



THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

In the Matter of

**WRIGHTCO TECHNOLOGIES
TECHNICAL TRAINING INSTITUTE,**

Docket No. 05-01-SP

Federal Student Aid Proceeding

Respondent.

DECISION OF THE SECRETARY

This matter comes before the Secretary on appeal by Respondent, WrightCo Technologies Technical Training Institute, of the initial Decision issued by Chief Administrative Judge Ernest C. Canellos (AJ) on August 16, 2005. Respondent requests that I reverse the AJ's findings or, in the alternative, reduce Respondent's liability based on equitable principles.

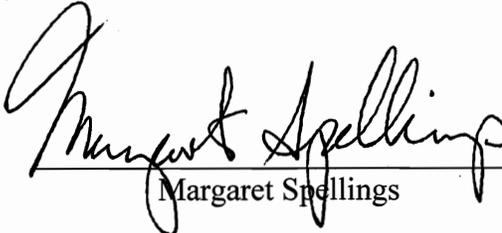
The governing legal standard for resolving this matter is provided by 34 C.F.R. §§ 600.20 and 668.5. Under § 668.20, an institution that wishes to add a location at which it offers 50% or more of an educational program must apply to the Secretary for approval if, among other things, the institution is provisionally certified to participate in the Title IV programs or it receives its funds under the reimbursement or cash monitoring payment method. Respondent added locations but failed to obtain the required approval as set forth in § 668.20. Moreover, based on the entire record, it is clear that Respondent did not meet the requirements of § 668.5 relating to written arrangements to provide educational programs.

Section 600.20 (f)(5) provides that if the institution fails to apply to the Secretary for approval, the institution is liable for the return of all Title IV funds it improperly disbursed. Therefore, FSA's assessment of Respondent's liability for \$185,867.00 is clearly warranted.

ORDER

ACCORDINGLY, the initial Decision issued by Chief Administrative Judge Ernest C. Canellos on August 16, 2005, is AFFIRMED consistent herewith.

So ordered this 1 day of June, 2006.


Margaret Spellings

Washington, D.C.

SERVICE LIST

Office of Hearings and Appeals
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Russell B. Wolff, Esq.
Office of the General Counsel
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-2110

Leslie H. Wiesenfelder, Esq.
Jonathon C. Glass, Esq.
Aaron D. Lacey
Dow Lohnes & Albertson
Suite 800
1200 New Hampshire Ave., N.W.
Washington, DC 20036