



The Right of the Public to Inspect and Copy Data the Department of Administration Keeps

The Minnesota Government Data Practices Act (MGDPA) gives everyone the right to inspect (look at) and have copies of public data that the Department of Administration (Admin) keeps. The MGDPA is Chapter 13 of Minnesota Statutes. This document explains these rights and how to use them in Admin. For more information about these rights, contact the Admin data practices compliance official (DPCO) identified in Attachment A.

General Information About the Data Admin Keeps

The law says that all the data Admin keeps are public unless there is a state or federal law that classifies the data in some other way. Admin must give public data to anyone who asks, no matter who is asking or why. In this document, 'data' means individual items or elements of data. Each document, record or file contains many data elements.

Some of the public data Admin keeps are posted on the Web at www.admin.state.mn.us, but it is not necessary to use the Web to inspect or have copies of the data. Admin also offers reports, brochures, and other publications for anyone to have if they ask.

How to Make a Request for Public Data

To inspect or have copies of data Admin keeps, make a written data request to Admin's DPCO identified in Attachment A. The data request form in Attachment B may be used to make the request, but the form does not have to be used.

The request should (1) say that the requestor is making a data request under the MGDPA, (2) say whether the requestor wishes to inspect the data, have copies of the data, or both, and (3) describe very clearly the data to be inspected or copied. Anyone requesting public data has the right to inspect the data before deciding to request copies. Any member of the public also has the right to make a standing request to inspect or have copies of public data. Standing requests expire after 3 months. Standing requests must be made to the Admin DPCO.

Admin can't require a person who makes a data request to identify him/herself or explain the reason for the data request, but some information may be needed about that person depending on how the person pays for copies or if copies are mailed or faxed.

How Admin Responds to a Data Request

First, if it is not clear exactly what data are being requested, Admin will ask the person who is making the request, and then find out if Admin has the data. If Admin does not have the data, the requesting person will be notified as soon as reasonably possible.

If Admin has the data but the data are not public, the requesting person will be notified as soon as reasonably possible, and Admin will identify the specific law that makes the data not public. Admin will do this in writing upon request.

If Admin has the data and the data are public:

- If the request is to inspect the data, Admin will arrange a date, time and place for inspection. Admin can't charge a fee for letting someone inspect data.
- If copies are requested, Admin will provide them as soon as reasonably possible by mail or fax, or they may be picked up. If Admin keeps the data in electronic form and copies are requested in electronic form (such as by email or on disk), the copies will be provided in electronic form.
Admin charges a fee for providing copies. If a person inspects data and then asks for copies of only some of the data, Admin charges a fee only for the copies requested. Admin charges an additional fee for providing copies of data that have commercial value. Fees are described in Attachment C.

Admin will respond to a data request in an appropriate and prompt way, and in a reasonable time. This depends on things like how many data and/or copies are requested, how many staff members are available to respond to the request, and how many other data requests Admin is responding to.

Admin will explain the data in an understandable way upon request.

The law says Admin doesn't have to create or collect data if Admin doesn't have the data requested. Admin doesn't have to provide data in the form or arrangement requested if the data are not kept in that form or arrangement. If Admin agrees to create the data or put the data in the form or arrangement requested, the requestor will be charged for the cost.

Admin will prepare summary data if the requestor makes a request in writing and pays the cost of preparing the data. Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals.

For more information about the right to inspect and have copies of public data that Admin keeps, contact the Admin DPCO identified in Attachment A.

Attachment A

Administration Department Data Practices Contacts

Data Practices Compliance Official

Ryan Church
ryan.church@state.mn.us
Phone: 651.201.2568
Fax: 651.297.7909

200 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

Responsible Authority

Spencer Cronk, Commissioner
spencer.cronk@state.mn.us

200 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

Attachment B

Minnesota Department of Administration Request to Inspect and/or Copy Government Data

Date of request:

Describe the data you are requesting. Please be as specific as possible. Please say whether you are asking to inspect the data, whether you want copies of the data, or both. If you need more space, please use the back of this form.

If you are asking for data that are *not* about you, Admin will comply with your request as soon as reasonably possible. It may be helpful to know who you are and/or how to contact you in order to respond to your request – for example, if you want copies mailed to you or if you want to come in and inspect data at a later time. *You do not have to provide this kind of information.* You can decide to provide this kind of information now, later or not at all.

Name [PLEASE PRINT]: _____

Contact information (phone number, e-mail or mailing address): _____

If you are asking for data about yourself or your minor children, or about someone for whom you have been appointed legal guardian, you may have to sign this form and show a driver license or State ID card as proof of your identity. You may be asked for other information if it is needed to verify your identity or respond to your request. Admin will comply with your request within 10 business days.

You have the right to *inspect* data at no cost. If you ask for *copies* of data, Admin may charge a fee for providing the copies. If you would like more information about your right to inspect and have copies of data that Admin keeps, contact Ryan Church, 200 Administration Building, 50 Sherburne Avenue, Saint Paul, MN 55155. Email: ryan.church@state.mn.us Telephone: 651.201.2568.

Attachment C

Minnesota Department of Administration Copy Fees

The Administration Department usually charges one of these two types of fees for providing copies of public data:

- **Fee Type I.** For copies of 100 or fewer pages of black and white, letter or legal size paper, Admin charges a fee of 25 cents for each page copied, or 50 cents for each two-sided copy. If Admin provides a copy by making a computer printout, the charge is 25 cents for each page.
- **Fee Type II.** For other copy requests, Admin charges the actual costs of searching for and retrieving the data, including the cost of employee time. The fee includes the cost of making and compiling copies of the data. If Admin is asked to mail the copies, the fee will include postage.

If the cost of the copies is \$10 or more, payment must be made before copies are provided.

Admin charges other types of fees for providing copies of data that have commercial value, providing data in a different form or arrangement, creating data and preparing summary data.