

**IN THE MATTER OF OKLAHOMA JUNIOR COLLEGE,
Respondent.**

**Docket No. 93-129-SP
Student Financial Assistance Proceeding**

DECISION

Oklahoma Junior College (OJC) of Oklahoma City, OK, appeals a final program review determination (FPRD) dated August 27, 1993. The Office of Student Financial Assistance Programs (SFAP) opposes the appeal. Finding No. 2 of the FPRD is placed in issue. Under that finding OJC was deemed to be a term institution, as opposed to a non-term institution. For administrative economy, a ruling on the appeal of OJC was held in abeyance pending action by the Secretary of Education in a virtually identical proceeding, In re Edmondson Junior College, Docket No. 93-7-SP (Initial Decision June 4, 1993). The initial decision in Edmondson set aside a FPRD finding identical to the FPRD finding here in issue. On April 5, 1994, the Secretary of Education affirmed the initial decision in Edmondson. Notwithstanding, SFAP asserts that the Secretary of Education erred and that his decision of April 5, 1994, in Edmondson must be ignored. This I cannot do, first because I cannot reverse the Secretary and secondly because his decision is correct.

Upon consideration of the brief of OJC herein dated April 28, 1994, a brief of SFAP dated May 31, 1994, and a subsequent brief of OJC dated June 7, 1994, Finding No. 2 is set aside. The appeal of OJC is granted. In this regard, I adopt by reference, the June 7 brief of OJC.

Dated this 9th day of June, 1994.

Paul S. Cross
Administrative Law Judge
Office of Higher Education Appeals
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-3644

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