



MEMO

TO Chief Executive Officers/Directors
Licensed/Registered Private Schools

FROM Lynette Kuhn, Division Chief

DATE December 1, 2020

RE Private Licensed Schools Memorandum #85

FINES AND VIOLATIONS

This memo revises and replaces Board Policy Memorandum #62, issued on November 4, 2004.

The Private Licensed School Act, 24 P.S. § 6501 et seq., amended by the Act of Nov. 27, 2019, P.L. 753, No. 110 authorizes the Board of Private Licensed Schools to fine a school up to \$2,500 if it determines that a school has violated a provision of the Act or the Board's regulations. This provision supersedes the current Board regulations relating to fines (22 Pa. Code § 73.189 (b)).

The provision of the Act cited above allows for the imposition of a separate fine for each instance of a particular violation. The fact that the same provision of the Act or regulation is being violated in each instance does not negate the possibility of cumulative fines being imposed.

The maximum fine issued to a school is \$10,000 per year for **each** separate statutory or regulatory violation.

For example, if the Board finds that a school has failed to make appropriate refunds to five students, the Board has the authority to issue five separate violations of the same provision in the Act or regulations. Therefore, the Board may fine the school \$2,500 for each of the five separate instances of violation. While the total of these five fines is \$12,500, the maximum the school would pay is \$10,000 since it is a violation of the same regulation.