

XXX Data Request Policy

Right to Access Public Data

The Minnesota Government Data Practices Act ("Data Practices Act"), Minnesota Statutes, Chapter 13, presumes that all government data are public unless a state or federal law says 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 provides that Duluth Public Schools ("School District") must keep all government data in a way that makes it easy for you to access public data. You have the right to look at (inspect), free of charge, all public data that the School District keeps. You also have the right to get copies of public data. The Data Practices Act allows the School District to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request

A written request is required to inspect data or request copies of data that the School District maintains. A form for requesting data is provided; however, a requesting party may make a request in writing including the following information:

- State that you, as a member of the public, are making a request for data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13;
- State whether you would like to inspect the data, get copies of the data, or both; and
- Provide a clear description of the data you are requesting.

The School District cannot require that a requesting party identify themselves, or explain the reason for the request. However, the requesting party may need to provide the School District with some personal information for practical reasons (for example: if an individual requests that data be mailed, it is necessary that the requesting party provide the School District with an address or P.O. Box). Further, it may be necessary for the School District to contact a requesting party if it has questions concerning the request.

How Duluth Public Schools Responds to a Data Request

Upon receiving a request, the School District will review it.

- The School District may ask that the requestor clarify what data is being requested;
- If the School District has the data, but such data is not public, the School District will tell you as soon as reasonably possible, including reference to the law that restricts the release of such data;
- If the School District has 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 the requestor to inspect the data at School District offices; or

- The requestor may choose to pick up copies, or the School District will mail or email them. The School District will provide electronic copies upon request if it is reasonably possible to keep the data in that format and make a copy.
- Response time may be impacted by the size and/or complexity of your request, and also by the number of requests that the requesting party makes in a given period of time.

If a requesting party does not understand some of the data (technical terminology, abbreviations, or acronyms), please contact the School District for an explanation.

The Data Practices Act does not require the School District to create or collect new data in response to a data request, or to provide data in a specific form or arrangement other than the form/arrangement the data is currently maintained in. For example, if the requested data is maintained on paper only, the School District is not required to create electronic documents in response to a request. If the School District agrees to create data in response to a request, the School District will work with the requesting party on the details of the request, including cost and response time.

The School District is not required to respond to questions that are not related to data requests.

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 District will prepare summary data if the requesting party makes a request in writing, and pays for the cost of creating the data. Upon receiving a written request for summary data, the School District will respond to the requesting party within ten (10) business days with the data, or details of when the data will be ready, and how much the School District will charge.

Copy Costs

The School District may charge 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 copies before the School District will provide the copies.

For 100 or Fewer Paper Black and White Copies -- \$0.25 per page:

The charge for 100 or fewer pages of black and white, letter or legal-sized paper is \$0.25 for a one-sided copy, and \$0.50 for a two-sided copy.

More than 100 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 for 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 actual cost, the School District will include the cost of employee time, the cost of materials, and mailing costs. 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 dependent upon the hourly wage of the lowest paid employee who can perform the work given the data privacy issues related to searching for the records.

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 information. The responsible authority, upon request, shall provide sufficient documentation to explain the fee being charged.

Data Practices Contacts:

Responsible Authority:

William Gronseth, Superintendent
215 North First Avenue East
Duluth, MN 55802
william.gronseth@isd709.org

Data Practices Compliance Official:

Douglas Hasler, Chief Financial Officer
215 North First Avenue East
Duluth, MN 55802
douglas.hasler@isd709.org

Replacing: Policy 1016
First Reading: 11-21-2017
Adopted:



Public Data Request Form

Date of Request: _____

Method to Access Data (Note: Inspection is free, but there is a charge for copies):

- Inspection Paper Copies Electronic Copies (if available)
- Both inspection and copies

Describe the data you are requesting. Please be specific. Use additional pages if necessary.

You are not required to provide contact information. The School District will need some type of contact information if you are requesting that copies of data be mailed/emailed to you, or if the School District requires clarification prior to responding to the data request.

Name: _____

Address: _____

Phone Number: _____ **Email Address:** _____

Return this form to:

Data Practices Compliance Official
Duluth Public Schools
215 North First Avenue East
Duluth, MN 55802