

# Eureka Township

## Data Practices Policy For Members of the Public

Revised April, 2020

## Right to access public data

The Minnesota Government Data Practices Act, Minn. Stat. Chap. 13 and Minn. Rules 1205 presume 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, electronic, DVDs, photographs, etc.

The Government Data Practices Act also provides that Eureka Township 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, public data that we keep. Eureka Township is required to respond to requests for public data within a reasonable time, but may need to review whether data contains information classified as not public. You also have the right to get copies of public data. 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.

## How to make a data request

You can look at data or request copies of data that Eureka Township keeps by making a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 4. You may make your written request by mail or email using the data request form on page 5.

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

- That you, as a member of the public, are making a request for data under the Minnesota Government 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. (Be as specific as possible including subject matter, dates, etc.).

Eureka Township 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 public data request (for example, if you want us to mail you copies of the 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 will not be able to begin processing your request.

## How we respond to a data request

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

- If it is unclear what data you are requesting, we will ask you for clarification.
- If we do not have the data, we will notify you in writing as soon as reasonably possible.

- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and, upon your request, state in writing 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 within a reasonable amount of time by doing one of the following:
  - Arrange a date, time and place for you to inspect the data, free of charge, if your request is to look at the data (inspection must occur during normal business hours and at a time when staff are available); or
  - Provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail them to you. If you want us to send you the copies, you will need to provide us with an address. We will provide electronic copies (such as email or CD) upon request, provided that we already have the data in electronic format.

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 Eureka Township 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 to respond to questions that are not specific requests for data.

Eureka Township may ask questions or request additional information in order to better process your request. If you do not respond to a request for clarification or other communication about your request, we may consider your request abandoned after a reasonable time passes.

### **Requests for Summary Data**

Summary data are statistical records or reports derived from data on individuals, but in which individuals are not identified, and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable. The preparation of summary data is not a means to gain access to private or confidential data. We will provide summary data if you make your request in writing and pre-pay for the cost of the data. We are not required to create summary data, but may do so at your request and upon prepayment of the cost if we are able to.

Upon receiving your written request for summary data, we will respond within 10 business days with the data or details of when the data will be ready, as well as any charges due. You may use the data request form on page 5 to make a request for summary data.

## **Eureka Township Data Practices Contacts**

### **Responsible Authority**

Ranee Solis, Town Clerk

25043 Cedar Avenue

Farmington, MN 55024

(952) 469-3736

[clerk@eurekatownship-mn.us](mailto:clerk@eurekatownship-mn.us)

### **Data Practices Compliance Official**

Donovan Palmquist

25043 Cedar Avenue

Farmington, MN 55024

612)250-6208

[dpalmquist@eurekatownship-mn.us](mailto:dpalmquist@eurekatownship-mn.us)

## **Copy Costs – Members of the Public**

Eureka Township charges members of the public for copies of government data. These charges are authorized under Minn. Stat. § 13.03, Subd. 3(c). You must pre-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 transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we are permitted to factor in employee time, the cost of the materials onto which we are copying the data (e.g. paper, CD, etc.), and mailing costs, if any. If your request is for copies of data that we cannot reproduce ourselves, we will charge you the actual cost we must pay an outside vendor for this service.

Date of request: \_\_\_\_\_

I am requesting access to data in the following way:

- Inspection (*no charge, and may be done during normal business hours*)
- Copies (*cost for copies of data must be received in advance*)
- Both inspection and copies

These are the data I am requesting:

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Contact Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

You are not legally required to provide any of the above contact information; however, if you want us to mail/email you copies of data, we will need your contact information. In addition, providing contact information may help us process your request. If we do not understand your request and need to get clarification from you, we will not be able to begin processing your request until you contact us.

Eureka Township will respond to your request as soon as reasonably possible.

***For Office Use Only***

Date request received: \_\_\_\_\_ Public Data / Nonpublic Data    Approved / Denied

Date paid: \_\_\_\_\_ Amount \$: \_\_\_\_\_ Receipt no.: \_\_\_\_\_

Request handled by: \_\_\_\_\_ Date data provided: \_\_\_\_\_