

ED Records Schedule

SCHEDULE LOCATOR NO.: 152

REVISION DATE: 7/7/2009

TITLE: Freedom of Information Act (FOIA) Appeals Files

PRINCIPAL OFFICE: Department-wide

NARA DISPOSITION AUTHORITY: GRS – See disposition instructions

DESCRIPTION:

Files created in response to administrative appeals under the FOIA for release of information denied by the Department, consisting of the appellant's letter, a copy of the reply thereto, and related supporting documents, which may include the official file copy of records under appeal or copy thereof.

DISPOSITION INSTRUCTIONS:

- a. Correspondence and supporting documents (EXCLUDING the official file copy of the records under appeal if filed herein) [GRS 14, Item 12.a]

TEMPORARY

Destroy/delete 6 years after final determination by Department, 6 years after the time at which a requester could file suit, or 3 years after final adjudication by the courts, whichever is later.

- b. Official file copy of records under appeal [GRS 14, Item 12.b]

Dispose of in accordance with approved Department disposition instructions for the related records or with the related FOIA request, whichever is later.

- c. Freedom of Information Act and Privacy Act Tracking System (FOIAXpress) Master Data Files

The system tracks FOIA and Privacy Act request cases. FOIAXpress is specifically used to create new FOIA request cases, track data and requests, and has document management capabilities. FOIAXpress maintains metadata about the requests (date received, date completed, office responsible for fulfilling request, etc.) and may also contain electronic versions of FOIA requests and copies of responsive documents. Cost data related to the fees owed by and collected from requestors is also maintained. The system data is used for compiling the Secretary's Annual FOIA Report to the Attorney General of the United States.

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TEMPORARY

Destroy/delete 6 years after final determination or appeal determination by Department, 6 years after the time at which a requester could file suit, or 3 years after final adjudication by the courts, whichever is later.

IMPLEMENTATION GUIDANCE:

Follow the disposition instructions in ED 086 Information Systems Supporting Materials for system software; input/source records; output and reports; and system documentation.

Related schedules: ED 151 FOIA Requests Files and ED 153 FOIA Control Files.

ARRANGEMENT/ANNUAL ACCUMULATION:

PREVIOUS NARA DISPOSITION AUTHORITY:

SPECIFIC LEGAL REQUIREMENTS:

Freedom of Information Act, 5 U.S.C. § 552
34 C.F.R. § 5
Public Law 90-23

SPECIFIC RESTRICTIONS:

Privacy Act 18-04-01 Freedom of Information Act and Privacy Act Case Files
Privacy Act 18-04-02 Freedom of Information Act and Privacy Act Tracking System

LINE OF BUSINESS: Administration/Departmental