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INDEPENDENT REGULATORY
REVIEW COMMISSION

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PA. STATE BOARD
OF EDUCATION

May 7, 2008

#2684

Jim Buckheit
Executive Director
State Board of Education
333 Market Street
Harrisburg, PA 17126-0333

Dear Jim:

On behalf of the 150 member schools of the Pennsylvania Association of Private School Administrators, I am writing to request a language change in Chapter 42 – 42.11(d)(4).

It is recommended that it be changed from: “maintained compliance with applicable statutes and regulations” to:

“not be in violation of applicable statutes and regulations.”

The latter is more precise and specific wording. The term “maintained compliance” is vague and could be open to misinterpretation. If a school received a letter to address a compliance matter and it was subsequently dealt with, it could be construed that the school was technically out of compliance during that brief cure period.

Additionally, the language in 42.11(d)(7) already uses the more precise “not been found in violation of the Private Licensed Schools Act. . .” so it would follow that other criteria language should use the same phrase “not been in violation.”

We believe this change will avoid confusion over what it means to be “in compliance.”

Thank you for considering our comments.

Sincerely,

Richard Dumaresq, Ed.D.
Executive Director

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