

# Data-Practices Policy 1

## Requesting Public Data

### 1. Your right to inspect public data from the bureau.

The Minnesota Government Data Practices Act<sup>1</sup> presumes that all government data are public unless a state or federal law says otherwise. **Government data** means all recorded information that a government entity has, including but not limited to paper, email, flash drives, CDs, DVDs, and photographs.

The bureau must keep all government data in manner so that you can easily inspect the data. You may inspect—free of charge—all public data that we keep; you may also get copies of the data. Although we may charge you for copies, you may inspect the data before deciding if you want copies. If we charge you, you must prepay.

### 2. How to request public data.

You may inspect public data at our office or ask for copies.

To either inspect data or request copies, **you must use the form on our website** and mail it to us, give it to us in person, or email it to us as an attachment.

You need not identify yourself or explain why you are requesting data. But you may need to provide us with some personal information for us to fulfill your request (for example, if you want us to mail you copies, you must provide us with an address or PO Box).

**Note:** If we don't understand your request and can't contact you, we can't fulfill your request.

### 3. How to request summary data.

Summary data are statistical records or reports that are created by removing identifying information about individuals from private or confidential data. We will prepare summary data if you make your request in writing and prepay for the cost of creating the data.

<sup>1</sup> Minnesota Statutes, chapter 13 (<https://www.revisor.mn.gov/statutes/cite/13>). This policy is required by Minnesota Statutes, sections 13.025 and 13.04.

To request summary data, **you must use the form on our website.** We will respond to your request within **20 business days** with the data or details of when the data will be ready; we will also tell you the cost of the data.

#### **4. How we will respond to your data request.**

We will review your request when we receive it, and we may ask you to clarify what data you are requesting. Once we receive and understand your request, we will respond as follows:

<b>If we</b>	<b>Then we will</b>
↓	↓
<b>1.</b> Don't have the data	Notify you in writing within <b>20 business days.</b>
<b>2.</b> Have the data but we aren't allowed to give it to you	Notify you as soon as reasonably possible and identify the law that prevents us from providing you the data.
<b>3.</b> Have the data and the data are public	Respond to your request appropriately and promptly—within a reasonable time—by: <ul style="list-style-type: none"><li>• arranging a date, time, and place for you to inspect the data at our office; and</li><li>• notifying you about our requirement to prepay for copies.</li></ul> If you prepay, we will provide you the data within <b>10 business days.</b>

**Note:** Once you receive our response, you have **15 business days** to inspect the data or to prepay for copies. If we don't hear from you within that time, we will close your request.

#### **5. How to get your copies.**

You may either pick up your copies or ask us to mail or email them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in that format and we can reasonably make a copy.

## 6. What we may charge you for copying data.

We may charge you for the cost of making copies.<sup>2</sup> **You must prepay for the copies before we will give them to you.** If you ask us, we will give you—if possible—an estimate of the total copy cost.

Copy type	Cost
100 pages or fewer of no color; letter or legal size	One-sided copy: <b>25 cents</b> Two-sided copy: <b>50 cents</b>
Other types of copies	See below

### 6.1 Other types of copies.

The charge for most other types of copies—when a charge is not set by statute or rule—is the cost of (1) searching for and retrieving the data, and (2) making the copies or electronically sending the data.

### 6.2 Determining cost of making copies.

When we determine the cost of making copies, we include:

- 1) employee time;
- 2) the cost of the materials that we are copying the data on (paper, CD, DVD, etc.); and
- 3) mailing costs, if any.

### 6.3 Calculating employee time.

We calculate the cost of employee time as follows:

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| <p><b>1.</b> Hourly salary of lowest-paid employee who can complete the copying</p> <p style="text-align: center;"><b>Plus</b></p> <p><b>2.</b> 20% fringe benefits.</p> |
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If, based on your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search-and-retrieval-charges at the higher salary.

If your request is for copies of data that we can't copy ourselves (such as photographs), we will charge you the cost that we must pay an outside vendor to make the copies.

<sup>2</sup> Minnesota Statutes, section 13.03, subdivision 3, paragraph (c).

## **7. Other factors for you to consider.**

Our response time may be affected by the size or complexity of your request; it may also be affected by how many requests that you make in a given period.

If you don't understand some of the data (technical terminology, abbreviations, acronyms, etc.), please tell the person who gave you the data, and we will explain any data that you don't understand.

## **8. Limitations of the Data Practices Act.**

The act doesn't require us to:

- 1) create or collect new data in response to a data request; or
- 2) provide data in a specific form or arrangement if we don't keep the data in that form or arrangement.

For example, if the data you request are on paper only, we aren't required to create electronic documents to respond to your request. But 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.

We also aren't required to respond to questions unrelated to your data request or to a request that isn't for government data.

## 9. Who to contact.

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### **Responsible authority**

Commissioner Johnny Villarreal  
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### **Compliance official**

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### **Designee**

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