aimed at making Saudi society more productive and liberating the Saudi economy from dependence on oil, which has been the most significant economic resource for the country since 1938. The reforms of Vision 2030 included restructuring the education sector, including higher education in KSA (Vision2030, 2022).

Higher Education in KSA

The first higher education institutions in KSA launched at the beginning of the year 1950 in Mecca, where the first college in the country was opened. It was a college concerned with disciplines related to the Islamic religion. In 1957, the first university in KSA opened its doors to students: King Saud University. This university is located in Riyadh's capital, and its founding was followed by the establishment of many colleges and universities in different regions (Othman, 2021). According to official statistics, the number of Saudi universities in 2021 was 42 and the number of colleges was 21 (GAS, 2022).

Most of the higher education institutions in KSA are public educational organizations, and the number of public universities was 30, compared to 12 private universities and 21 private colleges in 2021. The total number of students in post-secondary institutions in 2019 was about 1,647,692. All of these students were in public universities, except for less than 75,000 students who were studying at private universities and colleges (GAS, 2022).

The Largest Public Universities

The total number of Saudi universities reached 30 public universities, with a total student population of approximately 1.4 million students in 2019. Among the Saudi universities, there are three universities whose number of students exceeded 100,000 in 2019. One of the largest public universities in Saudi Arabia is Imam Muhammad Ibn Saud Islamic University, whose number of students in 2019 reached about 176,488. King Abdulaziz University was the second-largest Saudi university in terms of students, with more than 145,000. King Faisal University in the eastern part of the kingdom ranked third, with a student population of about 1,050,000 in the 2019 academic year (GAS, 2022).

Financing Higher Education Institutions

Public higher education institutions are entirely dependent on government funding. The Saudi government allocates approximately 25% of its annual budget to education, and a portion of these allocations goes to funding public universities and colleges (Ministry of Finance, 2021). The officials in the Saudi government argue that the higher education sector consumes many government funds, and some reforms must be made. Therefore, the government has been trying to make many changes in the education sector regarding Saudi Vision 2030. Among the goals of the vision regarding higher education is to enable Saudi public universities to diversify their financial sources and not rely entirely on government funds (Vision2030, 2022). One of the most important initiatives to make public universities more financially independent than before was the issuance of the new Universities Law in 2019, which replaced the old Higher Education Law of 1993.

Education Policy in the Kingdom

The Education Policy Document (EPD) of the KSA, which the General Committee approved for education policies, is the primary reference for the education system in the country (Alaquil, 2005). The leaders approved the EPD of the Ministry of Education in 1970, and the EPD is still the primary reference for the education system at all levels of formal education, including higher education. The EPD contains 236 articles divided into nine parts that define the general framework for education in Saudi Arabia (Ministry of Education, 1970).

One of the most prominent articles of the EPD states that education in all its stages must be consistent with the teachings of Islam and not contradict it. The EPD also emphasizes that Arabic is the primary language used for education in schools and colleges (Ministry of Education, 1970). Despite the outdatedness of the EPD and the demand for experts to update the EPD articles to keep pace with changes in society and the world, the education authorities have not updated the document since it was first published more than half a century ago (Alminqash, 2006; Alshahwan, 2012).

All regulations and laws related to higher education institutions must be consistent with the EPD, and an entire section has been placed in the EPD to detail the goals and objectives of higher education (Alaquil, 2005). According to the EPD, the essential objectives of higher education in Saudi Arabia include the following:

- Strengthening the Islamic identity of citizen students in higher education and making them proud of belonging to their Islamic and Arab culture.
- Preparing good citizens who can help their country prosper and progress.
- Providing opportunities for talented students to continue their higher education in various scientific disciplines.
- Encouraging scientific research, book writing, and translating other languages' useful literature.
- Providing training services to graduates (Ministry of Education, 1970).

Saudi Vision 2030 and Education

The government introduced Saudi Vision 2030 in 2016 (Vision2030, 2022). It aims to transform the country into a strong and prosperous nation in light of the teachings derived from Islam. The 81-page Vision 2030 document clarifies steps and goals in multiple fields, including education. The prominent goals of the education vision include developing student talents and skills, improving school outcomes, improving the average scores of Saudi students in international exams, and developing curricula. The Vision document also sets ambitious plans for higher education by 2030, including having at least 5 Saudi universities in the top 200 in the world. The government also aims to reduce the gap between university output and the labour market by encouraging universities to keep pace with market changes and offer majors that align

with rapid global changes. The Vision also encourages higher education institutions to develop students' skills and creative abilities (Vision2030, 2022).

The Higher Education and Universities Council System

In this article, the old higher education law or the old law implies the Higher Education and Universities Council (HEUC) system (Higher Education Council, 1993). The HEUC is still valid in all Saudi public universities, except for three universities that use the Law of Universities (LU) of 2019. The HEUC contains 60 legal articles divided into 13 chapters. The first chapter of the law contains 13 essential legal articles explaining the basic rules that universities in KSA must adhere to, such as teaching most disciplines in the official language—Arabic—as well as abiding by the Islamic values. The second chapter has five articles related to the Higher Education Council and its responsibilities, and the third chapter contains four legal articles detailing the tasks and responsibilities of the University Council. The fourth chapter concerns the university president and his responsibilities. The title of the fifth chapter is university vice-presidents and their responsibilities, and the sixth chapter details the organization and tasks of the scientific council in universities. The seventh chapter of the HEUC clarifies the responsibilities of the college administration, while the next chapter deals with the functions of college and institute councils. The ninth chapter is about the deans and their deputies, and the tenth chapter is related to the organization of department leadership and their primary responsibilities. The HEUC also contains five legal articles related to faculty members. Chapter 12 deals with the financial system in universities, and the last chapter of this law includes general articles related to the importance of implementing this law and publishing it in the official newspaper of the Saudi government. Moreover, in light of this law, many standard regulations were developed and applied in all Saudi universities, but the current study does not concentrate on regulations based on the law; instead, the study focuses on the primary law articles.

The Law of Universities

In 2019, the prime minister approved the new Law of Universities (LU), which replaces the HEUC (University Affairs Council, 2020). Currently, the LU is being applied experimentally in three public universities, namely King Saud University, King Abdulaziz University, and Prince Faisal bin Abdulrahman University. In this article, the researcher has referred to the LU in some places as the new law or the 2019 law. The LU contains 58 legal articles divided into 14 chapters, and each chapter contains several legal articles of shared connection. The first chapter of the LU presents definitions and general regulations related to Saudi universities. The second chapter contains five articles explaining the responsibilities of the Universities Affairs Council, which is the supreme council that supervises higher education institutions. The third chapter of the LU deals with issues related to the formation and responsibilities of boards of trustees in universities, while the fourth chapter contains paragraphs related to the responsibilities of university boards. The LU also contains a particular chapter dealing with the responsibilities and organization of scientific councils in universities. The sixth and seventh chapters detail the organization and responsibilities of college councils and department councils, and chapter eight contains information on how to appoint university presidents and their deputies and their responsibilities. The ninth chapter in the LU is about the deans of colleges, while the tenth chapter talks about the heads of departments and their responsibilities. Chapter 11 presents legal articles related to academic accreditation, and Chapter 12 has regulations on advisory councils. Chapter 13 discusses the financial system of universities, and the last chapter contains some general legal articles. Regulations based on this law have not yet been developed.

III. RESULTS

First, what are the similarities between the HEUC and the LU?

The articles of the LU are in agreement with the HEUC in many of the central premises. This part presents the HEUC's and the LU's most significant common legal articles. After a careful review of the HEUC and the LU articles, the researcher found five main themes common to the articles of the two mentioned laws, and the themes are the general principles related to education policy in KSA. The final decision to appoint leadership positions in the Council for Universities and Universities Affairs is one of the responsibilities of the Prime Minister. Among the agreements between the two laws are the authorities of the University Affairs Council over public universities. Likewise, university councils' management and decision-making procedures still follow identical approaches. Also, there are many similarities between the organization and responsibilities of the Scientific Council in Saudi universities.

General principles

The articles of the HEUC and the LU agreed in many general frameworks related to education policy in the Kingdom, such that the language of instruction in colleges is Arabic unless there is a justification for teaching some disciplines or courses in another language. It is essential to know that Arabic is the country's official language. The legal articles in the two laws likewise agreed that universities are non-profit educational organizations with their own recognized entity and budgets. The HEUC and the LU also shared common goals such as regulating higher education institutions' affairs, preparing students for the labor market, and enhancing higher education positions in the nation.

Appointment of university leaders

The broad lines in the HEUC and the LU agree with the government controlling the universities' leadership and supervising those universities in general. Although the name of the authority supervising universities, which was called the Higher Education Council, was modified to the University Affairs Council recently, most members of the council are those who occupy leadership positions in government ministries, such as the Minister of Education, the Deputy Minister of Education for Universities, Research and Innovation, and the Deputy Minister of Labor and Social Development. Also, according to Article VI of the LU, the Minister of Education nominates four presidents of public universities, one president from a private university, and two other members who have competence and merit to be members of the University Affairs Council. After that, the Prime Minister approves the appointment of members of the University Affairs Council, and the King himself usually occupies the position of Prime Minister in KSA. A decision of the Prime Minister also appoints the Secretary of the University Affairs Council.

The articles of the HEUC and the LU also agreed that the Prime Minister is authorized to appoint university presidents in the country based on the recommendation of the University Affairs Council, just as it was previously, where the King issues a royal decree appointing the president of public universities. Article 11 of the UL also indicated that the appointment of the president and members of the board of trustees in all universities is one of the responsibilities of the Prime Minister. However, the previous law did not provide details about the board of trustees' higher education institutions.

Powers of the University Affairs Council

According to the LU, many decisions and issues related to universities still require the approval of the University Affairs Council members, as was the case in articles of the HEUC. Among those decisions are the general supervision of higher education institutions and the final approval of the administrative, financial, and academic regulations for universities, as well as approving the regulations governing the acceptance of donations and gifts to universities and the manner of disbursing those assets. The articles of the HEUC and the LU also agree on establishing new colleges or departments in universities that require the approval of the Universities Affairs Council members. Even changing the names of departments, merging them, or canceling departments requires approval by the council members mentioned above.

Meeting management and decision-making techniques

The articles of the LU are in harmony with the HEUC in organizing university meetings at various administrative levels. For instance, there is an agreement between the HEUC and the LU that departmental councils and college councils must hold at least one meeting each month and that department heads or deans must be chaired in the meetings. There is also an agreement between the articles of the new and old law in the way that procedure decisions are made, whether at the level of departments, colleges, or universities. It is the process of voting based on the democratic philosophy where each member of the meeting has the right to vote. The chairperson's decision is taken in case of equal votes on a particular topic.

Scientific Council

The LU included a complete chapter detailing the functions of the Scientific Council in Saudi universities. The chapter contained four legal articles explaining the obligations of council members, the method for appointing members, and the procedures for holding the Scientific Council meetings. No significant differences exist between the responsibilities of the members of the Scientific Council in the HEUC and the LU. A sample of the similarities in the management and organization of the Scientific Council between the old and the new law is that the vice president of the University for Scientific Research chairs the meetings of this council, and there is a secretary of the council among the faculty members.

Furthermore, the legal articles related to the Scientific Council agreed in the HEUC and the LU that each college or institute affiliated with the university must choose one representative for it in the Scientific Council. The representative must be a faculty member, and his or her position should be associate professor or professor. Among the most critical responsibilities of the Scientific Council in the HEUC and the LU recommend employing new faculty members, approving scientific promotions for faculty members, and approving the issuance of scientific journals affiliated with university departments.

Second: What are the main differences between the HEUC and the LU?

There are stark contrasts between the articles of the HEUC and the LU in many legal articles. This part seeks to present the most significant differences between the articles of the HEUC and the LU. The differences were divided into six themes, each of which contains the relevant legal differences. The first theme presents the differences in the organizational structure in Saudi universities, including the titles of some leadership positions at those universities. The second theme summarizes the most prominent differences in the responsibilities of university councils at all administrative levels. The third theme discusses changes in the legal articles related to the appointment of university employees and faculty members. The fourth theme focuses on the dissimilarities in appointment approaches to leadership positions at universities. Differences in university funding sources for the HEUC and the LU are reviewed and summarized in the fifth theme. The last theme presents new legal articles in the LU that were not mentioned in the HEUC.

First: Change in the organizational structure and job titles at universities

Board of Trustees

One of the most prominent differences between the HEUC and the LU is that the LU organizational structure requires a Board of Trustees to be established for each university in KSA, whereas there is no article or reference to the Board of Trustees in the HEUC. The third chapter of the LU includes details of the university Board of Trustees. This chapter contains five legal articles related to selecting Board of Trustees members, their responsibilities, and their relationship to the University Council. Article No. 5 of the LU states that there are three bodies responsible for managing the affairs of each university, namely the Board of Trustees and the University Council, in addition to the University President. On the other hand, the HEUC indicated in Article 18 that those who manage the university's affairs are the university council, the university manager, and the university's vice-rectors.

Among the critical points in the new law is the amendment of several job titles in the leadership of universities in KSA. For instance, in the past, the job title of the person who leads the university was the University Manger, while currently, the person who leads the university is called the University President. The establishment of boards of trustees in public universities in KSA also recently added job titles that did not exist in the HEUC. Among the job titles in the Board of Trustees of the Universities is the Chairman of the Board of Trustees, Member of the Board of Trustees, and Secretary of the Board of Trustees, and all of these titles did not exist previously.

Second: Differences in the responsibilities of boards of trustees and university boards

Board of Trustees

The articles of the LU changed many of the responsibilities and tasks of the leadership positions and councils affiliated with the university. This section attempted to present the most notable changes in the responsibilities of leadership positions and councils in the LU and compare them with the HEUC practices. One of the changes between the HEUC and the LU is the differences related to the organization of leadership in the university. As mentioned previously, there was no Board of Trustees in the previous organization of universities, while the LU obligated all universities to establish a Board of Trustees. As a result of establishing the Board of Trustees in Saudi universities, some powers and responsibilities have been transferred from the university council to the council trustees. Among the most major responsibilities granted to the Board of Trustees according to Article 13 of the LU are the approval of the executive rules and financial regulations of the university and the approval of the annual budget, the approval of the rules regulating support for scientific research, and innovation and award of honorary doctorates. All those responsibilities mentioned were among the tasks of the University Council in Article 20 of the HEUC. Furthermore, there were new tasks for the boards of Trustees that were not within the competencies of the university council in the old law, for instance, the responsibility for forming the international advisory council for the university and approving the establishment of companies and participation in existing companies.

University Council

The LU included a complete chapter on the University Council and contained three legal articles. One of the most noteworthy contrasts between the organization of the University Council in the HEUC and the LU was that the HEUC in Article 19 stated that the Minister of Higher Education chaired the council of all universities in the country. According to Article 19 of the HEUC, the members of the University Council included the Minister of Higher Education, the manager of the University, the Vice Deans of the University, the Secretary-General of the Higher Education Council, and three experts appointed by the Minister of Higher Education. In comparison, Article 16 of the LU stated that the president of the university was the chairperson of the university council. Article 16 of the LU stipulated that the university council consisted of the university president, vice presidents, deans of faculties, deanships, institutes at the university, and four members with experience and competence.

Responsibilities of the councils at the college and department levels

The articles of the HEUC and the LU agreed to organize and manage the college and department councils, paying attention to details such as who the members of the councils were, how often they should meet during the academic year, the members of all councils associated with universities who were needed to make decisions democratically, and that their decisions should accord with the laws and regulations approved by the university administration. However, the responsibilities of the college and department councils in the LU were not as detailed as the articles of the HEUC, which specified responsibilities for the college council. For example, Article 34 of the HEUC determined ten primary responsibilities for the college council, including a proposal to appoint faculty members and suggest training plans for college staff. Article 43 of the HEUC likewise provided much detail on the functions and obligations of department councils. In contrast, the LU left a kind of freedom for each university to determine the responsibilities of the college councils and the university department boards.

Third: Appointment procedures and work contracts

In the HEUC, all employees in public universities, including faculty members, were appointed according to the system followed in government jobs, as faculty members and employees are considered state employees. Therefore, faculty members and employees of public universities do not have annual contracts with them, and university employees often continue until they reach retirement age or submit their resignation. On the other hand, the LU in Article 52 declared that contracting with all new employees and faculty members in public universities will be employed with work contracts that have an end-term, like workers in the private sector in the Kingdom. The LU confirmed that faculty members and administrators in service before applying the LU will continue the procedures followed in the HEUC and be treated as government employees until further notice.

Fourth: Changes in the procedures for appointment to leadership positions

Significant changes occurred in the appointment processes to leadership positions in the university between the HEUC and the LU, such as the appointment of deans and heads of departments. Among these differences are the LU Articles 35, 37, and 38, which stated precedents that universities are in charge of appointing deans, vice-deans, and chairs of departments. On the other hand, the HEUC expressed that who appoints people to leadership positions in universities, such as college deans and college deans, is the Minister of Higher Education on the recommendation of the university president, according to Articles 36 and 44.

Unlike the HEUC, the articles of the LU did not mention that those who appoint the position of dean of the college or chair of departments should be faculty members at the university. The legal articles in the HEUC also specified that those who occupy leadership positions in colleges, such as deans, deputy deans, and heads of departments, must be Saudi citizens, while the legal articles in the LU did not articulate that those occupying the jobs as mentioned earlier should be citizens.

Fifth: Financial differences

The LU allows the leaders of Saudi public universities more freedom and independence to expand and increase their financial resources and reduce their dependence on annual allocations from the state. Examples of these new powers include the authority to set tuition fees on study programs and the legal authority to establish investment companies affiliated with the university. The legal articles in the HEUC and the LU agree on some aspects of universities' revenues, namely that each university is its own entity with its own budget, and each has the right to accept gifts, grants, and endowments from individuals and organizations.

However, the two differ significantly on some issues. For example, no text in the HEUC explicitly allows public universities to charge tuition fees for programs, while Article 50 of the LU states that public universities may set tuition fees for graduate programs, diplomas, and training courses. At the same time, the legal articles in the new law do not give public universities the right to set tuition fees for bachelor's degree programs, so universities must offer these programs free of charge to Saudi students. Point No. 3 of Article 50 states that public universities do have the right to set tuition fees for non-citizen bachelor's degree students.

The LU gives public universities the authority to dispose of gifts, grants, and endowments as they see fit. Article 48 suggests the possibility of public universities establishing affiliated companies and investing their resources and facilities, which thus allows universities to develop their financial resources. Article 50 of the LU allows universities to provide research and advisory services to parties outside the Kingdom of Saudi Arabia (KSA) after the HEUC prohibited universities from providing such services to non-Saudi organizations. The LU likewise gives more flexibility to Saudi universities to develop their financial resources independent of government support on certain issues, including the possibility of opening branches of Saudi universities outside the Saudi borders in accordance with Article 51. However, the Saudi Council of Ministers must approve to open branches of Saudi universities in other countries. It is noteworthy that public universities still depend entirely on government funds.

SIXTH: New topics in the LU have not been stated in HEUC

Several legal articles were introduced in the LU that did not exist in the HEUC, such as the necessity for the university to obtain academic accreditation and the specifications for the organization of advisory councils for universities. The LU also allowed Saudi universities to open branches outside KSA.

Academic accreditation has become one of the critical issues for Saudi universities recently; therefore, chapter 11 in the LU contained two articles linked to academic accreditation, which are Articles 40 and 41. Article 40 emphasized that universities must obtain institutional accreditation from the Education and Training Evaluation Commission (ETEC), a nonprofit body in KSA that operates under the supervision of the Ministry of Education to oversee the quality of public and higher education in KSA. Article 41 stated that universities must work effectively in order for the study programs universities offer to obtain program accreditation from the ETEC or one of the academic accreditation organizations authorized by the ETEC.

The LU furthermore detailed in chapter 12 three legal articles regulating the work of advisory boards in Saudi universities. Article 42 confirmed that universities might form advisory boards by a decision of the board of trustees, and the board of trustees in those universities is responsible for determining the powers and responsibilities of those boards. Article 43 also required universities to establish a student advisory council, and the university council determines the powers and responsibilities of the student advisory council. Article 44 stated that an advisory council for faculty members must be formed in universities, headed by the university president or any other individual assigned by the university president. The university council determines the advisory council's powers, responsibilities, and rules for faculty members.

According to Article 51 of the LU, Saudi universities have the right to open university branches outside the country's borders. The mentioned legal article detailed the procedures that university administrators must follow when planning to open branches outside KSA: The University Affairs Council needs to approve the project to open branches outside the country. Then, a request to open a branch of Saudi universities outside the country is submitted to the Council of Ministers, which takes the final decision to approve the opening of branches of Saudi universities abroad or to reject the application. Article 51 of the new law provides the opportunity for Saudi universities to expand outside the country and enter new markets.

IV. CONCLUSION

In 2019, the Saudi Council of Ministers approved the Law of Universities (LU) in Saudi Arabia as an alternative to the 1993 Law of the Council of Higher Education and Universities (HEUC) to legally keep pace with changes in the fields of education and economics and give Saudi universities more autonomy. This study aimed to review the legal articles of the two laws and discover the most prominent points of similarity and difference between them. The similarities between the HEUC and the LU can be summed up as follows. The legal articles of the two laws do not contradict the principles of the educational policy of Saudi Arabia. They also establish that the Prime Minister is responsible for appointing the leaders of

Saudi public universities. In addition, according to the two laws, many of the decisions about universities are the University Affairs Council's responsibility. One of the most notable similarities between the HEUC and LU articles is that the decision-making procedures of university councils at various levels must follow democratic principles.

On the other hand, the current study found significant differences between the HEUC and LU articles at several points related to the organizational structures of higher education institutions in KSA. The LU, for example, obligates public universities in KSA to establish a university board of trustees to supervise the university's performance. Furthermore, the titles of some leadership positions at universities have been changed in the LU. The HEUC and LU articles designate the responsibilities of university councils, college councils, and departments differently. The procedure for appointing faculty members to universities differs in the two laws, and there are significant changes in how candidates are appointed to deanships and other leadership positions in colleges and departments. The LU legal articles have provided more flexibility for public universities to collect tuition fees and diversify funding sources compared to the HEUC articles. The LU also contains new legal articles that were absent in the HEUC, the most important of which are the need for universities to obtain academic accreditation and establish advisory councils and the possibility of opening branches of Saudi universities abroad.

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