DEPARTMENT OF ADMINISTRATION

Annual Report from the Data Practices Office

Fiscal Year 2026

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Introduction

The mission of the Department of Administration's Data Practices Office (DPO) is to promote understanding of and compliance with the Minnesota Government Data Practices Act and Open Meeting Law. To further our mission, we provide the following services:

- Informal advice and technical assistance to government entities and members of the public (including the Legislature and the media) on questions related to data practices and open meetings;
- Training on the Data Practices Act and Open Meeting Law;
- Assistance to the Commissioner of Administration on data practices statutory duties, including advisory opinions, temporary classifications, new uses of data, and data challenge appeals;
- Legislative assistance to individuals, organizations, government entities, and the Legislature in drafting and tracking data practices and open meetings legislation;
- Explanatory information pages, model policies and procedures, informational videos, and training modules on our website and YouTube page; and
- Consultation on projects concerning data practices and open meetings issues.

The Office is funded for four full-time staff members and has an annual general fund budget of $606,000. In addition, the Office provides paid training which generated $50,000 in Fiscal Year 25 (July 2025-June 2026).

FY26 highlights and successes

In their own words – feedback from DPO partners

- "Thank you for the information. This was very helpful. I especially appreciate the examples and the explanation of how response times can vary depending on the size and complexity of a request. I also found the discussion about providing records in stages to be helpful. Thank you for taking the time to explain this and point me to the relevant guidance." – Member of the public
- "Thank you so much for your response. You guys are always so helpful!"- County Sheriff
- "Thank you for the response! I have submitted my request through the online form now. Thanks again for your help!" – Data requester
- "Thank you for your prompt response and for providing the statutory framework regarding data practices remedies. Your technical assistance is greatly appreciated." – Member of the public
- "I have attended a number of DPO's trainings and am so grateful for you all!" – Counsel for small state agency
- "Much appreciated! And, again, your turnaround is impressive!" – County social services agency
- "You are the best, I so appreciate you and the great information that you have to share with us. I know that everyone in our county speak[s] highly of you and all the help you give us. I just want to say a big

thank you for always giving us the support and great information regarding these crazy data practice questions." – Records supervisor in municipal police department
- "Thanks so much for the follow up. You're the coolest! … Thanks for being persistent and effective. I appreciate it and I'm satisfied." – Member of the public
- "Thank you for being a part of these webinars, they're very well done and incredibly informative." – Administrative assistant in a city
- "I sincerely appreciate how readily available you have made yourself to assist with our matters. Your responsiveness and willingness to help have been invaluable, and for that, I cannot thank you enough." – County administrator
- "[T]hat was actually very helpful information, and I appreciate your guidance!! I hope you never hear from me again. :) If that's the case, please know you've been a beacon of light in a dark situation." – Member of the public
- "Thank you so much for the information. As always, your responses are very thorough and explain everything well. I appreciate your insight on this one!" – Office manager for municipal police department
- "I work closely with our DPCO and I just watched the Info Session you spoke at re: Judicial Officials. I just wanted to say that you did a fabulous job**!** Thanks for such a great presentation and all your work to educate communities about the MGDPA." – State agency data practices contact
- "[DPO] once again shines with knowledge, competency, their welcoming of questions and thorough answers." – Government entity training attendee
- "I just wanted to mention that your YouTube channel is helpful for when I have some downtime and need a refresher. The information you all provide is on current topics is timely. I just wanted to say how appreciative I am of the info your office provides." – City police department records technician
- After a workshop, an attendee reached out to share, "Your staff once again shines with knowledge, competency, their welcoming of questions and thorough answers."

FY26 technical assistance/partner contacts

Technical assistance* usually begins with an email or phone call. These contacts may be a parent asking about data about their student, a police department asking about access to body camera video, or a water and soil conservation district asking about requests for proposals. The DPO team learns more about the issue, and then provides guidance on classification, decision points, and next steps. Some questions require further research, and others can be answered relatively quickly. A DPO team member may also reach out to a government entity on behalf of a member of the public to act as an intermediary in resolving data practices and Open Meeting Law issues.

Our goal in providing this informal guidance to our public community partners is to assist them in accessing data to which they are entitled or to help them understand why they are unable to access data (i.e., the data are classified as not public, or the data do not exist). Our goal in assisting government is to achieve a better understanding of the law, resulting in greater compliance.

* Authority to provide technical assistance comes from Minnesota Statutes, section 13.073, subdivision 5 and Minnesota Rules, part 1205.1700.

Technical assistance summary

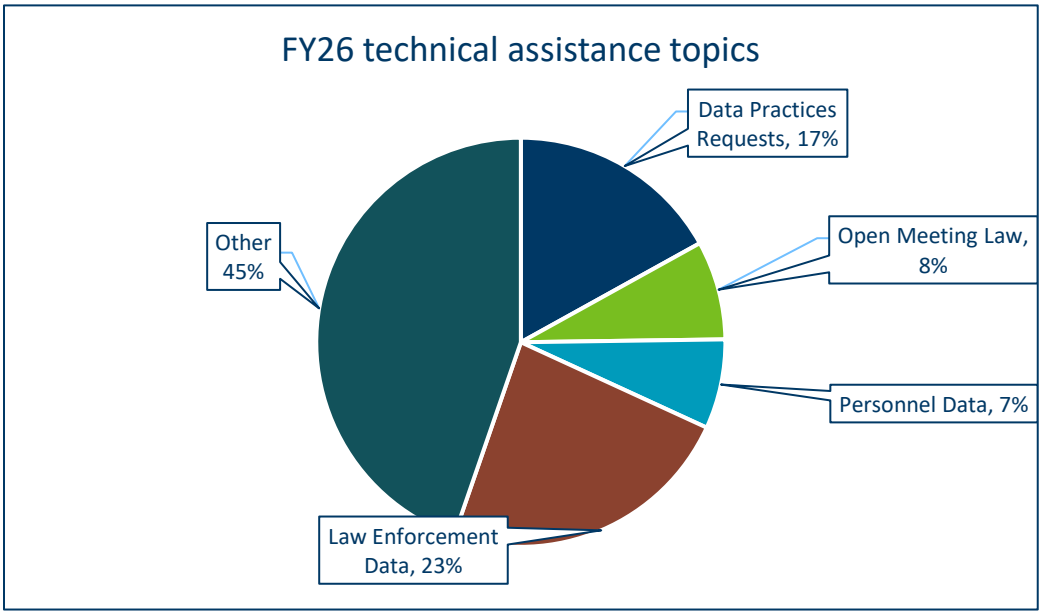
In recording the number of contacts, DPO team members count the initial contact. Even though we may exchange several emails or calls to respond to an inquiry from one of our partners, we consider that one "contact." Thus, the total number of requests for technical assistance does not necessarily represent the qualitative effort involved in responding. Tracking allows us to monitor trends in questions and pinpoint areas of concern for our partners.

During FY26 we received and responded to 2,373 requests from our partners for informal advice or technical assistance. (A 22% increase over FY25.) This partner contact number does not include the number of individuals we trained, requests for advisory opinions, audits we received and reviewed, data challenge appeals, or requests for temporary classification.

Topics

The following are the top four topic areas of inquiry we addressed during FY26. These four topic areas resulted in 54% of the questions DPO fielded in FY26. Technical assistance requests resulted in 2,688 total topics. (Each individual contact tallied above may involve multiple topic areas.)

1. **Law Enforcement Data* (629)** – assistance obtaining and classifying information related to data collected, created, and maintained by law enforcement. (26% increase)
2. **Data practices requests** (455)** – assistance with fulfilling data requests, status updates, understanding entity responses. (39% increase)
3. **Open Meeting Law (210)** – understanding notice requirements, closed meetings, and technology.
4. **Personnel Data (190)** – assistance obtaining and classifying information related to public employees, volunteers, and independent contractors. (32% increase)



*The number of law enforcement data contacts includes questions related to body cameras and peace officer records of children, which are tracked separately. Body camera questions accounted for 31% of all law enforcement questions and peace officer records of children accounted for 9%.

**Last year, we split the former "data request" topic into two – assistance with data requests and data requesters reaching out to request data maintained by other entities. The former is represented above. In the latter case, we re-direct the requesters to the entities that maintain the data. In FY26 we had 104 requesters asking DPO for data maintained by other entities.

The remaining 45% of inquiries involved the following topics (↑↓ indicate change from last FY):

- Attorney data (27) ↑
- Classification (146) ↑
- Copy costs (71) ↓
- Data breaches (14) ↓
- Data sharing (42) ↓
- Education data (30) ↑
- HIPAA & MN Health Records Act (15) ↓
- Legislative (14) ↓
- Licensing data (6) ↓
- Policies and procedures (56) ↑
- Property complaints (15) ↑
- Privatization (16) ↑
- Records management (56) ↓
- Remedies (122) ↑
- Other (284) ↑
- Security information (33) ↑
- Social services data (53) ↑
- Tennessen warning notice and informed consent (28) ↑
- Training (71) ↑

The next most-requested topics were: "other" (miscellaneous), classification of data (23% increase), remedies and enforcement (17% increase), copy costs (22% decrease), training resources, and records management. "Other" includes topics such as summary data, traveling data, corrections data, Safe-at-Home, statutory

provisions outside of Chapter 13 (court records, private actions, questions related to homeowners' associations), website feedback, and inquiries that are out of scope for the office.

Data practices and open meetings training

Workshops, webinars, and other trainings

DPO has developed curriculum for full-day and half-day training workshops based on the highest priority needs of our partners, as identified in the top four partner contact topic areas. Our full-day workshops cover the topics of law enforcement data and personnel data. Our half-day workshops cover open meetings and data practices basics (access policies, data requests, and data classification). The curriculum for these hands-on, interactive workshops provides an in-depth experience for our partners and takes dedicated staff time to develop and facilitate. The groups are small (20-30 attendees) to ensure participants can ask questions of DPO staff and expand on topics during the workshops. Therefore, we charge a fee to recoup a portion of our costs. The bulk of the training DPO provides are short presentations, trainings, webinars, or overviews that we conduct on an ad-hoc basis and remain free for our partners. In presenting free training, we can reach audiences of over 100 attendees. In addition to DPO-sponsored training, we also partner with other groups to offer training to the widest audience. In FY26 we were on the road and in person in Rochester, Willmar, Lake Elmo, Bemidji, Morton, and locales around the metro area.

The Office trained a total of 4,038 partners in FY26. (A 103% increase.)

- 41 total training events in FY26
    - 11 full-day and partial-day workshops
    - 11 free webinars: a legislative review, two data practices potpourri, and Open Meeting Law refresher, and one on body camera data. (717 individuals attended the webinars.)
    - 19 free trainings, including presentations for the Legislative Commission on Data Practices and groups with a statewide reach (Municipal Clerks Institute, MN-GRIN, MNGEO, MCFOA, MACATFO).

Partner feedback

At each workshop and most webinars, we ask our partners to provide feedback. We use this feedback to determine the training curriculum and to develop new content to address partner needs.

We ask for feedback in several areas:

1. For workshops, we ask participants to evaluate their knowledge of data practices on a 5-point scale, 1-very low and 5-very high, before and after the workshop

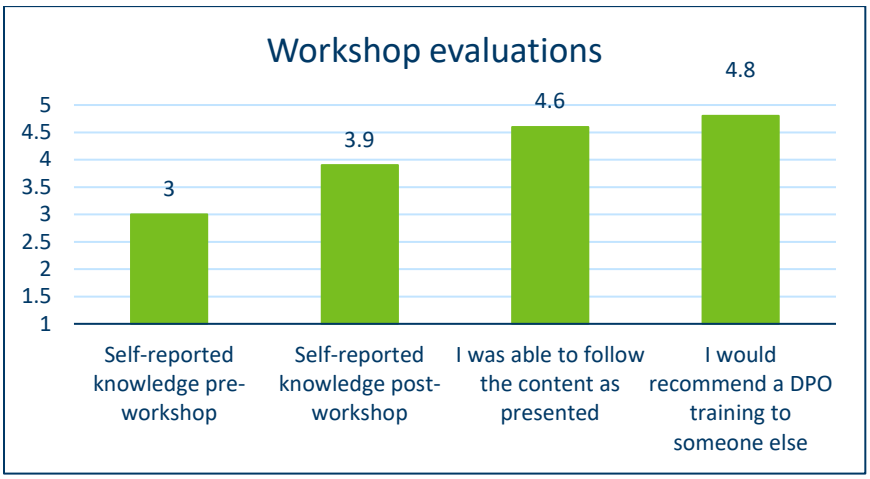
2. For workshops and webinars, we ask whether the participant could follow the content
3. For workshops and webinars, we ask whether the participant would recommend a DPO training to someone who was interested

We ask our partners to provide a rating from 1 – 5, with a rating of 1 being the lowest (i.e., the information will not be useful in the future, the attendee did not gain any new knowledge, the presenters were not knowledgeable and effective presenters, the level of information did not fit my needs.)

Participants continued to give our workshops, webinars, and trainings positive feedback. Workshop participants showed a demonstrated increase in knowledge after having attended a workshop. Workshop and webinar participants responding to the evaluations overwhelmingly said that they would recommend a DPO training to other interested individuals. *

Trends





*There was a 76% response rate for workshop attendees (230/330) and a 27% response rate for webinar attendees (666/2492). These numbers are comparable to the feedback from FY25.

Advisory opinion activity

The Commissioner of Administration has authority to issue non-binding advisory opinions, on certain matters involving data practices and open meetings, pursuant to Minnesota Statutes, section 13.072. DPO administers the advisory opinion process for the Commissioner. The Commissioner has issued more than 1,050 opinions since 1993, which provide a range of guidance on many data practices and Open Meeting Law issues. Our website hosts the full text of all advisory opinions.

Opinion authority and process

The scope of the Commissioner's authority to issue advisory opinions depends on the requester. For data practices opinions, government entities may ask "any question relating to public access to government data, rights of subjects of data, or classification of data under [Chapter 13] or other Minnesota statutes governing government data practices." Members of the public who disagree with an entity's determination may ask for an opinion about "the person's right as a subject of government data or right to have access to government data."

A public body may ask for an advisory opinion on "any question relating to the public body's duties under Chapter 13D." A member of the public who disagrees with how a public body performs its duties under the Open Meeting Law may also ask for an opinion.

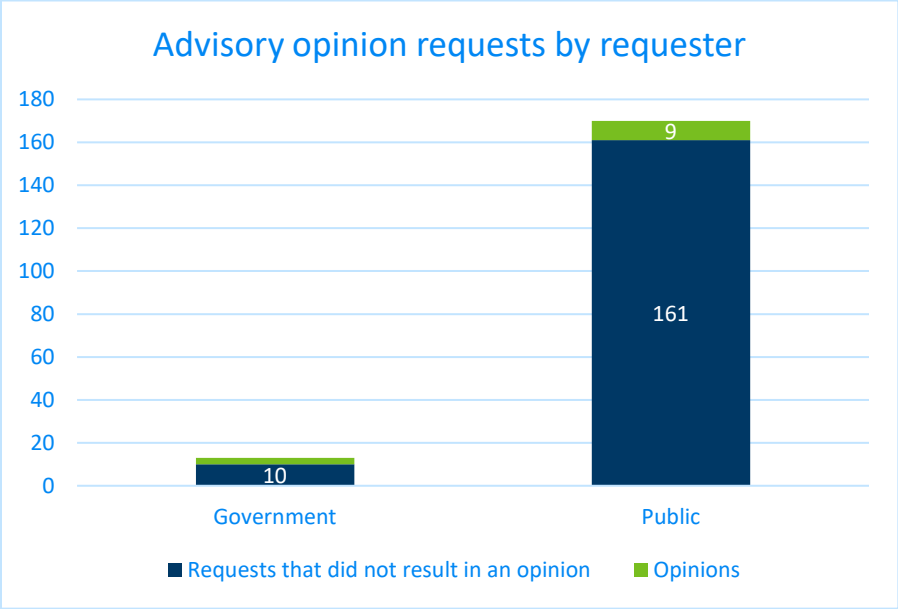
The Commissioner has five business days to decline to issue an advisory opinion. For accepted requests, the Commissioner has 50 days to issue an opinion. During that time, DPO team members seek comments from parties, draft the opinion, and the Commissioner reviews and signs the opinion. The Commissioner does not have fact-finding authority and limits parties to one opportunity to present their facts and arguments.

Occasionally, a member of the public or government will ask for an "informal advisory opinion" on a specific question. In that case, we handle the question in the same manner as a request for technical assistance, rather than through the formal advisory opinion process (see page 4).

Opinion requests in FY26

The Commissioner received 183 opinion requests in FY26 (150% increase) and issued 12 advisory opinions. Of the opinions issued, three opinions addressed Open Meeting Law issues and the remainder involved data practices issues.

The following chart shows the opinion requests by requester:



We respond to all advisory opinion requests. Some opinion requests do not present a violation of the law. We can resolve many of the issues requesters raise through education and communication with the parties, which can be more expedient than the formal advisory opinion process. We may provide technical assistance in an email or letter, direct the opinion requester to prior advisory opinions on the requested topic, and/or provide informal resolution assistance by contacting government entities to resolve disputes with data requesters.

Of the 66 opinion requesters that did not receive an advisory opinion:

- 102 did not raise a clear violation and technical assistance provided (i.e., received an explanation as to why there was no violation on the face of the
- 40 received informal resolution or technical assistance
- 8 raised substantially similar issues to a recent opinion
- 7 raised issues outside the scope of section 13.072 and technical assistance provided
- 6 required additional information
    - Information may not have been provided by the requester
    - Additional information provided by requester did not raise a clear violation
    - Information provided by DPO was sufficient to address concern
- 5 presented an intra-body dispute
- 3 withdrawn by the requester

Other activities

Temporary classification requests

The Commissioner of Administration has authority to approve requests for temporary classification of government data under Minnesota Statues, section 13.06. The Commissioner did not receive any applications this fiscal year. Learn more about the temporary classification.

Requests for new uses of government data

Government entities may request approval from the Commissioner for a new use of private or confidential data the entities maintain under Minnesota Statutes, section 13.05, subdivision 4(c). The Commissioner did not receive or act on any requests for new uses of data in FY26.

Data challenge appeals

A data subject has the right to challenge the accuracy and completeness of data about them under Minnesota Statutes, section 13.04, subdivision 4. The Commissioner of Administration has the authority to receive appeals of determinations related to those challenges, and DPO administers that process for the Commissioner. When the Commissioner receives a complete appeal that meets the requirements of the statute, DPO must offer the data subject an opportunity to resolve the appeal informally. If the data subject declines informal resolution or informal resolution is not successful, then DPO sets the matter for a contested case hearing at the Court of Administrative Hearings. Upon receipt of the administrative law judge's findings, the Commissioner issues a final order. In FY26, the Commissioner received 33 appeals. This represents a 44% increase. (In FY24, the Commissioner received five appeals; in FY23, the Commissioner received seven.)

Automated license plate reader audits

Minnesota Statutes, section 13.824 requires law enforcement to conduct biennial audits of their ALPR records, "to determine whether data currently in the records are classified, how the data are used, whether they are destroyed as required under this section, and to verify compliance with subdivision 7." The Commissioner of Administration is tasked with receiving audit from the agencies and DPO administers the audit review function for the Commissioner. The Commissioner may order suspension of the use of ALPRs if the audit summary shows a pattern of substantial noncompliance or require additional audits. 72 law enforcement agencies (LEAs) have automated license plate readers and send their summaries. In early FY26, DPO sent letters to the LEAs reminding them of their audit obligations. Upon review of the audit summaries, the Commissioner has not seen a pattern of substantial noncompliance.

Areas for growth and looking forward

DPO changes

DPO is in a season of change. Due to recent staff departures, the Office will be operating at a substantially reduced capacity (operating at 50%). The limited staffing will put pressure on already-strained resources when considering the substantial increase in demand for the Office's services seen over the past fiscal year. The Office will focus on directing efforts toward the most urgent areas of service. Going forward, the Office will focus on rebuilding and developing its strategic direction and priorities under new leadership.