

School District

Data Requests

I. Purpose

This policy recognizes the school district responsibility to provide public data when requested.

II. General Statement of Policy

The school district will ensure there is a clear process in place for requesting public data that complies with and follows the Minnesota Government Data Practices Act.

III. Definitions

- A. "Public Data" is all government data collected, created, received, maintained or disseminated by a government entity unless classified by statute, or temporary classification pursuant to state or federal law.
- B. "Private" data means the data is available to the subject of the data and to district employees who need it to conduct the business of the district.
- C. "Confidential" data means the data is not available to the subject and not accessible by the public
- D. "Government Data" is all recorded information a government entity has, including paper, email, DVDs, photographs, etc.
- E. "Inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. It does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data.

IV. Responsible Authority

- A. The superintendent or designee will serve as the authority responsible for data requests.
- B. The responsible authority will establish procedures to ensure that requests for government data are received and compiled within an appropriate and prompt manner.
- C. The responsible authority may designate one or more designees.

V. Requesting Data

- A. Upon receiving a data request the district will acknowledge it and provide a tentative timeline for fulfillment.
- B. Prior to fulfilling a request the district may contact the requestor for the following reasons:
 - 1. To ask for clarification or additional information to help fulfill the request;
 - 2. To indicate that the request may involve a charge or require pre-payment; or
 - 3. To discuss scheduling partial or rolling productions of data.
- C. Upon request to a responsible authority or designee, a person will be permitted to inspect and/or copy public government data at reasonable times and places, and, upon request, will be informed of the data's meaning.
- D. If the person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect the data.
- E. In order to complete a request the district will do one of the following:
 - 1. If the district does not have the data, the requestor will be notified in writing as soon as reasonably possible.
 - 2. If the district has the data but the data are not public, the requestor will be notified as soon as reasonably possible and identified the date and specify in writing the legal authority for the decision to withhold or release the data.
 - 3. If the district has the data, and the data are public, the district will respond to the request appropriately and promptly, with a reasonable amount of time by doing one of the following:
 - a. arrange a date, time, and place to inspect data, for free, if the request is to look at the data, or
 - b. provide copies of the data as soon as reasonably possible. The requestor may choose to pick up copies, or it will be mailed or faxed. Electronic copies (such as email or CD-ROM) will be provided upon request if the data is currently kept in an electronic format.
- F. The Government Data Practices Act does not require the creation or collection of new data in response to a data request, or to provide data in a specific form or arrangement if not kept in that form or arrangement.

G. The Government Data Practices Act does not require the district to answer questions that are not requests for data.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
5 U.S.C. § 552 (Freedom of Information Act (FOIA))

Cross References:

Policy 406 (Public and Private Personnel Data)
Policy 515 (Protection and Privacy of Student Records)

Policy
adopted: 02/26/18

INDEPENDENT SCHOOL DISTRICT 273
Edina, Minnesota

Appendix I to Policy 113
Costs Associated with Public Data Requests

- I. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data.
- II. However, if 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the responsible authority may charge no more than 25 cents for each page copied.
- III. For requests totaling more than 100 pages, the district may charge the “actual costs” for producing the data, plus a per-page-cost for each paper copy produced.
 - A. “Actual costs“ for producing public data of more than 100 pages are computed by applying DHS staff hourly pay rates to the time required for:
 1. Searching for and retrieving data, (if the requestor is not the data subject)
 2. Making, certifying, sorting, and electronically transmitting or mailing the data, including the cost of employee time.
 3. There is no charge for redaction.
- IV. There is no charge for separating private data from public data.