

Adopted: _____ 07/11/2016 _____

Last Revised: _____

Last Reviewed: _____

Policy 299 REQUEST FOR PUBLIC RECORDS

PURPOSE

The purpose of this policy is to establish a clear statement in regard to the School District's response to a request for public records.

GENERAL STATEMENT OF POLICY

- A. 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.
- B. The Government Data Practices Act also provides that this government entity must keep all government data in a way that makes it available for members of the public to access public data. Members of the public have the right to look at (inspect), free of charge, all public data that the District keeps. Members of the public also have the right to get copies of public data. The Government Data Practices Act allows the District to charge for copies. Members of the public have the right to look at data, free of charge, before deciding to request copies.
- C. To look at data or request copies of data that this government entity keeps, members of the public must make a written request using the form designated in this policy. Members of the public must make the request for data to the Superintendent of Schools. Members of the public may make the request for data by returning the data request form to the District Office.
- D. This government entity cannot require members of the public to identify themselves or explain the reason for the data request. However, depending on how the members of the public want the District to process the request, the District may need some information about the individual(s) making the request. If members of the public choose not to give the District any identifying information, the District will provide the individual(s) making the request with contact information so that the individual(s) making the request may check on the status of the request. In addition, please keep in mind that if the District does not understand the request and have no way to contact the individual(s) making the request, the District will not be able to begin processing the request.
- E. Upon receiving the request, the District will work to process it.
 - a. If the District does not have the data, the District will notify the individual(s) making the request in writing as soon as is possible.

- b. If the District does have the data, but the data are not public, the District will notify the individual(s) making the request as soon as reasonably possible and state which specific law says the data are not public.
 - c. If the District does have 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:
 - i. arrange a date, time, and place to inspect data, for free, if the request is to look at the data, or
 - ii. provide the individual(s) making the request with copies of the data as soon as possible. The individual(s) making the request may choose to pick up the copies, or the District will mail or fax them to the individual(s) making the request. If the individual(s) making the request want the District to send the copies, the individual(s) making the request will need to provide the District with an address or fax number. The District will provide electronic copies upon request if the District keeps the data in electronic format. Payment for the copies must be made before the copies are released to the individual(s) making the request.
 - 1. For 100 or fewer paper copies, the fee for copies is \$0.25 per copy or \$0.50 for a two-sided copy.
 - 2. For data requests that are for more than 100 copies, government entities can charge the actual cost of searching for and retrieving the data, and making the copies or printing copies of electronically stored data. In determining the actual cost of making copies, the District will factor in employee time, the cost of materials onto which the District is copying the data, and mailing costs. If the request is for copies of data that District cannot reproduce itself, such as photographs, the District will charge the individual(s) for the actual cost the District must pay an outside vendor for the copies.
 - 3. The cost of employee time to search for data, retrieve data, and make copies for data requests that are for more than 100 copies is a minimum of \$15.00 per hour. If, because of the subject matter of the request, the District finds it necessary for a higher-paid employee to search for and retrieve the data, the District will calculate the search and retrieval portion of the copy charge at the higher salary/wage.
 - d. If the individual(s) do not understand some of the data (technical terminology, abbreviations, or acronyms), notify the District. The District will provide an explanation if requested.
- F. The Government Data Practices Act does not require the District to create or collect new data in response to a data request if the District does not already have the data, or to provide data in a specific form or arrangement if the District does not keep the data in that form or arrangement. If the District agrees to create data in response to a request, the District will work with the individual(s) making the request regarding the details of the request, including cost and response time.

G. In addition, the Government Data Practices Act does not require the District to answer questions that are not requests for data.

H. The Data Request Form for Members of the Public is attached to this policy.

Data Request Form – Members of the Public

Date of Request: _____

I am requesting access to data in the following way:

Inspection Copies Both inspection and copies

Note: Inspection is free. The charge for 100 or less copies is \$0.25 per copy or \$0.50 for a two-sided copy. For more than 100 copies, the cost of employee time to search, retrieval and making the copies of the data is \$15.00 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.

These are the specifics of the data I am requesting are:

Timeframe of the data request: _____

Topic of the data request: _____

Contact Information
Name: _____
Street Address: _____
City, State, Zip Code: _____
Phone Number: _____
Email Address: _____
You do not have to provide any of the above contact information. However, if you want us to mail or email copies of data to you, 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.

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

Please return this completed form to the Superintendent of Schools at the address listed below.

Superintendent of Schools
Hayfield Community Schools
9 Sixth Avenue South East
Hayfield, MN 55940