



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY
FOIA Service Center

June 1, 2022

Ms. Abigail Alannah Moats
Intake & Digital Advocacy Manager
National Student Legal Defense Network
1015 15th. St. NW
Washington, DC 20005

RE: FOIA Request No. 22-02005-F

Dear Abigail Alannah Moats:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated February 17, 2022, and received in this office on February 22, 2022. Your request was forwarded to the Federal Student Aid (FSA) to search for documents that may be responsive to your request.

You requested the following: Student Defense requests that the Department produce within twenty business days as of the date of this request:

All communications or correspondence between the Department and any representative or agent of Eastern Gateway Community College from January 1, 2022, to the present, including but not limited to the January 24, 2022, letter from the Department notifying Eastern Gateway that it was undertaking a program review of the school. See Suzanne Smalley, Community College's Controversial Partnership Draws Federal Scrutiny, *inside Higher Ed* (Jan. 26, 2022), available at: <https://www.insidehighered.com/news/2022/01/26/us-officials-review-ohio-colleges-online-program-partnership>.

On April 16, 2022 you clarified the following:

- At this point in time, we agree to accept just the copy of the announcement letter. We reserve our right to submit a future FOIA request for the documents that would be withheld under exemption (b)(7)(A) at this point in time.

FSA forwarded your request to Partner Participation and Oversight for assignment to Partner Eligibility and Oversight to conduct a comprehensive search for responsive records.

Available for Public Access Link (PAL) download are 5 pages of documents responsive to your request. The documents provided are:

- FSA: Eastern Gateway Community College Announcement Letter

You can access your PAL account at this link: <https://foiaexpress.pal.ed.gov/app/PalLogin.aspx>

However, certain information has been withheld according to FOIA exemption (b)(6), specified below:

- Records or portions of records relating to personal information is exempt pursuant to 5 U.S.C. §552 (b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of Other. However, the Department has provided you with this information at no charge. The Department's release of this information at no cost does not constitute the grant of a fee waiver and does not infer or imply that you will be granted a fee waiver for future requests made under FOIA to the Department. Because we were able to locate and process these documents at minimal costs, they are provided to you at no cost.

You have the right to seek assistance and/or dispute resolution services from the Department's FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation. They can be contacted by:

Mail	FOIA Public Liaison Office of the Executive Secretariat U.S. Department of Education 400 Maryland Ave., SW, LBJ 7C132 Washington, DC 20202-4500	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001
E-mail	robert.wehausen@ed.gov	OGIS@nara.gov
Phone	202-205-0733	301-837-1996; toll free at 1-877-684-6448
Fax	202-401-0920	301-837-0348

You have the right to appeal this decision by writing to the address below, 90 calendar days from the date of this letter. Using the services described above does not affect your right or the deadline to file an appeal. Your appeal must be in writing and must include detailed statement of all legal and factual bases for the appeal; it should be accompanied by this letter, a copy of your initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in making an administrative determination on your appeal.

Appeals may be submitted using the on-line form available at www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf.

E-mail: EDFOIAappeals@ed.gov
Fax: 202-401-0920
Mail: Appeals Office
Office of the Executive Secretariat
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 7W106A
Washington, DC 20202-4536

Sincerely,

Sandra Lewandowski
Sandra Lewandowski
Government Information Specialist
Office of the Executive Secretariat

Enclosure