EXECUTIVE ORDER

OPEN DATA POLICY

WHEREAS, making data collected by the City of Burlington, Vermont (hereafter, "the City") readily available to the community can have valuable benefits for residents, community organizations, researchers, and businesses by providing; (i) useful information, (ii) the means to better understand and hold accountable City operations and programs, and (iii) historical trends or patterns that can be analyzed for improvement; and

WHEREAS, the City of Burlington intends to make the City a valuable source of data for community use to better inform residents, support community organizations, researchers, and businesses, increase transparency and access to public information, and enhance coordination and efficiencies among City departments, partner organizations and citizens; and

WHEREAS, every resident has the right to prompt, efficient service from the government; and

WHEREAS, making open data available online for reuse and consumption promotes a higher level of civic engagement and allows citizens to provide valuable feedback to government officials regarding local issues; and

WHERAS, the Mayor would like to improve and enhance the City's Open Data program; and

WHEREAS, in commitment to the spirit of open government, the City will consider public information to be open by default and will strive to proactively publish City datasets and data containing relevant information on City operations or programs, consistent with relevant public records law while safeguarding sensitive data (e.g., Personally Identifiable Information (PII), etc.); the City will add standard language to contracts to guarantee the retention of records and datasets created by third party contractors employed by the City, where appropriate; and

WHEREAS, by publishing structured standardized data in machine readable formats the City seeks to encourage the local technology and startup community to develop software applications and tools to collect, organize, and share public data in new and innovative ways; and

WHEREAS, the protection of privacy, confidentiality and security will be maintained as a paramount priority while also advancing the government's transparency and accountability through open data.

NOW, THEREFORE, BE IT RESOLVED by the Mayor of the City of Burlington that on January 30, 2020 the following Open Data Policy be enacted:

Section 1: Definitions

Data: statistical, factual, quantitative, or qualitative information that is maintained or created by or on behalf of a City Department or potentially other local, State, or Federal agency.

Dataset: a named collection of related records, with the collection containing data organized or formatted in a specific or prescribed way, often in tabular form.

Data portal: the internet site established and maintained by or on behalf of the City for the collection and dissemination of publicly publishable City data and datasets.

Data Steward: the individual appointed by a Department Head to act as the lead point-of-contact managing the Department's work with BTVStat and the Open Data platform.

Legal encumbrance: limitations include those found in ordinances, statutes, federal copyright protections as well as other, non-statutory legal limitations on how or under what conditions a dataset may be used. This definition is also inclusive of any software source code made available online ("open source software").

Metadata: data that provides information about other data. Meta data summarizes basic information about data, which can make finding and working with particular instances of data easier. For example, *author, date created*, *date modified* and *file size* are examples of very basic document metadata

Open data: data that is available online, in an open, accessible format, with no legal encumbrances on use or reuse, and is available for all to access and download.

Open format: any widely accepted, nonproprietary, platform-independent, machine-readable data format, which permits automated processing of such data and facilitates analysis and search capabilities.

Personally identifiable information (PII): information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

Protected information: any dataset or portion thereof to which a City department may deny access pursuant to Vermont's "Public Records Law" (1 V.S.A. §§ 315-320) or any other law or rule or regulation.

Publishable data: data which is not protected or sensitive and which has been prepared for release to the public.

Sensitive information: any data which, if published by the City online, 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 publishing that data.

Section 2: Open Data Program

a. The City commits to develop and implement Open Data practices that will allow it to:
   1. Proactively share City data when possible and strive to make City data available through the open data portal making it freely available in appropriately varied and useful open formats, with no restrictions on use or reuse, and fully accessible to the broadest range of users;
   2. Strive to publish high quality, updated and accurate data with documentation (metadata) and permanence to encourage maximum use;
   3. Maximize utility of available public information while appropriately safeguarding protected and sensitive information, such as PII, and respecting applicable State and Federal statutes that direct Department behavior (e.g., public libraries and 22 V.S.A. § 172); and
   4. Support innovative uses of the City's publishable data by City Departments, the public, and other partners wherever possible.
b. The development and implementation of these practices shall be overseen by the Chief Innovation Officer, reporting to the Mayor.
c. The requirements of this Order shall apply to any City department that creates or acquires information, records, or data on behalf of the City, including the records and datasets created by third party agency contractors, subject to the foregoing.
d. Appropriate resources needed to achieve the goals of this program shall be reviewed annually. These costs may include the modest open data platform expense necessary to publish open data as well as any necessary clarifications or updates to job description changes to formalize staff roles.

Section 3: Governance

a. Implementation of the Open Data Program will be overseen by the Chief Innovation Officer, who will work with the City's departments and agencies to:
   1. For each City department, the Department Head will appoint a Data Steward by June 30, 2020, who will be responsible for managing that department's participation in the Open Data Program and the BTVStat Program;
   2. Oversee the creation of a comprehensive inventory of datasets published to the central open data location and ensure that it is regularly updated;
   3. Use common practices demonstrated by other cities to help determine if and how potentially sensitive data should be made public;
   4. Prioritize, in consultation with Department Heads and Data Stewards, the release of datasets in an accessible format by taking into account new and existing signals of interest from the public (such as the frequency of public records requests), the City's programmatic priorities, existing opportunities for data use in the public interest, maintenance requirements, and cost;
   5. Establish processes for publishing datasets to the central open data location, including processes for ensuring that datasets are high quality, up-to-date, are in use-appropriate formats, and exclude protected and sensitive information (this includes working with Data Stewards on initial data entry practices);

6. Ensure that appropriate metadata is provided for each dataset in order to facilitate its use;
7. Develop and oversee a reasonable, routinely updated, public timeline for new dataset publication and a mechanism for managing requests for open data publication;
8. Make recommendations for historical document inclusion, define a schedule for approved historical document publication;
9. Ensure that published datasets are available for bulk download and/or available via public application programming interfaces (APIs) upon request without legal encumbrance.

b. In order to increase and improve use of the City's open data, the Chief Innovation Officer will actively encourage public and City department participation through providing regular opportunities for feedback and collaboration on the usefulness, implications, or potential improvements related to the open data platform.

Section 4: Central Online Location for Published Data (Data Portal)

a. Published datasets in various formats shall be made publicly available on the City's website or other web-based platform, and available for download. Dedicating datasets to the public domain means that there are no restrictions or requirements placed on use of these datasets.
b. Each published dataset should be associated with contact information for the appropriate manager of that dataset, published date, date it was last updated, and reporting frequency as well as meta data with a file layout or data dictionary that provides information about field labels and values.
c. City departments will specify a recommended data citation for published City data to encourage responsible reuse of City data.

Section 5: Open Data Report and Review

a. Within one year of the effective date of this Executive Order, and thereafter no later than July 1st of each year, the Chief Innovation Officer shall publish an annual Open Data Report. The report shall include analytics around usage and data downloads, an assessment of progress towards achievement of the goals of the City's Open Data Program and how open data work has furthered or will further the City's programmatic priorities, and a description and publication timeline for datasets envisioned to be published by the City in the coming year.
b. During the review and reporting period, the Chief Innovation Officer should also make suggestions for improving the City's open data management processes in order to ensure that the City continues to move toward the achievement of the policy's goals.

Note: This policy was created using Sunlight Foundation and Open Data Policy Guidelines and best practices set forth by What Works Cities.