Guide for Requesting Information about You

July 1, 2008

Reviewed and Updated July 6, 2009
Reviewed and Updated July 23, 2010
Reviewed and Updated August 12, 2011
Reviewed and Updated August 9, 2012
Reviewed and Updated September 25, 2012
Reviewed and Updated June 16, 2015
Reviewed and Updated December 15, 2015

City of Scandia, Minnesota

14727 209th St. N. Scandia, Minnesota 55073
Phone: 651 433-2274 Fax: 651 433-5112
www.ci.scandia.mn.us

This document also discusses your rights when government entities collect and keep information about you. Minnesota Statutes, section 13.05, subdivision 8, requires us to have this document.

Data about You
The Data Practices Act (Minnesota Statutes, Chapter 13) says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including paper, email, CD-ROMs, photographs, etc.

Classification of Data about You
The Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples.

Public data: We must give public data to anyone who asks; it does not matter who is asking for the data or why. The following is an example of public data about you: if you are an employee of the City of Scandia, the fact that you work here or your job title are public information.

Private data: We cannot give private data to the general public, but you have access when the data are about you. The following is an example of private data about you: your social security number. We can share your private data with you, with someone who has your permission, with City of Scandia staff who need the data to do their work, and as permitted by law or court order.

Confidential data: Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. The following is an example of confidential data about you: if you register a complaint with a government entity concerning violations of state laws or local ordinances concerning the use of real property, your identity is confidential. We can share confidential data about you with City of Scandia staff who need the data to do their work and to others as permitted by law or court order. We cannot give you access to confidential data.

Your Rights under the Data Practices Act
The City of Scandia must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights.

Your Access to Your Data: You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask the City of Scandia not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We may ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests. Note: Minors do not have this right if the data in question are educational data maintained by an educational agency or institution.

When We Collect Data from You: When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennessen warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you may use the consent form we provide.

Protecting your Data: The Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

When your Data are Inaccurate and/or Incomplete: You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to Make a Request for Your Data

To look at data, or request copies of data that the City of Scandia keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts document on page 5. You may make your written request by mail, delivery, fax or e-mail by using the data request form on page 7. Printable copies of the request form may also be downloaded from the City of Scandia web site (www.ci.scandia.mn.us.)

If you choose not use to use the data request form, your written request should include:

- that you are making a request, under the Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you;
- whether you would like to inspect the data, have copies of the data, or both;
- a clear description of the data you would like to inspect or have copied; and
- identifying information that proves you are the data subject, or data subject's parent/guardian.

The City of Scandia requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity document located on page 8.

How We Respond to a Data Request

Once you make your written request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you in writing within 10 business days.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you in writing within 10 business days and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
    - arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
    - provide you with copies of the data within 10 business days. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. Information about copy charges is on page 6. We also will arrange for you to prepay for the copies.

After we have provided you with access to data about you, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, we are not required under the Data Practices Act to respond to questions that are not requests for data.

Data Practices Contacts

City of Scandia, Minnesota

Responsible Authority
City Administrator
14727 209th St. N.
Scandia, Minnesota 55073
Phone: 651 433-2274 Ext. 101
Fax: 651 433-5112
E-Mail: mail@ci.scandia.mn.us

Data Practices Designee(s)
City Clerk
14727 209th St. N.
Scandia, Minnesota 55073
Phone: 651 433-2274 Ext. 100
Fax: 651 433-5112
Designee for: Meeting Minutes, Ordinances, City Council Resolutions, and City Council Meeting Packets

Fire Chief
15040 Scandia Trail
Scandia, Minnesota 55073
Phone: 651 433-4383
Designee for: information concerning all aspects of Fire Department operations

Data Practices Compliance Official
City Administrator
14727 209th St. N.
Scandia, Minnesota 55073
Phone: 651 433-2274 Ext. 101
Fax: 651 433-5112
E-Mail: mail@ci.scandia.mn.us

Copy Costs - Data Subjects

City of Scandia, Minnesota

The City of Scandia charges data subjects for copies of government data. These charges are authorized under section 13.04, subdivision 3. You must pay for the copies before we will give them to you.

Actual Cost of Making the Copies

In determining the actual cost of making paper or electronic copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to make copies is $27.42 per hour.

Data Request Form – Data Subjects

City of Scandia, Minnesota

Date of request: _____

To request data as a data subject, you must show a valid state ID, such as a driver's license, military ID, or passport as proof of identity.

I am requesting access to data in the following way:
Note: inspection is free but you will be charged for the actual cost of making any copies.

☐ Inspection ☐ Copies ☐ Both inspection and copies

These are the data I am requesting:
Note: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Data subject name_____

Parent/Guardian name (if applicable)_____

Address_____

Phone number_____ Email address_____

Signature of Data Subject or Parent/Guardian_____

Staff Verification

Identification provided_____

The City of Scandia will respond to your request within 10 business days.

Standards for Verifying Identity

City of Scandia, Minnesota

The following constitute proof of identity.

- An **adult individual** must provide a valid photo ID, such as
  - a state driver's license
  - a military ID
  - a passport
  - a Minnesota ID
  - a Minnesota tribal ID

- A **minor individual** must provide a valid photo ID, such as
  - a state driver's license
  - a military ID
  - a passport
  - a Minnesota ID
  - a Minnesota Tribal ID
  - a Minnesota school ID

- The **parent or guardian of a minor** must provide a valid photo ID *and either*
  - a certified copy of the minor's birth certificate *or*
  - a certified copy of documents that establish the parent or guardian's relationship to the child, such as
    - a court order relating to divorce, separation, custody, foster care
    - a foster care contract
    - an affidavit of parentage

- The **legal guardian for an individual** must provide a valid photo ID *and* a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
  - court order(s)
  - valid power of attorney

Note: Individuals who do not exercise their data practices rights in person must provide *either* notarized or certified copies of the documents that are required *or* an affidavit of ID.