

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating our students to reach their full potential

Series Number **801.10AR** Adopted **July 2012** Revised **June 2022**

Title **Access to Public Data**

1. Right to Access Public Data

- 1.1 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. District 196 is a government entity.
- 1.2 The Minnesota Government Data Practices Act also provides that District 196 must maintain all government data in a way that makes it easy for a member of the public to access public data. Members of the public have the right to inspect, free of charge, all public data that District 196 maintains. Members of the public also have the right to obtain copies of public data and may inspect data before deciding to request copies. The Government Data Practices Act allows District 196 to charge for copies.

2. How to Make a Data Request

- 2.1 A written request must be made in order to look at data or request copies of data kept by District 196. A written request for data can be made to the appropriate individual listed in section 5 of this regulation and should state:
 - 2.1.1 That the request is for data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13;
 - 2.1.2 Whether the requestor would like to look at the data, get copies of the data, or both; and
 - 2.1.3 A clear description of the data the requestor would like to inspect or have copied.
- 2.2 District 196 cannot require a requesting member of the public to identify themselves or explain the reason for the data request, however, District 196 may need some information about the requestor in order to process the request. If the requesting member of the public chooses not to give District 196 any identifying information, the district will provide contact information so the requestor may check on the status of their request. In addition, if District 196 does not understand the request and has no way to contact the requesting member of the public, the request cannot be processed.

3. How the School District Responds to a Data Request

- 3.1 Upon receiving a written request for public data, District 196 will work to process the request. If it is not clear what data is requested, the district will ask for clarification.

- 3.2 If District 196 does not have the data, it will notify the requesting member of the public as soon as reasonably possible.
- 3.3 If District 196 has the data but the data are not public, the District 196 will notify the requestor as soon as reasonably possible and state which specific law says the data are not public.
- 3.4 If District 196 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:
 - 3.4.1 Arrange a date, time and place to inspect data, for free, if the request is to inspect the data, or
 - 3.4.2 Provide copies of the data as soon as reasonably possible. The requestor may choose to pick up the copies, or District 196 will mail or fax them. If a requestor wants District 196 to send the copies, the requesting member of the public will need to provide an address or fax number. District 196 will provide electronic copies (such as email or CD-ROM) upon request if the data is kept in electronic format.
- 3.5 If a requestor of data does not understand some of the data (technical terminology, abbreviations or acronyms), District 196 will give an explanation upon request.
- 3.6 The Minnesota Government Data Practices Act does not require District 196 to create or collect new data in response to a data request if it does not already have the data, or to provide data in a specific form or arrangement if the data is not kept in that form or arrangement. If District 196 agrees to create data in response to a request, it will work with the requestor of the data on the details of the request, including cost and response time.
- 3.7 The Minnesota Government Data Practices Act does not require District 196 to answer questions that are not requests for data.

4. **Requests for Summary Data**

- 4.1 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.
- 4.2 District 196 will prepare summary data if a member of the public makes a request in writing and pays for the cost of preparing the data.
- 4.3 Upon receiving a written request, District 196 will respond within ten business days with the data or details of when the data will be ready and how much will be charged.

5. **Data Practices Contacts**

5.1 **Student Records Requests - Data Practices Designees**

5.1.1 The principal of each school building is the designee for educational data maintained in schools, including cumulative records and child study records.

5.1.2 The director of special education is the designee for child study student records maintained at the District Office.

Janet Fimmen, Director of Special Education
3455 153rd Street West
Rosemount, MN 55068
651-423-7631
Fax – 651-423-7627
Email – Janet.Fimmen@district196.org

5.2 **Student Lists - Student Information**

Student Information is responsible for producing lists of directory information on students as authorized in Administrative Regulation 505.2.4AR. This includes requests for directory information from military recruiting offices and institutions of higher education.

Student Information
3455 153rd Street West
Rosemount, MN 55068
651-423-7644
FAX – 651-423-7787

5.3 **Responsible Authority**

Requests for other types of public data should be made to the responsible authority.

Mary Kreger, Superintendent
3455 153rd Street West
Rosemount, MN 55068
Phone – 651-423-7749
Fax – 651-423-7633
Email – supt@district196.org

5.4 **Data Practices Compliance Official**

The data practices compliance official is available to respond to questions and concerns about access to data or other data practices problems.

Jill Coyle, General Counsel
3455 153rd Street West
Rosemount, MN 55068
Phone number – 651-423-7883
Fax number – 651-423-7633
Email – jill.coyle@district196.org

6. Copy Costs – Members of the Public

- 6.1 Minnesota Statutes, section 13.03, subdivision 3 (c) authorizes District 196 to charge members of the public for copies of government data but not for separating public from not public data.
- 6.2 A requestor of data may be required to pre-pay for copies before the District 196 will give them to the requestor.
- 6.2.1 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.
- 6.2.2 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 transmitting the data.
- 6.2.3 In determining the actual cost of making copies, District 196 factors in 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 District 196 cannot reproduce, District 196 will charge the actual cost the district must pay an outside vendor for the copies.

References: - Minnesota Statutes, 13.03-13.99, Minnesota Government Data Practices Act
- Minnesota Rules 1205.0300, Access to Public Data
- Administrative Regulation 505.2.4AR, Release of Directory Information