

Minnesota Office of Higher Education Rights of the Public of Government Data

This document is required by Minnesota Statutes, section 13.03, subdivision 2 (b).

May 2016

Right to Access Public Data

The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public data 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 created, collected, stored or maintained in order to do their work.

You have the right to look at (inspect), free of charge, all public data that the Office of Higher Education (OHE) keeps. You also have the right to get copies of public data. You have the right to look at data, free of charge, before deciding to request copies. The Data Practices Act does allow OHE to charge for copies.

How to Make a Data Request

To look at or request copies of data, make your request to the Data Practices Compliance Official (DPCO) on Page 3. You may use the data request form on page 4, but you are not required to use the form. If you choose not to use the data request form, your request should include the following information:

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

OHE 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, (e.g., to mail you copies of data), we may need some information about you. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we might not be able to process your request.

How We Respond to a Data Request

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

- If we do not have the data, we will notify you 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. This depends on several variables like how many copies are requested, how many staff members are available to respond and how many other data requests are being processed. Fees are described below.

The Data Practices Act does not require us to create or collect new data in response to a data request. OHE does not have to provide data in specific form or arrangement if the data is not kept in that form or arrangement. 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.

Standing requests expire after three months. Fees must be paid in full at the end of the three month period and prior to renewal.

Request for Summary Data

OHE will prepare summary data if the requestor agrees to pay the cost of preparing the data. Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals.

Copy Costs for Members of the Public

The Minnesota Office of Higher Education 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 \$10.00.
- We do not charge to inspect data or to separate public data from not public data.

Charges

For 100 or Fewer Paper Copies --\$.25 per page

100 or fewer pages of black and white, letter or legal size paper copies cost \$.25 for one-sided copy, or \$.50 for a two-sided copy.

For more than 100 Paper copies --\$.25 per page, plus Actual Cost

For more than 1 hour of employee time to electronically search, retrieve, and transmit documents – Actual Cost

Standing requests – Charges accrued are due after three months and prior to renewal.

Actual Cost

The charge for copies is the actual cost of employee time to search for and retrieve data, electronically transmit the data, any materials, and mailing costs. The cost of the employee time is calculated using the hourly salary of the lowest paid employee able to complete the task, plus 20% for fringe benefits.

OHE Responsible Authority
Larry Pogemiller, Commissioner
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-5227

OHE Data Compliance Official
Winnie Sullivan, Deputy Commissioner
1450 Energy Park Drive, Suite 350 St.
Paul, MN 55108-5227
Phone: 651-259-3922
Fax: 651-642-0675
Email: Winnie.Sullivan@state.mn.us

**Minnesota Office of Higher Education
Data Request Form**

Name:	Date:	
Address:		
City:	State:	Zip:
Phone Number:	Email:	

Note: You do not have to provide any of the above information. However, we may not be able to clarify your request of providing copies without contact information. You are required to use this form. It is for convenience only.

Please describe the data you are requesting in the box below and if you would like us to provide:

_____ Inspection _____ Copies _____ Both Inspection and copies

MS § 13.03, subd. 3, authorizes OHE to charge fees to recover costs to provide copies of data. Prepayment is required prior to receiving copies of data.

Submit by mail, fax, or email to: Minnesota Office of Higher Education
Data Practices Compliance Official
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-4046
Fax: 651-259-3922
Email: Diane.Oconnor@state.mn.us

For questions call: Data Practices Compliance Official at 651-259-3922