



**UNITED STATES DEPARTMENT OF EDUCATION**

**OFFICE OF MANAGEMENT**

Office of the Chief Privacy Officer

April 23, 2018

William Durden  
Washington State Board for Community &  
Tech Colleges  
1300 Quince Street, S.E.  
Olympia, WA 98501

RE: FOIA Request No. 18-01123-F

Dear Mr. Durden:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated February 20, 2018 and received in this office on February 21, 2018. Your request was forwarded to the appropriate office to search for documents that may be responsive to your request: Federal Student Aid (FSA).

You requested the following:

- Information on the use of Ability to Benefit nationwide. In specific, how many Pell grants were awarded through the Ability to Benefit provision of the Higher Education Act 1) by State; 2) by college/institution; and 3) by year since its reinstatement in 2014.

Attached to this e-mail are 41 pages of fully releasable spreadsheet documents responsive to your request. The data in the spreadsheets, provided by FSA, is the 2015-16, 2016-17 and the current 2017-18 award years. Also, FSA has provided the award count as well as dollar figures. The law changed in December of 2014 hence, this data would not be reflected in the Pell grant awards until the 2015-16 award year. In addition, the data is provided in several formats across five tabs to adhere to the nature of the request: by each award year, by state and by institution. The data does not include any Pell granting institutions that did not award Federal Pell under the new ATB provision in at least one of the award years. Also, the data does not contain any Pell grants disbursed under the old ATB provision prior to the December 2014 change in the law. Lastly, the data may contain a very few duplicative student/awards in the award year, institution and state level totals. A student may have received a Federal Pell Grant under the ATB provision at more than one institution in the same award year, and the institutions may be in different states. However, the likelihood of this occurring would be very rare.

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of an “all other use” requester. However, the Department has provided you with these responsive documents, at no cost. The Department’s release of information at no cost does not constitute the grant of a fee waiver, and does not infer or imply that you will be granted a fee waiver for future requests made under FOIA to the Department.

Also, you have the right to seek further assistance from the Department’s FOIA Public Liaison, Robert Wehausen. The Department’s FOIA Public Liaison can be reached by e-mail at [robert.wehausen@ed.gov](mailto:robert.wehausen@ed.gov); by phone at 202-205-0733; by fax at 202-401-0920; or by mail at Office of the Chief Privacy Officer, U.S. Department of Education, 400 Maryland Ave., SW, LBJ 2W218-58, Washington, DC 20202-4536, Attn: FOIA Public Liaison.

If you have any questions, please contact the FOIA Service Center at (202) 401-8365 or via e-mail at [EDFOIAManager@ed.gov](mailto:EDFOIAManager@ed.gov).

Sincerely,

*Arthur Caliguiran*

Arthur Caliguiran  
FOIA Analyst  
FOIA Service Center