

**SCHOOL POLICIES
INDEPENDENT SCHOOL DISTRICT 16**

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SERIES	700	Non-Instructional Operations
SUBJECT	700	Public Data Requests
Adopted		December 11, 2018
Revised		

I. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minn Stat. Ch 13 (MGPDA), the Federal Educational Rights and Privacy Act, 20 U.S.C. 1232g (FERPA), and Minn. Rules Parts 1205.0100-1205.2000 in responding to requests for public data.

II. DEFINITIONS

A. Government Data

“Government Data means all data collected, created, received, maintained, or disseminated by the School District regardless of its physical form, storage media, or conditions of use.

B. Inspection

“Inspection” means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies or download the data on the public’s own computer equipment.

C. Public Data

“Public data” means all government data collected, created, received, maintained or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

D. Responsible Authority

“Responsible authority” means the individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

E. Summary Data

“Summary data” means 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.

III. REQUESTS FOR PUBLIC DATA OR SUMMARY DATA

- A. All requests for public data or summary data must be made in writing directed to the responsible authority, and must include the following information:
 - 1. Date the request is made;
 - 2. A clear description of the data requested;
 - 3. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.): and
 - 4. Method to contact the requestor (such as phone number, address, or email address)
- B. A requestor is not required to provide his/her identity, nor is a requestor required to explain the reason for a data request.
- C. A data request, including the identity of the requestor (if provided), is public data.
- D. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- E. The responsible authority will respond, in writing, to a request for public data within a reasonable period of time as follows:
 - 1. The requested data does not exist; or
 - 2. The requested data does exist but either all or a portion of the data is not accessible to the requestor, in which case the responsible authority will cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based; or
 - 3. The requested data does exist, and describe arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail or email.

If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor was notified, the school district will conclude that the data is no longer wanted and will consider the request closed.
- F. 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.
- G. Upon request, the school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data.
- H. 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.

- I. The responsible authority will respond, in writing, within ten (10) business days of receipt of a request for summary data as follows:
 1. The estimated costs of preparing the summary data, if any; and
 2. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or
 3. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise private or confidential data.

IV. COSTS

- A. The per page charge for copies is as follows:
 1. 100 or fewer pages of black and white, letter or legal sized paper copies: 25 cents for a one-sided copy or 50 cents for a two-sided copy.
 2. More than 100 copies: the actual cost of making the copy, including employee time in retrieving the data, making copies, sending the copies, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any). 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.
 3. Summary data: the actual cost of preparing the summary data, including employee time in retrieving, compiling, and copying the data, the cost of materials onto which the data is copied, and mailing costs. The school district will consider the reasonable value to the School District of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.
- B. All charges must be paid in advance of receiving the copies. For summary data, all costs must be paid prior to preparing or supplying the data.

Data Practices Contact:
Superintendent of Schools or designee

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