

Adopted: August 20, 2014

Revised: \_\_\_\_\_

## **BLUESKY CHARTER SCHOOL POLICY No. 7.4 DATA ACCESS POLICY FOR MEMBERS OF THE PUBLIC**

### **I. PURPOSE**

The purpose of this policy is to describe the process members of the public will follow in order to access BlueSky Charter School's government data.

### **II. POLICY STATEMENT**

It is the policy of the Board of BlueSky Charter School to fully comply with state laws regarding access to government data by members of the public.

### **III. POLICY**

A. The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data is public unless a state or federal law provides that the data is not public.

1. "Government data" is a term that means all recorded information a government entity has collected, created, received, maintained or disseminated, including paper, email, CD-ROMs, photographs, etc.

B. The Data Practices Act also provides that BlueSky Charter School must maintain all government data in a way that makes it easy for you, as a member of the public, to access public data.

1. You have the right to look at (inspect), free of charge, all public data that BlueSky Charter School keeps.

2. You also have the right to get copies of public data. The Data Practices Act allows BlueSky Charter School to charge for copies.

3. You have the right to look at data, free of charge, before deciding to request copies.

### **IV. HOW TO MAKE A DATA REQUEST**

A. To look at data or request copies of data that BlueSky Charter School keeps, make a written request to the appropriate individual listed under the "Data Practices Contact" paragraph below.

*This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.*

- B. You may make your written request for data by mail using the data request form below.
- C. If you choose not to use the data request form, your written request should include:
  - 1. That you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;
  - 2. Whether you would like to look at the data, get copies of the data, or both; and
  - 3. A clear description of the data you would like to inspect or have copied.
- D. BlueSky Charter School 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 BlueSky Charter School to process your request (if, for example, you want BlueSky Charter School to mail you copies of data), BlueSky Charter School may need some information about you. If you choose not to provide any identifying information, BlueSky Charter School will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if BlueSky Charter School does not understand your request and has no way to contact you, BlueSky Charter School will not be able to begin processing your request.

## **V. HOW BLUESKY CHARTER SCHOOL RESPONDS TO A DATA REQUEST**

- A. Upon receiving your written request, BlueSky Charter School will work to process it.
  - 1. If BlueSky Charter School does not have the data, you will be notified in writing as soon as reasonably possible.
  - 2. If BlueSky Charter School has the data, but the data is not public, you will be notified in writing as soon as reasonably possible and state which specific law says the data is not public.
  - 3. If BlueSky Charter School has the data, and the data is public, BlueSky Charter School will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
    - a. BlueSky Charter School will arrange a date, time, and place to inspect data, for free, if your request is to look at the data; or
    - b. BlueSky Charter School will provide you with copies of the data as soon as reasonably possible.
- B. You may choose to pick up your copies, or BlueSky Charter School will mail or fax them to you. If you want BlueSky Charter School to send you the copies, you will need to provide an address or fax number. BlueSky Charter School will provide electronic copies (such as email or CD-ROM) upon request if BlueSky Charter School maintains the data in electronic format. Information about copy charges is described below.

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- C. If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please notify BlueSky Charter School. BlueSky Charter School will provide an explanation if you ask.
- D. The Data Practices Act does not require BlueSky Charter School to create or collect new data in response to a data request if BlueSky Charter School does not already have the data, or to provide data in a specific form or arrangement if BlueSky Charter School does not keep the data in that form or arrangement. (For example, if the data you request are on paper only, BlueSky Charter School is not required to create electronic documents to respond to your request.) If BlueSky Charter School agrees to create data in response to your request, BlueSky Charter School will work with you on the details of your request, including cost and response time.
- E. In addition, the Data Practices Act does not require BlueSky Charter School to answer questions that are not requests for data.

## **VI. REQUESTS FOR SUMMARY DATA**

Summary data is statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. BlueSky Charter School 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 below), BlueSky Charter School will respond within ten business days with the data or details of when we receive the request.

## **VII. DATA PRACTICES CONTACTS**

- A. Responsible Authority: Executive Director

Name: Amy Larsen

Address: 33 Wentworth Avenue East, Suite #100, West Saint Paul, MN 55118

Phone number, fax number, email address:

P: 651-642-0888

F: 651-642-0435

[info@blueskyschool.org](mailto:info@blueskyschool.org)

## **VIII. COPY COSTS – MEMBERS OF THE PUBLIC**

- A. BlueSky Charter School charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, §13.03, subdivision 3(c).
- B. You must pay for the copies before BlueSky Charter School will give them to you.

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1. For 100 or Fewer Paper Copies. 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.
2. Most Other Types of Copies- Actual cost.
  - a. 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).
  - b. In determining the actual cost of making copies, BlueSky Charter School factors in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any).
  - c. If your request is for copies of data that BlueSky Charter School cannot reproduce itself, such as photographs, you will be charged the actual cost BlueSky Charter School must pay an outside vendor for the copies.
  - d. The cost of employee time to search for data, retrieve data, and make copies is \$25.00 per hour. If, because of the subject matter of your request, BlueSky Charter School finds it necessary for a higher-paid employee to search for and retrieve the data, BlueSky Charter School will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

***Legal References:*** Minn. Stat. §13.025 (Government Entity Obligation)  
Model Policy, Minnesota Department of Administration, Information  
Policy Analysis Division, September 2013

**BLUESKY CHARTER SCHOOL**  
**Data Request Form – Members of the Public**

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

**I am requesting access to data in the following way:**

[Note: inspection is free but we charge for copies of data].

Inspection

Copies

Both inspection and copies

**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: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

You do not have to provide any of the above contact information. However, if you want us to mail 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.

BlueSky Charter School will respond to your request as soon as reasonably possible.

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