

# Data Practices Policy for the Public

February 2020

Provided in compliance with Minnesota Statutes, sections 13.025 and 13.03

## Your Right to See Public Data

The Government Data Practices Act ([Minnesota Statutes, Chapter 13](https://www.revisor.mn.gov/statutes/cite/13)) presumes that all government data are public unless a state or federal law says that the data are not public. Government data means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The law also says that the Minnesota Council on Disability (MCD) must keep all government data in a way that makes it easy for the public to access data. You have the right to inspect, free of charge, all public data that we maintain. You also have the right to receive copies of public data. The Data Practices Act allows MCD to charge for copies. You have the right to inspect data before deciding to request copies.

## How to Request Public Data

You can ask to inspect data at our offices or ask for copies of public data that we maintain. All data requests must be in writing and must be mailed or emailed to MCD’s Data Practices Compliance Official (DPCO). If you have questions about making a data request, contact the DPCO.

MCD recommends using the **Data Request Form – Members of the Public** on page 6. If you do not use the data request form, your request should:

* State that you are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
* Include whether you would like to inspect the data, receive copies of the data, or both.
* Provide a clear description of the data you would like to inspect or have copied.

You are not required to identify yourself or explain the reason for your data request. However, you may need to provide us with some personal information for practical reasons (for example: you need to provide us with an address or P.O. Box if you would like us to mail copies of data to you). If we do not understand your request and are unable to contact you, we cannot respond to your request.

## How We Will Respond to Your Data Request

Upon receiving your request, we will review it.

* We may ask you to clarify what data you are requesting.
* If we do not have the data, we will notify you in writing as soon as reasonably possible.
* If we have the data, but we are not allowed to give it to you, we will tell you as soon as reasonably possible and identify the law that prevents us from providing the data.
* If we have the data, and the data are public, we will respond to your request appropriately and promptly within a reasonable amount of time by doing one of the following:
	+ Arrange a date, time, and place for you to inspect the data at our offices; or
	+ Tell you the amount you owe for copy costs, and then provide you with copies of the data as soon as reasonably possible after you pay them. You may choose to pick up your copies, or we will mail or email them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in that format and we can reasonably make a copy.
	+ Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
* If you do not arrange to inspect the data or pay for copies within 15 business days after we tell you the data are ready, we will conclude that you no longer want the data and will consider your request closed.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please contact the DPCO, who will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data your request are on paper only, we are not required to create electronic documents to respond to your request. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

We are also not required to respond to questions that are not about your data requests or requests for government data.

## Requests for Summary Data

Summary data are statistical records or reports created by removing identifying information about individuals from entirely private or confidential data. We will prepare summary data if you request it in writing and pre-pay for the cost of creating the data.

You may use the data request form on page 6 to request summary data. We will respond to your request within ten business days with the data or details of when the data will be ready and how much we will charge you.

## Data Practices Contacts

### Responsible Authority

Kody Olson, Public Policy Director

**Minnesota Council on Disability**

121 East 7th Place, Suite 107

St. Paul, MN, 55101

651-361-7803

Kody.olson@state.mn.us

### Data Practices Compliance Official

Shannon Hartwig, Council Executive Secretary

**Minnesota Council on Disability**

121 East 7th Place, Suite 107

St. Paul, MN, 55101

651-361-7800

council.disability@state.mn.us

## MCD Data Practices Designee for Financial and Personnel Data

Questions or data requests relating to MCD financial and personnel data, maintained on behalf of the MCD by the MN Department of Administration (Admin) as a SmART agency, must be made to the below designee.

### Admin Financial Management and Reporting and Human Resources

Amy Peterson

MN Department of Administration

Human Resources Supervisor

(651)259-3739

Amy.k.peterson@state.mn.us

## Copy Costs – When You Request Public Data

We charge for copies of government data when the total charges are $75.00 or more. Minnesota Statutes, section 13.03, subdivision 3(c) allows us to charge for copies. Multiple requests made within the same 10 business-day period will be treated as a single request for the purposes of calculating total copy costs for the purposes of calculating whether the $75.00 minimum is met. All copy costs must be paid in full before MCD will provide the requested copies.

### For 100 or few paper copies – 25 cents per page

100 or fewer pages of black and white, letter or legal-size paper copies cost 25 cents for a one-sided copy, or 50 cents for a two-sided copy.

### Most other types of copies – actual cost

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, retrieving the data and making the copies or electronically sending the data.

In determining the actual cost of making copies, we include employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.) and mailing costs (if any). If your request is for copies of data that we cannot copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

Costs for searching and retrieving data will be based on the salary/wage of the lowest-paid employee who can compile the data. If we find it necessary that your requests requires a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval charges at the higher salary/wage.

If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.

## Data Request Form – Request Public Data

Request date:

### The data I am requesting

Describe the data you are requesting as specifically as possible (Use as much space as you need):

### I am requesting access to data in the following way

1. Inspection
2. Copies
3. Both inspection and copies

**Note:** Inspection is free, but MCD charges for copies if the total charges are $75.00 or more.

How you would like to access the data? Indicate number 1, 2, or 3:

### Contact Information (optional)

You do not have to provide contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. We also need contact information if we do not understand your request. We will not work on your request until we clarify it with you.

Name:

Phone Number:

Email Address:

Address:

**We will respond to your request as soon as possible.**

This information is available in alternative format upon request.