



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF HEARINGS AND APPEALS

June 30, 2010

CERTIFIED MAIL R. R.

Annette Robinson

7009 0820 0002 0033 4925

Re: Docket No. 09-52-DA

**NOTICE OF GOVERNMENT-WIDE DEBARMENT FROM FEDERAL
PROCUREMENT AND NON-PROCUREMENT TRANSACTIONS**

This notice is issued by the United States Department of Education (Department) pursuant to 34 C.F.R. § 85.870 to inform you that you are **DEBARRED EFFECTIVE THE DATE OF THIS LETTER** from participating in any covered transactions under federal procurement and non-procurement programs and activities of any federal agency. As a consequence of being debarred, you are not eligible to receive federal financial and non-financial assistance or benefits from any federal agency under procurement or non-procurement programs and activities. Also, you may not act as a principal on behalf of any person in connection with a covered transaction. A principal is defined in 34 C.F.R. § 85.995 and includes any key employee or other person who has a critical influence on or substantive control over a covered transaction. This debarment is effective for all covered transactions unless an agency head or authorized designee grants an exception for a particular transaction in accordance with 34 C.F.R. § 85.120.

On October 2, 2009, the Department issued to you a Notice of Proposed Government-Wide Debarment from Federal Procurement and Non-Procurement Transactions, and informed you of your right to submit information and argument in opposition to such an action. That Notice was mailed to you at your last known address of record via U.S.P.S., Certified Mail, Return Receipt Requested. That Notice was mailed to you at your last known address of record via U.S.P.S., Certified Mail, Return Receipt Requested. You received the Notice on October 8, 2009.

Under the applicable regulations, one subject to a proposed debarment is given 30 days from receipt of the Notice to oppose the proposed action. Thirty days have passed from the date of notice, and this office has received no correspondence from you contesting the contents of the October 2, 2009, Notice. The matter is now considered timely.

You were a secretary at the Chillicothe Beauty Academy, and from December 2006 through October 2007, you did knowingly and willfully obtain by fraud, money derived from federal student loan programs. You accomplished this scheme by telling students that a portion of their student loan was needed to satisfy a debt owed by the students to

the school, but, in fact, there was no debt owed by the student. You directed students to cash their financial aid check at a local bank, and then return a portion of the cash to you. Through this scheme, you obtained a portion of the students' loans for your own personal use, and knowing that you were not entitled to receive those funds.

You were charged in a single count Information with theft of financial aid monies, in violation of 20 U.S.C. § 1097. On November 24, 2008, you entered into a plea agreement in which you agreed to plead guilty to the single count Information. On November 24, 2008, you plead guilty to theft of financial aid monies. The court accepted your plea of guilty and found you guilty of violating 20 U.S.C. § 1097.

Based upon your plea and your conviction, **I FIND** that debarment is warranted. The uncontested record and the Notice of Proposed Government-Wide Debarment from Federal Non-Procurement Transactions, dated October 2, 2009, demonstrate that debarment should be imposed inasmuch as these violations constitute serious charges and cause for debarment under 34 C.F.R. §§ 85.800 (a)(3).

Under 34.C.F.R. § 85.865, the period of debarment is to be commensurate with the seriousness of the cause(s) for debarment. The charges levied against you in the Notice of Proposed Government-Wide Debarment from Federal Non-Procurement Transactions dated October 2, 2009, and which have gone without comment, constitute a serious threat to governmental programs. Accordingly, I have determined that the period of debarment will be **three** years, effective the date of this letter. The regulations contained in 34 C.F.R. Part 85, and the Non-Procurement Debarment and Suspension Procedures mailed with the Notice of October 2, 2009, govern this debarment.

SO ORDERED,

Frank J. Furey,
Deciding Debarment
and Suspension Official