

**POLICY STATEMENT 182  
OPEN DATA POLICY**

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Adopted by Council: June 14, 2018

Effective: June 14, 2018

**PURPOSE:**

To reflect the Town's commitment to the State of North Carolina's policy concerning the openness and availability of public records and to establish an Open Data Program by which the Town will make certain sets of public records, primarily statistical, quantitative, qualitative and similar factual information that is considered 'data,' freely accessible at no cost to the public through an online portal. The Open Data Program should increase transparency, foster civic engagement, and provide a more efficient way to make public records available to the public.

**COVERAGE:**

This policy applies to all Town data that is a public record that (i) is not a confidential or otherwise protected public record; (ii) is not subject to copyright protection; (iii) does not contain information that could raise privacy, confidentiality or security concerns or have the potential to jeopardize public health, safety or welfare to an extent that is greater than the potential public benefit of Open Data Portal publication; and (iv) has been determined to be appropriate for release to the public as part of the Open Data Program. All of the public records of the Town, including those of all of its departments, officers and employees, and boards and commissions, are covered by this Policy.

**POLICY:**

**Section 1: Definitions**

1. **"Open Data Portal"** means the technology application created by the Town and maintained on the Town's public facing website for purpose of making Publishable Town Data readily available to the public for access and copying subject to the Town's Terms of Service.
2. **"Protected Information"** means any Town public record, or portion thereof, that is deemed confidential, a trade secret, or exempt under the Public Records Law; is subject to copyright; or is otherwise protected under federal or state law from public inspection and/or copying. Protected Information shall not be made available on the Open Data Portal. When in doubt as to whether a record is, or contains, Protected Information, employees and officials should consult with the Town Attorney's Office. Policy Statement 152 may be consulted for a non-exclusive list of common types of Protected Information.
3. **"Public Records Law"** means N.C.G.S. 132-1 *et seq.*

4. **"Publishable Town Data"** means public records that do not contain, and are not, Protected Information and that do not raise privacy, confidentiality or security concerns or have the potential to jeopardize public health, safety or welfare to an extent that is greater than the potential public benefit of publishing that record on the Open Data Portal.
5. **"Publishable Dataset"** means Publishable Town Data that is statistical, factual, quantitative, or qualitative records that have been affirmatively designated by the Town to be prepared for release and made available through the Open Data Portal.
6. **"Terms of Service"** means the rules by which a user must agree to abide by to access and use the data made available by the Town through the Open Data Portal. These rules are made available on the Open Data Portal site and may be changed at any time at the sole discretion of the Town.

## Section 2: Open Data Program

1. The Town shall institute an Open Data Program by creating an Open Data Portal that will provide the public access to Publishable Datasets. The Town shall determine the Publishable Town Data that the Town deems to be most appropriate for inclusion on the Open Data Portal and shall prepare that Publishable Town Data as Publishable Datasets as set forth in Sections 2 and 3. The Town will endeavor to make and receive public records with regard to this Open Data Program so that the making and receiving of public records is done in a manner that supports creation of Publishable Town Data and supports and expands the public records made available on the Open Data Portal.

The Open Data Portal shall contain Publishable Datasets that:

- a. are available to the public without fees or a requirement of registration, and without limitations on how or under what conditions the Publishable Dataset may be used except for Town Terms of Service requiring attribution;
  - b. are available in widely accepted, nonproprietary, platform-independent, machine-readable data formats that permit the automated processing of such data and facilitates analysis and search capabilities; and
  - c. is Publishable Town Data as defined above. This means that none of the Publishable Town Data is Protected Information or subject to the exception set forth in the definition.
2. The Open Data Program should be developed and implemented in a manner that will allow the Town to:
    - a. Proactively release Publishable Datasets, making them freely available in appropriately varied and useful open formats, and fully accessible to the broadest range of users to use for varying purposes;

- b. Ensure Publishable Datasets placed on the Open Data Portal are of high quality, regularly updated, and include documentation (metadata) to encourage maximum use by the public;
  - c. Provide or support access to free, historical archives of Publishable Datasets contained on the Open Data Portal;
  - d. Measure the effectiveness of Publishable Datasets made available through the Open Data Program by connecting open data efforts to the Town's programmatic priorities;
  - e. Minimize limitations on the inclusions of public records on the Open Data Portal while appropriately safeguarding Protected Information; and
  - f. Support innovative uses of Publishable Datasets by agencies, the public, and others.
3. The development and implementation of the Open Data Program shall be overseen by the Chief Information Officer, reporting to the Town Manager.
4. The Town will provide funding for the Open Data Program as deemed appropriate.

### **Section 3: Open Data Portal Location and Specifications**

1. The Town shall maintain the Open Data Portal at a publicly available location on the Town's public-facing website or in another suitable online location.
2. The Town shall maintain the Open Data Portal to ensure it employs best practices to promote accessibility and usability.
3. Each Publishable Dataset made available through the Open Data Portal shall be associated with contact information for the appropriate manager of that dataset along with a file layout or data dictionary that provides information about field labels and values.
4. The Town shall specify a recommended data citation form, which shall be viewable via the Open Data Portal, to encourage responsible reuse of Publishable Datasets.

### **Section 4: Governance**

1. Implementation of the Open Data Program will be overseen by the Chief Information Officer, who will work with the Town's departments to:
  - a. Establish processes for identifying Publishable Town Data appropriate for publishing on the Open Data Portal and for creating Publishable Datasets, including processes for ensuring that Publishable Datasets are high quality, up-to-date, in use-appropriate formats, and contain only Publishable Town Data, excluding Protected Information and records that do not otherwise meet the definition of Publishable Town Data;

- b. Establish processes to insure only Publishable Town Data is made available through the Open Data Portal and to prevent other Town public records from being purposefully or inadvertently made available through the Open Data Portal;
- c. Identify a Lead Open Data Coordinator for each participating Town department and publish appropriate contact information for each coordinator; with each Lead Data Coordinator responsible for managing their respective department's participation in the Open Data Program;
- d. Oversee the creation of a comprehensive inventory of all Publishable Datasets held by each Town department. This inventory shall:
  - i. Be published to the Open Data Portal; and
  - ii. Be regularly updated;
- e. In conjunction with Town Management and department directors, develop and implement a process for determining what is Protected Information and what information has potential to jeopardize public health, safety or welfare to an extent that is greater than the potential public benefit of publishing that data on the Open Data Portal, thus excluding it from the definition of Publishable Town Data;
- f. Develop and implement a process for prioritizing the identification of Publishable Town Data and release of Publishable Datasets, a process that considers new and existing signals of interest from the public (such as the frequency of public records requests), the Town's programmatic priorities, existing opportunities for data use in the public interest, and cost;
- g. Proactively consult with members of the public, Town staff, journalists, researchers, and other stakeholders to identify the Publishable Datasets which will have the greatest benefit to Town residents if included on the Open Data Portal;
- h. Ensure that appropriate metadata is provided for each Publishable Dataset to facilitate its use;
- i. As appropriate, develop and oversee a routinely updated, public timeline for new Publishable Dataset publication;
- j. As appropriate, make recommendations for historical document inclusion and define a schedule for approved historical document publication; and
- k. Ensure that published Publishable Datasets are available for bulk download and/or available via public application programming interfaces (APIs).

2. In order to increase and improve use of Publishable Town Data, the Chief Information Officer, working together with the Public Information Office and Information Services Advisory Board (ISAB) will actively encourage public participation through providing regular opportunities for feedback and collaboration.

#### **Section 5: Open Data Report and Review**

1. The Chief Information Officer will endeavor to provide an annual Open Data Report ("Report"). The Report may include an assessment of progress towards achievement of the goals of the Open Data Program.
2. During each fiscal year, the Chief Information Officer shall make suggestions for improving the Town's open data management processes in order to ensure that the Town continues to move towards the achievement of the Policy's goals.