

### **304.00.3 Access to Public Data**

#### **1. Right to Access Public Data**

- a. The Minnesota 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 is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc. Saint Paul Public Schools (herein referred to as the District) is a government entity.
- b. The Minnesota Government Data Practice Act also provides that the District must keep records containing government data in a way that make them easily accessible for convenient use. Members of the public have the right to inspect, free of charge, all public data that the District keeps. Members of the public may inspect public data, free of charge, before requesting copies. The District may charge for any copies.

#### **2. How to Make a Data Request**

- a. A written request must be made in order to inspect or request copies of government data. A written request must be made to the appropriate designee as outlined in Section five of this procedure. The request must include:
  - i. That the request is for data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13;
  - ii. Whether the requester would like to inspect the data, get copies of the data, or both; and
  - iii. A clear description of the data the requester would like to inspect or have copied.
- b. The District cannot require requesting members of the public to identify themselves or explain the reason for the data request. However, the District may need information about the requester to process the request. If the requester chooses not to give the District any identifying information, the District will provide the requester with contact information so the requester may check on the status of the request. If the District does not understand the request and has no way of contacting the requester, the District will not process the request.

### 3. How the District Will Respond to a Data Request

- a. Upon receiving a request for public data, the District will work to process the request. If the District does not understand the request, the District will ask for clarification.
  - i. If the District does not have the requested data, the District will notify the requester as soon as reasonably possible.
  - ii. If the District has the data but the data are not public, the District will notify the requester as soon as reasonably possible and state which specific law states that the data are not public.
  - iii. If the District has the data, and the data are public, the District will respond to the request appropriately and promptly within a reasonable amount of time by doing one of the following:
    1. Arranging a date, time, and place to inspect data, free of charge, if the request is to inspect the data, or
    2. Providing the requester with copies of the data as soon as reasonably possible. The requester may choose to pick up the copies or the District will mail or fax them to the requester. If the requester wishes the District to send copies, the requester must provide an address or fax number. The District will provide electronic copies, such as email or CD-ROM, upon request and only if the District keeps the data in electronic format. Prepayment for copies is required before the District will provide copies. Information about copy charges can be found in Section six of this procedure.
  - iv. The District will respond to a data request in a reasonable amount of time. This depends on things like how many data and/or copies are requested, how many staff members are needed and available to respond to the request, and the number and breadth of other data requests the District is handling.
- b. If a requester does not understand some of the data (such as technical terminology, abbreviations, or acronyms), the District will provide an explanation upon request.
- c. The Minnesota Government Data Practice Act does not require the District to create or collect new data in response to a data request if the District does not already have the data, or to provide data in a specific form or arrangement if the data are not already kept in that form or arrangement. If the District agrees to create data in

response to a request or put the data in the form or arrangement requested, the District will work with the requester on the details of the request, provide an estimated response time, and charge for the cost.

- d. The Minnesota Government Data Practice Act does not require the District to answer questions that are not requests for data.

#### **4. Requests for Summary Data**

- a. Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data.
- b. The District will prepare summary data if the request is made in writing and the requester pays for the cost of preparing the data.
- c. Upon receiving a written request, the District will respond within ten (10) business days with details of when the data will be ready along with the estimated cost.
- d. Prepayment of estimated cost is required before the District prepares summary data.
- e. The requestor must pay the final cost of providing the summary data before the District supplies it.

#### **5. Data Practices Contacts—See Attachment A**

Designees of the Responsible Authority handle most data requests. The requestor should direct the data request to the appropriate designee, depending on the type of data requested. In addition, news media organizations should send a copy of their request to the Interim Director of Communications.

- a. Data Practice Designees
  - i. Individual Student Data or Records
    - 1. Data on current student *and* the requestor is the parent or guardian of the student – Principal of current school or program
    - 2. Data on a former student *or* the requestor is not the parent or guardian of the student (examples include subpoenas, requests from lawyers) –Supervisor of Student Records
  - ii. Summary or Aggregate Student Data – Assistant Director of Research, Evaluation, and Assessment
  - iii. Academic or Curriculum Data – Chief Academic Officer

- iv. Employee or Personnel Data – Executive Director of Human Resources
  - v. Financial Data including purchasing and/or contracts – Chief Financial Officer
  - vi. Operational data (including transportation, security, facilities, and nutrition services) – Chief Operations Officer
  - vii. All other data requests – Superintendent
- b. Data Practices Compliance Official –General Counsel
  - c. The Responsible Authority – Superintendent

## 6. Copy Costs and Fees

- a. Minnesota Statutes, section 13.01, subdivision 3 (c) authorizes the District to charge members of the public for copies of government data.
- b. A requestor of data may be required to pre-pay for copies before the District will give them to the requestor.
  - i. The charge for 100 or fewer pages of black and white, letter or legal size paper copies is 25¢ for a one-sided copy or 50¢ for a two-sided copy.
  - ii. 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 for making the copies or electronically transmitting the data.
- c. In determining the actual cost of making copies, the District factors in the cost of employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any). If a request is for copies of data that the District cannot reproduce, such as photographs, the District will charge the actual cost the District must pay an outside vendor for the copies.
- d. As allowed by law, the District will charge additional fees and costs for providing copies of data that have commercial value, providing data in a different form or arrangement, creating data, and preparing summary data.

## Attachment A

### Minnesota Government Data Practices Act Contacts

Title	Name	Address	Telephone Number
<b>DESIGNEES</b>			
School Principals	<a href="https://www.spps.org/directory">https://www.spps.org/directory</a> . Then click on School Directory.		
Supervisor of Student Records	Erin Moline	2102 University Ave. W. Saint Paul, MN 55114	651-603-4978
Director of Research, Evaluation, and Assessment	Stacey Gray Akyea	360 Colborne Street Saint Paul, MN 55102	651-767-8361
Chief Academic Officer	Kate Wilcox-Harris	360 Colborne Street Saint Paul, MN 55102	651-767-8139
Executive Director of Human Resources	Laurin Cathey	360 Colborne Street Saint Paul, MN 55102	651-767-8202
Chief Financial Officer	Marie Schrul	360 Colborne Street Saint Paul, MN 55102	651-767-8275
Chief Operations Officer	Jackie Turner	360 Colborne Street Saint Paul, MN 55102	651-767-8141
Director, Office of Communications, Marketing & Development	Kevin Burns	360 Colborne Street Saint Paul, MN 55102	651-744-1361
<b>DATA PRACTICES COMPLIANCE OFFICIAL</b>			
General Counsel	Charles Long	360 Colborne Street Saint Paul, MN 55102	651-767-8137
<b>RESPONSIBLE AUTHORITY</b>			
Superintendent	Joe Gothard	360 Colborne Street Saint Paul, MN 55102	651-767-8152