



MEMO

TO Chief Executive Officers/Directors
Licensed/Registered Schools, State Board of Private Licensed Schools

FROM Nicole Campbell, Division Chief

DATE May 17, 2021

RE Private Licensed Schools Memorandum #90

**Violation by Unlicensed or Unregistered Person or Entity
Civil Penalty and 5-Year Moratorium**

In accordance with § 73.192, upon determination by the State Board of Private Licensed School's Review and Recommendation Panel that unlicensed or unregistered activity has occurred or is occurring, the panel may direct Board staff to serve upon the person or entity a notice of unlicensed or unregistered activity.

The notice requires the person or entity to cease and desist from the activity or be liable to pay a civil penalty.

Additionally, a person or entity who engages in unlicensed or unregistered activity and fails to obey or otherwise respond to a notice to cease and desist from the activity or fails to obey or otherwise respond to the processes of a judicial district of this Commonwealth or a subpoena of the Attorney General will be refused a license by the Board for at least 5 years from the mailing date of the notice of unlicensed or unregistered activity.

To assist schools in becoming licensed/registered, at its meeting on February 18, 2021, the Board voted to allow schools the opportunity to appeal to the Board to stay the 5-year moratorium for schools who are found liable to pay the civil penalty. If the Board approves the stay based upon the school's appeal, the stay is provided if the person or entity pays the civil penalty by the imposed due date, submits a licensure application to the Board, and remains compliant by continuing to cease and desist from all unlicensed/unregistered activity. The moratorium shall be re-imposed upon any subsequent unlicensed or unregistered activity. The imposed civil penalty will be credited towards the licensure application fee if the licensure application is received within 5 years from the date of payment.