

# Guide for the Public Requesting TRA Data and Information

This guide is provided in accordance with the Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13) which requires government entities to establish public access procedures for data requests from the public.

## Governing statute

The Minnesota Government Data Practices Act states that all government data are public unless a state or federal law stipulates that the data are not public. With respect to member data and information maintained by the statewide retirement systems, including the Teachers Retirement Association (TRA), the Data Practices Act (Minnesota Statutes, Section 13.43, subdivision 2a) specifically states:

Notwithstanding any law to the contrary, with respect to data collected and maintained on members, survivors, and beneficiaries by statewide retirement systems that is classified as public data in accordance with subdivision 2, those retirement systems may be only required to disclose name, gross pension, and type of benefit awarded, except as required by sections 13.03, subdivisions 4 and 6; and 13.05, subdivisions 4 and 9.

## How to make a data request

The Data Practices Act provides that members of the public have the right to look at (inspect) public data that TRA keeps. The public also has the right to request copies of public data. The Data Practices Act allows TRA to charge for copies, but a member of the public may look at the data, free of charge, before deciding to request copies.

To look at data or request copies of data that TRA maintains, members of the public are asked to make a written request to TRA's Data Practices Compliance Official: Jay Stoffel, TRA Deputy Executive Director, TRA, 60 Empire Drive, Suite 400, St. Paul, MN 55103; [info@minnesotatra.org](mailto:info@minnesotatra.org). The written request may be made by mail or email. The data request form attached to this guide is provided for the data requester's convenience. If the data request form is not used, the written request should contain a clear description of the data requested and whether inspection or copies of the data or both inspection and copies are being requested. TRA cannot require persons requesting data to identify themselves or explain the reason for the data request. However, depending upon how the requestor wishes to receive the data, TRA may need contact information. If TRA does not understand the data request and there is no contact information, then there may be a delay or difficulty fulfilling the data request.

## How TRA responds to data requests

Upon receiving a written data request, TRA will work to process it as follows:

- If TRA has the data and the data are public, TRA will respond to the public data request appropriately and promptly, within a reasonable period of time by:
  - Arranging a date, time, and place to inspect the data, if that is the nature of the request.
  - Providing copies of the data as soon as reasonably possible by either pickup, mailing, emailing or faxing to the address or fax provided. Electronic copies (via email or CD) are provided upon request if the data is kept in electronic format. Information about copy charges appears below.

- If TRA does not have the data, TRA will notify the requester in writing as soon as reasonably possible.
- If TRA does have the data, but the data are considered not public, private or confidential, then TRA will notify the requester in writing and state which specific law protects the data.

The Data Practices Act does not require TRA to create or collect new data in response to a data request if TRA does not already have the data nor does the Act require TRA to provide data in a specific form or arrangement if TRA does not keep the data in that form or arrangement.

## **Requests for Summary Data**

Summary data are statistical records or reports that are prepared by removing all personal identifiers from private or confidential data on individuals. TRA will prepare summary data if the data request is in writing. There may be a charge for staff time and analysis required to prepare the data in summary form. Upon receiving a written request for summary data, TRA will respond with ten business days with the data or with the details of when the data will be ready and how much TRA will charge.

## **Copy costs – public requests for data**

TRA may charge the public for copies of data. These charges are authorized under Minnesota Statutes, Section 13.03, subdivision 3(c). TRA's policy on copy charges is described below.

The charge for most other types of copies is the actual cost of searching for, retrieving and compiling the data and making copies of or electronically transmitting the data. In determining the actual cost of making copies, TRA will factor in employee time, the cost of the materials (paper, CD, DVD, etc.) onto which the data is copied and mailing costs (if any). If the data request is for copies of data that TRA cannot reproduce (such as photos), then TRA will charge the actual cost paid to an outside vendor for the copies.

The cost of employee time to search for data, retrieve data, and make copies is \$30 per hour. If, because of the subject matter of the request, TRA finds it necessary for a higher-paid employee to search for and retrieve the data, TRA will charge at the higher salary/wage of the personnel involved in fulfilling the data request.

## **Copy Charges to Private Parties**

Policy Enacted: June 13, 2000

Purpose:

This policy is designed to recover staff and material costs associated with requests for documentation classified as public. These requests would typically originate from a private business or mass media company. Charges are not to be applied to TRA members, retirees, or state and local government agencies in which TRA has a close business relationship. The TRA Executive Director considers these costs as a reasonable and necessary administrative expense of the Association.

Procedure:

Information requests should be forwarded to the manager of the Accounting and Imaging Services division for processing. The Accounting and Imaging Services manager must bill and receive payment for the copies prior to releasing them. Rates for more than 300 copies will be at the discretion of the Manager of the Accounting and Imaging Service on a case-by-case basis.

Current Rates:

<b>Number of Copies</b>	<b>Rate</b>
1-50	\$2.16 plus .03/copy
51-100	\$4.32 plus .03/copy
101-150	\$6.48 plus .03/copy
151-200	\$8.64 plus .03/copy
201-250	\$10.80 plus .03/copy
251-300	\$12.96 plus .03/copy
Over 300	Dependent on documents to be copied

TRA Data Request Form – For Members of the Public

Date of request:

I am requesting access to data in the following way:

Note: Inspection is free but TRA charges for copies when the cost is over \$10.

Inspection

Copies

Both inspection and copies

Describe the data being requested in as much detail as possible. (If more space is needed, use the back of this form.)

Contact Information for the Data Request

Name:

Address:

Phone Number or Email:

Note: You do not have to provide the contact information. However, if you want TRA to provide copies of data, we will need some forwarding information. If TRA does not understand the data request and needs clarification, without contact information TRA may not be able to process the request.