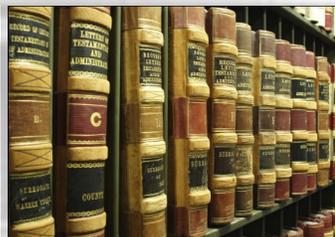




2021

Chief FOIA Officer Report

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.



DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY
FREEDOM OF INFORMATION ACT (FOIA)
SERVICE CENTER

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[Message from the Chief FOIA Officer](#)

The U.S. Department of Education (ED) is a Cabinet-level department of the United States government that began operating in 1980. ED's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access. The Department's Freedom of Information Act (FOIA) program is amongst many functions that contribute to ED meeting and achieving its mission.

ED's FOIA program makes every effort to respond to requests within the statutory time-limits for responding under FOIA. As the Chief FOIA Officer, I am pleased to report that the FOIA program is continuing to improve its administration of FOIA. Throughout this March 2020 to March 2021 reporting period, ED continued efforts to increase responsiveness to requesters, promote transparency, and eliminate or reduce backlogs (of initial FOIA requests as well as FOIA appeals), and address resource needs.

ED's targeted focus on reducing backlogs in FY 2020 resulted in the closure of 2,537 FOIA requests and 82 FOIA appeals compared to 2,368 FOIA requests and 62 FOIA appeals in the previous fiscal year. Additionally, ED closed 9 out of the 10 oldest FOIA requests and FOIA appeals. These efforts combined with the procurement of a Department wide FOIA support contract played a key role in the overall backlog reduction. Details of these reductions are highlighted in Section V. of this report.

ED also brought on two FTE's whose primary responsibility is to establish an efficient FOIA e-Discovery program. The program will continuously conduct comprehensive reviews of ED's technological capabilities to increase efficiency within the FOIA program.

ED's FOIA program will continue to build on these accomplishments and work with its program offices to ensure continued compliance with the FOIA and to demonstrate a sincere commitment to transparency and openness in government.

Inquiries about this report may be directed to ED's FOIA Service Center via phone at (202) 401-8365 or via email at EDFOIAManager@ed.gov.

[Tracey St. Pierre](#)
Director, Office of the Executive Secretariat
and Chief FOIA Officer

Section 1: Steps Taken to Apply the Presumption of Openness

A. FOIA Leadership

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at this level?

Yes.

2. Please provide the name and title of your agency's Chief FOIA Officer.

Tracey St. Pierre, Director, Office of the Executive Secretariat and Chief FOIA Officer

B. FOIA Training

1. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.

The U.S. Department of Education's or ED's Chief FOIA Officer ensures adequate training by planning and hosting annual Department-wide training events with internal and external FOIA experts, offering ad-hoc training at regular meetings with principal office staff, and by making ED staff aware of available training opportunities through various notification, such as ED's FOIA newsletter and blast e-mails to staff. Additionally, the training needs of FOIA professionals are communicated to the FOIA Service Center (FSC) during meetings between the FSC and program offices that occur throughout the Fiscal Year, and FSC uses this input to assess and address those needs.

2. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?

Yes.

3. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.

FOIA professionals from multiple program offices took advantage of the many training opportunities that were made available, including FOIA training provided by the Department of Justice's Office of Information Policy (OIP), and the American Society of Access Professionals (ASAP):

- 2020 ASAP Virtual National Training Conference

- “Food for Thought” Training Seminar – FOIA Advisory Committee Recommendations.
- Virtual Introduction to the Freedom of Information Act
- Virtual Annual FOIA Report Training
- Artificial Intelligence 101
- Federal Electronic Discovery Working Group Conference

Other types of training or conference opportunities made that were attended by ED FOIA professionals, include:

- AINS 15th Annual FOIAXpress User Conference and Technology Summit
- Chief FOIA Officers Council Meeting – October 14, 2020 (Virtual)

ED also offered the following internal training during the reporting period:

- ED conducted its annual FOIA training and had four DOJ attorney’s present on the following topics: (1) Processing from Start to Finish, and (2) Fees and Fee Waivers.
- Attorney’s from ED’s Office of the General Counsel (OGC) provided tailored FOIA training to staff in the Office for Civil Rights (OCR). The two-day training included: (1) FOIA Overview, (2) What is a “record”? Conducting searches for records, (3) FOIA Appeals Overview, (4) PII in Exemptions 6 and 7(c), and (5) Exemptions 4, 5, and 7(a).

4. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

ED continues to have a high rate of at least 90% of ED’s FOIA professionals and staff with FOIA responsibilities attend substantive training during this reporting period. We believe the high rate of FOIA professionals that attended training is due to the continual outreach effort made by the FSC where we notify FOIA professionals of training opportunities that are available.

5. OIP has **directed agencies** to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

N/A.

C. Outreach

Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA?

Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.

ED FOIA staff attended the 2020 ASAP Virtual National Training Conference, and while this conference and others usually facilitate engagement with the requester community, due to the virtual nature and limited opportunities available this year because of the COVID-19 pandemic, ED's FOIA professionals did not engage in significant outreach with the requester community or open government groups.

D. Other Initiatives

Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff.

All new ED personnel are informed of their FOIA obligations as part of ED's onboarding process, and FSC makes internal training opportunities available to FOIA and non-FOIA professionals alike. During this reporting period, multiple program offices requested staff from the FSC attend their all-staff meetings to discuss FOIA.

10. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

N/A.

Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests

1. For Fiscal Year 2020, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report.

The average number of days was 24.

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

The FOIA Service Center (FSC) Director will emphasize the importance of improving the process for adjudicating requests for expedited processing in fewer than 10 calendar days. More managerial oversight will be implemented through the review of the FSC daily report which identifies all new incoming requests.

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc.

ED did not conduct a self-assessment this year as we have performed assessments of our FOIA program in the prior two years.

Note: In September 2017, OIP released a FOIA Self-Assessment Toolkit as a resource for agencies conducting a self-assessment of their FOIA program. The Toolkit is available on OIP's website for all agencies to use.

4. Standard Operating Procedures (SOPs): Having SOPs can improve the consistency and quality of an agency's FOIA process. In addition, describing an agency's standard practices for handling FOIA requests on agency FOIA websites can help requesters better understand how their request will be handled.

- a) Does your agency have SOPs that outline general processes for handling FOIA requests and appeals?

Yes.

- b) If not, does your agency have plans to create FOIA SOPs?

- c) If yes, how often are they reviewed/updated to account for changes in law, best practices, and technology?

ED's FOIA SOPs are reviewed continuously throughout the year and updated as needed.

- d) In addition to having SOPs, does your agency post or otherwise describe your standard processes for handling requests on your website?

Yes, ED posts the agency's FOIA regulations as well as a guide to assist in making Freedom of Information Act (FOIA) requests for the Department's records.

5. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during FY 2020 (please provide a total number or an estimate of the number).

ED's FOIA Public Liaison has been contacted for assistance approximately 100 times during this fiscal year. On average, a member of the requester public contacts ED's FOIA Public Liaison between 2 to 3 times per week.

6. Does your agency frequently receive common categories of first-party requests? If so, please describe the types of requests and if your agency has explored establishing alternative means of access to these records outside of the FOIA process?

Yes, ED processes first-party requests for student loan and civil rights investigatory records. To date, we have not explored any other alternative means.

7. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?

Yes, ED's FOIA regulations were updated in accordance with the FOIA Improvement Act of 2016.

8. Please explain how your agency worked to mitigate the impact of the COVID-19 pandemic on FOIA processing. Examples could include, but are not limited to: altering workflows, implementing new technology, providing notices and instructions or otherwise communicating directly with requesters.

Prior to the COVID-19 pandemic, ED had a robust telework policy in place and had recently updated its entire IT environment, including a more robust virtual private network; therefore, the transition to the 100% remote environment was seamless. A notice was posted to the FOIA webpage informing FOIA requesters to submit FOIA requests through our online portal rather than by mail or facsimile. Regardless, limited staff regularly went onsite to scan and process any requests that were delivered to the office.

Direct phone lines for FOIA professionals were redirected to government furnished mobile phones so that requesters could continue to communicate telephonically if needed.

ED's FOIA community continued to meet virtually throughout the year utilizing Microsoft Teams.

9. Optional -- Please describe:

- Best practices used to ensure that your FOIA system operates efficiently and effectively
- Any challenges your agency faces in this area

Section III: Steps Taken to Increase Proactive Disclosures

1. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released

three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well.

Office of the Secretary

- [COVID-19 Resources for Schools, Students, and Families](#)
- [The Role of Districts in Developing High-Quality School Emergency Operations Plans](#)

Office of Elementary and Secondary Education (OESE)

- [Interactive COVID Relief Data Portal](#)
- [Per Pupil Expenditure Data](#)

Office of Planning, Evaluation and Policy Development (OPEPD)

- [Family Educational Rights and Privacy Act \(FERPA\) Guidance](#)
- [2020 Census and FERPA](#)
- [Recorded Webinars](#)

Office for Civil Rights (OCR)

- [Case Processing Manual \(CPM\)](#)
- [Pending Cases Currently Under Investigation at Elementary-Secondary and Post-Secondary Schools](#)
- [2017-2018 Civil Rights Data Collection \(CRDC\)](#)
- [Title IX Resources](#)
- [OCR Annual Report to the Secretary, the President, and the Congress](#)

Office of Educational Technology (OET)

- [Parent and Family Digital Learning Guide](#)

Federal Student Aid (FSA)

- [Coronavirus and Forbearance Info for Students, Borrowers, and Parents](#)
- [FSA Updates](#)
- [Information for Financial Aid Professionals \(IFAP\)](#)

Office of Postsecondary Education (OPE)

- [COVID-19 FAQ for Grantees](#)

- [Information for Accrediting Agencies Regarding Temporary Flexibilities Provided to Coronavirus Impacted Institutions or Accrediting Agencies](#)

2. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

Yes, ED continued to make posted information more useful to ED's community. A few examples of this are:

- Detailed information on the several improvements made to the [College Scorecard](#) can be found [here](#).
- Transformative upgrades were made to [StudentAid.gov](#) that includes new tools, which provide students with detailed information about the grants and loans they have received and guide them to a personalized recommendation for a loan repayment plan. Detailed information on the improvements made to [StudentAid.gov](#) can be found [here](#).

3. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges.

4. Optional -- Please describe:

- Best practices used to improve proactive disclosures

ED's FSC in partnering with the OGC FOIA Attorneys continues to communicate to program offices to identify categories of records that have been frequently requested or for which there is an anticipated high public interest.

- Any challenges your agency faces in this area

ED continues to face challenges posting documents that do not meet the requirements for posting documents under Section 508 of the Rehabilitation Act of 1973.

Section IV: Steps Taken to Greater Utilize Technology

1. Please briefly describe the types of technology your agency uses to support your FOIA program. In addition, please highlight if your agency is leveraging or exploring any new technology that you have not previously reported. If so, please describe the type of technology.

To begin, ED utilizes a few FOIA solutions from AINS to support our FOIA program. FOIAXpress is our case management system which is hosted by AINS in their cloud

environment. By having the software hosted by AINS, there is a greater ease of implementing configuration changes and updates which means less downtime for end-users. ED also has implemented the FOIAXpress Public Access Link (PAL) which is a public facing website that offers a centralized location for receiving online FOIA requests, delivering records, communicating with requesters, and collecting fees. ED's Office for Civil Rights (OCR) has acquired the FOIAXpress Electronic Document Review (EDR tool. This add-on uses e-Discovery technology to quickly filter, de-dupe, rank and categorize large volumes of records.

To address the need for administrative searches and e-Discovery needs, ED uses Veritas (Clearwell) and Microsoft 365.

Lastly, Federal Student Aid (FSA) uses the FOIA Integrity Management System (FIMS) which is a in-house software that is connected to ED's Department-wide FOIA tracking system. Its purpose is to automate and improve the internal processing of FSA FOIA requests.

2. OIP issued [guidance](#) in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources, and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

Yes, ED routinely reviews its FOIA website.

3. Did your agency successfully post all four quarterly reports for Fiscal Year 2020?

Yes, all four quarterly reports were posted.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2021.

N/A.

5. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2019 Annual FOIA Report and, if available, for your agency's Fiscal Year 2020 Annual FOIA Report.

ED's raw statistical data can be found [here](#).

6. Optional -- Please describe:

- Best practices used in greater utilizing technology
- Any challenges your agency faces in this area

Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

For the figures required in this Section, please use the numbers contained in the specified sections of your agency's FY 2019 and 2020 Annual FOIA Reports.

A. Simple Track

Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

Yes, ED utilized a separate track for simple requests.

2. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2020? Yes, our processing time for simple requests for Fiscal Year 2020 was 8.34 days.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2020 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) *divided by* (requests processed from Section V.A.) x 100.

Fifty-Seven percent (57%) of the 2,537 requests processed in Fiscal Year 2020 were placed in the simple track.

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

N/A.

B. Backlogs

Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2019 and Fiscal Year 2020 when completing this section of your Chief FOIA Officer Report.

BACKLOGGED REQUESTS

1. If your agency had a backlog of requests at the close of Fiscal Year 2020, according to Annual FOIA Report Section XII.A, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

Yes, the backlog at the close of Fiscal Year 2020 decreased compared with the backlog at the close of Fiscal Year 2019. Our backlog decreased from 914 requests in Fiscal Year 2019 to 859 requests in Fiscal Year 2020.

2. If not, according to Annual FOIA Report Section V.A, did your agency process more requests during Fiscal Year 2020 than it did during Fiscal Year 2019?

N/A.

3. If your agency's request backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

N/A.

4. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your

Annual FOIA Report: (backlogged requests from Section XII.A) *divided by* (requests received from Section V.A) x 100. If your agency has no request backlog, please answer with "N/A."

The percentage of requests that make up the backlog of the total number of requests received by ED in Fiscal Year 2020 is 36%.

BACKLOGGED APPEALS

1. If your agency had a backlog of appeals at the close of Fiscal Year 2020, according to Section XII.A of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

Yes, the backlog at the close of Fiscal Year 2020 decreased compared with the backlog at the close of Fiscal Year 2019. Our backlog decreased from 86 appeals in Fiscal Year 2019 to 55 requests in Fiscal Year 2020

2. If not, according to section VI.A of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2020 than it did during Fiscal Year 2019?

N/A.

3. If your agency's appeal backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming appeals.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

N/A.

4. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) *divided by* (appeals received from Section VI.A) x 100. If your agency did not receive any appeals in Fiscal Year 2020 and/or has no appeal backlog, please answer with "N/A."

The percentage of appeals that make up the backlog out of the total number of appeals received by ED in Fiscal Year 2020 is 106%.

C. Backlog Reduction Plans

1. In the 2020 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2019 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2020?

ED was able to fully implement the backlog reduction plan outlined in the 2020 Chief FOIA Officer Report. By realigning staff, utilizing more contractors, and assigning tiger teams with FOIA expertise to assist program offices with backlog reduction efforts, ED's backlog decreased from 914 requests in Fiscal Year 2019 to 859 requests in Fiscal Year 2020.

2. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2020, please explain your agency's plan to reduce this backlog during Fiscal Year 2021.

N/A.

D. Status of Oldest Requests, Appeals, and Consultations

Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2019 and Fiscal Year 2020 when completing this section of your Chief FOIA Officer Report.

OLDEST REQUESTS

1. In Fiscal Year 2020, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2019 Annual FOIA Report?

No, ED was unable to close the ten (10) oldest requests.

2. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2019 Annual FOIA Report. If you had fewer than ten total oldest requests to close, please indicate that.

ED was able to close nine (9) of the 10 oldest requests.

3. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

The FSC met with program offices throughout the Fiscal Year to assist them with developing individual backlog reduction plans.

TEN OLDEST APPEALS

1. In Fiscal Year 2020, did your agency close the ten oldest appeals that were reported pending in Section VII.C.5. of your Fiscal Year 2019 Annual FOIA Report?

No, ED was unable to close the ten (10) oldest appeals.

2. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2019 Annual FOIA Report. If you had fewer than ten total oldest appeals to close, please indicate that.

ED was able to close nine (9) of the 10 oldest appeals.

3. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

The FSC met with program offices throughout Fiscal Year 2020 to assist with developing individual backlog reduction plans.

TEN OLDEST CONSULTATIONS

1. In Fiscal Year 2020, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report?

Yes.

2. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report. If you had fewer than ten total oldest consultations to close, please indicate that.

N/A.

E. Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans

1. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2019.

ED believes the plan in place for closing the ten oldest requests, appeals, and consultations has removed many of the obstacles, but the single request and appeal that remained open in Fiscal Year 2020 contained complexities involving numerous program offices. We anticipate these cases to be closed in early Fiscal Year 2021.

2. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

N/A.

3. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2021.

To continue meeting with the assigned program offices to follow developed individual backlog reduction plans. These meetings allow the FSC to understand the challenges the program offices are facing and to assist as needed.

F. Success Stories

Federal Student Aid (FSA) FOIA backlog reduction

What began as a rapid response in April 2019, has transitioned into one of FSA's most resilient, resourceful, and results-driven teams. In April 2019, the team started with a backlog of 323 open FOIA requests. By December 2020, there were only 30 open requests in total.

To improve the processing system, the team adjusted the strategy and deployed a new framework. Establishing relationships with subject matter experts, creating visible metrics, obtaining the support of senior leadership throughout the agency, and

enhancing communication with requesters has proven successful at altering the volume of request completion rates.

2020 Annual FOIA Awards Ceremony

This year's celebration of FOIA held on Thursday, October 29, was bigger and better than ever. With more than 100 of their peers and colleagues in attendance, Department of Education employees were recognized and honored for their achievements during the 2020 fiscal year at the FOIA Appreciation Awards Ceremony online event. The number of nominees in FY 2020 deserving of special recognition nearly doubled the number in the previous fiscal year (FY 2019). This all happened during the COVID-19 pandemic, which we know has created many challenges as we all transitioned to off-site locations. But none of that stopped our FOIA community from carrying out our obligations under FOIA.

Our theme title, "Virtual Reality – Our Success Story," is characterized by the environment we have been interacting in since the COVID-19 pandemic began.

Creation of e-Discovery Program

The FSC brought on two new full-time employees as part of an effort to stand up ED's first ever FOIA e-Discovery program. Previously, administrative searches were collateral duty for employees outside the FSC and not focused exclusively on prioritizing FOIA requests. In addition to managing this program, these individuals will be tasked with staying abreast of technological advances to facilitate efficiency in ED's FOIA program.