



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

April 22, 2024

VIA EMAIL ONLY

Stacy Skankey
Staff Attorney
c/o Jonathan Riches
Goldwater Institute
500 E. Coronado Rd.
Phoenix, AZ 85004
jriches@goldwaterinstitute.org
litigation@goldwaterinstitute.org

Re: *Goldwater Institute v. U.S. Department of Education*
Civil Action No.
FOIA Request No. 24-00550-F

Dear Stacy Skankey:

This letter is the U.S. Department of Education's ("Department's") interim response to your request pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. 552, dated December 4, 2023, and received in the Department's FOIA Service Center on December 5, 2023. FOIA Request No. 24-00550-F seeks:

1. "Copies of all email communications between the individuals identified below pertaining to the Federal Student Aid's ("FSA") or the U.S. Department of Education's ("DOE") investigation and fine of Grand Canyon University ("GCU") for alleged violations of the Higher Education Act and/or federal regulations, as well as GCU's Provisional Program Participation Agreement, from January 1, 2021 to the date of this request:
 - a. Richard Cordray
 - b. Christopher Madaio
 - c. Kristen Donoghue
 - d. Susan Crim
 - e. Lina Khan
 - f. Michael Tankersley
 - g. Rohit Chopra"
2. "Copies of records that indicate the total number of complaints submitted by members of the public to the DOE pertaining to GCU's disclosure of the cost of its doctoral programs from January 1, 2020 to the date of this request."

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www.ed.gov

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

Your request was assigned to Federal Student Aid (“FSA”) within the Department to search for records that may be responsive to your request. The Department located no records responsive to Item 2 of your request. The Department provides the following additional information regarding this response:

The Department does not have any specific record that indicates “the total number of complaints submitted by members of the public to the DOE pertaining to related to GCU's disclosure of the cost of its doctoral programs from January 1, 2020 to the date of [the] request.” The Department has in its possession accounts from doctoral students complaining about issues related to the cost, time, or number of credits required to obtain a degree at GCU. Those accounts come from written complaints submitted to the Department, oral complaints made to Department employees, and borrower defense to repayment applications from students alleging related substantial misrepresentations by GCU. While the precise number of such complaints that meet the specifics of your request is not tracked, the Department has identified over 750 related complaints by doctoral students against GCU that it has received between January 1, 2020 and the date of the request.

Because this request is in litigation, if you have questions regarding this response, please contact Assistant United States Attorney Victoria Gray at Victoria.Gray2@usdoj.gov.

Sincerely,

**JOANNA
TORRES** Digitally signed by
JOANNA TORRES
Date: 2024.04.22
13:50:12 -04'00'

Joanna L. Torres
General Attorney
Office of the General Counsel
U.S. Department of Education



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

April 15, 2024

VIA EMAIL ONLY

Stacy Skankey
Staff Attorney
Goldwater Institute
500 E. Coronado Rd.
Phoenix, AZ 85004
sskankey@goldwaterinstitute.org

Re: *Goldwater Institute v. U.S. Department of Education*
Civil Action No.
FOIA Request No. 24-00550-F

Dear Stacy Skankey:

This letter is the U.S. Department of Education's ("Department's") interim response to your request pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. 552, dated December 4, 2023, and received in the Department's FOIA Service Center on December 5, 2023. FOIA Request No. 24-00550-F seeks:

1. "Copies of all email communications between the individuals identified below pertaining to the Federal Student Aid's ("FSA") or the U.S. Department of Education's ("DOE") investigation and fine of Grand Canyon University ("GCU") for alleged violations of the Higher Education Act and/or federal regulations, as well as GCU's Provisional Program Participation Agreement, from January 1, 2021 to the date of this request:
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 - g. Rohit Chopra"
2. "Copies of records that indicate the total number of complaints submitted by members of the public to the DOE pertaining to GCU's disclosure of the cost of its doctoral programs from January 1, 2020 to the date of this request."

Your request was assigned to Federal Student Aid ("FSA") within the Department to search for records that may be responsive to your request. The Department has processed 802 pages of

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records responsive to Item 1 of your request. However, certain information has been withheld according to FOIA Exemptions 4, 5, 6, 7(A), and 7(C), specified below:

- Records or portions of records relating to certain intra-agency information is exempt from disclosure pursuant to 5 U.S.C. § 552(b)(4) of the FOIA. This exemption permits the withholding of trade secrets and commercial or financial information obtained from a person that is privileged or confidential.
- Records or portions of records relating to certain intra- and inter-agency information is exempt from disclosure pursuant to 5 U.S.C. § 552(b)(5) of the FOIA. This exemption permits the withholding of “intra-agency or inter-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency.”
- Records or portions of records relating to personal information is exempt pursuant to 5 U.S.C. § 552(b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.
- Certain records or portions of records compiled for a law enforcement purpose are exempt pursuant from disclosure pursuant to 5 U.S.C. § 552(b)(7)(A) of the FOIA. This exemption permits the withholding of records compiled for law enforcement purposes if the disclosure of such records “could reasonably be expected to interfere with enforcement proceedings.”
- Records or portions of records relating to personal information that was compiled for a law enforcement purpose are exempt from disclosure pursuant to 5 U.S.C. § 552(b)(7)(C) of the FOIA. Disclosure of this information reasonably could constitute an unwarranted invasion of personal privacy.

The Department reasonably foresees that the disclosure of the information withheld according to the FOIA exemptions specified above would harm the interests protected by the specified exemptions. See 5 U.S.C. § 552(a)(8)(A)(i).

Because this request is in litigation, if you have questions regarding this response, please contact Assistant United States Attorney Victoria Gray at Victoria.Gray2@usdoj.gov.

Sincerely,

**JOANNA
TORRES** Digitally signed by
JOANNA TORRES
Date: 2024.04.15
16:43:50 -04'00'

Joanna L. Torres
General Attorney
Office of the General Counsel
U.S. Department of Education