



United States Department of Education

Office of the Secretary

FOIA Service Center

December 26, 2023

Olivia DeBlasio Webster
Senior Counsel
National Student Legal Defense Network
1015 15th Street NW, Ste 600
Washington, D.C., DC 20005

RE: FOIA Request No. 22-02200-F

Dear Olivia DeBlasio Webster:

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 March 9, 2022, and received in the U.S. Department of Education's (Department) FOIA Service Center on March 10, 2022. You requested the following:

- “ 1. All records constituting or reflecting actions related to Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations, 34 C.F.R. §§ 100-01, brought by the Department under 34 C.F.R § 100.8 against an institution of higher education that refer or relate to such institution's participation in programs under Title IV of the Higher Education Act.
2. All records constituting or reflecting actions related to Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations, 34 C.F.R. §§ 100-01, brought by the Department under 34 C.F.R § 100.8 against an institution of higher education that affect such institution's participation in programs under Title IV of the Higher Education Act.
3. All communications between OCR and Federal Student Aid (“FSA”) discussing, describing, relating to an institution's compliance with Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations, 34 C.F.R. §§ 100-01.”

On May 11, 2022, you updated your request as follows:

“We have elected not to clarify or otherwise expand parts 1 and 2 of our request. Please send the information responsive to our requests. Specifically, please include the list of Title VI and Title IX cases closed with codes 44, 46, and 47, along with (if available) the name of recipients, dates of opening and closure, closure code, and whether the complaint alleged a violation of Title VI or Title IX. If you know the location of the documents related to the listed cases (such as Archives), please indicate as such.”

Your request was forwarded to the Office for Civil Rights and Federal Student Aid. The Department has identified 1 spreadsheet, responsive to Items 1 and 2 of your request, which is being released in full.

The pages are available for download via the Public Access Link (PAL). You can access your PAL account, or register for a PAL account, at this link:

<https://foiaexpress.pal.ed.gov/app/PalLogin.aspx>

After a thorough search, no responsive records were located for Item 3 of your request.

Fees

There are no fees associated with processing this request. Therefore, any fee waiver request submitted for this FOIA request is not applicable.

Additional Assistance

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, offers ombuds services, including dispute resolution, to assist FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Please note, OGIS's assistance does not replace the administrative appeal process described below. You may contact the FOIA Public Liaison or OGIS at:

FOIA Public Liaison
Office of the Secretary
U.S. Department of Education
400 Maryland Ave., SW, LBJ 7W104
Washington, DC 20202-4500
Email: robert.wehausen@ed.gov
Phone: 202-205-0733
Fax: 202-401-0920

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road, OGIS

College Park, MD 20740-6001
Email: OGIS@nara.gov
Phone: 202-741-5770 or 1-877-684-6448

You have the right to appeal this decision, as well as decisions in any previous interim releases, with the Department by submitting an appeal to the address below, no later than 90 calendar days from the date of this letter. Using the FOIA Public Liaison or OGIS services described above does not affect your right or the deadline to file an appeal. Your 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 this letter, a copy of your initial letter of request, and any documentation that supports the argument you wish the Department to consider in making an administrative determination on your appeal. You may submit your appeal by:

Mail: Appeals Office
Office of the Secretary
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 7W104
Washington, DC 20202-4536

Online Form: www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf

Email: EDFOIAappeals@ed.gov

Fax: 202-401-0920

Sincerely,
Daniel McCusker
Government Information Specialist
Office of the Secretary