

City of Ivanhoe, Minnesota

Data Practices Policy For the Public

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 City of Ivanhoe 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 data at our offices, or ask for copies of public data that we keep. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 2.

Requests for public data need to be in writing. You may make your request in person, mail, fax or email. These requests must be made using the Data Request Form found at the end of this document.

You are not required to identify yourself or explain the reason for your data request. However, you may need to provide us with some personal information for practical reasons (for example: if you want us to mail copies to you, you need to provide us with an address or P.O Box). If we do not understand your request and have no way to contact you, 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.
- If we do not have the data, we will notify you in writing with 20 business days.
- If we have the data, but we are not allowed to give it to you, we will tell you as soon as reasonably possible and identify the law that prevents us from providing the data.
- 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 for you to inspect the data at our offices for free; or
 - 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.
 - Following our response, if you do not make arrangements with 20 business days to inspect the data or pay for the copies, we will conclude that you no longer want the data and will consider your request closed.

Information about copy charge is found on page 2.

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 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.

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

Name: Tammy Guza, City Administrator

Address: 401 N Harold St, PO Box 54, Ivanhoe, MN 546142

Phone number: 507-694-1738 Fax number: 507-694-1278 Email address: cityivan@frontiernet.net

Data Practices Compliance Official

Same as above

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.
- We do not charge for copies, if the cost is less than \$5.00
- Multiple requests made within the same 20 business day period, will be treated as a single request for the purposes of calculating whether the minimum of \$5.00 is met.
- If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.

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 make copies is equal to the current wage of the employee.

If, based on your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate search and retrieval charges at the higher salary/wage.

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Data Request Form – Requesting Public Data

Part A (To be completed by the requester)

Request date:

The data I am requesting:

Describe the data you are requesting as specifically as possible.

I am requesting access to data in the following way:

- Inspection
- Copies
- Both inspection and copies

Inspection is free, but we charge for copies when the cost is over \$5.00.

Contact information (optional)*

Name:

phone number:

email address:

address:

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

* You do not have to provide any contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. We also need contact information if we do not understand your request. We will not work on your request until we can clarify it with you.

Part B (To be completed by the City)

Request processed by:

Date received:

Clarification requested (document date and reason for clarification request):

Data classified as:

Public Non-Public Private Confidential
 Protected Non-Public Copyrighted

Action:

Approved Approved in part (Explain below) Denied (Explain below)

Remarks or basis for denial including MN Statute if applicable:

Charges:

None – Explanation: _____

Photocopy Pages x cents = \$ _____

Other – Explanation: _____

Total charges = \$ _____

Identity verified for private data:

Photo Identification (Driver’s license, passport, Tribal ID, etc.)

Comparison with signature on file

Personal knowledge

Other – Explanation: _____

Adopted by the City Council of the City of Ivanhoe on this 13th day of November, 2017.



Mayor



City Administrator

City of Ivanhoe, Minnesota

Data Practices Policy For Data Subjects

Data about you

The Government Data Practices Act (Minnesota Statutes, Chapter 13) states that data subjects have certain rights related to a government entity collecting, creating and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including, paper, email, flash drives, CDs, DVDs, photographs, etc.

Classification of data about you

The Government Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private or confidential. See below for examples.

Your rights under the Government Data Practices Act

This government entity must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights.

1. Access to your data

You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. 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.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask this government entity not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We may ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests. Minors do not have this right if the data in question are educational data maintained by an educational agency or institution.

2. When we collect data from you

When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennessean warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you may use the consent form we provide.

3. Protecting your data

The Government Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

In the unfortunate event that we determine a security breach has occurred and an unauthorized person has gained access to your data, we will notify you as required by law.

4. When your data are inaccurate and/or incomplete

You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to make a request for your data

You can look at data, or request copies of data that this government entity keeps about you, your minor children, or an individual for whom you have been appointed legal guardian. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 4. You may make your written request (required) by mail, fax or email, using the data request form found at the end of this document.

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

- You are making a request, under the Government Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you.
- 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.
- Identifying information that proves you are the data subject, or data subject's parent/guardian.

This government entity requires 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 guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity located on page 6.

How we respond to a data request

Once you make your request, we will work to process your request.

- 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 confidential or private data that are not about you, we will notify you within 10 business days and state which specific law says you cannot access 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:
 - o Arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - o Provide you with copies of the data within 10 business days. 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.

After we have provided you with access to data about you, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

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.

Data Practices Contacts

Responsible Authority

Name: Tammy Guza, City Administrator

Address: 401 N Harold St, PO Box 54, Ivanhoe, MN 546142

Phone number: 507-694-1738 Fax number: 507-694-1278 Email address: cityivan@frontiernet.net

Data Practices Compliance Official

Same as above

Copy Costs – When You Request Public Data

This government entity charges data subject for copies of government 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.
- We do not charge for copies, if the cost is less than \$5.00
- Multiple requests made within the same 20 business day period, will be treated as a single request for the purposes of calculating whether the minimum of \$5.00 is met.
- If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.

Actual cost of making copies

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). These charges may not include time necessary to separate public from non-public data.

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.

If, based on your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate search and retrieval charges at the higher salary/wage.

The cost of employee time to make copies is equal to the current wage of the employee.

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CITY OF IVANHOE

"The Storybook Town"

PO Box 54, Ivanhoe, MN 56142

Ph: (507) 694-1738 Fax: (507) 694-1278

TTY MN Relay Service 7-1-1 or (800) 627-3529

Email: cityivanhoe@outlook.com

Website: city.ivanhoe.mn.com

Data Request Form- Public

Date of request: _____

I am requesting access to data in the following way:

Inspection

Copies

Both inspection and copies.

Note: Inspection is free, but we charge \$.25 per page for copies. There will be additional charges for CDs, photographs, postage, etc..

These are the data I am requesting:

Describe the data you are requesting as specifically as possible. If you need more space, please use a separate sheet.

Contact Information

Name _____

Address _____

Phone number _____ Email: _____

We will respond to your request within 10 business days or as soon as reasonably possible.

The City of Ivanhoe is an equal opportunity provider and a veteran friendly employer

*** FOR OFFICE USE ***

Information Received/Sent: _____

Designation for Requested Data: Public Private

Non Public Confidential Protected Non-Public

Approved: _____ Date: _____
Employee

Approval by the City Administrator is necessary for any data determined not to be public.

Approved: _____ Date: _____
City Administrator