Data Practices Policy for Public Data

This document covers the policy and procedures for data requests from persons who are **NOT** the subject of the data being requested, as required by Minnesota Statutes, sections 13.025 and 13.03.

Right to Access Public Data

The Minnesota Government Data Practices Act (Minnesota Chapter 13) presumes that all government data are public unless a state or federal law says that the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, CD-ROMS, photographs, etc.

The Data Practices Act provides that Minnesota Management and Budget (MMB) must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to obtain copies of public data. The Data Practices Act allows us to charge for copies. You have the right to inspect data, free of charge, before deciding to request copies.

Responses to requests for public data must be supplied as soon as reasonably possible.

If MMB does not have the data you are asking for, or if the data are not public, we will let you know as soon as reasonably possible. If the data are not public, we will tell you which specific law makes the information not public.

The law does not require that we create or collect new data for you in order to respond to your request or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. In addition, the law does not require us to answer questions that are not requests for 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.

Copy Costs – Members of the Public

Minnesota Management & Budget may charge members of the public for copies of government data. These charges are authorized under Minnesota Statues, section 13.03, subd. 3(c).

100 or fewer pages of black and white, letter or legal size paper copies may cost 25 cents for a one sided copy, or 50 cents for a two-sided copy.

The charge for most other types of copies is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g., sending the data by e-mail).

In determining the actual cost of making copies, we factor in employee time, the cost of the 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.

Fees cannot be charged for separating public data from private, confidential, nonpublic, or protected nonpublic data.

MMB will waive charges if the cost to provide the data is less than the cost to process the payment. We will request that you pay any costs prior to receiving the data you have requested.

How to Make a Data Request

To inspect public data or request copies of public data that Minnesota Management & Budget keeps, make a written request to MMB's Data Practices Compliance Official. You may submit your request via MMB's online request form. Using the Data Request Form is encouraged but not required.

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

- that you as a member of the public, are making a request under the Data Practices Act, (Minnesota Statutes, Chapter 13);
- whether you would like to inspect the data, have copies of the data, or both;
- a clear description of the data you would like to inspect or have copied.

Minnesota Management and Budget 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 process your request.

MMB Response to Data Requests

If the data you have requested is public, MMB will respond to your request appropriately and promptly within a reasonable amount of time by doing one of the following:

- If your request is to look at the data, we will contact you to arrange a date, time, and place to inspect data.
- If your request is for copies of data, you will need to let us know if you wish to pick up the copies, or if you want us to mail them to you. If you want us to send you the copies, you will need to provide us with an address. We will provide electronic copies (such as email, links to documents from a secure server, or CD-ROM) upon request if we keep the data in electronic format. We will also arrange for you to pre-pay for the copies.

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. We will prepare summary data for you if you make a request in writing (letter, fax, email, etc.) to the Data Practices Compliance Official and pay us the cost of preparing the data. We may require prepayment of this cost. You may submit your request via MMB's online request form, mail or email. When we receive your request, we will respond within 10 business days to make detailed arrangements to prepare the summary data and provide a cost estimate.

Responsible Authority

Erin Campbell, Minnesota Management and Budget Commissioner. As Responsible Authority, the Commissioner orders the following individual(s) as data practices official designee(s):

As Responsible Authority, the Commissioner orders the following individuals as data practices compliance official and designee:

Taya Moxley-Goldsmith
400 Centennial Building
658 Cedar Street
St. Paul, MN 55155
data.requests.mmb@state.mn.us