



Data Practices Policy for Members of the Public

Right to Access 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 is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

The Government Data Practices Act also provides that this government entity 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 get copies of public data. The Government 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 Make a Data Request

To look at data or request copies of data that this government entity keeps, submit a written request to the County Administrator, the Data Responsible Authority. You may use the form in this policy or access the form on-line from the County Web page <https://www.co.mower.mn.us/FormCenter/Data-6/Data-Practice-Request-53>

Alternatively, you may submit a request via email. This request should include the following:

- That you, as a member of the public, are making a request for data under the Government Data Practices Act, Minnesota Statutes, Chapter 13; and
- Whether you would like to look at the data, have the data scanned to you, or if you want paper copies of the data; and
- A clear description of the data you would like to inspect, have scanned and emailed or have copied.

This government entity 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 or email 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.

How We Respond to a Data Request

Upon receiving your request, we will let you know that we are in receipt of your request.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are 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 to inspect data, for free, if your request is to look at the data, or
 - provide you with copies of the data as soon as reasonably possible via the format you are requesting. You may choose to pick up your copies, or we will mail, email or fax them to you. If you want us to send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

Information about copy charges is on page 4.

We also will arrange for you to pre-pay for the copies

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.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, 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 reformat data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

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. The preparation of summary data is not a means to gain access to private or confidential data. We will prepare summary data if you make your request in writing and *pre-pay* for the cost of compiling the data. Upon receiving your written request – you may use the data request form on page 5 – we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Data Practices Contacts

Responsible Authority

Name Trish Harren, County Administrator
Address 201 First Street NE
Austin, MN 55912

Phone number 507-437-9459
Fax number 507-437-9458
E-mail address trish.harren@co.mower.mn.us

Data Practices Compliance Official

Name Trish Harren, County Administrator
Address 201 First Street NE
Austin, MN 55912

Phone number 507-437-9459
Fax number 507-437-9458
E-mail address trish.harren@co.mower.mn.us

Data Practices Designee(s)

Name Kris Kohn, Human Resources Director
Address 201 First Street NE
Austin, MN 55912

Phone number 507-437-9545
Fax number 507-437-9458
Email address krisk@co.mower.mn.us

DATA Costs – Members of the Public

Data may be viewed on site for no cost. Data that already exists and does not require staff time to compile may also be scanned and emailed at no cost. If the requester would like paper copies, Per Minnesota Statutes, section 13.04, subdivision 3, there is a fee associated. If the amount is less than \$5.00 in total the County will waive this fee.

For 100 or Fewer Paper Copies – 25 cents per page

100 or fewer pages of black and white, letter or legal-size paper copies is 25¢ per page.

Most Data Related Expenses – Actual cost

If data already exists in the form requested, there is no charge to compile the data. However, if the data does not exist in the format requested and requires staff time to comply with the request, the charge is the actual cost to search, retrieve, or compile that data.

In determining the actual cost, 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.

The cost of employee time is the hourly rate of the position multiplied by the County defined overhead rate, which is 2 times the hourly rate.

Data Request Form – Members of the Public

Date of request: _____

I am requesting access to data in the following way:

Inspection Copies Both inspection and copies

Copy Cost

Note: Inspection is free. **All costs (if any) are to be paid prior to any work being done to comply the with the request.** Copies are 25 cents. If total cost is less than \$5.00, the county waives the fee.

Other Costs

If the data already exists, there is no additional cost. However, if the data must be searched for and retrieved to comply with your request, the cost is the actual time.

In determining the actual cost, 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.

The cost of employee time is the hourly rate of the position multiplied by the County defined overhead rate, which is 2 times the hourly rate.

These are the data I am requesting:

Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Name: _____

Address: _____

Phone number: _____ Email address: _____

You do not have to provide any of the above contact information. However, if you want us to mail/email your requested data, we need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

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