



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

UNITED STATES OF AMERICA
DEPARTMENT OF EDUCATION

In the Matter of)
Miss Connie Kershaw's) Audit Appeal
Beauty Academy, Inc.) Pursuant to 20 U.S.C. Sec. 1094
) and 34 C.F.R. Part 668
) Subpart H
)

FINAL DECISION OF THE SECRETARY

This is an action for restitution of funds disbursed to Respondent Miss Connie Kershaw's Beauty Academy under the Pell Grant Program, 20 U.S.C. Section 1070a. In an Initial Decision issued February 22, 1988, Administrative Law Judge Walter J. Alprin determined that Respondent had received \$270,170 of such funds and, after subtracting those amounts paid to students and those already returned to the Government, was required to pay back \$65,389. The Administrative Law Judge rejected Respondent's contentions that a) it was owed \$41,899.65 by the Government; b) it had already paid \$4000; and c) it was owed \$1675 for administrative costs, pursuant to 34 C.F.R. Section 668.113. Respondent has appealed the Initial Decision of the Administrative Law Judge to the Secretary.

On the basis of the official record, the Secretary issues this Order of Final Decision and AFFIRMS the decision of the Administrative Law Judge. The Secretary finds that the Administrative Law Judge's Findings of Fact are fully supported by the record, and that Respondent has failed to produce evidence to support any of the contentions it asserted on appeal..

The Secretary therefore adopts and AFFIRMS the decision of the Administrative Law Judge.

This Order of Final Decision is dated this 6th of December, 1988.

Lauro F. Cavazos
Secretary of Education