

# **Guide for Members of the Public Requesting Government Data**

## *Minnesota Government Data Practices Act*

### **CITY OF CHASKA, MINNESOTA**

This document is required by Minnesota Statutes, section 13.025, subdivision 2.

#### **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, flash drives, CDs, DVDs, photographs, etc.

The Government Data Practices Act also provides that the City of Chaska 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**

You can look at data, or request copies of data that the City of Chaska keeps. Make your written request for data to the appropriate individual listed in the Data Practices Contacts on page 3. All Data Requests must be in writing. You may make your request by mail, fax, or email, using the data request form on Page 5.

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

- You are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Whether you would like to inspect the data, have copies of the data, or both.
- A clear description of the data you would like to inspect or have copied.

The City of Chaska 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 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 begin processing your request.

## **How We Respond to a Data Request**

Upon receiving your written request, we will work to process it.

- If it is not clear what data you are requesting, we will ask you for clarification.
- If we do not have the data, we will notify you in writing within 10 business days.
- 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. You may choose to pick up your copies, or we will mail or fax them to you. 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 will provide notice to you about our requirement to prepay for 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, we are not required under the Government Data Practices Act to respond to questions that are not specific 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. The City of Chaska will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page 5 – we will respond within ten (10) business days with the data or details of when the data will be ready and how much we will charge.

## **Data Practices Contacts City of Chaska, MN**

The Data Practices Act establishes a system for compilation and distribution of data gathered by government agencies. All data collected and maintained by the City of Chaska is presumed public and is accessible to the public for both inspection and copying, unless classified as Private, Confidential, Nonpublic or Protected Nonpublic in accordance with Federal Law, State Statute, or a temporary classification.

The City has appointed the following position to administer this system.

### **Responsible Authority**

Elise Durbin, Assistant City Administrator  
City of Chaska  
1 City Hall Plaza  
Chaska, MN 55318  
Phone: (952) 227-7539  
Fax: (952) 448-9300

Positions appointed as Designees in system administration are as follows:

### **Designee**

Denise Beebe, City Clerk  
City of Chaska  
1 City Hall Plaza  
Chaska, MN 55318  
Phone: (952) 227-7511  
FAX: (952) 448-9300

### **Data Practices Compliance Official**

Elise Durbin, Assistant City Administrator  
City of Chaska  
1 City Hall Plaza  
Chaska, MN 55318  
Phone: (952) 227-7539  
Fax: (952) 448-9300

## **PHOTOCOPYING CHARGES**

### **Copy Costs – Members of the Public**

The City of Chaska charges data subjects for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). You must pay for the copies before we will give them to you.

### **For 100 or Fewer Paper Photocopies – 25 Cents per Page**

100 or fewer pages of black and white, letter or legal sized photocopies cost 25¢ for a one-sided copy and 50¢ for a two-sided copy.

### **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 City's 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.

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. The cost of employee time to make copies is \$20.00 per hour.

**MINNESOTA GOVERNMENT DATA PRACTICES ACT  
GENERAL DATA ACCESS REQUEST**

**Notice:** *You may cancel this request at any time prior to the release of data but you may be required to pay the actual costs of making copies and/or compiling data if your request exceeds 100 one-sided pages. Copy requests of 100 pages or less cost 25 cents per page for one-sided copies and 50 cents per page for two-sided copies.*

**Note:** *The subject of the data request must authorize the release of private information to the subject's agent or another agency. A "Consent to Release Private Data" must be completed by the subject of the data.*

**Completed by Requester**

Name (Last, First, MI)	Date of Request
Street Address	Phone Number
E-mail Address	
City, State, ZIP	

You do not have to provide contact information to view or obtain public data. 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.

All requests to view or receive private or confidential data must be made in writing to verify identity.

**I am requesting access to data in the following way** (Note: inspection is free but the City of Chaska charges for copies.)

- Inspection                     
  Copies                             
  Both inspection and copies

Description of the information requested: (attach additional sheets if necessary)

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**Completed by the City of Chaska**

Information classified as:

- Public             
  Non-Public             
  Private             
  Protected Non-Public             
  Confidential

**Action:**             
 Approved             
 Approved in part (explain below)             
 Denied (explain below)

Remarks or basis for denial including MN Statute, if applicable:

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**Charges:**

- \_\_\_\_\_ None  
 \_\_\_\_\_ Photocopy:  
 \_\_\_\_\_ Pages x .25 cents = \_\_\_\_\_  
 \_\_\_\_\_ Special Rate: \_\_\_\_\_

Explanation: \_\_\_\_\_

Other: \_\_\_\_\_

Explanation: \_\_\_\_\_

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Authorized Signature

Date