

# **The Secretary's Annual Freedom of Information Act Report Fiscal Year 2012**



**Privacy, Information, & Records Management  
Services  
Office of Management**

**Report to the  
Attorney General of the United States  
for the period of  
October 1, 2011 – September 30, 2012**

U.S. Department of Education  
FREEDOM INFORMATION ACT ANNUAL REPORT  
FOR FISCAL YEAR 2012

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# U.S. Department of Education

## I. BASIC INFORMATION REGARDING REPORT

1. The person to contact with questions about this report is:  
Gregory Smith, Director, FOIA Service Center  
Privacy, Information & Records Management Services  
Office of Management  
United States Department of Education  
400 Maryland Ave, SW, LBJ 2E305  
Washington, DC 20202-4503
2. The Internet address for this report on the World Wide Web (www) is:  
<http://www2.ed.gov/policy/gen/leg/foia/foiatoc.html>.
3. To obtain a copy of this report in paper form contact the person identified in #1 above.

## II. MAKING A FOIA REQUEST

1. Names, Addresses, and Contact Numbers for ED FOIA Officers, FOIA Liaisons, and Regional FOIA Coordinators. FOIA requests should be submitted directly to the FOIA Requester Service Center or, if known, to the Regional FOIA Coordinators.

**Chief FOIA Officer**

Winona H. Varnon, (202) 401-1583

**FOIA Requester Service Center**

U.S. Department of Education  
400 Maryland Avenue, SW,  
LBJ 2E313  
Washington, DC 20202-4503  
(202) 401-8365

**FOIA Appeals Coordinator:**

Robert Wehausen

**FOIA Public Liaisons**

Elise Cook  
Maria-Teresa Cueva  
Linda Darby  
Christie Swafford  
Robert Wehausen

**Privacy Act Officer:** Angela Arrington

Region I: OCR Boston Office

FOIA Coordinator; McCormack Post Office & Courthouse, Boston, MA  
02109; (617) 289-0013

- Region II: OCR New York Office  
FOIA Coordinator; 75 Park Place, New York, NY 10007; (646) 428-3811
- Region III: OCR Philadelphia Office  
FOIA Coordinator; 100 Penn Square East, Philadelphia, PA 19107; (215) 656-8557
- Region IV: OCR Atlanta Office  
FOIA Coordinator; 61 Forsyth Street, SW, Atlanta, GA 30303; (404) 562-6357
- Region V: OCR Chicago Office  
FOIA Coordinator; 111 North Canal Street, Chicago, IL 60606; (312) 730-1610
- Region VI: OCR Dallas Office  
FOIA Coordinator; 1999 Bryan Street, Dallas, TX 75201; (214) 661-9623
- Region VII: OCR Kansas City Office  
FOIA Coordinator; 10220 N. Executive Hills Boulevard, Kansas City, MO 64153; (816) 268-0594
- Region VIII: OCR Denver Office  
FOIA Coordinator; 1244 Speer Boulevard, Denver, CO 80204; (303) 844-5942
- Region IX: OCR San Francisco Office  
FOIA Coordinator; 50 United Nations Plaza, San Francisco, CA 94102; (415) 486-5507
- Region X: OCR Seattle Office  
FOIA Coordinator; 915 Second Avenue, Seattle, WA 98174; (206) 220-7946
- Metro Region: OCR District of Columbia Office  
FOIA Coordinator; P.O. Box 14620; Washington, D.C. 20044-4620; (202) 786-0521
- Region XII: OCR Cleveland Office  
FOIA Coordinator; 600 Superior Avenue East, Suite 750, Cleveland, OH 4114-2611; (216) 522-4468

- Information on how to make a FOIA Request and on how to make a Privacy Act request is available from the [ED FOIA website](#): Responsive records are released in their entirety unless release is precluded on the basis of nine statutory exemptions, as specified in the FOIA. In general, as a regulatory agency, some investigative records or portions of records are not released. In addition, if records are part of an ongoing investigation or involved with litigation they may not be released or they may be partially released. Personally identifiable information is also not released to anyone except to the individual to whom it applies. Certain information contained in

grants and contracts is withheld such as non-federal funding amounts and sources, business proposals, and technical information that is unique to the submitter and falls within protected business information.

### III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS:

1. Agency-specific acronyms or terms used in this Report:

- a. **The Department:** Congress established the U.S. Department of Education (ED) on May 4, 1980, in the Department of Education Organization Act (Public Law 96-88 of October 1979). Under this law, ED's mission is to: Strengthen the Federal commitment to assuring access to equal educational opportunity for every individual; Supplement and complement the efforts of states, the local school systems and other instrumentalities of the states, the private sector, public and private nonprofit educational research institutions, community-based organizations, parents, and students to improve the quality of education; Encourage the increased involvement of the public, parents, and students in Federal education programs; Promote improvements in the quality and usefulness of education through Federally supported research, evaluation, and sharing of information; Improve the coordination of Federal education programs; Improve the management of Federal education activities; and, Increase the accountability of Federal education programs to the President, the Congress, and the public.
- b. **Principal Offices (POs)** - In FY2012, ED had the following program offices and/or processing designations:
  - FSA      Federal Student Aid
  - IES      Institute of Education Science
    - IES-NAGB National Assessment Governing Board
  - M      Multiple Offices (more than one office is assigned to request)
  - OCFO    Office of the Chief Financial Officer
    - OCFO-CAM Contracts and Acquisitions Management
  - OCIO    Office of the Chief Information Officer
  - OCO    Office of Communications and Outreach
  - OCR    Office for Civil Rights (Headquarters)
    - Office for Civil Rights (Regional Enforcement Offices)
      - OCR Boston Office (Region I)

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- OCR New York Office (Region II)
- OCR Philadelphia Office (Region III)
- OCR Atlanta Office (Region IV)
- OCR Chicago Office (Region V)
- OCR Dallas Office (Region VI)
- OCR Kansas City Office (Region VII)
- OCR Denver Office (Region VIII)
- OCR San Francisco Office (Region IX)
- OCR Seattle Office (Region X)
- OCR District of Columbia Office (Metro Region XI)
- OCR Cleveland Office (Region XII)
- ODS Office of the Deputy Secretary
- OELA Office of English Language Acquisition, Language Enhancement, and Academic Achievements for Limited English Proficient Students
- OESE Office of Elementary and Secondary Education
- OGC Office of the General Counsel
- OIG Office of Inspector General
- OII Office of Innovation and Improvement
- OLCA Office of Legislation and Congressional Affairs
- OM Office of Management
  - OM-PIRMS Privacy Information & Records Management Services
- OPE Office of Postsecondary Education
- OPEPD Office of Planning, Evaluation, and Policy Development
- OS Office of the Secretary
- OSDFS Office of Safe and Drug-Free Schools

- OSERS Office of Special Education and Rehabilitative Services
  - OUS Office of the Under Secretary
  - OVAE Office of Vocational and Adult Education
- c. **Calendar Day** – Every day shown on a calendar. A 24-hour period beginning at 12:01 a.m. and ending at 12:00 p.m. midnight.
- d. **Fees** – an agency will charge processing fees based on how the documents will be used and not on the category of the FOIA requester. All fees allowed will be charged to the first requester, when there are multiple requesters for the same documents, and, unless waived, all subsequent requesters will be charged duplication and special services fees only. If a fee is not allowed by statute or regulation to be charged to the first requester, the fee cannot be passed on to the next subsequent requester.
- e. **First-In-First-Out (FIFO) Processing Policy** – an agency will process requests in the order in which requests are received consistent with a multi-track processing system and reasonable allocation of processing resources available for each track and the FOIA program of the agency.
- f. **FOIA/PA Request** – a FOIA request is generally a request or access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)
- g. **Glomar Response** – a Glomar response neither confirms nor denies the existence or non-existence of responsive records to a request in order to protect law enforcement, privacy, or other appropriate interests.
- h. **Initial Denial Authority** – agency official who is delegated the authority to make release determinations of documents and information contained in documents requested under the FOIA on behalf of the agency.
- i. **Initial Request** – a request to a federal agency for access to records under the Freedom of Information Act.
- j. **Perjury Statement** – a signed (notarization is not required) statement executed under the penalty of law, usually associated with a request for the personal records of the requester, attesting that they are the individual who they say they are.

- k. **Proper Request** – a request that fits the definition of a FOIA request: reasonably describes the agency records being sought and cites a willingness to pay assessable fees or justifies the granting of a fee waiver. Proper requests do not use federal government resources in making the request – federal government requests for agency documents for official purposes are not FOIA requests.
- l. **Reasonably Described** – a request is reasonably described if it enables a professional agency employee familiar with the subject area to locate the record with a reasonable amount of effort. An appeal is reasonably described if it adequately describes the action taken by the agency regarding the request and the basis on why the action is not in compliance with the statute or agency regulation.
- m. **Referral** – transferring a FOIA request and/or document(s) that are under another agency’s purview to another entity for processing. This also includes redirecting a requester to the appropriate agency instead of referring the request.
- n. **Release** – an agency decision to disclose all records in full in response to a FOIA request. This sometimes is referred to as a “grant.”
- o. **Remanded** – a request that is returned to the initial denial authority for reconsideration of their release determination and further processing.
- p. **Request Disposition** – an agency determination to take one of four actions on requests for records:
  - i. Responsive records are released in full.
  - ii. Responsive records are released in part because some of the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions.
  - iii. Responsive records are denied in full because all of the information in the requested records is determined by the agency to be exempt under one or more of the FOIA exemptions.
  - iv. Determined by the agency not to process for other procedural reasons:
    - (1) No Records – After a thorough search of agency records, no records were found to be responsive to the FOIA request or within the scope of the FOIA request.
    - (2) Duplicate Request – The request is a duplicate of a previously submitted request by the same requester or organization represented by the requester.

- (3) Fee Related – Request is not processed because there were fee issues. For example, the requester was not willing to pay assessable FOIA processing fees or the requester had delinquent fees from previous FOIA requests.
  - (4) Request Withdrawn – Requester withdraws their request.
  - (5) Not Reasonably Described – sufficient information has not been provided for a professional agency employee familiar with the subject area to locate the record with a reasonable amount of effort.
  - (6) Not a Proper Request – the requester is asking questions posing as a FOIA request or a response would require the agency to create a record.
  - (7) Not an Agency Record – Documents requested in a FOIA request that are not maintained, or possibly originated, by the Department or its components.
  - (8) Referred to an Appropriate Agency – request for records that are not held by a Department agency and are more likely the documents of some other federal agency other than the Department.
- q. **Working Days** – days except Saturdays, Sundays, and federally recognized public holidays.
2. Basic Terms Used in This Report and in FOIA Training:
- a. **Administrative Appeal** – a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
  - b. **Average Number** – the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
  - c. **Backlog** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
  - d. **Component** – for agencies that process requests on a decentralized basis, a component is an entity, also sometimes referred to as an office, division, bureau, center, or directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.

- e. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b) (3) of the FOIA.
- g. **FOIA Request** – a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a third-party request) or concerning an organization or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., first-party requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act systems of records or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests that require the agency to use the FOIA in responding to the requester are included in this report. Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this report.)
- h. **Full Grant** – an agency determination to disclose all records in full in response to a FOIA request.
- i. **Full Denial** – an agency determination not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions or because of a procedural reason such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-track Processing** – a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first-in/first-out basis. The tracks are:

- i. **Expedited Processing** – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
  - ii. **Simple Request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of records requested.
  - iii. **Complex Request** – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of records requested.
- l. **Partial Grant / Partial Denial** – in response to a FOIA request, an agency determination to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- m. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
- n. **Perfected Request** – a request for records that reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed.
- o. **Processed Request or Processed Administrative Appeal** – action on the request or the appeal in all respects has been completed.
- p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
- q. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).
3. The Nine FOIA Exemptions:
- a. **Exemption 1:** classified national defense and foreign relations information
  - b. **Exemption 2:** internal agency rules and practices
  - c. **Exemption 3:** information that is prohibited from disclosure by another federal law
  - d. **Exemption 4:** trade secrets and other confidential business information
  - e. **Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges

- f. **Exemption 6:** information involving matters of personal privacy
- g. **Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
- h. **Exemption 8:** information relating to the supervision of financial institutions
- i. **Exemption 9:** geological information on wells

**IV. EXEMPTION 3 STATUTES**

Statute	Type of Information	Case Citation	Number of Times Relied Upon per Component	Total Number of Times Relied upon by Agency
41 U.S.C. § 4702(b)	Prohibition on Release of Contractor Proposals that have not been set forth or incorporated by reference into contract.	<u>Margolin v. NASA, No. 09-CV-00421-LRH-VPC, 2011 WL 1303221 at *6(D.Nev.Mar. 31, 2011); Hornbostel v DOI, 305 F Supp. 2d 21,30 (D.D.C. 2003)summary affirmance granted No. 035257, 2004 WL 1900562 (D.C.C. Aug 25, 2004)</u>	FSA: 7 M: 1	8
5 U.S.C. § 571	Communications relating to proceedings	n/a	OCR- Boston: 1 OCR- San Francisco: 1	2
44 U.S.C. § 3541	Security controls over information resources supporting Federal operations and systems	n/a	FSA: 1 M: 1	2

**V. INITIAL FOIA/PA ACCESS REQUESTS:**

**A. Received, Processed, and Pending FOIA/PA Requests:**

Component Offices		Number of Requests Pending as of Start of FY 2012	Number of Requests Received in FY 2012	Number of Requests Processed in FY 2012	Pending End of FY 2012
<b>ED Headquarters Offices</b>	FSA	35	335	328	42
	IES	5	35	38	2
	IES – NAGB	0	0	0	0
	OCFO	3	8	9	2
	M	65	118	138	45
	OCFO - CAM	23	64	80	7
	OCIO	1	3	3	1
	OCO	2	5	6	1
	OCR	8	100	101	7
	ODS	3	5	8	0
	OELA	3	3	6	0
	OESE	10	78	79	9
	OGC	6	7	12	1
	OIG	8	62	63	7
	OII	8	36	43	1
	OLCA	5	3	7	1
	OM	10	48	50	8
	OM-PIRMS	86	43	59	40
	OPE	21	158	157	22
	OPEPD	4	4	4	4
	OS	36	27	40	23
	OSDFS	4	4	8	0
	OSERS	16	29	43	2
OUS	1	8	9	0	
OVAE	0	5	5	0	
<b>OCR Field Office</b>	Boston	30	147	153	24
	New York	38	165	162	41
	Philadelphia	8	75	82	1
	Atlanta	6	77	66	17
	Chicago	9	131	135	5
	Dallas	7	82	81	8
	Kansas City	5	28	24	9
	Denver	5	49	52	2
	San Francisco	2	76	75	3
	Seattle	1	113	109	5
	District of Columbia	15	74	74	15
	Cleveland	0	41	37	4
	<b>ED Totals</b>		<b>459</b>	<b>2,246</b>	<b>2,346</b>

*The number of pending requests at the start of FY12 does not match the number of pending requests at the end of FY11 as reported in the previous year's Annual Report. More accurate reporting methods were used in FY12, which resulted in different number of pending requests.*

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B. Disposition of FOIA/PA Requests – All Processed Requests:

Component Offices	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL	
				No Records	Referred to Another Agency	Request Withdrawn	Fee-Related Reason	Not Reasonably Described	Improper for Other Reason	Not Agency Record	Duplicate Request	Other *Explain below		
ED Headquarters Offices	FSA	170	61	2	54	2	16	2	2	2	11	6	0	328
	IES	4	28	0	4	0	0	0	0	0	0	2	0	38
	IES – NAGB	0	0	0	0	0	0	0	0	0	0	0	0	0
	M	25	55	0	27	2	21	0	1	1	3	1	2	138
	OCFO	7	1	0	1	0	0	0	0	0	0	0	0	9
	OCFO – CAM	36	36	0	4	0	4	0	0	0	0	0	0	80
	OCIO	2	1	0	0	0	0	0	0	0	0	0	0	3
	OCO	2	1	0	3	0	0	0	0	0	0	0	0	6
	OCR	19	64	2	6	0	3	0	0	1	2	4	0	101
	ODS	4	1	1	1	0	0	0	0	0	1	0	0	8
	OELA	0	5	0	1	0	0	0	0	0	0	0	0	6
	OESE	9	48	0	15	0	3	0	0	0	2	2	0	79
	OGC	2	4	0	4	0	2	0	0	0	0	0	0	12
	OIG	7	19	12	19	0	4	0	0	0	0	2	0	63
	OII	11	25	0	5	1	1	0	0	0	0	0	0	43
	OLCA	3	1	0	1	0	2	0	0	0	0	0	0	7
	OM	11	26	1	6	0	2	0	0	0	0	0	0	50
	OM-PIRMS	22	16	0	1	0	11	0	1	1	7	0	0	59
	OPE	23	113	0	10	1	6	0	1	1	7	0	0	157
	OPEPD	2	1	0	0	0	1	0	0	0	0	0	0	4
	OS	13	21	0	0	0	5	0	0	0	0	1	0	40
	OSDFS	1	6	0	0	0	0	1	0	0	0	0	0	8
	OSERS	19	20	0	4	0	0	0	0	0	0	0	0	43
OUS	3	3	0	3	0	0	0	0	0	0	0	0	9	
OVAE	3	1	0	0	0	0	0	0	0	1	0	0	5	
OCR Field Offices	Boston	11	119	8	5	0	3	0	0	0	1	6	0	153
	New York	55	77	9	5	0	7	0	0	5	0	4	0	162
	Philadelphia	10	63	2	3	0	0	0	0	0	0	4	0	82
	Atlanta	17	36	7	3	0	2	0	0	0	0	1	0	66
	Chicago	76	41	1	6	0	9	0	1	1	0	0	0	135
	Dallas	30	34	11	1	0	2	0	3	0	0	0	0	81
	Kansas City	4	13	6	0	1	0	0	0	0	0	0	0	24
	Denver	5	21	16	4	0	1	0	1	1	0	1	2	52
	San Francisco	26	38	5	3	2	1	0	0	0	0	0	0	75
	Seattle	16	83	0	9	0	0	1	0	0	0	0	0	109
	District of Columbia	8	42	9	2	0	11	0	0	0	0	1	1	74
	Cleveland	16	10	4	1	0	5	0	0	0	0	0	1	37
<b>ED TOTAL</b>	<b>672</b>	<b>1,134</b>	<b>96</b>	<b>211</b>	<b>9</b>	<b>122</b>	<b>4</b>	<b>10</b>	<b>13</b>	<b>29</b>	<b>40</b>	<b>6</b>	<b>2,346</b>	

V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"

Component	Description of "Other" Reasons for Denials from Chart B (1)	Number of Times "Other Reason Was Relied Upon"	Component Total
M	Documents request were for litigation, judge dismissed case and need for documents	2	<b>2</b>
OCR-Denver	Glomar Response	1	<b>1</b>
OCR-Cleveland	Glomar Responses	2	<b>2</b>
OCR-Metro	Glomar Response	1	<b>1</b>
<b>Agency Overall</b>			<b>6</b>

C. Disposition of FOIA/PA Requests – Number of Times Exemptions Applied:

Component Offices		Exemption												
		1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8/9
ED Headquarters Offices	FSA	0	2	8	15	23	43	1	0	0	1	4	0	0
	IES	0	0	0	19	1	25	0	0	3	0	0	0	0
	IES – NAGB	0	0	0	0	0	0	0	0	0	0	0	0	0
	M	0	1	2	10	21	42	0	0	5	0	0	0	0
	OCFO	0	0	0	1	0	0	0	0	0	0	0	0	0
	OCFO – CAM	0	0	0	29	0	22	0	0	0	0	0	0	0
	OCIO	0	0	0	0	1	1	0	0	0	0	0	0	0
	OCO	0	0	0	0	0	1	0	0	0	0	0	0	0
	OCR	0	1	0	1	8	28	8	0	52	0	0	0	0
	ODS	0	0	0	2	2	0	0	0	0	0	0	0	0
	OELA	0	0	0	3	0	3	0	0	0	0	0	0	0
	OESE	0	0	0	26	9	46	1	0	1	0	0	0	0
	OGC	0	0	0	1	2	2	0	0	0	0	0	0	0
	OIG	0	1	0	1	4	15	3	0	2	0	0	0	0
	OII	0	0	0	15	0	22	0	0	0	0	0	0	0
	OLCA	0	0	0	0	1	1	0	0	0	0	0	0	0
	OM	0	0	0	1	0	23	0	0	0	0	0	0	0
	OM-PIRMS	0	1	0	18	4	42	1	0	4	0	0	0	0
	OPE	0	0	0	88	3	95	1	0	4	0	0	0	0
	OPEPD	0	0	0	0	1	1	0	0	0	0	0	0	0
	OS	0	0	0	1	3	20	0	0	0	0	0	0	0
OSDFS	0	0	0	1	0	6	0	0	0	0	0	0	0	
OSERS	0	0	0	11	2	19	0	0	0	0	0	0	0	
OUS	0	0	0	0	2	3	0	0	0	0	0	0	0	
OVAE	0	0	0	1	0	1	0	0	0	0	0	0	0	
OCR Field Offices	Boston	0	0	1	1	12	9	15	0	102	0	0	0	0
	New York	0	1	0	0	1	8	14	5	44	0	1	0	0
	Philadelphia	0	1	0	0	5	1	4	0	49	0	0	0	0
	Atlanta	0	0	0	0	3	1	6	0	1	1	0	0	0
	Chicago	0	0	0	0	3	3	19	0	4	0	0	0	0
	Dallas	0	0	0	1	1	3	3	0	5	0	0	0	0
	Kansas City	0	0	0	0	4	2	7	0	5	0	0	0	0
	Denver	0	6	0	0	12	30	8	0	1	0	0	0	0
	San Francisco	0	0	1	0	5	42	1	0	4	0	0	0	0
	Seattle	0	0	0	0	8	2	31	0	80	0	0	0	0
	District of Columbia	0	0	0	0	8	3	5	0	52	0	0	0	0
	Cleveland	0	0	0	0	1	5	5	0	9	0	0	0	0
	<b>ED TOTAL</b>		<b>0</b>	<b>14</b>	<b>12</b>	<b>246</b>	<b>150</b>	<b>570</b>	<b>133</b>	<b>5</b>	<b>427</b>	<b>2</b>	<b>11</b>	<b>0</b>

## VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA/PA REQUESTS:

### A. Received, Processed, and Pending Administrative Appeals

Component	Number of Appeals Pending at Start of FY 2011	Number of Appeals Received in FY 2011	Number of Appeals Processed in FY 2011	Number of Appeals Pending as of End of FY 2011
OM-PIRMS	41	25	34	32

The number of pending appeals at the start of FY12 does not match the number of pending appeals at the end of FY11 as reported in the previous year's Annual Report. More accurate reporting methods were used in FY12, which resulted in different number of pending appeals.

### B. Disposition of Administrative Appeals – All Processed Appeals

Component	Number of (initial determinations) Affirmed on Appeal	Number of (initial determinations) Partially Affirmed & Partially Reversed/Remanded on Appeal	Number of (initial determinations) Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	Total
OM-PIRMS	18	7	4	5	34

### C.1. Reasons for Denial on Appeal – Number of Times Exemptions Applied.

EX 1	EX 2	EX 3	EX 4	EX 5	EX 6	EX 7(A)	EX 7(B)	EX 7(C)	EX 7(D)	EX 7(E)	EX 7(F)	EX 8	EX 9
0	1	0	1	4	8	4	0	13	0	1	0	0	0

### C.2. Reasons for Denial on Appeal – Reasons Other than Exemptions.

No records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
2	0	2	0	0	0	0	0	1	0	0

### C.3. "Other" Reasons for Denial on Appeal – N/A

Component	Description of "Other" Reason for Denial on Appeal from Chart C(2)	Number of Times "Other" Relied Upon	Component Total
OM-PIRMS	Actions completed, documents can now be released. Appeal Moot.	0	0

### C.4. Response Time for (closed) Administrative Appeals

Number of Business Days			
Median	Average	Lowest	Highest
230	268	12	729

### C.5. Ten Oldest Pending Administrative Appeals

	10 <sup>th</sup> Oldest Appeal	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	Oldest Appeal
Date of Receipt of Ten Oldest Appeals	12/15/2010	11/26/2010	11/17/2010	10/28/2010	2/2/2010	11/17/2009	11/9/2009	10/30/2009	5/7/2009	5/5/2009
Number of (business) Days Pending	468	481	488	502	694	749	755	761	887	889

**VII. FOIA/PA REQUESTS: Response Time for Processed and Pending Requests**

**A. Processed Requests – Response Time for All Processed Perfected Requests**

Component Offices	SIMPLE – Number of Business Days				COMPLEX – Number of Business Days				EXPEDITED – Number of Business Days				
	Media n	Average	Lowest	Highest	Media n	Average	Lowest	Highest	Media n	Average	Lowest	Highest	
ED Headquarters Offices	FSA	32	38.7	1	343	39.5	84.84	1	424	32	32	32	32
	IES	29	38.87	0	160	44	98.71	26	267	0	0	0	0
	IES – NAGB	0	0	0	0	0	0	0	0	0	0	0	0
	OCFO	31	39.33	15	72	131	141.5	10	299	0	0	0	0
	M	39	114.93	0	730	107.5	151.52	4	23	85.5	119.5	44	263
	OCFO – CAM	30.5	45	5	205	116.5	140.2	37	422	0	0	0	0
	OCIO	0	0	0	0	52	52.33	30	75	0	0	0	0
	OCO	75	75	75	75	206	219.4	37	583	0	0	0	0
	OCR	25	25.42	0	102	53	66.78	0	240	0	0	0	0
	ODS	26	122.6	2	547	294	240.66	14	414	0	0	0	0
	OELA	24	19.2	6	27	279	279	279	279	0	0	0	0
	OESE	29.5	35.6	3	130	61	119.63	18	684	0	0	0	0
	OGC	72	76.66	49	100	277	274.44	15	850	0	0	0	0
	OIG	13	18.15	0	261	161	145.83	10	300	0	0	0	0
	OII	27.5	18.4	3	58	52	125.61	6	297	0	0	0	0
	OLCA	33	33	33	33	123	112.33	36	152	0	0	0	0
	OM	21	24.48	0	150	66	80.63	5	334	0	0	0	0
	OM-PIRMS	9	33.56	8	366	161	186.83	8	376	0	0	0	0
	OPE	28	30.07	3	150	58	86.23	12	347	0	0	0	0
	OPEPD	52	52	52	52	349	392	273	556	0	0	0	0
OS	602	395	9	724	151	183.8	49	635	123	122.33	108	136	
OSDFS	20.5	31.5	8	93	135.5	135.5	131	140	0	0	0	0	
OSERS	28.5	26.1	7	51	49	67.61	21	228	0	0	0	0	
OUS	46	46	43	48	46.5	151	45	466	0	0	0	0	
OVAE	18	21.8	14	33	0	0	0	0	0	0	0	0	
OCR Field Offices	Boston	29.5	64.27	1	674	107	197.3	44	634	0	0	0	0
	New York	19	52.83	0	438	182	200.67	17	663	0	0	0	0
	Philadelphia	9	9.9	0	30	30	64.22	14	264	10	10	0	20
	Atlanta	16.5	27.31	0	185	21	39	11	89	0	0	0	0
	Chicago	18	14.7	0	28	20	20	20	20	0	0	0	0
	Dallas	19	18.85	0	43	19	21.47	0	63	0	0	0	0
	Kansas City	18	33.65	1	147	227	227	227	227	0	0	0	0
	Denver	7	9.65	0	29	3	7	3	15	0	0	0	0
	San Francisco	3	6.54	0	26	9	11.63	3	30	0	0	0	0
	Seattle	6	7.91	0	59	47	463/	3	53	0	0	0	0
	District of Columbia	10.5	18.27	1	98	74.5	110.13	5	325	0	0	0	0
	Cleveland	17	15.39	1	39	25	66.75	18	199	0	0	0	0
<b>ED Totals</b>	<b>19</b>	<b>35.71</b>	<b>0</b>	<b>724</b>	<b>63</b>	<b>108</b>	<b>0</b>	<b>684</b>	<b>81.5</b>	<b>91.8</b>	<b>0</b>	<b>263</b>	

B. Processed Requests – Response Time for Perfected Requests in Which Information Was Granted

Component Offices	SIMPLE – Number of Business Days				COMPLEX – Number of Business Days				EXPEDITED – Number of Business Days				
	Media n	Average	Lowest	Highest	Media n	Average	Lowest	Highest	Media n	Average	Lowest	Highest	
ED Headquarters Offices	FSA	32	38.76	1	343	70	91.9	7	360	32	32	32	32
	IES	32	42.68	5	160	44	98.71	26	267	0	0	0	0
	IES – NAGB	0	0	0	0	0	0	0	0	0	0	0	0
	M	31	114.93	0	730	154.5	177.3	4	523	55	71.66	44	116
	OCFO	31	39.33	15	72	198	167.8	39	299	0	0	0	0
	OCFO – CAM	33	46.66	5	205	108.5	140.29	37	442	0	0	0	0
	OCIO	0	0	0	0	52	52.33	30	75	0	0	0	0
	OCO	75	75	75	75	230	284.66	41	583	0	0	0	0
	OCR	26.5	26.1	0	70	53	64.56	12	240	0	0	0	0
	ODS	26	193	6	547	214	214	14	414	0	0	0	0
	OELA	24.5	22.5	14	27	279	279	279	279	0	0	0	0
	OESE	32	39.65	7	130	53	110.29	18	684	0	0	0	0
	OGC	72	72	72	72	169	188.4	38	425	0	0	0	0
	OIG	7.5	8.56	5	43	161	144	10	281	0	0	0	0
	OII	27	26.64	3	58	95	143.9	16	283	0	0	0	0
	OLCA	33	33	33	33	111	92	36	129	0	0	0	0
	OM	53	65.42	2	105	66	68.26	5	193	0	0	0	0
	OM-PIRMS	19.5	41.12	0	366	94	126.42	8	374	0	0	0	0
	OPE	30	35.08	5	109	62	84.08	15	280	0	0	0	0
	OPEPD	52	52	52	52	311	311	279	349	0	0	0	0
OS	103	229.28	9	635	143.5	153.04	49	615	123	122.33	108	136	
OSDFS	19	33.4	8	93	135.5	135.5	131	140	0	0	0	0	
OSERS	28.5	26.1	7	51	49	51.78	21	208	0	0	0	0	
OUS	46	45.75	43	46	257	257	48	466	0	0	0	0	
OVAE	22	23.75	18	33	0	0	0	0	0	0	0	0	
OCR Field Offices	Boston	31	59.89	1	674	145	218	44	634	0	0	0	0
	New York	19	52.82	0	438	182	230.36	17	663	0	0	0	0
	Philadelphia	9	9.9	0	30	30	64.22	14	264	10	10	0	20
	Atlanta	22	31.95	0	185	23	44.6	15	86	0	0	0	0
	Chicago	18	15.03	0	23	20	20	20	20	0	0	0	0
	Dallas	19	19.47	3	43	20	23.3	5	63	0	0	0	0
	Kansas City	20	23.4	1	147	227	227	227	227	0	0	0	0
	Denver	15	13.92	3	28	15	15	15	15	0	0	0	0
	San Francisco	3	6.76	0	26	23.5	19.94	3	30	0	0	0	0
	Seattle	6	8	0	26	14	13.8	3	53	0	0	0	0
	District of Columbia	14	21.2	2	98	82	177.16	28	325	0	0	0	0
	Cleveland	17.5	17.45	1	29	25	66.75	18	199	0	0	0	0
<b>ED Totals</b>	<b>20</b>	<b>34.75</b>	<b>0</b>	<b>678</b>	<b>65.5</b>	<b>108</b>	<b>0</b>	<b>684</b>	<b>55</b>	<b>72.77</b>	<b>0</b>	<b>263</b>	

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C.1. Processed Requests – Response Time in (Business) Day Increments: **Simple Requests**

Component Offices		1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401+	TOTAL	
ED Headquarters Offices	FSA	65	81	50	10	3	3	2	2	2	1	1	0	0	220	
	IES	7	14	6	1	1	0	0	2	0	0	0	0	0	31	
	IES – NAGB	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	M	11	7	2	4	1	1	0	0	0	0	0	0	0	4	30
	OCFO	1	1	0	1	0	0	0	0	0	0	0	0	0	0	3
	OCFO – CAM	13	14	7	7	2	1	0	1	0	0	0	1	0	0	46
	OCIO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	OCO	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
	OCR	32	27	11	2	0	1	0	0	0	0	0	0	0	0	73
	ODS	2	2	0	0	0	0	0	0	0	0	0	0	0	1	5
	OELA	2	3	0	0	0	0	0	0	0	0	0	0	0	0	5
	OESE	19	21	11	5	2	0	2	0	0	0	0	0	0	0	60
	OGC	0	0	1	1	1	0	0	0	0	0	0	0	0	0	3
	OIG	41	8	1	0	0	0	0	0	0	0	0	1	0	0	51
	OII	13	14	3	0	0	0	0	0	0	0	0	0	0	0	30
	OLCA	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	OM	15	11	3	0	1	1	0	0	0	0	0	0	0	0	31
	OM-PIRMS	28	5	2	2	2	0	0	0	0	0	0	1	2	0	42
	OPE	34	59	20	3	5	5	0	1	0	0	0	0	0	0	127
	OPEPD	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
OS	1	0	2	0	0	1	0	1	0	0	0	0	0	6	11	
OSDFS	3	2	0	0	1	0	0	0	0	0	0	0	0	0	6	
OSERS	6	13	3	0	0	0	0	0	0	0	0	0	0	0	22	
OUS	0	0	5	0	0	0	0	0	0	0	0	0	0	0	5	
OVAE	3	2	0	0	0	0	0	0	0	0	0	0	0	0	5	
OCR Field Offices	Boston	51	30	14	17	10	5	3	0	0	1	3	2	4	140	
	New York	76	25	16	6	4	2	3	1	0	2	7	3	2	147	
	Philadelphia	65	6	0	0	0	0	0	0	0	0	0	0	0	71	
	Atlanta	34	11	10	3	0	0	1	0	0	1	0	0	0	60	
	Chicago	120	14	0	0	0	0	0	0	0	0	0	0	0	134	
	Dallas	32	14	1	0	0	0	0	0	0	0	0	0	0	47	
	Kansas City	13	5	1	2	0	0	1	1	0	0	0	0	0	23	
	Denver	46	3	0	0	0	0	0	0	0	0	0	0	0	49	
	San Francisco	48	5	0	0	0	0	0	0	0	0	0	0	0	53	
	Seattle	59	1	0	0	0	0	0	0	0	0	0	0	0	60	
	District of Columbia	29	11	2	1	1	0	0	0	0	0	0	0	0	44	
	Cleveland	28	5	0	0	0	0	0	0	0	0	0	0	0	33	
	<b>ED Totals</b>		<b>897</b>	<b>415</b>	<b>172</b>	<b>65</b>	<b>34</b>	<b>20</b>	<b>12</b>	<b>10</b>	<b>2</b>	<b>5</b>	<b>14</b>	<b>7</b>	<b>17</b>	<b>1,670</b>

C.2. Processed Requests – Response Time in (Business) Day Increments:  
**Complex Requests**

Component Offices		1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401+	TOTAL
ED Headquarters Offices	FSA	9	24	21	12	10	5	8	3	2	5	5	2	1	107
	IES	0	3	1	0	1	0	0	0	0	1	1	0	0	7
	IES – NAGB	0	0	0	1	0	0	1	0	0	0	0	0	0	2
	M	7	12	11	12	9	5	4	5	8	2	14	7	8	104
	OCFO	1	1	0	1	0	0	0	0	0	1	2	0	0	6
	OCFO – CAM	0	1	3	5	6	3	2	6	0	0	7	0	1	34
	OCIO	0	1	1	1	0	0	0	0	0	0	0	0	0	3
	OCO	0	1	1	0	0	0	0	0	0	0	2	0	1	5
	OCR	4	6	6	6	2	1	0	0	2	0	1	0	0	28
	ODS	1	0	0	0	0	0	0	0	0	0	1	0	1	3
	OELA	0	0	0	0	0	0	0	0	0	0	1	0	0	1
	OESE	2	2	5	2	2	0	2	1	0	0	1	1	1	19
	OGC	1	0	2	1	0	0	0	0	1	0	1	1	2	9
	OIG	3	0	0	0	0	1	1	1	2	1	3	0	0	12
	OII	2	2	3	0	1	0	0	0	0	0	5	0	0	13
	OLCA	0	1	0	0	0	1	3	1	0	0	0	0	0	6
	OM	3	3	4	3	1	0	0	0	1	1	0	1	0	17
	OM-PIRMS	2	1	1	1	1	1	2	0	0	0	2	5	1	17
	OPE	5	6	4	5	2	1	1	2	0	0	3	1	0	30
	OPEPD	0	0	0	0	0	0	0	0	0	0	1	1	1	3
OS	0	0	2	2	1	4	3	3	2	3	3	0	3	26	
OSDFS	0	0	0	0	0	0	2	0	0	0	0	0	0	2	
OSERS	5	12	0	0	0	0	1	1	0	0	2	0	0	21	
OUS	0	0	3	0	0	0	0	0	0	0	0	0	1	4	
OVAE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
OCR Field Offices	Boston	0	0	2	0	3	2	0	2	0	0	1	2	1	13
	New York	1	0	1	2	1	1	0	1	0	1	5	0	2	15
	Philadelphia	2	4	0	1	1	0	0	0	0	0	1	0	0	9
	Atlanta	3	1	0	1	1	0	0	0	0	0	0	0	0	6
	Chicago	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	Dallas	22	9	1	2	0	0	0	0	0	0	0	0	0	34
	Kansas City	0	0	0	0	0	0	0	0	0	0	1	0	0	1
	Denver	3	0	0	0	0	0	0	0	0	0	0	0	0	3
	San Francisco	20	2	0	0	0	0	0	0	0	0	0	0	0	22
	Seattle	47	1	1	0	0	0	0	0	0	0	0	0	0	47
	District of Columbia	1	4	9	1	3	2	1	2	1	0	5	1	0	30
Cleveland	2	1	0	0	0	0	0	0	0	1	0	0	0	4	
<b>ED Totals</b>		<b>147</b>	<b>98</b>	<b>82</b>	<b>58</b>	<b>45</b>	<b>27</b>	<b>30</b>	<b>28</b>	<b>19</b>	<b>16</b>	<b>68</b>	<b>22</b>	<b>24</b>	<b>664</b>

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C.3. Processed Requests – Response Time in (Business) Day Increments: **Requests Granted Expedited Processing**

Component Offices		1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401+	TOTAL	
ED Headquarters Offices	FSA	0	0	1	0	0	0	0	0	0	0	0	0	0	1	
	IES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	IES – NAGB	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	M	0	0	2	0	0	1	0	0	0	0	1	0	0	4	
	OCFO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OCFO – CAM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OCIO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OCO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OCR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	M															
	OELA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OESE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OGC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OII	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OLCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OM	2	0	0	0	0	0	0	0	0	0	0	0	0	2	
	OM-PIRMS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OPE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OPEPD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
OS	0	0	0	0	0	1	2	0	0	0	0	0	0	3		
OSDFS	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
OSERS	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
OUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
OVAE	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
OCR Field Offices	Boston	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	New York	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Philadelphia	2	0	0	0	0	0	0	0	0	0	0	0	0	2	
	Atlanta	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Chicago	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Dallas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Kansas City	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Denver	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
	San Francisco	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Seattle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	District of Columbia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Cleveland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	<b>ED Totals</b>	<b>4</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>12</b>	

**C.4. Pending Requests – All Pending Perfected Requests**

Component Offices		SIMPLE			COMPLEX			EXPEDITED		
		Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
ED Headquarters Offices	FSA	28	31	30	14	26	31	0	0	0
	IES	0	0	0	2	5	5	0	0	0
	IES – NAGB	0	0	0	0	0	0	0	0	0
	M	5	22	22	40	47	100	0	0	0
	OCFO	2	43	43	0	0	0	0	0	0
	OCFO – CAM	4	39	67	3	49	77	0	0	0
	OCIO	1	25	25	0	0	0	0	0	0
	OCO	1	119	119	0	0	0	0	0	0
	OCR	3	17	16	4	14	108	0	0	0
	ODS	0	0	0	0	0	0	0	0	0
	OELA	0	0	0	0	0	0	0	0	0
	OESE	3	72	56	6	78	105	0	0	0
	OGC	1	7	7	0	0	0	0	0	0
	OIG	4	45	47	3	119	179	0	0	0
	OII	0	0	0	1	83	83	0	0	0
	OLCA	1	35	35	0	0	0	0	0	0
	OM	4	11	15	4	29	29	0	0	0
	OM-PIRMS	17	58	64	21	85	107	2	197	197
	OPE	9	22	32	13	66	72	0	0	0
	OPEPD	2	17	17	2	26	26	0	0	0
	OS	4	83	222	19	395	319	0	0	0
	OSDFS	0	0	0	0	0	0	0	0	0
	OSERS	1	180	180	1	4	4	0	0	0
OUS	0	0	0	0	0	0	0	0	0	
OVAE	0	0	0	0	0	0	0	0	0	
OCR Regional Offices	Boston	24	61	63	0	0	0	0	0	0
	New York	33	40	59	8	89	99	0	0	0
	Philadelphia	0	0	0	1	236	236	0	0	0
	Atlanta	15	33	45	2	162	162	0	0	0
	Chicago	5	8	10	0	0	0	0	0	0
	Dallas	3	19	22	5	9	11	0	0	0
	Kansas City	4	107	98	5	108	123	0	0	0
	Denver	1	7	7	1	10	10	0	0	0
	San Francisco	2	10	10	1	7	7	0	0	0
	Seattle	0	0	0	5	6	6	0	0	0
	District of Columbia	8	30	30	7	126	125	0	0	0
	Cleveland	3	80	63	1	30	30	0	0	0
	<b>ED Totals</b>		<b>188</b>	<b>33</b>	<b>37</b>	<b>169</b>	<b>48</b>	<b>56</b>	<b>2</b>	<b>197</b>

C.5. Pending Requests – Ten Oldest Pending Perfected Requests

Component Offices	10 <sup>th</sup> Oldest Request and number of Days Pending	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	Oldest Request and Number of Days Pending	
IES - NAGBED Headquarters Offices	FSA	7/31/12 44	7/26/12 47	7/26/12 47	7/26/12 47	7/20/12 51	7/18/12 53	7/13/12 56	7/5/12 62	6/18/12 75	5/1/12 109
	IES	N/A	9/25/12 4	9/24/12 5							
	IES – NAGB	N/A	N/A								
	M	5/2/12 108	4/10/12 124	4/5/12 127	4/4/12 128	3/14/12 143	12/14/11 208	12/9/11 211	7/26/10 570	7/6/10 584	8/3/09 825
	OCFO	N/A	8/15/12 33	7/19/12 52							
	OCFO – CAM	N/A	N/A	N/A	9/19/12 8	8/16/12 32	8/9/12 33	8/6/12 40	7/24/12 49	2/23/12 157	1/31/12 174
	OCIO	N/A	8/27/12 25								
	OCO	N/A	4/17/12 119								
	OCR	N/A	N/A	N/A	9/28/12 1	9/20/12 7	9/14/12 11	9/6/12 17	9/6/12 17	8/20/12 30	3/25/11 396
	ODS	N/A	N/A								
	OELA	N/A	N/A								
	OESE	N/A	9/26/12 3	9/17/12 10	9/4/12 19	7/31/12 44	6/21/12 72	5/23/12 93	4/27/12 111	1/30/12 175	9/15/12 272
	OGC	N/A	9/20/12 7								
	OIG	N/A	N/A	N/A	9/4/12 19	8/28/12 23	8/6/12 40	7/23/12 50	6/13/12 78	4/17/12 119	3/29/11 394
	OII	N/A	6/6/12 83								
	OLCA	N/A	8/13/12 35								
	OM	N/A	N/A	9/28/12 1	9/26/12 3	9/19/12 8	9/11/12 14	9/4/12 19	8/10/12 36	8/7/12 39	7/10/12 59
	OM-PIRMS	4/3/12 129	3/20/12 139	3/6/12 149	2/1/12 173	1/25/12 178	1/5/12 192	12/22/11 202	11/4/11 236	8/4/11 297	7/26/11 309
	OPE	7/19/12 52	6/29/12 66	6/29/12 66	6/19/12 74	5/11/12 101	5/11/12 101	5/8/12 104	5/1/12 109	3/20/12 139	11/2/12 238
	OPEPD	N/A	N/A	N/A	N/A	N/A	N/A	9/13/12 12	9/6/12 17	8/30/12 22	8/14/12 34
OS	3/28/11 395	3/28/11 395	3/28/12 395	2/23/11 418	1/3/11 455	11/15/10 490	10/18/10 510	9/7/10 539	8/30/10 545	2/24/10 678	
OSDFS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
OSERS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9/25/12 4	1/23/12 180	
OUS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
OVAE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	

**C.5. Pending Requests – Ten Oldest Pending Perfected Requests  
(Continued)**

<b>Component Offices</b>		10 <sup>th</sup> Oldest Request and number of Days Pending	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	Oldest Request and Number of Days Pending
<b>OCR Regional Offices</b>	Boston	6/4/12 85	6/1/12 86	5/25/12 91	5/24/12 92	5/16/12 98	5/7/12 105	4/24/12 114	4/23/12 115	3/19/12 140	1/6/12 191
	New York	4/19/12 117	4/12/12 122	3/27/12 134	3/21/12 138	2/27/12 155	2/14/12 164	2/14/12 164	1/27/12 176	12/7/11 213	10/11/11 254
	Philadelphia	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	11/04/11 236
	Atlanta	8/15/12 33	8/15/12 33	8/1/12 43	7/30/12 45	6/14/12 77	5/31/12 87	4/24/12 114	4/19/12 117	4/19/12 125	10/20/11 247
	Chicago	N/A	N/A	N/A	N/A	N/A	9/25/12 4	9/20/12 7	9/19/12 8	9/10/12 15	9/10/12 15
	Dallas	N/A	N/A	9/24/12 5	9/19/12 8	9/18/12 9	9/13/12 12	9/11/12 14	9/6/12 17	9/4/12 19	8/14/12 34
	Kansas City	N/A	9/18/12 9	8/22/12 28	7/25/12 48	7/19/12 52	5/2/12 108	2/9/12 167	2/9/12 167	1/5/12 192	11/8/11 234
	Denver	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9/20/12 7	9/17/12 13
	San Francisco	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9/20/12 7	9/20/12 7	9/12/12 13
	Seattle	N/A	N/A	N/A	N/A	N/A	9/27/12 2	9/27/12 2	9/21/12 6	9/18/12 9	9/17/12 10
	District of Columbia	8/16/12 32	8/16/12 32	7/19/12 52	7/11/12 58	5/20/12 89	5/10/12 101	4/6/12 126	3/8/12 147	1/25/12 178	12/12/11 210
	Cleveland	N/A	N/A	N/A	N/A	N/A	N/A	9/28/12 1	8/20/12 30	6/11/12 80	5/30/12 107
<b>ED Totals</b>		<b>2/23/11 418</b>	<b>1/3/11 455</b>	<b>11/15/10 490</b>	<b>10/18/10 510</b>	<b>9/7/10 539</b>	<b>8/30/10 545</b>	<b>7/26/10 570</b>	<b>7/6/10 584</b>	<b>2/24/10 678</b>	<b>8/3/09 825</b>

**VII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER**

**A. Requests for Expedited Processing\***

Component Offices		Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
<b>ED Headquarters Offices</b>	FSA	1	0	1	1	1
	IES	0	0	0	0	0
	IES – NAGB	0	0	0	0	0
	M	2	0	.5	.5	2
	OCFO	0	0	0	0	0
	OCFO – CAM	0	0	0	0	0
	OCIO	0	0	0	0	0
	OCO	0	0	0	0	0
	OCR	0	1	1	1	1
	ODS	0	0	0	0	0
	OELA	0	0	0	0	0
	OESE	0	0	0	0	0
	OGC	0	0	0	0	0
	OIG	0	0	0	0	0
	OII	0	0	0	0	0
	OLCA	0	0	0	0	0
	OM	0	0	0	0	0
	OM – PIRMS	2	3	1	2.4	4
	OPE	0	0	0	0	0
	OPEPD	0	0	0	0	0
	OS	3	1	1	.75	4
	OSDFS	0	0	0	0	0
	OSERS	0	0	0	0	0
	OUS	0	0	0	0	0
OVAE	0	0	0	0	0	
<b>OCR Field Office</b>	Boston	0	0	0	0	0
	New York	0	0	0	0	0
	Philadelphia	2	3	1	2.4	5
	Atlanta	0	1	1	1	1
	Chicago	0	0	0	0	0
	Dallas	0	0	0	0	0
	Kansas City	0	0	0	0	0
	Denver	0	0	0	0	0
	San Francisco	0	0	0	0	0
	Seattle	0	0	0	0	0
	District of Columbia	0	0	0	0	0
	Cleveland	0	0	0	0	0
<b>ED Totals</b>		<b>11</b>	<b>7</b>	<b>1</b>	<b>.98</b>	<b>18</b>

\*The Department of Education has a centralized processing program for all Headquarters programs. The OM-RIMS Office adjudicates requests for expedited processing and issues determination letters.

B. Requests for Fee Waiver\*

Component Offices		Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
<b>ED Headquarters Offices</b>	FSA	8	9	5	17.24
	IES	0	4	5	13.5
	IES – NAGB	0	0	0	0
	M	8	3	6.5	55.28
	OCFO	1	0	299	299
	OCFO – CAM	0	0	0	0
	OCIO	1	0	52	52
	OCO	0	0	0	0
	OCR	3	3	10.5	67.17
	ODS	1	0	424	424
	OELA	0	0	0	0
	OESE	1	1	69	69
	OGC	2	0	22.5	22.5
	OIG	1	1	2.5	2.5
	OII	0	0	0	0
	OLCA	0	0	0	0
	OM	1	0	5	5
	OM – PIRMS	5	4	5	26.44
	OPE	1	4	4	22
	OPEPD	0	0	0	0
	OS	2	1	101	74.67
	OSDFS	0	0	0	0
	OSERS	0	1	38	38
	OUS	0	0	0	0
	OVAE	0	0	0	0
<b>OCR Field Office</b>	Boston	0	1	1	1
	New York	1	0	12	12
	Philadelphia	1	0	1	1
	Atlanta	0	0	0	0
	Chicago	2	0	11.5	11.5
	Dallas	0	0	0	0
	Kansas City	0	2	6.5	6.5
	Denver	0	2	4	4
	San Francisco	3	3	1	2
	Seattle	0	0	0	0
	District of Columbia	0	0	0	0
	Cleveland	0	1	176	176
<b>ED Totals</b>		<b>40</b>	<b>40</b>	<b>6.5</b>	<b>55.28</b>

\*The Department of Education has a centralized processing program for all Headquarters programs. The OM-RIMS Office adjudicates requests for fee waivers and issues determination letters.

**IX. FOIA PERSONNEL AND COSTS**

Component Offices		A. PERSONNEL			B. COSTS		
		Number of Full-Time FOIA Employees	Number of Equivalent Full-Time FOIA Employees	Total Number of Full-Time FOIA Staff	Processing Costs	Litigation-Related Costs	Total Costs
FOIA Processing License		N/A	N/A	N/A	N/A	N/A	N/A
ED Headquarters Programs	FSA	0	3.75	3.75	\$318,466.00	0.00	\$318,466.00
	IES	0	.85	.85	\$112,000.00	0.00	\$112,000.00
	IES – NAGB	0	0	0	\$0.00	0.00	\$0.00
	M	0	0	0	\$0.00	0.00	\$0.00
	OCFO	0	.25	.25	\$16,106.75	0.00	\$16,106.75
	OCFO – CAM	0	.35	.35	\$22,553.65	0.00	\$22,553.65
	OCIO	0	.5	.5	\$32,219.50	0.00	\$32,219.50
	OCO	0	.02	.02	\$4,482.42	0.00	\$4,482.42
	OCR	0	2.05	2.05	\$117,288.00	0.00	\$117,288.00
	ODS	0	.2	.2	\$12,493.40	0.00	\$12,493.40
	OELA	0	.01	.01	\$927.00	0.00	\$927.00
	OESE	0	.13	.13	\$25,900.00	0.00	\$25,900.00
	OGC	0	1.2	1.2	\$164,399.90	\$5,789.00	\$170,188.90
	OIG	0	.03	.03	\$2,620.50	0.00	\$2,620.50
	OII	0	.44	.44	\$67,438.00	0.00	\$67,438.00
	OLCA	0	0	0	\$0.00	0.00	\$0.00
	OM	0	2	0	\$224,553.00	\$72,317.00	\$296,870.00
	OM – PIRMS	9	0	9	\$911,062.00	0.00	\$911,062.00
	OPE	0	.2	.2	\$17,969.20	0.00	\$17,969.20
	OPEPD	0	.2	.2	\$20,180.80	0.00	\$20,180.80
	OS	0	.09	.09	\$22,714.38	0.00	\$22,714.38
OSDFS	0	0	0	\$0.00	0.00	\$0.00	
OSERS	0	1	1	\$78,964.37	0.00	\$78,964.37	
OUS	0	.2	.2	\$22,877.00	0.00	\$22,877.00	
OVAE	0	.029	.029	\$3,613.00	0.00	\$3,613.00	
OCR Regional Offices	Boston	0	1.8	1.8	\$161,008.02	0.00	\$161,008.02
	New York	0	.04	.04	\$7,017.51	0.00	\$7,017.51
	Philadelphia	0	1.25	1.25	\$104,164.40	0.00	\$104,164.40
	Atlanta	0	2.45	2.45	\$190,091.15	0.00	\$190,091.15
	Chicago	0	2.6	2.6	\$198,775.20	0.00	\$198,775.20
	Dallas	0	.14	.14	\$16,914.18	0.00	\$16,914.18
	Kansas City	0	.35	.35	\$40,869.12	0.00	\$40,869.12
	Denver	0	3.4	3.4	\$11,525.38	0.00	\$11,525.38
	San Francisco	0	.3	.3	\$21,095.70	0.00	\$21,095.70
	Seattle	0	.25	.25	\$21,123.40	0.00	\$21,123.40
	District of Columbia	0	4	4	\$87,350.00	0.00	\$87,350.00
	Cleveland	0	.01	.01	\$6,549.69	0.00	\$6,549.69
<b>ED Totals</b>		<b>9</b>	<b>30.089</b>	<b>39.089</b>	<b>\$3,065,312.62</b>	<b>\$78,106.00</b>	<b>\$3,143,418.62</b>

**X. FEES COLLECTED FOR PROCESSING REQUESTS\***

Component Offices		Total Amount of Fees Collected	Percentage of Total Costs
ED Headquarters Offices	FSA	\$190.26	0.57%
	IES	\$402.58	4.73%
	IES – NAGB	\$0.00	0.00%
	M	\$0.00	0.00%
	OCFO	\$0.00	0.00%
	OCFO – CAM	\$151.91	4.42%
	OCIO	\$0.00	0.00%
	OCO	\$0.00	0.00%
	OCR	\$0.00	0.00%
	ODS	\$0.00	0.00%
	OELA	\$0.00	0.00%
	OESE	\$0.00	0.00%
	OGC	\$0.00	0.00%
	OIG	\$0.00	0.00%
	OII	\$0.00	0.00%
	OLCA	\$0.00	0.00%
	OM	\$0.00	0.00%
	OM – PIRMS	\$5,186.19	91.94%
	OPE	\$55.55	1.36%
	OPEPD	\$0.00	0.00%
	OS	\$0.00	0.00%
	OSDFS	\$0.00	0.00%
	OSERS	\$338.81	27.50%
OUS	\$0.00	0.00%	
OVAE	\$0.00	0.00%	
OCR Field Office	Boston	\$22.40	0.00%
	New York	\$78.30	0.39%
	Philadelphia	\$410.00	52.65%
	Atlanta	\$0.00	0.00%
	Chicago	\$62.40	0.02%
	Dallas	\$144.36	17.00%
	Kansas City	\$208.40	122.73%
	Denver	\$0.00	0.00%
	San Francisco	\$0.00	0.00%
	Seattle	\$0.00	0.00%
	District of Columbia	\$0.00	0.00%
	Cleveland	\$0.00	0.00%
	<b>ED Totals</b>		<b>\$7250.68</b>

\*\*The Department of Education has a centralized fee collection process. The fees collected are reflected for each program and OCR Field Office that generated the fee.

**XI. FOIA REGULATIONS**

The Department of Education FOIA Implementing Regulation is codified at [34 CFR Part 5](#).

## XII BACKLOGS, CONSULTATIONS, AND COMPARISONS

### A. Backlogs of FOIA/PA Requests and Administrative Appeals

Component Offices		Number of Backlogged* Requests as of End of FY 2012	Number of Backlogged* Appeals as of End of FY 2012
ED Headquarters Offices	FSA	24	0
	IES	0	0
	IES – NAGB	0	0
	M	29	0
	OCFO	2	0
	OCFO – CAM	6	0
	OCIO	1	0
	OCO	1	0
	OCR	2	0
	ODS	0	0
	OELA	0	0
	OESE	6	0
	OGC	0	0
	OIG	6	0
	OII	1	0
	OLCA	1	0
	OM	3	0
	OM – RIMS	35	27
	OPE	14	0
	OPEPD	2	0
	OS	23	0
	OSDFS	0	0
	OSERS	1	0
OUS	0	0	
OVAE	0	0	
OCR Field Office	Boston	17	0
	New York	27	0
	Philadelphia	1	0
	Atlanta	12	0
	Chicago	0	0
	Dallas	1	0
	Kansas City	8	0
	Denver	0	0
	San Francisco	0	0
	Seattle	0	0
	District of Columbia	12	0
	Cleveland	3	0
	<b>ED Totals</b>		<b>238</b>

\*Backlogged requests are requests (or appeals) pending greater than 20 days, the number of which may not be the same as the number of requests (or appeals) carried over from the previous year.

**B. Consultations on FOIA Requests – Received, Processed, and Pending Consultations**

	Number of Consultations Received from Other Agencies that Were <b>Pending</b> The Department of Education as of Start of FY 2012	Number of Consultations Received from Other Agencies <b>During</b> FY 2012	Number of Consultations Received from Other Agencies that Were <b>Processed</b> by The Department of Education During FY 2012	Number of Consultations Received from Other Agencies that Were <b>Pending</b> at The Department of Education as of End of FY 2012
Agency Overall	0	0	0	0

**C. Consultation on FOIA/PA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at The Department of Education**

	10 <sup>th</sup> Oldest Consultation and number of Days Pending	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	Oldest Consultation and Number of Days Pending
Agency Overall	0	0	0	0	0	0	0	0	0	0

D.1. Comparison of Numbers of Requests from Previous and Current Annual Report – Requests Received and Processed

Component Offices		NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
		During FY 2011 from Last Year's Annual Report	During FY 2012 from Current Annual Report	During FY 2011 from Last Year's Annual Report	During FY 2012 from Current Annual Report
ED Headquarters Programs	FSA	287	335	325	328
	IES	40	35	47	38
	IES – NAGB	3	0	3	0
	M	0	118	0	118
	OCFO	11	8	10	9
	OCFO – CAM	48	64	46	80
	OCIO	4	3	9	3
	OCO	7	5	6	6
	OCR	99	100	106	101
	ODS	0	5	0	8
	OELA	10	3	11	6
	OESE	76	78	80	79
	OGC	16	7	10	12
	OIG	58	62	49	63
	OII	43	36	35	43
	OLCA	6	3	1	7
	OM	43	48	35	50
	OM – RIMS	199	43	276	59
	OPE	153	158	168	157
	OPEPD	13	4	19	4
	OS	71	27	9	40
	OSDFS	78	4	127	8
	OSERS	42	29	43	43
OUS	15	8	5	9	
OVAE	11	5	12	5	
OCR Regional Offices	Boston	158	147	135	153
	New York	150	165	136	162
	Philadelphia	71	75	71	82
	Atlanta	64	77	69	66
	Chicago	131	131	132	135
	Dallas	84	82	89	81
	Kansas City	39	28	41	24
	Denver	60	49	58	52
	San Francisco	64	76	62	75
	Seattle	117	113	116	109
	District of Columbia	88	74	81	74
	Cleveland	42	41	45	37
<b>ED Totals</b>		<b>2,401</b>	<b>2,246</b>	<b>2,486</b>	<b>2,346</b>

D.2. Comparison of Numbers of Requests from Previous and Current Annual Report – Requests Backlogged

Component Offices		Number of Backlogged Requests as of End of FY 2011 from Previous Annual Report	Number of Backlogged Requests as of End of FY 2012 from Current Annual Report
ED Headquarters Programs	FSA	1	24
	IES	0	0
	IES – NAGB	0	0
	M	N/A	29
	OCFO	1	2
	OCFO – CAM	1	6
	OCIO	0	1
	OCO	0	1
	OCR	0	2
	ODS	N/A	0
	OELA	0	0
	OESE	0	6
	OGC	14	0
	OIG	4	6
	OII	0	1
	OLCA	6	1
	OM	1	3
	OM – RIMS	60	35
	OPE	1	14
	OPEPD	9	2
	OS	41	23
	OSDFS	2	0
	OSERS	11	1
OUS	13	0	
OVAE	0	0	
OCR Regional Offices	Boston	32	17
	New York	19	27
	Philadelphia	6	1
	Atlanta	2	12
	Chicago	1	0
	Dallas	0	1
	Kansas City	9	8
	Denver	4	0
	San Francisco	2	0
	Seattle	1	0
	District of Columbia	13	12
	Cleveland	1	3
<b>ED Totals</b>		<b>255</b>	<b>238</b>

E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and Backlogged

	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During FY 2011 from Last Year's Annual Report	Number Received During FY 2012 from Current Annual Report	Number Processed During FY 2011 from Last Year's Annual Report	Number Processed During FY 2012 from Current Annual Report
OM – RIMS	32	25	15	34

	Number of Backlogged Appeals as of End of FY 2011 from Previous Annual Report	Number of Backlogged* Appeals as of End of FY 2012 from Current Annual Report
OM – RIMS	39	27

\*Backlogged appeals are appeals pending greater than 20 days, the number of which may not be the same as the number of appeals carried over from the previous year.

F. Discussion of Other Department of Education FOIA Activities

The Office of Management (OM) advises the public and U.S. Department of Education (ED) employees regarding FOIA requests and ED information available to the public. As the lead organization for ED's FOIA Program, OM provides training for ED officials and guidance and support to the FOIA Coordinators and FOIA Review Officers in the Department's Principal Offices and 12 regional and field offices.

Requests via email to: [EDFOIAManager@ed.gov](mailto:EDFOIAManager@ed.gov)

Requests via fax to: (202) 401-0920

Requests via mail to:

U.S. Department of Education  
 Office of Management  
 Regulatory Information Management Services  
 400 Maryland Avenue, SW, LBJ 2W220  
 Washington, DC 20202-4536  
**ATTN:** FOIA Public Liaison

**FOIA Requester Service Center**  
 (202) 401-8365

**Chief FOIA Officer**

Winona H. Varnon  
Privacy Deputy Assistant  
Secretary of Management  
Delegated the Authority to Perform  
the Functions of the  
Assistant Secretary for Management

**FOIA Director**

(202) 401-8365  
Gregory Smith

**FOIA Public Liaisons**

Elise Cook  
Maria-Teresa Cueva  
Linda Darby  
Robert Wehausen  
Christie Swafford  
(202) 401-8365

**FOIA Appeals**

Robert Wehausen  
(202) 401-8365

**Privacy Act Request**

Maria-Teresa Cueva  
(202) 401-8365

**FOIA Service Center Processing Improvements**

Building on input provided by the Department's FY2011 Business Transformation Team, the Department continues to implement improvements to make processing procedures more effective and efficient. These improvements focus on refining the intake process, specifically establishing stronger communications with FOIA requesters and the Department's Program Offices. The streamlining of this process has enabled the Department to more effectively identify what the requester seeks and more readily access existing records and ultimately releasing information without delay.

**Proactive Release**

The Department has identified types of documents that have been previously requested and is now focused on proactively releasing these documents into the public domain via the FOIA Library. Additionally, the FOIA Service Center is working in concert with the Department's program offices to more readily identify material to publish in the FOIA Library to provide the requester with better access to Departmental Records.

Examples include, but are not limited to:

- Race to the Top—Early Learning Challenge (RTT-ELC) Grants Applications

- Family Education Rights and Privacy Act (FERPA) Webinar-Case Study 1 (High School Feedback Report and Case Study 2 (Head Start Program)
- Gainful Employment Administrative Records

### **Training and Outreach**

The Department's Office of the General Council's Division of Business and Administrative Law (OGC/DBAL), in partnership with the FOIA Service Center, provide customized FOIA Training to help Departmental Offices improve their FOIA practices and better understand the legal requirements and implications of the FOIA.

In fiscal year 2012, the FOIA Service Center held bi-monthly meetings with the Department's program offices to reemphasize the responsibilities of operating a successful FOIA operation. These meetings focused on principles such as openness and transparency, customer service, and basic FOIA Training.

The Department's principal office's senior leaders met quarterly during fiscal year 2012 to discuss FOIA operations and evaluated ways to improve existing FOIA procedures in an effort to reduce errors and increase transparency and responsiveness.

The FOIA Service Center Staff (including FOIA Public Liaisons) and other Department personnel with FOIA duties attended external training sessions provided by the Department of Justice and the American Society of Access Professionals. These training sessions not only acted as refresher courses for some, but also expanded the overall knowledge of Department's FOIA staff about FOIA principles and transparency in this Open Government era.