



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY
FOIA Service Center

February 11, 2019

Kate Azevedo
National Student Legal Defense Network
1015 15th St. NW, Suite 600
Washington, DC 20005

RE: FOIA Request No. 19-00575-F

Dear Ms. Azevedo:

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 December 19, 2018 and received in this office on December 20, 2018. Your request was forwarded to the appropriate office to search for documents that may be responsive to your request: Federal Student Aid (FSA).

You requested the following:

1. All documents constituting a notice provided to an institution of higher education pursuant to 34 C.F.R. § 668.86 of the Department's intent to limit that institution's participation in Title IV Programs.
2. All documents constituting a notice provided to an institution of higher education or third-party servicer pursuant to 34 C.F.R. § 668.86 of the department's intent to limit a third-party servicer's eligibility to contract with institutions participating in Title IV Programs.

Attached to this e-mail are 88 pages of documents responsive to element 1 of your request. The documents provided are:

- Notice of Intent to Limit Title IV Participation.

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.

In addition, the staff in FSA informed the FOIA Service Center that, after a thorough search of their files, they were unable to locate any documents that were responsive to element 2 of your request.

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 "an all other use requester." However, the Department has provided you with this information at no charge since you have been granted a fee waiver. This does not infer or imply that you will be granted a fee waiver for future requests made under FOIA to the Department.

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 20202-4536	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

Lastly, 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,

Arthur Caliquiran

FOIA Analyst
FOIA Service Center

Enclosure