

	<b>Data Access Policy for Members of the Public</b>	<b>Policy #</b>	<b>515a</b>
		<b>Implementation Date</b>	7/28/20
		<b>Last Reviewed/Update Date</b>	
<b>Page</b>	1 of 4	<b>Approval</b>	Board of Directors

## 1. PURPOSE

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The purpose of this policy is to describe the process members of the public will follow in order to access Achieve Language Academy’s government data.

## 2. POLICY STATEMENT

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

## 3. POLICY

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- 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.
  - a. “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 Achieve must maintain all government data in a way that makes it easy for you, as a member of the public, to access public data.
  - a. You have the right to look at (inspect), free of charge, all public data that Achieve keeps.
  - b. You also have the right to get copies of public data. The Data Practices Act allows Achieve to charge for copies.
  - c. You have the right to look at data, free of charge, before deciding to request copies.

## 4. HOW TO MAKE A DATA REQUEST

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- A. To look at data or request copies of data that Achieve 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 email or mail using the data request form on page 3. Please limit one request per form.

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

## **5. HOW ACHIEVE CHARTER SCHOOL RESPONDS TO A DATA REQUEST**

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- A. Upon receiving your written request, Achieve will work to process it.
  - a. If Achieve does not have the data, you will be notified in writing as soon as reasonably possible.
  - b. If Achieve 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.
  - c. If Achieve has the data, and the data is public, Achieve will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
    - i. Achieve will arrange a date, time, and place to inspect data, for free, if your request is to look at the data; or
    - ii. Achieve will provide you with copies of the data as soon as reasonably possible.
- B. You may choose to pick up your copies, or Achieve will mail or fax them to you. If you want Achieve to send you the copies, you will need to provide an address or fax number. Achieve will provide electronic copies (such as email or CD-ROM) upon request if Achieve maintains the data in electronic format. Information about copy charges is described below. This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.
- C. If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please notify Achieve. Achieve will provide an explanation if you ask.
- D. The Data Practices Act does not require Achieve to create or collect new data in response to a data request if Achieve does not already have the data, or to provide data in a specific form or arrangement if Achieve does not keep the data in that form or arrangement. (For example, if the data you request are on paper only, Achieve is not required to create electronic documents to respond to your request.) If Achieve agrees to create data in response to your request, Achieve 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 Achieve to answer questions that are not requests for data.

## **6. REQUESTS FOR SUMMARY DATA**

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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. Achieve 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), Achieve will respond within ten business days with the data or details of when we receive the request.

## **7. DATA PRACTICES CONTACTS**

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Responsible Authority of: Executive Director, Achieve Language Academy 2169 Stillwater Avenue St. Paul, MN 55119	P: 651-738-4875 F: 651-738-88268 Info@achievemn.org
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## **8. COPY COSTS – MEMBERS OF THE PUBLIC**

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- A. Achieve 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 Achieve will give them to you. This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.
  - a. 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.
  - b. Most Other Types of Copies- Actual cost.
    - i. 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).
    - ii. In determining the actual cost of making copies, Achieve 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).
    - iii. If your request is for copies of data that Achieve cannot reproduce itself, such as photographs, you will be charged the actual cost Achieve must pay an outside vendor for the copies.
    - iv. 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, Achieve finds it necessary for a higher-paid employee to search

for and retrieve the data, Achieve will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

**9. DATA REQUEST FORM**

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Date	Name of Person Requesting Data	Phone	Email
<i>Please Describe Type of Data Being Requested:</i>			
<i>Please check one of the following and indicate date needed</i>			
<b>View Only</b>		<b>Request Copies</b>	<b>Date Needed</b>

**9. REVISION HISTORY**

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Date	Rev #	Changed By: (Employee Name/Title)	Reason for Change:
7/28/20	1	Board of Directors	Annual Policy Review