

Approved: April 2021



702 DATA PRACTICES

I. STATEMENT OF POLICY

Spero Academy recognizes its responsibility to collect, maintain and disseminate public data as provided by state statutes. The purpose of this policy is to comply with the Minnesota Government Data Practices Act (hereinafter referred to as the MGDPA) and explain the process for reviewing or obtaining public data.

All data on individuals collected, created, received, maintained, or disseminated by the school district, which is classified by statute or by federal law as public, shall be accessible to the public pursuant to the procedures established by the school district. All other data on individuals is private or confidential.

II. DEFINITIONS AND CONSTRUCTION

This policy must be construed as consistent with the MGDPA and Minnesota Rules Chapter 1203. All terms used that are defined by the MGDPA must be given the same definition as listed in the MGDPA and Rules Chapter 1205. Nothing in this policy shall be interpreted to contradict any other school district policy.

- A. Government Data "Government data" means all data collected, created, received, maintained, or disseminated by the school district regardless of its physical form, storage media, or conditions of use.
- B. Inspection "Inspection" means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school, inspection includes remote access to the data by the public and the ability to print copies of or to download the data on the public's own computer equipment.
- C. Public Data "Public data" means all government data collected, created, received, maintained, or disseminated by the school, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

- D. Responsible Authority “Responsible authority” means the individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the Executive Director.
- E. Summary Data “Summary data” means statistical records and 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.

III. RIGHT TO ACCESS PUBLIC DATA

All data collected, created, received, maintained, or disseminated by the school district, which is classified by state statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district as set forth in this policy.

IV. MAKING A PUBLIC DATA REQUEST To review or request copies of public data in the school district’s possession, a member of the public must make a written request directed to the responsible authority. The request must include the following information:

- A. Date the request is made.
- B. A clear description of the data requested.
- C. Identification of the form in which the data is to be provided (e.g. inspection, copying, both inspection and copying etc.) and
- D. Method to contact the requestor such as phone number, address, or email address.

The requestor is not required to explain the reason for the data request. The identity of the requestor is public, if provided, but cannot be required by the government entity.

V. PROCESSING A DATA REQUEST

- A. Upon receipt of a written request, the school district will process the request within a reasonable time depending on the nature and volume of the data requested. If the response to the request will take longer than fifteen business days, the school district may notify the requesting party of the approximate amount of time it will take to process the request.
 - 1. If it is unclear what data is being requested, the school district will seek clarification from the requester.
 - 2. If the school district does not have the data requested, it will so notify the requester in writing as soon as reasonably possible.

- B. If the school district has the data requested and the data may be lawfully disclosed to the requester, the school district will respond to the request in one of the following ways:
 - 1. Arrange a date, time, and place for the requester to review the data without cost to the requester.
 - 2. Provide the requester with copies of the data requested. The requester may pick up the copies at the school or the school district will mail copies of the data to the requester. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten business days after the requestor is notified, the school will conclude that the data is no longer wanted and will consider the request closed.
- C. The school district will provide electronic copies only if the school keeps the data in electronic format.
- D. Upon request the school district will inform the requester as to the meaning of any data disclosed pursuant to this policy. The cost of providing copies of the data is addressed in Attachment A.
- E. If the school district determines that all or a portion of the requested data is classified, the school district will inform the requester accordingly either verbally at the time the data request is made or in writing as soon as reasonably possible after the determination is made.
 - 1. Upon the request of the entity denied access to the data, the responsible authority or designee will certify the denial of the request in writing and cite the specific statutory section, temporary classification, or specific provision of law upon which the denial was based.

VI. CREATING NEW DATA OR RESPONDING TO QUESTIONS

Nothing in this policy or the MGDPA requires the school district to create data in response to a data request, collect new data in response to a data request, or to provide data in a specific form or arrangement if the school does not keep the data in that form or arrangement. If the school district agrees to create data in response to a request, then the school district will work with the requester regarding the details of the request including the cost of creating the data and response time to produce the created data.

Nothing in this policy or the MGDPA requires the school district to respond to questions that are not requests for data.

VII. REQUESTS FOR SUMMARY DATA

- A. The preparation of summary data is not a means to gain access to private or confidential data. The school district will prepare summary data if a written request is made and the cost of creating the summary data is prepaid by the requester.

The following information must be provided at the time the request is made:

1. Date the request is made.
 2. A clear description of the data requested.
 3. Identification of the form in which the data is to be provided (e.g. inspection, copying, both inspection and copying etc.) and
 4. Method to contact the requestor such as phone number, address, or email address.
- B. The responsible party will respond within ten business days of the receipt of the request to prepare summary data and will inform the requestor of the following:
1. The estimated cost of preparing the summary data and
 2. A written statement describing a time schedule for preparing the requested summary data including reasons for any time delays. or
 3. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise private or confidential data.

Legal References:

Minn. Stat. Chapter 13, Minnesota Government Data Practices Act.

Cross References:

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

ATTACHMENT A

I. COPY COSTS WHEN YOU REQUEST PUBLIC DATA

The school district charges members of the public for copies of government data as authorized under Minnesota Statutes Section 13.03 Subdivision 3(c). A member of the public must pay for the copies before the school district will provide the copies requested.

- A. **25 Cents** per page for 100 or fewer paper pages of one-sided, black and white letter or legal sized paper copies or 50 Cents for a two-sided copy.

- B. Actual Cost for Other Types of Copies

When a charge is not set by statute or rule, the charge for copying is the actual cost of searching for and retrieving the data, making copies of the data 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 such as CD, DVD, etc. and mailing costs if any. The cost of employee time to retrieve and copy the data is based on the lowest hourly rate of the appropriate school district employee. If your request is for copies of data that we cannot copy ourselves such as photographs, we will charge you the actual cost we pay an outside vendor for the copies. If based on the nature of the subject matter in your request, we determine that it is necessary for a higher paid employee to search for and to retrieve the data, we will calculate the cost at the higher salary/wage.

- C. Discretionary Costs

If the school district decides that it is in the best interests of the public and the school district to release data without copy charges, the school district may waive payment of copy charges.

II. DATA PRACTICES CONTACT/RESPONSIBLE AUTHORITY

The employee listed below is available to assist you with a data practices request:

Operations Coordinator/Director at Spero Academy Email: frontdesk@spero.academy

ATTACHMENT B

Data Request Form

Request data under Minnesota's public records law, the Minnesota Government Data Practices Act, by completing the form below.

Date of Request _____

Method of Access to Data

- ☐ In Person Review (Free of Charge)
☐ Copies (Fee Charged)
☐ Both In Person Review and Copies (Charge for Copies)

Description of Requested Public Data

(Use additional page if more space is needed for request.)

Contact Information for Requester of Public Data

The following information is optional. However, we need some way to contact you about your request if clarification is needed. If the requester wants the school district to mail or email copies of the data, then a mailing and/or email address is necessary. Lack of contact information could delay the processing of a request.

Name: Front Desk
Address: 2701 California Street NE, Minneapolis, MN 55418
Telephone/Cell Number: 612-465-8600
Email: frontdesk@spero.academy