City of Albertville
5959 Main Avenue NE, P.O. Box 9
Albertville, MN 55313
763-497-3384 Fax 763-497-3210
www.albertvillemn.gov

Data Practice Policy for 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, photographs, etc.

Classification of Data about You

Government data about an individual have one of three "classifications." These classifications determine who is legally allowed to see the data. Data about you are classified by state law as public, private, or confidential. Here are some examples:

1. **Public data**: The Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. 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 that we might have about you:

   Your name on an application for a license from the City.

2. **Private data**: We cannot give private data to the general public. We can share your private data with you, with someone who has your permission, with our City staff whose job requires or permits them to see the data, and with others as permitted by law or court order.

   The following is an example of private data about you that we might have:

   Social Security numbers

3. **Confidential data**: Confidential data have the most protection. Neither the public nor you can access confidential data are about you. We can share confidential data about you with our City 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 confidential data about you:

   The identity of the subject of an active criminal investigation

Your Rights under the Government Data Practices Act

The City of Albertville 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 keepabout 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 us 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.

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 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 orguardian has the right to challenge data about you.

How to Make a Request for Your Data

You may request to inspect data at our offices, or ask for copies of data that the City of Albertville keeps about you, your minor children, or an individual for whom you have been appointed legal guardian. Make your written request for data to the appropriate individual listed in the Data Practices Contacts on page 4. You may make your request by mail, fax, or email, using the Data Request Form on page 5.

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

- Say that 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.
- Provide a clear description of the data you would like to inspect or have copied.
- Provide proves that you are the data subject or data subject’s parent/legal guardian.

We require 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 6. If you do not provide that you are the data subject, we cannot respond to your request.

How We Respond to a Data Request

Upon receiving your request, we will review it.

- We may ask you to clarify what data you are requesting.
- 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 is confidential or private data that are not about you, we will notify you within 10 business days and identify the law that prevents us from providing 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 for you to inspect data at our offices; 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.
- After we have provided you with access to data about you, we do not have to show you the data againfor 6 months unless there is a dispute or we collect or create new data about you.

If you request copies, we may charge you a fee and require you to pre-pay for your copies. Information about copy charges is below.

The Data Practices Act does not require us to create or collect new data in response to a data request, 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.

We are also not required to respond to questions that are not about your data request, or requests for government data.

Data Practices Contacts

Responsible Authority
Kris Luedke
5959 Main Avenue NE
Albertville, MN 55301
763-496-6801
Krisl@albertvillemn.gov

Data Practices Compliance Official
Kris Luedke
5959 Main Avenue NE
Albertville, MN 55301
763-496-6801
Krisl@albertvillemn.gov

Data Practices Designee – Finance
Tina Lannes
5959 Main Avenue NE
Albertville, MN 55301
763-497-3384
Tinal@albertvillemn.gov

Data Practice Designee – Building Department
Maeghan Becker
5959 Main Avenue NE
Albertville, MN 55301
763-497-3384
Maeghanb@albertvillemn.gov

Copy Costs – Members of the Public

The City of Albertville charges for copies of government data. These charges are authorized under Minnesota Statutes, section 13.04, subdivision 3.

We may require you to pay for your copies before we will give them to you. The charges below may vary when a charge is set by statute or rule.

Cost for Photo Copies

Per Section 3-1-3 of the Albertville City Code, the charge is 25¢ for a one-sided copy, or 50¢ for a two-sided black and white copy.

Most Other Types of Copies – Actual cost

The charge for most other types of copies is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically sending the data.
In determining the actual cost of making copies, we include 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 copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies

If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.

City of Albertville

Data Request Form – Data Subjects

5959 Main Avenue NE
Albertville, MN 55301

763-497-3384
Fax: 763-593-3969

Date of request: _____

I am requesting access to data in the following way:

☐ Inspection ☐ Copies ☐ Both inspection and copies

Note: Inspection is free. Per Title 3, Chapter 1 of the Albertville City Code, the fee is $.25 per page. You may be required to pay for copies before we will give them to you.

These are the data I am requesting:
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_____

Staff Verification

Identification provided_____

We will respond to your request within 10 business days.

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 contracts
    - ❖ 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* notarizedor certified copies of the documents that are required *or* an affidavit of ID.