



Open Data Policy

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1. Purpose

Buncombe County seeks to advance transparency and accountability through Open Data. This Open Data policy defines the tools, roles, and governance supporting the provisioning of information to the Open Data Explorer increasing access to non-sensitive data often procured through public records requests while promoting increased civic engagement while reducing costs and expediting release of data using standard tools and processes.

2. Applicability

This policy applies to all Buncombe County departments and employees unless there is a conflict with GS 153A-103 related to hiring, discharging, and supervising employees. Such an exclusion is noted at the end of this policy. Otherwise, departments may adopt and enforce policies that are more restrictive than County Policy.

3. Policy

3.1. Open Data Explorer

The County commits to maintain and operate an “Open Data Explorer” to facilitate the dissemination of County derived and collected data for public consumption. This Open Data Explorer will:

- 3.1.1. This policy applies to the County’s Open Data Explorer
- 3.1.2. Release County data that is *public record* defined as electronic data-processing records per [Chapter 132-1\(a\)](#) of the North Carolina General Statutes for purposes of this policy.
- 3.1.3. Make this data freely available in appropriately varied and useful open formats, using an open license with no restrictions on use or reuse, and fully accessible to the broadest range of users to use for varying purposes;
- 3.1.4. Publish high quality, updated data with documentation (where available) and permanence to encourage maximum use;
- 3.1.5. Minimize limitations on the disclosure of public information while appropriately safeguarding protected and sensitive information; and,
- 3.1.6. Encourage innovative uses of the County’s publishable data by agencies, the public, and other partners.

3.2. Online Location for Published Data

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The County will maintain a publicly available location on the County's website, or in another suitable online location, where the County's published data will be available for download.

3.2.1. Published datasets shall be placed into the public domain.

3.2.2. The County will specify a recommended data citation available for viewing on the Open Data Explorer for published County data to encourage responsible use of County data.

3.3. Governance

The Open Data Explorer is overseen by the Information Technology Director. The Information Technology Director, or their designees, will work with the public, County departments, and external parties to:

3.3.1. Oversee the creation of a comprehensive inventory of datasets held by each County agency or an associated non-governmental organization (NGOs), which is published to the central open data location and is regularly updated;

3.3.2. Maintain a documented process for determining the relative level of risk with potentially sensitive, non-protected information so as to make a determination about whether and how to publish it;

3.3.3. Maintain a transparent process for prioritizing the release of datasets which considers new and existing signals of interest from the public (such as the frequency of public records requests), existing opportunities for data use in the public interest; and,

3.3.4. Ensure that published datasets are available for bulk download and available via public application programming interfaces (APIs) without legal encumbrance.

3.4. Open Data Report and Review

The Information Technology Director or their designee shall publish an annual Open Data Report. The report shall include an assessment of progress towards achievement of the goals of the County's Open Data Program and other relevant information. During the review and reporting period, the Information Technology Director, or their designee, should identify plans for improving the County's open data management processes to ensure that the County continues to move towards the achievement of the policy's goals.

4. Policy Non-Compliance

Employees willfully violating the terms and conditions of this policy may be subject to appropriate disciplinary action, up to and including dismissal.

5. Audit

All policies for Buncombe County may be subject to audit or review as outlined in the [Internal Auditor's Statement](#).

6. Definitions

6.1. **County agency** – Any County department, office, administrative unit, commission, board, advisory committee, or other division of County government.

6.2. **Data** – Statistical, factual, quantitative, or qualitative information that is maintained or created by a County agency.

6.3. **Dataset** – A named collection of related records, with the collection containing data organized or formatted in a specific of prescribed way, in tabular form.

6.4. **Open Data** – Data that is available online, in an open format, with no legal encumbrances on use or reuse, and is available for all to access and download in full without fees or a requirement of

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registration. “Legal encumbrance” includes federal copyright protections and other, non-statutory legal limitations on how or under what conditions a dataset may be used.

- 6.5. **Open Format** – Any widely accepted, non-proprietary, platform-independent, machine-readable data format, which permits automated processing of such data and facilitates analysis and search capabilities.
- 6.6. **Protected information** – Any dataset or portion thereof to which an agency may deny access pursuant to North Carolina General Statutes regarding public records or any other law, rule or regulation.
- 6.7. **Public domain** – Refers to a dataset, the use of which has no restrictions or requirements.
- 6.8. **Publishable data** – Data that is not protected or sensitive and that has been prepared for release to the public.
- 6.9. **Sensitive information** – Any data which, if published by the County 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.

7. Approval and Revision History

Policy Origination Date:	February 9, 2021
Requires Board Approval:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Board Approval Date:	Click or tap to enter a date.
Policy Exclusions:	None
Revision History:	<ul style="list-style-type: none"> ▪ v1.0 – 2/9/2021 Approved 2/12/2021 Initial Version ▪ V2.0 – 2/9/2023 Approved 2/8/2023 Bi-annual review and maintenance, adoption of current policy template. Minor language changes.

8. Background

In 2019, Buncombe County formed a Transparency Ecosystem Workgroup. This group leads the County’s efforts toward its goal of advancing transparency and accountability through open data. The Open Data Explorer is one vehicle for this work and is managed according to the Open Data Policy and Procedures. Information is only added to the Open Data Explorer by request from or approval by impacted Departments, and only once it’s been vetted for any potentially sensitive or protected status.

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