Application for Temporary Classification of Government Data

Submission. Government entities can submit this application by mail or email to:

Commissioner of Administration
c/o Data Practices Office
320 Centennial Office Building
658 Cedar St.
St. Paul, MN 55155

info.dpo@state.mn.us

Not public data. Once the Commissioner receives your application, the data are no longer public.

Public data. The application itself is public.

Commissioner's decision. The Commissioner has 45 calendar days to decide whether to grant the temporary classification. The Commissioner has 90 calendar days to make a decision if you request that the temporary classification apply to both your government entity and similar government entities, or the Commissioner decides the classification has statewide implications.

NAME AND TITLE OF RESPONSIBLE AUTHORITY

_____
Minnesota Statutes, section 13.06, subdivision 1, requires a government entity's responsible authority to authorize submission of the application.

REQUESTING GOVERNMENT ENTITY'S NAME AND ADDRESS

_____
_____
_____

ADDITIONAL CONTACT INFORMATION
If entity staff or legal counsel helps prepare the application, please include that person's contact information.

NAME: _____

PHONE NUMBER: _____

EMAIL ADDRESS: _____

TYPE OF APPLICATION

____ New Application

____ Amended Application

REQUESTED CLASSIFICATION

____ Private or nonpublic

____ Confidential or protected nonpublic

CLASSIFICATION WILL APPLY TO (check one)

____ Only the requesting government entity

____ All similar government entities
If applying on behalf of similar entities, identify all entities. You must provide documentation that the other entities agree to participate in the application and to be bound by the classification.

Describe Data to be Classified as Not Public

Describe the data you would like to be classified as not public. Be as specific as possible. Listing each data element is not necessarily required, but try to avoid general descriptions, such as "all files" or "all records maintained by this entity." It may be helpful to submit data collection forms. You should also identify data elements or types of data that are excluded from the temporary classification. If any of the data will become public at some point, describe the circumstances and/or timing. (*Please attach description.*)

Current Classification

Is there a Minnesota statute or federal law that currently classifies these data as not public?

____ No

____ Yes (*If you are able to cite a state statute or federal law, there is no need to submit this application.*)

Is there a Minnesota statute or federal law that could be interpreted to forbid classification of these data as not public?

____ No

____ Yes

If yes, cite the statute or law and discuss your interpretation. (*Please attach interpretation.*)

Data Sharing

Will you be legally required to share the data described in this application with persons outside of your entity during the time of the temporary classification?

____ No

____ Yes

If yes, describe the required sharing, including statutory authority. (*Please attach description.*)

Justification

You must clearly establish that a compelling need exists for immediate temporary classification of the data as not public, which if not granted could adversely affect the public's health, safety or welfare, or the data subject's well-being or reputation. If relevant, include any past instances where release of the data had an adverse effect on the public or data subject. *(Please attach compelling need justification.)*

In addition to the compelling need justification, you must describe one or more of the following.

1. Establish that data similar to that which the temporary classification is sought are currently classified as not public. Include the Minnesota statute citation to the similar data's current classification. Discuss similarities in the data, in the functions of the entities which maintain similar data, and in the programs/purposes for which the data are collected and used. *(Please attach similar data argument.)*

2. Establish that making the data available to the public would render unworkable a program authorized by law. Describe the program and cite the statute or federal law that authorizes it. If relevant, include past instances where release of the data rendered a program unworkable. *(Please attach render a program unworkable argument.)*

I affirm that all of the above statements are true to the best of my knowledge.

I am aware that a temporary classification expires August 1st of the year following its submission to the Legislature pursuant to Minnesota Statutes, section 13.06, subdivision 7, unless the Legislature takes action on the classification.

_____

Signature of Responsible Authority   Date