



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF HEARINGS AND APPEALS

June 27, 2016

Tammy Pyle

CERTIFIED MAIL R. R.
7003 2260 0001 5004 5937

Re: Docket No. 15-49-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 2 C.F.R. § 180.870 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 2 C.F.R. § 180.995, 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 2 C.F.R. § 180.135.

On August 17, 2015, 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. The Notice was mailed to you at your last known address of record via U.S.P.S., Certified Mail, Return Receipt Requested. The Notice was returned to the Department as unclaimed. Since service was attempted at your last known address, you are deemed to have received constructive notice on August 24, 2015.

Under the applicable regulations, one subject to a proposed debarment is given thirty (30) days from receipt of the Notice to oppose the proposed action. Thirty (30) days has passed from the date you received constructive notice of the proposed action, and this office has received no correspondence from you contesting the contents of the August 17, 2015, Notice. Pursuant to 2 C.F.R. §180.870, I closed the official record on March 15, 2016.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.


You were an employee of Carnegie Career College (Carnegie). Beginning about August 2007, and continuing through about May 2012, you did knowingly and intentionally combine, conspire, confederate, and agree with others to commit offenses against the United States. You participated in a scheme to defraud the Department, and to obtain money and property from the Department by means of false and fraudulent representation. Specifically, you and others, caused more than 140 Carnegie students, who were not eligible to receive federal student aid, to submit a fraudulent Free Applications for Federal Student Aid (FAFSA) form to the Department, which stated that the student had graduated from high school. In addition you falsely told prospective students that they would earn a valid high school diploma at the same time they attended Carnegie and that such diploma would be paid for by a "scholarship from a church" in order to increase enrollment at Carnegie and, thus, access to additional federal student aid funds. As a result of the conspiracy, false statements, and fraudulent conduct, the Department was defrauded and sustained a total loss of approximately \$2.3 million.

You were formally charged in the United States District Court, Northern District of Ohio, Eastern Division with a seven-count Indictment. You were charged with, among other offenses, with conspiracy to commit mail and wire fraud, and making false statements. You plead guilty to count one of your Indictment. The court accepted your guilty plea to count one and adjudicated you guilty of conspiracy to commit mail and wire fraud in violation of 18 U.S.C. § 1956(h). The court imposed judgment on April 16, 2015.

Based upon your plea and conviction, **I FIND** that debarment is warranted. The uncontested record and the Notice of Proposed Government-Wide Debarment from Federal Non-Procurement Transactions demonstrate that debarment should be imposed inasmuch as these violations constitute serious criminal charges and are a cause for debarment under 2 C.F.R. § 180.800 (a)(3).

Under 2.C.F.R. § 180.865, 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, 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 2 C.F.R. Part 180, and the Non-Procurement Debarment and Suspension Procedures mailed with the Notice govern this debarment.

SO ORDERED,



Frank J. Furey,
Deciding Debarment
and Suspension Official