
Annual Report from the Data Practices Office

Fiscal Year 2025

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Introduction

The mission of the Department of Administration's Data Practices Office (DPO) is to promote understanding of and compliance with the [Minnesota Government Data Practices Act](#) and [Open Meeting Law](#). To further our mission, we provide the following services:

- Informal advice and technical assistance to government entities and members of the public (including the Legislature and the media) on questions related to data practices and open meetings;
- Training on the Data Practices Act and Open Meeting Law;
- Assistance to the Commissioner of Administration on data practices statutory duties, including advisory opinions, temporary classifications, new uses of data, and data challenge appeals;
- Legislative assistance to individuals, organizations, government entities, and the Legislature in drafting and tracking data practices and open meetings legislation;
- Explanatory information pages, model policies and procedures, informational videos, and training modules on our website and YouTube page; and
- Consultation on projects concerning data practices and open meetings issues.

The Office is funded for four full-time staff members and has an annual general fund budget of \$606,000. In addition, the Office provides paid training which generated \$50,000 in Fiscal Year 25 (July 2024-June 2025). DPO operated with three FTEs from October 2024-March 2025.

FY25 highlights and successes

Technical assistance success stories

- A member of the public who was unable to access a City Council's meeting room contacted our office. A DPO team member reached out to the City to discuss requirements under the Open Meeting Law to provide access to meeting rooms throughout the duration of an open meeting. The City confirmed they have updated their practices and procedures to ensure continued access, and the member of the public confirmed they were able to attend later meetings.
- A member of the public contacted DPO with concerns about a data request they placed to a city. The City denied the request and did not provide any data. After discussing what the requester wanted, a DPO team member confirmed there would be some public data available and reached out to the City to discuss. After our conversation the City better understood what the requester needed, and its public classification. The requester ultimately received the data they needed.
- A law enforcement agency contacted a DPO team member confused about what they could charge a requester to provide copies of government data. The team member explained the fee structure under the Data Practices Act and the city understood they would need to adjust a quote provided to a data

requester. The city later followed up with additional questions and thanked us for providing helpful information so they could provide an accurate estimate to the requester.

- A small agency asked if they could hold fully remote meetings due to safety concerns because of legislators on the Board. After explaining that the agency could not hold remote meetings for that purpose, the agency replied, “As always, you have gone out of your way to provide us with the most complete and thorough information available in the State!”
- A member of the public asked about the application of section 13.601, subdivision 2, related to elected official correspondence. A DPO team member clarified that the provision applies to all elected officials, not just state-level officials, and the member of the public responded, “Thank you for the education on this topic and your prompt reply. You’ve proven once again why I’ve maintained for many years that the DPO is the best hidden secret public agency in the entire state of MN.”
- A police sergeant reached out to DPO to say, “I feel compelled to also mention that every time we have sought your team’s guidance the information has always been very helpful.”

Feedback

- “Thank you so much for your response, it answers a lot of questions. I also want to express my appreciation as well as [entity’s] appreciation for your office. The resources and training you all provide are incredibly helpful. Your office has also responded to many questions from us in the past few months and the responses are always quick and very thorough.”
- “Thank you very much for meeting with me and for this thorough follow-up to our discussion. It is much appreciated, and I feel well-informed to take the next steps for our office.”
- “We do appreciate having this resource to help keep democracy front and center.”

DPO outreach

One of DPO’s aims is to raise our public profile and reach additional partners. This year, we added 514 new recipients to our listserv for a total of 3,973 in FY25 (a 15% increase).

FY25 technical assistance/partner contacts

Technical assistance* usually begins with an email or phone call. These contacts may be a parent asking about data about their student, a police department asking about access to body camera video, or a water and soil conservation district asking about requests for proposals. The DPO team learns more about the issue, and then provides guidance on classification, decision points, and next steps. Some questions require further research, and others can be answered relatively quickly. A DPO team member may also reach out to a government entity on behalf of a member of the public to act as an intermediary in resolving data practices and Open Meeting Law issues.

Our goal in providing this informal guidance to our public community partners is to assist them in accessing data to which they are entitled or to help them understand why they are unable to access data (i.e., the data are classified as not public, or the data do not exist). Our goal in assisting government is to achieve a better understanding of the law, resulting in greater compliance.

* Authority to provide technical assistance comes from [Minnesota Statutes, section 13.073, subdivision 5](#) and [Minnesota Rules, part 1205.1700](#).

Technical assistance summary

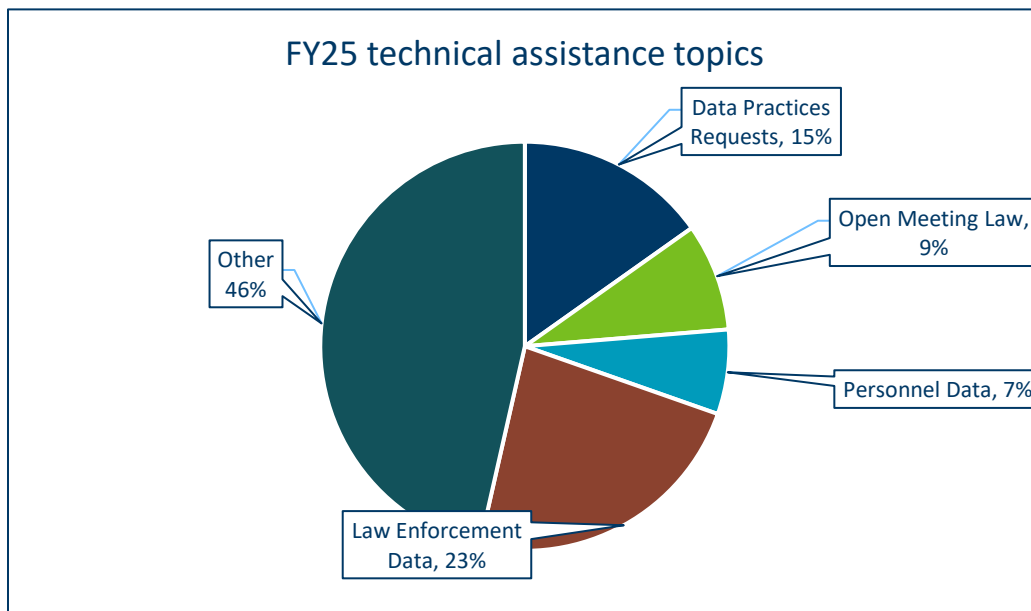
In recording the number of contacts, DPO team members count the initial contact. Even though we may exchange several emails or calls to respond to an inquiry from one of our partners, we consider that one “contact.” Thus, the total number of requests for technical assistance does not necessarily represent the qualitative effort involved in responding. Tracking allows us to monitor trends in questions and pinpoint areas of concern for our partners.

During FY25 we received and responded to 1,941 requests from our partners for informal advice or technical assistance. This partner contact number does not include the number of individuals we trained, requests for advisory opinions, audits we received and reviewed, data challenge appeals, or requests for temporary classification.

Topics

The following are the top four topic areas of inquiry we addressed during FY25. These four topic areas resulted in 54% of the questions DPO fielded in FY25. Technical assistance requests resulted in 2,153 total topics. (Each individual contact tallied above may involve multiple topic areas.)

1. **Law Enforcement Data* (499)** – assistance obtaining and classifying information related to data collected, created, and maintained by law enforcement (15% increase).
2. **Data practices requests** (327)** – assistance with fulfilling data requests, status updates, understanding entity responses.
3. **Open Meeting Law (183)** – understanding notice requirements, closed meetings, and technology.
4. **Personnel Data (144)** – assistance obtaining and classifying information related to public employees, volunteers, and independent contractors.



*The number of law enforcement data contacts includes questions related to body cameras and peace officer records of children, which are tracked separately. Body camera questions accounted for 20% of all law enforcement questions and peace officer records of children accounted for 13%.

**This year, we split the former “data request” topic into two – assistance with data requests and data requesters reaching out to request data maintained by other entities. The former is represented above. In the latter case, we re-direct the requesters to the entities that maintain the data. In FY25 we had 85 requesters asking DPO for data maintained by other entities.

The remaining 46% of inquiries involved the following topics (↑↓ indicate change from last FY):

- | | | |
|--|----------------------------------|---|
| • Attorney data* (10) | • Legislative (22) ↑ | • Remedies (104) ↑ |
| • Classification (119) ↑ | • Licensing data (9) ↓ | • Other (188) ↑ |
| • Copy costs (91) ↑ | • Policies and procedures (47) ↓ | • Security information (13) ↑ |
| • Data breaches (19) ↓ | • Property complaints (12) ↓ | • Social services data (26) ↑ |
| • Data sharing (48) ↓ | • Privatization (7) ↑ | • Tennesen warning notice and informed consent (23) ↓ |
| • Education data (16) ↓ | • Records management (66) ↑ | • Training (69) ↓ |
| • HIPAA & MN Health Records Act (26) ↑ | | |

The next most-requested topics were: “other” (miscellaneous), classification of data, remedies and enforcement (25% increase), copy costs (82% increase), training resources, and records management (19% increase). “Other” includes topics such as summary data, traveling data, corrections data, Safe-at-Home, statutory provisions

outside of Chapter 13 (court records, private actions, questions related to homeowners' associations), website feedback, and inquiries that are out of scope for the office.

*New topic this year, replaces data on decedents.

Data practices and open meetings training

Workshops, webinars, and other trainings

DPO has developed curriculum for full-day and half-day training workshops based on the highest priority needs of our partners, as identified in the top four partner contact topic areas. Our full-day workshops cover the topics of law enforcement data and personnel data. Our half-day workshops cover open meetings and data practices basics (access policies, data requests, and data classification). The curriculum for these hands-on, interactive workshops provides an in-depth experience for our partners and takes dedicated staff time to develop and facilitate. The groups are small (20-30 attendees) to ensure participants can ask questions of DPO staff and expand on topics during the workshops. Therefore, we charge a fee to recoup a portion of our costs. The bulk of the training DPO provides are short presentations, trainings, webinars, or overviews that we conduct on an ad-hoc basis and remain free for our partners. In presenting free training, we can reach audiences of over 100 attendees. In addition to DPO-sponsored training, we also partner with other groups to offer training to the widest audience. In FY25 we were on the road and in person in Breezy Point, Brainerd, St. Anthony, the University of Minnesota, and Bloomington.

The Office trained a total of 1987 partners in FY25.

- 39 total training events in FY25
 - 12 full-day and partial-day workshops
 - 4 free webinars: a legislative review, two data practices potpourri, and Open Meeting Law refresher, and one on body camera data. (717 individuals attended the webinars.)
 - 23 free trainings, including presentations for state enterprise agencies and other groups with a statewide reach (University of Minnesota School of Journalism, Cannabis Expungement Board, Task Force on Long-Term Sustainability of Affordable Housing, the MN Government Records & Information Network, MN Association of Property and Evidence Technicians, MN Association of Charter Schools, and the AGO).

Partner feedback

At each workshop and most webinars, we ask our partners to provide feedback. We use this feedback to determine the training curriculum and to develop new content to address partner needs.

We ask for feedback in several areas:

7

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<https://mn.gov/admin/data-practices/resources/laws/reports/>

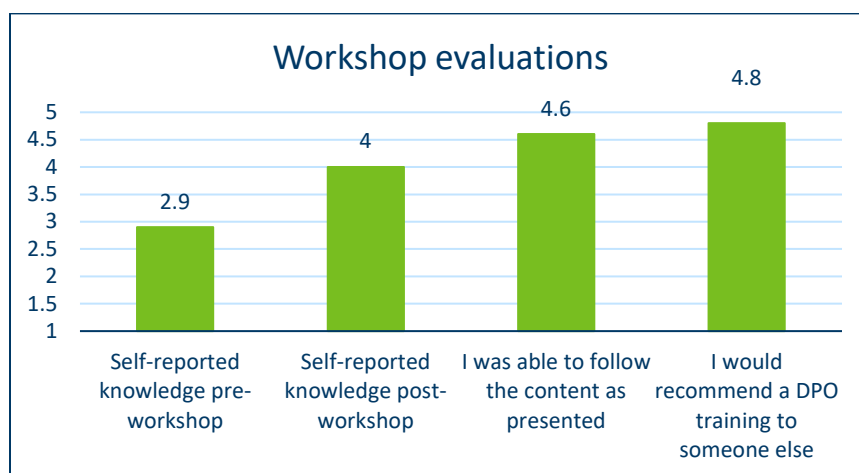
1. For workshops, we ask participants to evaluate their knowledge of data practices on a 5-point scale, 1-very low and 5-very high, before and after the workshop
2. For workshops and webinars, we ask whether the participant could follow the content
3. For workshops and webinars, we ask whether the participant would recommend a DPO training to someone who was interested

We ask our partners to provide a rating from 1 – 5, with a rating of 1 being the lowest (i.e., the information will not be useful in the future, the attendee did not gain any new knowledge, the presenters were not knowledgeable and effective presenters, the level of information did not fit my needs.)

Participants continued to give our workshops, webinars, and trainings positive feedback. Workshop participants showed a demonstrated increase in knowledge after having attended a workshop. Workshop and webinar participants responding to the evaluations overwhelmingly said that they would recommend a DPO training to other interested individuals. *

Trends





*There was a 70% response rate for workshop attendees (230/330) and a 42% response rate for webinar attendees (302/717).

Feedback from training attendees:

- I appreciate learning how various state entities receive and respond to data requests; helps me think about what we might want to add to policies/ procedures preemptively. (Data Practices 201)
- I dreaded the breakouts - but they were really fun. Great conversation with others. (Data Practices 201)
- The presenters did a great job explaining a complex subject. I went from a knowledge level of somewhat low to somewhat high. (Introduction to data practices policies and procedures)
- No additions needed. this was very helpful and I wish more from my organization would have attended. (Introduction to data practices policies and procedures)
- I have attended several data practice trainings and enjoyed you both as presenters and the information given. I appreciated how questions were answered with explanations instead of just statutes. (Law enforcement data workshop)
- I enjoyed the class. You both are very knowledgeable, and I enjoyed hearing and listening to what you had to teach us. (Law enforcement data workshop)
- Vastly improved knowledge of data practices. (Law enforcement data workshop)
- Loved the scenario based learning! Excellent! (Personnel redaction workshop)
- I thought the interactive nature of this workshop was great and kept participants engaged. Although cameras were off, I can say I was engaged throughout the entirety of the workshop and learned more than I realized I had questions about. (Personnel workshop)

Advisory opinion activity

The Commissioner of Administration has authority to issue non-binding advisory opinions, on certain matters involving data practices and open meetings, pursuant to [Minnesota Statutes, section 13.072](#). DPO administers the advisory opinion process for the Commissioner. The Commissioner has issued more than 1,000 opinions since 1993, which provide a range of guidance on many data practices and Open Meeting Law issues. Our [website](#) hosts the full text of all advisory opinions.

Opinion authority and process

The scope of the Commissioner's authority to issue advisory opinions depends on the requester. For data practices opinions, government entities may ask, "any question relating to public access to government data, rights of subjects of data, or classification of data under [Chapter 13] or other Minnesota statutes governing government data practices." Members of the public who disagree with an entity's determination may ask for an opinion about, "the person's right as a subject of government data or right to have access to government data." Requesters do not need to pay a fee for a data practices advisory opinion request.

A public body may ask for an advisory opinion on "any question relating to the public body's duties under Chapter 13D." A member of the public who disagrees with how a public body performs its duties under the Open Meeting Law may also ask for an opinion.

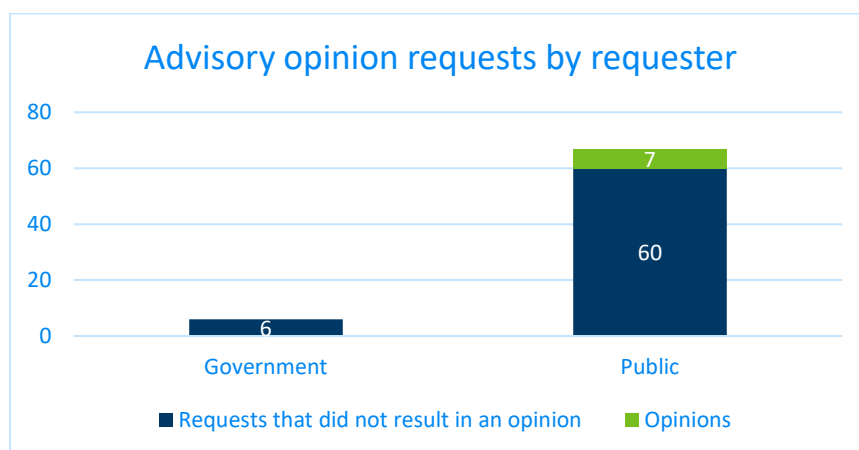
The Commissioner has five business days to decline to issue an advisory opinion. For accepted requests, the Commissioner has 50 days to issue an opinion. During that time, DPO team members seek comments from parties, draft the opinion, and the Commissioner reviews and signs the opinion. The Commissioner does not have fact-finding authority and limits parties to one opportunity to present their facts and arguments.

Occasionally, a member of the public or government will ask for an "informal advisory opinion" on a specific question. In that case, we handle the question in the same manner as a request for technical assistance, rather than through the formal advisory opinion process (see page 4).

Opinion requests in FY25

The Commissioner received 73 opinion requests in FY25 (a % 28% increase) and issued seven advisory opinions. Of the opinions issued, two opinions addressed Open Meeting Law issues and five involved a data practices issue.

The following chart shows the opinion requests by requester:



We respond to all advisory opinion requests. Some opinion requests do not present a violation of the law. We can resolve many of the issues requesters raise through education and communication with the parties, which can be more expedient than the formal advisory opinion process. We may provide technical assistance in an email or letter, direct the opinion requester to prior advisory opinions on the requested topic, and/or provide informal resolution assistance by contacting government entities to resolve disputes with data requesters.

Of the 66 opinion requesters that did not receive an advisory opinion:

- 34 did not raise a clear violation and technical assistance provided
- 16 received informal resolution or technical assistance
- 6 required additional information
 - Information may not have been provided by the requester
 - Additional information provided by requester did not raise a clear violation
 - Information provided by DPO was sufficient to address concern
 - 2 requests that needed more information or clarification became opinions and are not included here.
- 3 raised issues outside the scope of section 13.072 and technical assistance provided
- 1 presented a conflict of interest and pending litigation
- 3 withdrawn by the requester
- 2 presented an intra-body dispute

Other activities

Temporary classification requests

The Commissioner of Administration has authority to approve requests for temporary classification of government data under [Minnesota Statutes, section 13.06](#). The Commissioner did not receive any applications this fiscal year. [Learn more about the temporary classification.](#)

Requests for new uses of government data

Government entities may request approval from the Commissioner for a new use of private or confidential data the entities maintain under [Minnesota Statutes, section 13.05](#), subdivision 4(c). The Commissioner did not receive or act on any requests for new uses of data in FY25.

Data challenge appeals

A Data subject has the right to challenge the accuracy and completeness of data about them under [Minnesota Statutes, section 13.04](#), subdivision 4. The Commissioner of Administration has the authority to receive appeals of those challenges. DPO administers that process for the Commissioner. When the Commissioner receives a complete appeal that meet the requirements of the statute, DPO must offer the data subject an opportunity to resolve the appeal informally. If the data subject declines informal resolution or informal resolution is not successful, then DPO sets the matter for a contested case hearing at the Court of Administrative Hearings. Upon receipt of the administrative law judge's findings, the Commissioner issues a final order. In FY25, the Commissioner received 23 appeals. This represents a 360% increase. (In FY24, the Commissioner received five appeals; in FY23, the Commissioner received seven.)

Automated license plate reader audits

The Commissioner of Administration is tasked with receiving audit report summaries for law enforcement agencies using automated license plate readers (ALPR) pursuant to [Minnesota Statutes, section 13.824](#), subdivision 6. DPO administers the audit review function for the Commissioner. 61 law enforcement agencies (LEAs) have automated license plate readers and send their summaries to the Commissioner on a biennial basis. In early FY26, DPO sent letters to the LEASs reminding them of their audit obligations.

Areas for growth and looking forward

Rules

DPO will continue to take feedback on the updates to Minnesota Rules Chapter 1205. There will be another set of revisions to consider in FY26. As noted above DPO will consider which provisions rightfully belong in the rules and which ones should be pulled forward into statute.

Legislative activities

In tandem with the Department's rules project, DPO will look for opportunities to update Chapter 13 and continue to legislative tracking and guidance to stakeholders and partners. The Office continues to look at the data challenge appeal process to determine if any further changes would clarify the process for government and data subjects.

Training

DPO continues to pursue various approaches and formats to deliver training to our government and community partners. We are currently updating our recorded webinars and video trainings to reflect statutory changes. We are committed to providing training to interested entities and organizations. We have been partnering with agencies around Minnesota to offer in-person opportunities around the state. We are also updating and modifying existing training and actively seeking feedback on what additional training would be helpful.

ALPR audits

The Office is evaluating the ALPR audit process to find ways to make it more efficient and effective for our law enforcement partners.