

**Activity Description**

The Information Policy Analysis Division (IPAD) is where government entities, private sector organizations, the legislature, and citizens come for answers to data practices questions; consultation on data practices issues; help with public policy development; assistance in understanding and complying with complex legislation regulating information; dispute resolution services as they relate to data practices appeals; and assistance in exercising rights regarding access to information, protecting privacy, and challenging inaccurate or incomplete data.

Both the Minnesota legislature and the federal government have either enacted statutes or promulgated extensive rules that deal with a variety of information-related issues. These statutes and rules include, among others, the Minnesota Government Data Practices Act, the federal Family Educational Rights and Privacy Act and related rules, M.S. 144.335 (the Medical Records Act), the federal Health Insurance Portability and Accountability Act of 1996 and related rules, the federal Freedom of Information and Privacy Acts, the Minnesota Official Records Act, and the Minnesota Open Meeting Law Act. Historically, the executive branch and the legislature informally agree that expertise concerning these and other related laws should be available at no charge to government entities and citizens. As a general fund activity, IPAD offers that expertise to government entities and citizens through a variety of functions and services.

**Population Served**

IPAD serves personnel of state and local government entities, private citizens, private sector organizations, public and private attorneys, and the legislature.

**Services Provided**

IPAD provides these services to the population served: answering questions about rights under and requirements of various information laws; consulting on difficult information policy issues; providing staff services to the commissioner of Administration (Admin) in performing statutory duties that include issuing data practices and open meeting law advisory opinions, acting on appeals to challenges to government data, acting on applications for temporary classification of data, and requests to make new uses of data; preparing and distributing training, model compliance, and informational materials; developing, updating, and operating a publicly accessible website that contains all advisory opinions and all informational materials prepared by the division; offering training to state and local government entities; offering information sessions to citizens; providing training materials to enable government entities to do their own training; assisting citizens with answers to their inquiries and advice on how to exercise their rights; and working with the legislature, citizens, private sector groups, and state and local government agencies on the development of new information policy laws and changes to existing laws.

**Historical Perspective**

The Minnesota Government Data Practices Act was enacted in 1974. Since that time, M.S. Chapter 13 has grown through many revisions and additions as data practices discussions evolve. Issues of information policy, such as data privacy, fair information practices, genetic privacy, identity theft, security breaches, and the need for government-computer-based systems to comply with the law continue to receive widespread attention. Statewide responsibility for establishing and maintaining the infrastructure that assists government entities and the public in dealing with these issues has been assigned to the commissioner of Administration and delegated to IPAD.

**Activity at a Glance**

On average, over the last three years, IPAD has annually:

- ◆ issued 34 advisory opinions;
- ◆ resolved questions or requests for assistance from 8,799 citizens, government entities, and attorneys; and
- ◆ sponsored and participated in 26 continuing education events and conferences and trained over 1,000 attendees.

For the period 1-01-2007 through 6-30-2008, IPAD's website had 256,926 visits.

**Key Program Goals**

To provide our customers with valuable services, products, advice and expertise. IPAD achieves this Departmental goal in the following way:

- ◆ in FY 2008 provided technical assistance to over 12,000 citizens, members of the media, state and local government entities, and private attorneys, and
- ◆ produced webinars, quarterly electronic newsletters, Power Point presentations and other informational materials for citizen and government customers.

**Key Measures**

Over the last year, IPAD focused on the advisory opinion process to evaluate our customer service efforts.

Two key measures of IPAD's effectiveness:

- ◆ The first measure was that parties to an advisory opinion would be treated in a respectful and professional manner. In FY 2008, IPAD set a goal that 90% of survey respondents would feel they had been treated respectfully and in a professional manner. IPAD achieved 100% each quarter in FY 2008 from survey respondents.
- ◆ The second measure attempts to quantify the effectiveness of the advisory opinion by measuring whether government entities act in accordance with an opinion. In FY 2008, the goal was set at 75% of survey respondents. The majority of citizen and government survey respondents were unsure whether the government entity would follow the opinion. Approximately 35% of those surveyed responded that the government entity would act in accordance with the opinion.

**Activity Funding**

This activity is funded through a general fund appropriation. Special revenue funds are used for seminar activities and collaborative agreements.

**Contact**

Director

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[www.ipad.state.mn.us](http://www.ipad.state.mn.us)

**ADMINISTRATION DEPT**

**Program: GOVT AND CITIZEN SERVICES**

Activity: INFORMATION POLICY ANALYSIS

Budget Activity Summary

<i>Dollars in Thousands</i>					
	Current		Forecast Base		Biennium 2010-11
	FY2008	FY2009	FY2010	FY2011	
<b><u>Direct Appropriations by Fund</u></b>					
<b>General</b>					
Current Appropriation	79	0	0	0	0
<b>Technical Adjustments</b>					
Approved Transfer Between Appr			40	40	80
<b>Forecast Base</b>	<b>79</b>	<b>0</b>	<b>40</b>	<b>40</b>	<b>80</b>
<b><u>Expenditures by Fund</u></b>					
<b>Direct Appropriations</b>					
General	468	500	465	465	930
<b>Statutory Appropriations</b>					
Miscellaneous Special Revenue	37	43	18	18	36
<b>Total</b>	<b>505</b>	<b>543</b>	<b>483</b>	<b>483</b>	<b>966</b>
<b><u>Expenditures by Category</u></b>					
Total Compensation	453	419	427	425	852
Other Operating Expenses	52	124	56	58	114
<b>Total</b>	<b>505</b>	<b>543</b>	<b>483</b>	<b>483</b>	<b>966</b>
<b>Full-Time Equivalents (FTE)</b>	<b>5.3</b>	<b>4.8</b>	<b>4.4</b>	<b>4.2</b>	