

Agenda Independent School District 279 School Board	Regular Business Meeting Arbor View Early Education Center-Motor Room 9401 Fernbrook Lane Maple Grove, MN 55369 Tuesday, October 11, 2022 4:30 PM
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Our mission is to inspire and prepare each and every scholar with the confidence, courage and competence to achieve their dreams; contribute to community; and engage in a lifetime of learning.

This regular meeting of the Osseo School Board is being conducted in the Board Room of the Educational Service Center, and is open to the public. The meeting can be monitored electronically by streaming online at district279.org/info-center/school-board (Watch Livestream). An archived recording will also be available on the district website.

Agenda Items

1. Check in
Tim Palmatier, General Counsel
2. Review of Series 400 Policies (Employees) and discussion on other policies for review 2
3. Review of Proposed Policy: Public Data and Data Subject Requests 3
4. Next Meeting: December 6, 2022
5. 5:30 p.m. Adjournment

To accommodate individuals with disabilities, this material will be made available in alternative formats upon request. Individuals with disabilities are invited to request reasonable accommodations to participate in or attend a district activity, call your local school or the school district at least seventy-two (72) hours in advance (two-week notice preferred). Members of the public can view and download School Board meeting notices and regular meeting agendas and materials from the district website www.district279.org, under "Info Center > School Board."

Policies and Procedures

Series 400 – Employees

Policy #	Policy Title	Adoption/Last Revision
403	Discipline, Suspension and Dismissal of Employees	Nov 2018
404	Family and Medical Leave for School District Employees	Jan 2020
406	Public and Private Personnel Data	Jan 2017
414	Mandated Reporting of Child Neglect or Abuse	July 2013
416	Drug and Alcohol Testing	Oct 2015
418	Drug-free Workplace	Jan 2018
419	Tobacco-free Environment	Feb 1999
420	Students and Employees with Communicable Diseases and Infectious Conditions	Apr 2018
421	Gifts to District Personnel	Mar 2015
423	Employee-Student Relationships	Apr 2018
427	Workload Limits for Certain Special Education Teachers	Sep 2015
430	Recruitment and Selection	Jan 2020
432	Teacher Involuntary Transfer Process	Feb 1999
435	Qualification of Personnel	Apr 2004
441	Digital Technologies and Digital Systems Acceptable Use	Apr 2019
442	Travel	Dec 1999
443	Tutoring of Students	Jun 2020
448	Worker's Compensation Insurance	Mar 1999
452	Firearm Restrictions for Employees	Jan 2019

POLICY 722 – PUBLIC DATA AND DATA SUBJECT REQUESTS

I. PURPOSE

The school district recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes. The purpose of this policy is to ensure that data requests by the public or by a data subject are responded in appropriate and consistent matter.

II. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13 (MGDPA), and the Minnesota Rules parts 1205.0100-1205.2000 in responding to requests for public data.

III. REQUESTS FOR PUBLIC DATA

- A. All requests for public data must be made in writing directed to the responsible authority.
 1. A request for public data must include the following information:
 - a. Date the request is made;
 - b. A clear description of the data requested;
 - c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - d. Method to contact the requestor (such as phone number, address, or email address).
 2. Generally, the school district may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data.
 3. The identity of the requestor is public, if provided.
 4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- B. The responsible authority will respond to a public data request within a reasonable time period.
 1. The responsible authority will notify the requestor in writing as follows:
 - a. The requested data does not exist; and/or
 - b. The requested data exists but either all or a portion of the data is not accessible to the requestor. If the responsible authority determines that the requested data is classified so that access to the requestor must be denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.
 - c. The requested data exists and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent electronically or by mail.
 2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time. Overly

burdensome or harassing data requests may be challenged by the school district to the extent permitted by law.

3. if requested, the school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request. The school district is not required to provide an interpretation of the data in responding to the data request.
4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.
5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

IV. REQUEST FOR SUMMARY DATA

- A. Summary data is statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.
- B. A request for the preparation of summary data shall be made in writing directed to the responsible authority.
 1. A request for the preparation of summary data must include the following information:
 - a. Date the request is made;
 - b. A clear description of the data requested;
 - c. Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - d. Method to contact requestor (phone number, address, or email address).
- C. The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:
 1. The estimated costs of preparing the summary data, if any; and
 2. The summary data requested; or
 3. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or
 4. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.
- D. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

V. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA

- A. Upon request to the responsible authority or designee, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data

without any charge and, if desired, shall be informed of the content and meaning of that data.

- B. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.
- C. The responsible authority or designee shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.
- D. The responsible authority or designee shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.
- E. All requests for individual subject data must be made in writing directed to the responsible authority.
- F. A request for individual subject data must include the following information:
 - 1. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;
 - 2. Date the request is made;
 - 3. A clear description of the data requested;
 - 4. Proof that the individual is the data subject or the data subject's parent or guardian;
 - 5. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - 6. Method to contact the requestor (such as phone number, address, or email address).
- G. The identity of the requestor of private data is private.
- H. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- I. Policy 515 (Protection and Privacy of Pupil Records) addresses requests of students or their parents for educational records and data.

VI. COSTS

A. Public Data

- 1. The school district will charge for copies provided as follows:
 - a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.
 - b. More than 100 pages or copies on other materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.

- (1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).
- (2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.

2. All charges must be paid for [in cash or by check] in advance of receiving the copies.

B. Summary Data

1. Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.
2. The school district may assess costs associated with the preparation of summary data as follows:
 - a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based record-keeping system, including computers and microfilm systems;
 - b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

C. Data Belonging to an Individual Subject

1. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

The responsible authority shall not charge the data subject any fee in those instances where the data subject only desires to view private data.

The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies. Based on the factors set forth in Minnesota Rule 1205.0300, subpart 4, the school district determines that a reasonable fee would be the charges set forth in section VIII.A of this policy that apply to requests for data by the public.

2. The school district may not charge a fee to search for or to retrieve educational records of a child with a disability by the child's parent or guardian or by the child upon the child reaching the age of majority.

VII. Annual Review and Posting

- A. The responsible authority shall prepare a written data access policy and a written policy for the rights of data subjects (including specific procedures the school district uses for access by the data subject to public or private data on individuals). The responsible authority shall update the policies no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the public's ability to access data.
- B. Copies of the policies shall be easily available to the public by distributing free copies to the public or by posting the policies in a conspicuous place within the school district that is easily accessible to the public or by posting them on the school district's website.

Data Practices Contacts

Responsible Authority:

[Name]

[Location]

[Phone number; email address]

Data Practices Compliance Official:

[Name]

[Location]

[Phone number; email address]

Data Practices Designee(s):

[Name]

[Location]

[Phone number; email address]

Legal References

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 13.01 (Government Data)

Minn. Stat. § 13.02 (Definitions)

Minn. Stat. § 13.025 (Government Entity Obligation)

Minn. Stat. § 13.03 (Access to Government Data)

Minn. Stat. § 13.04 (Rights of Subjects to Data)

Minn. Stat. § 13.05 (Duties of Responsible Authority)

Minn. Stat. § 13.32 (Educational Data)

Minn. Rules Part 1205.0300 (Access to Public Data)

Minn. Rules Part 1205.0400 (Access to Private Data)

Cross References

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Policy 722 Adopted: XX/XX/XX