

730 DATA REQUEST POLICY FOR PUBLIC DATA

I. PURPOSE

The purpose of this policy is to set forth the procedure regarding a public request to inspect or obtain public data and to comply with the Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes Chapter 13.

II. DEFINITIONS AND CONSTRUCTION

This policy must be construed as consistent with the MGDPA and Minnesota Rules Chapter 1205. All terms used herein that are defined by the MGDPA must be given the same definition as listed in the MGDPA and Rules Chapter 1205. Nothing in this policy shall be interpreted to contradict any other school district policy.

III. RIGHT TO ACCESS PUBLIC DATA

All data collected, created, received, maintained or disseminated by the school district, which is classified by state statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district in this policy.

IV. MAKING A DATA REQUEST

To inspect data or request copies of public data in the school district's possession, a person should make a written request using the form found in Attachment B and submit this request to the appropriate data practices official or designee described in Attachment C. The school district reserves the right to accept verbal requests for data or reduce verbal requests to writing, at its sole discretion.

V. PROCESSING A REQUEST

Upon receipt of a written request, the school district will process it within a reasonable time, depending upon the nature and volume of the request. If the response to a request will take longer than fifteen (15) business days and the requester has provided contact information, the school district may notify the person of the approximate amount of time it will take to process the request.

- If it is unclear what data the individual is requesting, the school district will seek clarification.

- If the school district does not have the data, it will notify the person in writing as soon as reasonably possible.
- If the school district has the data, and the data may lawfully be disclosed to the person, the school district will respond to the request by doing one of the following:
 - o Arrange a date, time, and place for the person to inspect the data without cost to the person, or
 - o Provide the person with copies of the data. The person may choose to pick up the copies, or the school district will mail or fax copies of the data to the person. The school district will provide electronic copies (such as e-mail), only if the school district keeps the data in electronic format. Prepayment of copies is required unless other arrangements are approved by the responsible authority. Further information about copy charges is included on Attachment B.
 - o Upon request, the school district will inform the requester as to the meaning of any data disclosed pursuant to this policy.
- If the school district determines that the requested data is classified so as to deny the requesting person access, the school district shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible.
 - o Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of law upon which the denial was based.

Nothing in this policy or the MGDPA requires the school district to create data; collect new data; or to provide data in a specific form or arrangement if the school district does not keep the data in that form or arrangement, in response to a data request.

Nothing in this policy or the MGDPA requires the school district to respond to questions that are not requests for data.

Attachment A

Copy Costs -Public R equests

The school district charges members of the public for copies of government data as authorized under Minnesota Statutes, section 13.03, subdivision 3(c). A member of the public must pay for the copies before the school district will provide the copies.

For 100 or Fewer Paper Black and White Copies-\$.25 per Page

The charge for 100 or fewer pages of black and white, letter or legal size paper copies, is \$.25 for a one-sided copy and \$.50 for a two-sided copy.

More than 100 Paper Black and White Copies or Other Types of Copies-Actual Cost

The charge for more than 100 pages of black and white paper copies, or any other types of copies, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data.

The school district charges the actual cost of preparing summary data. Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals.

In determining the actual cost, the school district includes the cost of the employee time, the cost of the materials (paper, DVD, etc.), and mailing costs (if any). If the request is for copies of data that the school district cannot reproduce itself, such as photographs, it will charge the actual cost it must pay an outside vendor for the copies.

The cost of employee time to search for data, retrieve data and make copies is based upon the lowest hourly rate of the appropriate staff member. There is no charge for time spent separating public from not public data.

If the request involves copies of public data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by the school district, the responsible authority may charge a reasonable fee for the information in addition to the costs of making and certifying the copies. Any fee charged must relate to the actual development costs of the information. The responsible authority, upon the request, shall provide sufficient documentation to explain and justify the fee being charged.

Attachment B

Data Request Form -Requests for Public DATA

Date of request: _____

Method of Access to Data:

(note: inspection is free but there is a charge for copies)

Inspection ☐ Copies ☐ Both (inspection and copies) ☐

Description of Requested Information:

Note: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form or additional pages.

Contact Information:

Name: _ _ _ _ _

Address: _ _ _ _ _

Phone number: _ _ _ _ _

Email address: _ _ _ _ _

You do not have to provide any of the above contact information. However, if you want the school district to mail or e-mail you copies of data, the school district will need some contact information. In addition, failure to provide contact information could delay the processing of your request. If the school district does not understand your request and needs to get clarification from you, without contact information, the school district may not be able to process all, or a portion of, your request until you contact the school district again.

Attachment C

Responsible Authorities

Type of Data Requested	Name	Position	Address	Fax Number
General Public Data		Superintendent		
Public Financial Data		Director of Business Services		
Public Personnel Data		Director of Human Resources		
Public Data - [School Name]		Building Principal		

[The above categories are meant as examples. School districts should designate as many or as few responsible authorities as necessary to ensure that all data requests are responded to in a reasonable fashion.]

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