

City of Carlos, Minnesota

Data Practices Policy For the Public

Minnesota Statutes, sections 13.025 and 13.03 require this policy.

Your Right to See 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 means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The law also says that the City of Carlos must keep all government data in a way that makes it easy for you 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 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 Request Public Data

You can ask to look at (inspect) data at our offices, or ask for copies of data that we have about you, your minor child, or an individual for whom you have been appointed legal guardian.

You must make a written request. You may make your request by mail or email. All requests must be sent to the Responsible Authority, listed on page 3, using the data request form. Only one request may be permitted at a time.

We require proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a legal guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity on page 6. If you do not provide proof that you are the data subject, we cannot respond to your request.

How We Will Respond to Your Data Request

Upon receiving your request, we will review it.

- We may ask you to clarify what data you are requesting.
- We will ask you to confirm your identity as the data subject.
- 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 is confidential or not public data about someone else, we will notify you within 10 business days and identify the law that prevents us from providing the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days by doing one of the following:
 - Arrange a date, time, and place to inspect data in our offices, for free, or
 - Provide you with the data within 10 business days. You may choose to pick up your copies, or we will mail or email them to you. We will provide electronic copies (such as email or CD-ROM) upon request, if we keep the data in that format and we can reasonably make a copy.
 - Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
 - If you do not arrange to inspect the data or pay for the copies within 5 business days after we tell you the data are ready, we will suspend any further response until you inspect the data or collect and pay for data that have been produced.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request, 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.

We are also not required to respond to questions that are not about your data requests, or that are not requests for government data.

Requests for Summary Data

Summary data are statistical records or reports created by removing identifying information about individuals from entirely private or confidential data. 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 for the cost of creating the data. Upon receiving your written request

You may use the data request form on page 5 to request summary data. We will respond to your request within ten business days with the data or details of when the data will be ready and how much we will charge you.

Data Practices Contacts

Responsible Authority and Data Practice Compliance Official

City Clerk/Treasurer

Donna Eveslage

PO Box 276, Carlos, MN 56319

320-852-3000/office@cityofcarlos.com

Data Practices Designee(s)

Deputy Clerk

PO Box 276, Carlos, MN 56319

320-852-3000/office@cityofcarlos.com

Copy Costs – When You Request Public Data

Minnesota Statutes, section 13.03, subdivision 3(c) allows us to charge for copies.

You must pay for the copies before we will give them to you.

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 sending the data.

In determining the actual cost of making copies, we include 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 copy 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 *\$60.00* 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 Request Form – Data Subject

Date of request: _____

The data I am requesting: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

I am requesting access to data in the following way:

☐ Inspection

☐ Copies

☐ Both inspection and copies

* Inspection is free, but City of Carlos will charge for copies, based upon the Fee Schedule.

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

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/email 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.

Standards For Verifying Identity

The following constitute proof of identity:

- An adult individual must provide a valid photo ID, such as
 - o a driver's license
 - o a state-issued ID
 - o a tribal ID
 - o a military ID
 - o a passport
 - o the foreign equivalent of any of the above
- A minor individual must provide a valid photo ID, such as
 - o a driver's license
 - o a state-issued ID (including a school/student ID)
 - o a tribal ID
 - o a military ID
 - o a passport
 - o the foreign equivalent of any of the above
- The parent or guardian of a minor must provide a valid photo ID and either
 - o a certified copy of the minor's birth certificate or
 - o a certified copy of documents that establish the parent or guardian's relationship to the child, such as
 - ♣ a court order relating to divorce, separation, custody, foster care
 - ♣ a foster care contract
 - ♣ an affidavit of parentage
- The legal guardian for an individual must provide a valid photo ID and a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
 - o court order(s)
 - o valid power of attorney

Note: Individuals who do not inspect data or pick up copies of data in person may be required to provide either notarized or certified copies of the documents that are required or an affidavit of ID.

Notice of Adoption of Model Policies

[Minnesota Statutes, section 13.025, subdivisions 2 and 3](#), require government entities to prepare written policies that relate to public access to government data, and rights of subjects of data and [Minnesota Statutes, section 13.03, subdivision 2](#), requires entities to establish procedures so that data requests are complied with appropriately and promptly.

[Minnesota Statutes, section 13.073, subd. 6](#), requires the Commissioner of Administration to prepare [model policies and procedures](#) to help government entities comply with those requirements. Entities that choose to adopt the Commissioner's model policies must notify the Commissioner. Please use the following statement to notify the Commissioner if you choose to adopt the model policies and procedures.*

Notice to Commissioner of Administration: Adoption of Model Policies

City of Carlos, Minnesota has adopted the Commissioner's Model Policy for the Public and Model Policy for Data Subjects. This notice to the Commissioner satisfies City of Carlos, Minnesota's obligation under Minnesota Statutes, section 13.073, subdivision 6.

Donna Eveslage, Clerk-Treasurer

Ronna Berghoff, Mayor

Date: _____

**Government entities may submit this notification by mail or email:*

Commissioner of Administration
c/o Data Practices Office
200 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
info.dpo@state.mn.us