

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
November 4, 2004**

SUBJECT: Private Licensed Schools Memorandum #62

TO: Chief Executive Officers/Directors
Licensed/Registered Private Schools

FROM: Patricia Landis, Chief,
Division of Private Licensed Schools

FINES AND VIOLATIONS

The Private Licensed Schools Act authorizes the Board of Private Licensed Schools to fine a school up to \$1,000 if it determines that a school has violated a provision of the Act or the Board's regulations. (24 P.S. § 6515.) The Board's regulations detail that the fine will be \$500 for the first violation, \$750 for the second violation and \$1,000 for the third violation within three years. (22 Pa. Code § 73.189.) This memorandum serves to clarify the Board's interpretation and application of its regulation governing fines.

The provisions of the Act and regulations cited above allow for the imposition of a separate fine for each instance of a particular violation. The fact that the same provision of the Act or regulations is being violated in each instance does not negate the possibility of cumulative fines being imposed. For example, if the Board finds that a school with no previous violations has failed to make appropriate refunds to fifteen students, the Board may fine the school \$500 for each of the fifteen separate instances of violation. If the Board subsequently finds within a three year period that the same school published misleading advertisements on ten separate occasions, the Board may fine the school \$750 for each of the ten instances of violation.