Data Practices Policy For the Public

Minnesota Statutes, sections 13.025 and 13.03 (2016) requires this policy.

Your Right to See Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The law also says that the City Of Spicer must keep all government data in a way that makes it easy for you 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 get copies of public data. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Request Public Data

You can ask to look at (inspect) data at our offices, or ask for copies of public data that we keep. We only accept these requests using the data request form, this must be in writing.

You are not required to identify yourself or explain the reason for your data request. However, you may need to provide us with some personal information for practical reasons (for example: if you want us to mail copies to you, you need to provide us with an address or P.O Box). If we do not understand your request and have no way to contact you, we cannot respond to your request.

How We Will Respond to Your Data Request

Upon receiving your request, we will review it.

- We may ask you to clarify what data you are requesting.
- If we do not have the data, We will notify you in writing within 7 business days.
- If we have the data, but we are not allowed to give it to you, we will tell you as soon as reasonably possible and identify the law that prevents us from providing the data.
- If we have the data, and the data is public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
    - Arrange a date, time, and place for you to inspect the data at our offices; or
    - You may choose to pick up your copies, or we will 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.
    - Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
    - We will provide notice to you about our requirement to prepay for copies.
    - Following our response, if you do not make arrangements within 7 business days to inspect the data or pay for the copies, we will conclude that you no longer want the data and will consider your request closed.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request. 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 are also not required to respond to questions that are not about your data requests, or requests for government data.

Requests for Summary Data

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

You may use the data request form on page 6 to request summary data. We will respond to your request within ten business days with the data or details of when the data will be ready and how much we will charge you.

Data Practices Contacts

Responsible Authority

Name: City Administrator

Address: 217 Hillcrest Ave, Spicer, MN 56288

320-796-5562- cityadmin@cityofspicer.org

Data Practices Compliance Official

Name: City Administrator

Address: 217 Hillcrest Ave, Spicer, MN 56288

320-796-5562- cityadmin@cityofspicer.org

Data Practices Designee(s)

Name: City Administrator

Address: 217 Hillcrest Ave, Spicer, MN 56288

320-796-5562- cityadmin@cityofspicer.org

Copy Costs – When You Request Public Data

Minnesota Statutes, section 13.03, subdivision 3(c) allows us to charge for copies.

For 100 or fewer paper copies – 25 cents per page

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

Most other types of copies – actual cost

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

In determining the actual cost of making copies, we include 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 copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

Employee time to make copies is $16.00 per hour

If, based on your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate search and retrieval charges at the higher salary/wage.

Data Request Form – Requesting Public Data

Request date:

The data I am requesting:

Describe the data you are requesting as specifically as possible.

I am requesting access to data in the following way:

☐ Inspection

☐ Copies

☐ Both inspection and copies

Contact information (optional)*

Name:

Phone number:

Email address:

Address:

We will respond to your request as soon as reasonably possible.

* You do not have to provide any contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. We also need contact information if we do not understand your request. We will not work on your request until we can clarify it with you.

Notice of Adoption of Model Policies

Minnesota Statutes, section 13.025, subdivisions 2 and 3, require government entities to prepare written policies that relate to public access to government data, and rights of subjects of data and Minnesota Statutes, section 13.03, subdivision 2, requires entities to establish procedures so that data requests are complied with appropriately and promptly.

Minnesota Statutes, section 13.073, subd. 6, requires the Commissioner of Administration to prepare model policies and procedures to help government entities comply with those requirements. Entities that choose to adopt the Commissioner's model policies must notify the Commissioner. Please use the following statement to notify the Commissioner if you choose to adopt the model policies and procedures.*