

**Data Practices Policy for Members of the Public
and for Data Subjects**

**City of South St. Paul
Dakota County, Minnesota**

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 the City of South St. Paul must keep all government data in a way that makes it easy for you, the data subject or 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 the City of South St. Paul keeps, you must make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 5. You may make your request for data by mail, fax, or email, using the data request form.

If you choose not to use the data request form, your request should include:

- that under the Government Data Practices Act, Minnesota Statutes, Chapter 13, you are either making a request for data for yourself, and you are the subject of the data or you are making a request for data that is not about yourself, that is, you are making a request as a member of the public;
- whether you would like to look at the data, get copies of the data, or both;
- a clear description of the data you would like to inspect or have copied; and
- *(if you are the subject of the data)* identifying information that proves you are the subject of the data or you are the data subject's parent or guardian.
 - The city of South St. Paul requires proof of your identity before we can respond to your request for data in this circumstance only.

For requests made as a member of the public, the City of South St. Paul cannot require you 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 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 our 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

For requests made by subjects of the data, we will respond to your request immediately, if possible, or within 10 business days and we will do the following:

- If we have the data and the data is accessible to you, we will arrange a date, time and place for you to inspect the data, for free, or provide you with copies of the data. You may choose to pick up your copies, or we will mail 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.
- If we do not have the data, we will notify you that we do not have the data.
- If we have the data but the data are not public, we will notify you that you cannot have access to the data under the Government Data Practices Act, and specify the law that states why you cannot have access to it.

For requests made by a member of the public, we will respond to your request within a reasonable amount of time as follows:

- If we have the data and the data are public, we will arrange a date, time, and place for you to inspect the data, for free, or provide you with copies of the data. You may choose to pick up your copies, or we will mail 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.
- If we do not have the data, we will notify you that we do not have the data.
- If we have the data, but the data are not public, we will notify you that you cannot have access to the data under the Government Data Practices Act, and specify the law that states why you cannot have access to it.

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 create 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/pay for the cost of creating the data. Upon receiving your written request using the data request form 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.

Copy Costs – Members of the Public

The City of South St. Paul charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c) and section 13.04, subdivision 3.

- You must pay for the copies before we will give them to you.
- 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.
- For more than 100 pages of black and white copies and most other types of copies, the city will charge the actual cost of an employee's time to search for and retrieve the data and make the copies.
- The city will not charge for employee time to search data, retrieve data, and make copies, if the time required to do so is less than 15 minutes

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 transmitting the data (e.g. sending the data by email)

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 transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, 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 to search for data, retrieve data, and make copies is \$25.00 per hour.

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

Data Practices Contacts

Responsible Authority

Ryan Garcia, City Administrator
125 3rd Avenue North
South St. Paul, MN 55075
(651)554-3278

Data Practices Compliance Official

Deanna Werner, City Clerk
125 3rd Avenue North
South St. Paul, MN 55075
(651)554-3204
Email: dwerner@sspmn.org

Data Practices Designee(s)

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