

CHISAGO COUNTY DATA PRACTICES PROCEDURAL GUIDELINES FOR MEMBERS OF THE PUBLIC

I. PURPOSE

As a government agency, Chisago County collects, creates, manages and disseminates data in order to conduct government business. The Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes, Chapter 13, sets out certain requirements relating to the public's right to access government data and the rights of individuals who are the subjects of government data. The purpose of this Data Practices Procedural Guidelines for Members of the Public is to explain to employees what the MGDPA requires of Chisago County in handling government data practices requests from members of the public.

II. RIGHT TO ACCESS PUBLIC DATA

- A. The MGDPA, 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 MGDPA also provides that Chisago County 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 MGDPA allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.
- C. The law also controls how we keep government data and what we tell you when you ask to see the data that we have. These rights and controls are:
 1. **The law says that all the data we have are public (can be seen by any person(s) or entity) unless there is a state or federal law that classifies the data as *not public*.**
 2. **You have the right to look at all public data that we keep.** You may request and receive public information over the phone, in person or through the mail.
 3. If it is not possible to give you the information the way you ask, we will contact you to decide on another way to give you the information you asked for.

III. HOW TO MAKE A DATA REQUEST

To look at data or request copies of data that Chisago County keeps, make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 6 which maintains the data. You may make your written request for data by mail, fax, or in person, using our Information Disclosure Request Form. Please contact the Responsible Authority Designee for the county department which maintains the data (County Attorney, County Sheriff or HHS Director, all others contact County Administrator) or contact the Data Practices Compliance Official (DPCO) for assistance. Full contact information is listed in the Data Practices Contacts on page 6. You can make your request during our normal working hours, which are 8:00 a.m. – 4:30 p.m., Monday through Friday.

A. You may ask to see:

1. Specific types of data or data elements;
2. Specific documents or portions of documents;
3. Entire records, files or data bases; or
4. All public data we keep.

B. If you choose not to use our Information Disclosure Request Form, your written request should include:

1. That you, as a member of the public, are making a request for data under the MGDPA, Minnesota Statutes, Chapter 13;
2. Whether you would like to look at the data, get copies of the data, or both; and
3. A clear description of the data you would like to inspect or have copied.

C. Chisago County 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.

IV. HOW WE RESPOND TO A DATA REQUEST

- A. Upon receiving your request, we will work to process it in a timely manner.
1. If we do not have the data, we will notify you in writing as soon as reasonably possible.
 2. 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 available for disclosure.
 3. 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:
 - a. Arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - b. 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. 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. Information about copy charges is on page 7. We also will arrange for you to pre-pay for the copies.
 4. If we need more time to identify, find or copy the data you are asking for, we will let you know and we will tell you when we will be able to give you the data.
- B. 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.
- C. **We don't have to give you data we don't keep.**
- If we don't have the data you are asking for, we will tell you. The MGDPA does not require us to create or collect new data in response to a data request if we do not already have the data.
- D. **We may not have to give you public data in the form you want.**
1. If we have the data you're asking for, but we don't keep that data in the format you want, we may not be able to give you the data in that format. The MGDPA does not require us to provide data in a specific format or arrangement if we do not keep the data in that format 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. Then you can decide if you want the data in that format or not.

2. In addition, the MGDPA does not require us to answer questions that are not requests for data.

E. We do not charge you a fee for looking at public data.

1. You have the right to look at public data at no cost.
2. You may also inspect public data on your own electronic device, and you may print or download the data using your own device, at no cost.
3. We may not charge you a fee for separating public data from data that are not public.

F. You have the right to have public data explained in a way you understand.

If you have any questions about the meaning of public data that we keep, please contact the Data Practices Compliance Official (DPCO) listed in the Data Practices Contacts on page 6 and ask for an explanation. If you ask, we will provide an interpreter or find another way to explain the data.

G. You have the right to have copies of the public data that we keep.

You have the right to have a copy of any data that you have a right to see. This includes the right to have copies of all or parts of specific documents, files, records, databases or types of data that we keep. If you ask for the copies in electronic form, and we keep the data in electronic form, we will give you the data in electronic form.

H. We have the right to charge you a reasonable fee for providing copies.

1. We will charge you a fee for making copies of the data you ask for including, but not limited to the cost of any media storage device. If you ask us to mail or fax the copies to you, the fee will include postage or long distance phone charges. If you request a certified copy of a document, we will charge you a fee to certify the document.
2. If you are requesting copies of data that have commercial value, we will charge you a fee in addition to the fee for the copies.
3. Our fees for providing copies are outlined on page 7. We may request payment in advance for large copy orders.

I. **You have the right to know why you can't see or get copies of data that are not public.**

If the information you ask for is not public data, we will tell you that when you make your request, or we will notify you in writing as soon as possible. We also will tell you which specific law makes the information not public. If you ask, we will put this in writing for you.

V. **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 on individuals. Chisago County will prepare summary data if you make your request in writing to the appropriate Responsible Authority and pre-pay for the cost of creating the data. Upon receiving your written request – you may use our Information Disclosure 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.

VI. **QUESTIONS OR COMMENTS**

If you have any questions about how to access public data that we keep, please contact the Data Practices Compliance Official (DPCO) listed in the Data Practices Contact on page 6.

Data Practices Contacts

Responsible Authority – Attorney’s Office

Janet A. Reiter
County Attorney
313 N Main St, Room 373
Center City, MN 55012
Phone: 651-213-8400
Fax: 651-213-8401
Email: Janet.Reiter@chisagocountymn.gov

Responsible Authority – Sheriff’s Office

Brandon Thyen
County Sheriff
15230 Per Road
Center City, MN 55012
Phone: 651-213-6300
Fax: 651-213-6330
Email: Brandon.Thyen@chisagocountymn.gov

Responsible Authority – Health & Human Services

Robert Benson
Health & Human Services Director
313 N Main St, Room 239
Center City, MN 55012
Phone: 651-213-5600
Fax: 651-213-5685
Email: Robert.Benson@chisagocountymn.gov

Responsible Authority

Chase Burnham
County Administrator
313 N Main St, Room 174
Center City, MN 55012
Phone: 651-213-8877
Fax: 651-213-8876
Email: Chase.Burnham@chisagocountymn.gov

Data Practices Compliance Official (DPCO)

Chase Burnham
County Administrator
313 N Main St, Room 174
Center City, MN 55012
Phone: 651-213-8877
Fax: 651-213-8876
Email: Chase.Burnham@chisagocountymn.gov

Copy Costs – Members of the Public

Chisago County charges members of the public 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.

We do not charge for copies if the cost is less than \$10.

For 100 or Fewer Paper Copies – 25 cents per page

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.

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 \$18.00 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.