Policy for Data Subjects Requesting Information from the City of Onamia

Data about you

The Government 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, flash drives, CDs, DVDs, photographs, etc.

Classification of data about you

The Government 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 person wants the data. The following is an example of public data about you:

Your name on an application for a license from the City of Onamia

Private data

We cannot give private data to the general public, but you can have access to private data when the data are about you. We can share your private data with you, with someone who has your permission, with our government entity staff who have a work assignment to see the data, and to others as permitted by law or court order. The following is an example of private data about you:

Your Social Security number

Confidential data

Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. We can share confidential data about you with our government entity staff who have a work assignment to see the data, and to others as permitted by law or court order. We cannot give you access to confidential data. The following is an example of confidential data about you:

Your identity as a mandated reporter of child neglect or abuse.

Your rights under the Government Data Practices Act

This government entity 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.

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 Government 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 this government entity 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. 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.

Protecting your data

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

In the unfortunate event that we determine a security breach has occurred and an unauthorized person has gained access to your data, we will notify you as required by law.

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

You can look at data, or request copies of data that this government entity keeps about you, your minor children, or an individual for whom you have been appointed legal guardian. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 4.

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

- You are making a request, under the Government 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.
- Identifying information that proves you are the data subject, or data subject's parent/guardian.

This government entity 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 located on page 5.

How we respond to a data request

Once you make your 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 as soon as is reasonably possible.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you as soon as is reasonably possible 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 as soon as is reasonably possible. 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 4.

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 Government 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 Government Data Practices Act to respond to questions that are not specific requests for data.

Data Practices Contacts

Responsible Authority, Designee and Compliance Official

Michelle Peterson – Responsible Authority and Compliance Official
City Clerk
621 West Main Street
P.O. Box 186
Onamia, MN 56359
Phone: (320) 532-3311
Email: michelle@cityofonamia.com

Designee
Utility Billing Clerk
621 West Main Street
P.O. Box 186
Onamia, MN 56359
Phone: (320) 532-3311
Email: utilitybilling@cityofonamia.com

Copy Costs – Data Subjects

This government entity charges data subjects for copies of government data. These charges are authorized under Minnesota Statutes, section 13.04, subdivision 3.

Actual cost of making the copies

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, flash drive, 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.

Standards for Verifying Identity

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.

Notice to Commissioner of Administration: Adoption of Model Policies

The City of Onamia has adopted the Commissioner's Model Policy for the Public and Model Policy for Data Subjects. This notice to the Commissioner satisfies the City of Onamia's obligation under Minnesota Statutes, section 13.073, subdivision 6.

Commissioner of Administration
c/o Information Policy Analysis Division (IPAD)
201 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
info.ipad@state.mn.us

Data Request Form

Submit to: CITY OF ONAMIA PO BOX 186, 621 WEST MAIN STREET

A. To be Completed by Requester

Requester Name (Last, First, M.):	Phone Number:
Street Address:	Fax Number:
City, State, Zip Code:	Email Address:
Signature:	Date of Request:

Note: According to MS § 13.05, subd. 12, persons are not required to identify themselves, or state a reason for, or justify a request for public data.

Description of the Information Requested:

B. To be Completed by City Department

Department Name:	Handled by:
Information Classified as: ☐ Public ☐ Non-Public ☐ Private ☐ Protected Non-Public ☐ Confidential	Action: ☐ Approved ☐ Approved in Part (Explain below) ☐ Denied (Explain below)

Remarks or basis for denial including statute section:

Note: According to MS § 13.03, subd. 3, authorizes us to charge fees to recover costs to provide copies of data, including costs associated with searching, compiling, copying, mailing, or otherwise transmitting data. Prepayment is required prior to receiving copies of data. We do not charge for inspection of data or for separating not public data from public data.

Copy Charges: ☐ None (email copies) ☐ _____ Pages x .25¢ per Black/White Pages = _____ ☐ _____ Pages x. 50¢ per Colored Pages = NA ☐ Employee Time ($30.00 per hour) _____Hours = _____ (only charge if over 100 pages) ☐ Other Charges = _____ ☐ Special Rate: _____ (attach explanation) = _____ **Total Charges:** $_____	Identity Verified for Private Information: ☐ Identification: Driver's License, State Id, Etc. ☐ Comparison with Signature on File ☐ Personal Knowledge ☐ Other: _____