

City of St. Paul Park

Data Practices Policy for Members of the Public

Members of the public have the right to access government data pursuant to the Government Data Practices Act (Minnesota Statutes, Chapter 13). This policy outlines the procedures for access to public data.

Adopted 09/06/2016

1. Right to Access Public Data

The Government 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 is a term that means all recorded information a government entity has, including paper, email, flashdrives, CDs, DVDs, photographs, etc.

You have the right to look at (inspect), free of charge all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

2. How to Make a Data Request

All requests for government data shall be made in writing to the responsible authority, or designee, on a form provided by the City.

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

- You are making a request for data under the Government Data Practices Act, Minnesota Statutes, Chapter 13;
- Whether you would like to inspect the data, have copies of the data or both; and
- A clear description of the data you would like to inspect or have copied.

The City 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 us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, 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 you 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.

In addition, the Government Data Practices Act does not require us to answer questions that are not request for data.

A. Requesting to inspect public data

You can inspect the data, for free, if your request is to look at the data.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

B. Requesting copies of public data

The City charges for copies of government data. These charges are authorized under Minnesota Statute Section 13.03, subdivision 3 (c).

You must pay for the copies before we will give them to you.

For 100 or fewer 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 and retrieving data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we factor in employee time, the cost of 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 reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

C. 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. We will prepare summary data if you make your request in writing and pre-pay/pay for the cost of creating the data. Upon receiving your written request we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

3. How We Respond to a Data Request

A. Public data will be provided to the requesting party as soon as reasonably possible.

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 permitting its review. (For example: City Council Minutes could be made available immediately assuming staff was not otherwise occupied.)

If we do not have the data, we will notify you in writing as soon as reasonably possible.

B. The responsible authority, or designee, shall consult with the City Attorney if there is any question or doubt about the public nature of the data request.

If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.

C. If the data request is denied.

If the responsible authority determines that the requested data is classified so as to deny the requesting person access, the responsible authority, or designee, shall inform the requesting party as soon as possible thereafter of that determination with citation to the authority rendering the data non-accessible.

Contacts

Responsible Authority

Sharon Ornquist, City Clerk

Data Practices Compliance Official

Sharon Ornquist, City Clerk

Data Practices Designees(s)

Kevin Walsh, City Administrator

Jessica Billmeyer, Chief of Police

This procedure is intended to comply with the Government Data Practices Act (Chapter 13) and any inconsistencies with this procedures and the Act, shall be resolved in favor of the Government Data Practices Act.

Forms

- Data Request Form—Members of the Public