

Public Data Requests

Policy: Public Data Requests (722)
Adopted 01/28/2020

I. PURPOSE

The purpose of this policy is to describe the process members of the public will follow in order to access JJ Legacy Elementary School's government data.

II. GENERAL STATEMENT OF POLICY

It is the policy of the Board of Bright Water Elementary School to fully comply with state laws regarding access to government data by members of the public.

III. POLICY

A. The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data is public unless a state or federal law provides that the data is not public.

1. "Government data" is a term that means all recorded information a government entity has collected, created, received, maintained or disseminated, including paper, email, photographs, etc.

B. The Data Practices Act also provides that the school must maintain all government data in a way that makes it easy for you, as a member of the public, to access public data.

1. You have the right to look at (inspect), free of charge, all public data that the school keeps.

2. You also have the right to get copies of public data. The Data Practices Act allows the school to charge for copies.

3. You have the right to look at data, free of charge, before deciding to request copies.

IV. HOW TO MAKE A DATA REQUEST

A. To look at data or request copies of data that the school keeps, make a written request to the appropriate individual listed under the "Data Practices Contact" paragraph below.

B. You may make your written request for data by mail using the data request form below.

C. If you choose not to use the data request form, your written request should include:

1. That you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;

2. Whether you would like to look at the data, get copies of the data, or both; and

3. A clear description of the data you would like to inspect or have copied.

D. The school cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want the school to process your request (if, for example, you want [the school to mail you copies of data], the school may need some information about you. If you choose not to provide any identifying information, the school will provide you

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with contact information so you may check on the status of your request. In addition, please keep in mind that if the school does not understand your request and has no way to contact you, the school will not be able to begin processing your request.

V. HOW THE SCHOOL RESPONDS TO A DATA REQUEST

- A. Upon receiving your written request, the school will work to process it.
 - 1. If the school does not have the data, you will be notified in writing as soon as reasonably possible.
 - 2. If the school has the data, but the data is not public, you will be notified in writing as soon as reasonably possible and state which specific law says the data is not public.
 - 3. If the school has the data, and the data is public, the school will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - a) The school will arrange a date, time, and place to inspect data, for free, if your request is to look at the data; or
 - b) The school will provide you with copies of the data as soon as reasonably possible.
- B. You may choose to pick up your copies, or the school will mail or fax them to you. If you want the school to send you the copies, you will need to provide an address or fax number. The school will provide electronic copies (such as email or other electronic storage) upon request if the school maintains the data in electronic format. Information about copy charges is described below.
- C. If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please notify the school. The school will provide an explanation if you ask.
- D. The Data Practices Act does not require the school to create or collect new data in response to a data request if the school does not already have the data, or to provide data in a specific form or arrangement if the school does not keep the data in that form or arrangement. (For example, if the data you request are on paper only, the school is not required to create electronic documents to respond to your request.) If the school agrees to create data in response to your request, the school will work with you on the details of your request, including cost and response time.
- E. In addition, the Data Practices Act does not require the school to answer questions that are not requests for data.

VI. REQUESTS FOR SUMMARY DATA

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. The school will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request (you may use the data request form below), the school will respond within ten business days with the data or details of when we receive the request.

VII. DATA PRACTICES CONTACTS

- A. Responsible Authority: Head of School
Address: 5140 Fremont Ave No, Minneapolis, MN 55430
Phone number: 612-302-3410
- B. Data Practices Designee(s): Office Clerk
Address: 5140 Fremont Ave No, Minneapolis, MN 55430
Phone number: 612-302-3410
Email: office@jjlegacy.org
- C. Data Practices Compliance Official: Office Clerk
Address: 5140 Fremont Ave No, Minneapolis, MN 55430
Phone number: 612-302-3410
Email: office@jjlegacy.org

VIII. COPY COSTS – MEMBERS OF THE PUBLIC

- A. The school charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, §13.03, subdivision 3(c).
- B. You must pay for the copies before the school will give them to you.
1. For 100 or Fewer Paper Copies. 100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.
 2. Most Other Types of Copies- Actual cost.
 - a) The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).
 - b) In determining the actual cost of making copies, the school factors in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any).
 - c) If your request is for copies of data that the school cannot reproduce itself, such as photographs, you will be charged the actual cost the school must pay an outside vendor for the copies.
 - d) The cost of employee time to search for data, retrieve data, and make copies is \$15 per hour. If, because of the subject matter of your request, the school finds it necessary for a higher-paid employee to search for and retrieve the data, the school will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

Legal References

- Minn. Stat. §13.025 (Government Entity Obligation)
- Model Policy, Minnesota Department of Administration, Information
- Policy Analysis Division, September 2013



DATA REQUEST FORM – MEMBERS OF THE PUBLIC

Date of request: _____

I am requesting access to data in the following way:
[Note: inspection is free but we charge for copies of data].

- Inspection Copies Both inspection and copies

The data I am requesting:

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

Contact Information:

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

You do not have to provide any of the above contact information. However, if you want us to mail you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

The school will respond to your request as soon as reasonably possible.