

SUNRISE RIVER WATERSHED MANAGEMENT ORGANIZATION (SRWMO)

DATA PRACTICES POLICY

RIGHT TO ACCESS PUBLIC DATA

The 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, CD-ROMs, photographs, etc. The Data Practices Act also provides that SRWMO must keep all government data in a way that makes it easy for members of the public to access public data. The public has the right to look at (inspect), free of charge, all public data that SRWMO keeps. The public also has the right to get copies of public data. The Data Practices Act allows SRWMO to charge for copies. The public has 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 SRWMO keeps, the public must make a written request. Written requests for data must be to the appropriate individual listed in Data Practices Contacts. Written request for data may be by mail, fax, or email using the data request form in the appendix. If the data request form is not used, the written request must include:

- a statement that the request for data is under the Data Practices Act, MN Statutes, Chapter 13;
- whether the request is to look at the data, get copies of the data, or both; and
- a clear description of the data to be inspected and/or copied.

SRWMO cannot require members of the public to identify themselves or explain the reason for the data request. However, depending on how the data request is to be processed (for example, emailed or mail), SRWMO may need contact information. If no identifying information is provided by the public, it will be the responsibility of the public to contact SRWMO to check on the status of the request. If SRWMO does not understand the request and has no way to contact the requesting party, SRWMO will not be able to begin processing the request.

HOW SRWMO RESPONDS TO A DATA REQUEST

Upon receiving a written request, SRWMO will work to process it.

- If SRWMO does not have the data, the requestor will be notified in writing as soon as reasonably possible.
- If SRWMO has the data, but the data are not public, SRWMO will notify the requestor in writing as soon as reasonably possible and state which specific law says the data are not public.
- If SRWMO has the data, and the data are public, SRWMO will respond to requests 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 the request is to look at the data, or
 - provide the requestor copies of the data as soon as reasonably possible. Copies may be picked up, mailed, emailed or faxed. If requestors want copies to be delivered to them, sufficient contact information will be required to do so. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. SRWMO will provide a quote for the copy fees based on the request as detailed in the Copy Costs section below.

The Data Practices Act does not require SRWMO to create or collect new data in response to a data request if SRWMO does not already have the data, or to provide data in a specific form or arrangement if

SRWMO does not keep the data in that form or arrangement. For example, if the data requested are on paper only, SRWMO is not required to create electronic documents. If SRWMO agrees to create data in response to requests, SRWMO will work with the requestor on the details of the request, including cost and response time. In addition, the Data Practices Act does not require SRWMO 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. SRWMO will prepare summary data if requests are made in writing and pre-payment for the cost of creating the data is received. Upon receiving written requests using the data request form in the appendix, SRWMO will respond within twenty business days with the data or details of when the data will be ready and how much will be charged.

DATA PRACTICES CONTACTS

Dan Babineau, Chair
22275 Martin Lake Road NE
Stacy, MN 55079
763-390-9985 (cell)
danb@microconsulting.com

Leon Mager, Vice Chair
19511 E. Tri Oak Cr.,
Wyoming, MN 55092
763-434-9652
LAM3@ISD.net

COPY COSTS

SRWMO charges for copies of government data, including staff time, materials and copy expenses. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). Copy charges and hourly rates for staff time are quoted upon request. The charge for 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, SRWMO factors in time, the cost of the materials onto which the data are copied (paper, CD, DVD, etc.), and mailing costs (if any). If requests are for copies of data that SRWMO cannot reproduce internally, such as photographs, the actual cost paid to an outside vendor to make the copies will be charged.

FORMS

DATA REQUEST FORM

SRWMO

Date of request: _____

I am requesting access to data in the following way:

Inspection Copies Both inspection and copies

Note: inspection is free but SRWMO charges for copies when the cost is over \$2.00.

This is the data I am requesting:

Note: 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 you copies of data, we will 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.

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