



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FOIA Service Center

May 11, 2023

Emily Santora
Student Defense
1701 Rhode Island Ave. NW
Washington, DC 20036

RE: FOIA Request No. 23-00611-F

Dear Emily Santora:

This letter is a supplemental response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated December 20, 2022, and received in the FOIA Service Center (FSC) on December 21, 2022. Your request was forwarded to Federal Student Aid (FSA) to search for documents that may be responsive to your request.

You requested the following:

1. All PPAs—full, provisional, or otherwise—executed by or on behalf of Walden University that were in effect at any time between July 14, 2017 and the date of this Request.
2. The current Eligibility and Certification Approval Report (“ECAR”) for Walden University.
3. Any ECAR for Walden University dated between August 14, 2018 and present.

A final response dated March 27, 2023, was sent to you containing no records. On March 30, 2023, FSA received additional feedback from the subject matter experts, who conducted a broader supplemental search for responsive records, including the analyst files, COD Document Center, and on NARA shipment manifests. Although responsive records were located, FSA was unable to locate the 2019 ECAR snapshot that would coincide with the 4/25/2019 Program Approval Notice being provided here. Therefore, the Approval Notice that lists the changes made to ECAR for new programs, program changes and the addition of a new third-party servicer will be provided as an alternative responsive record.

Additionally, FSA has not rendered a decision on the change in ownership, so the September 17, 2021, TPPA is the current participation agreement for Walden, and the 3/30/23 ECAR is the most current. Portions of the 3/30/2023 ECAR record are being withheld from release as pre-decisional/deliberative, until a decision is rendered.

Available for Public Access Link (PAL) download are 100 pages of documents responsive to your request. The documents provided are:

- Documents pertaining to Walden University.

However, certain information has been withheld according to FOIA exemptions (b)(5) and (b)(6), specified below:

- Records or portions of records relating to certain intra-agency information is exempt from disclosure pursuant to 5 U.S.C. § 552(b)(5) of the FOIA. This exemption permits the withholding of inter- or intra-agency information that could be withheld under civil discovery, including information subject to the deliberative process, attorney-client, or attorney-work product privileges.
- 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.

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 litigation. They can be contacted by:

Mail	FOIA Public Liaison Office of the Secretary U.S. Department of Education 400 Maryland Ave., SW, LBJ 7W104 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	202-741-5770; toll free at 1-877-684-6448
Fax	202-401-0920	NA

Lastly, you have the right to appeal this determination. You must submit any appeal within 90 calendar days after the date of this letter. Using the services described above does not affect your right, or the deadline, to pursue an appeal. An appeal must be in writing and must include a detailed statement of all legal and factual bases for the appeal; it should be accompanied by a copy of this letter, the initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in resolving your appeal.

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

Appeals can also be submitted by:

E-mail: EDFOIAappeals@ed.gov
Fax: 202-401-0920
Mail: Appeals Office
Office of the Secretary
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 7W104
Washington, DC 20202-4500

If you have any questions, please contact the FSC at (202) 401-8365 or via email at EDFOIAMANAGER@ed.gov.

Sincerely,

DeShawn Middleton
DeShawn Middleton
Government Information Specialist
Office of the Secretary