Data Practices Policy for Data Subjects

Data About You

When government has information recorded in any form, that information is called “government data” under the Government Data Practices Act (Minnesota Statutes, Chapter 13). When we can identify you in government data, you are the “data subject” of that data. The Data Practices Act gives you, as a data subject, certain rights. This policy explains your rights as a data subject, and tells you how to request data about you, your minor child, or someone for whom you are the legal guardian.

Classification of Data About You

The Governor’s Office (“office”) has data on many people, such as employees, job applicants, and vendors. We can collect and keep data about you only when we have a legal purpose to have the data. The Governor’s Office must also keep all government data in a way that makes it easy for you to access 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:

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. An example of public data is the name and salary of a current employee in the Office.

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 government entity staff whose job requires or permits them to see the data, and with others as permitted by law or court order. An example of private data is an individual’s social security number.
Confidential Data

Confidential data have the most protection. Neither the public nor you can access confidential data 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. An example of confidential data is the identity of the subject of an active criminal investigation.

Your Rights Under the Government Data Practices Act

As a data subject, you have the following rights:

Access to your data

- You have the right to inspect (look at), 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 may request whether we keep data about you and whether the data are public, private, or confidential.

Parental access to minor children’s data

- As a parent, you have the right to inspect and receive 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 receive 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 will ask you to put your request in writing and to include the reasons that we should deny your parents access to the data.

When We Collect Data from You

- When we ask you to provide data about you that are not public, we must give you a notice 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 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 or Incomplete**

- You have the right to challenge the accuracy 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 ask to inspect data at our offices or ask for copies of data that we have about you, your minor child, or an individual for whom you have been appointed legal guardian. To inspect data or request copies of data that this office keeps, **your request must be made in writing.** Make your request for data to the appropriate individual listed as the Data Practices Contact. You may make your request for data by mail or email.

A request should include the following:

- You are making a request for data as a data subject, for data about you, under the Minnesota Governor Data Practices Act (Minnesota Statutes, Chapter 13);
- A clear and specific description of the data requested;
- Your preference to either inspect the data, receive physical copies of the data, or receive electronic copies via email;
- Identifying information that proves you are the data subject, or data subject’s parent or guardian.

**How Our Office Responds 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 are confidential or private data 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, depending on how you have specified your preference for receiving data:
  - provide you with copies of the data via email, or
  - arrange a date, time, and place to inspect data at our offices, or
  - arrange a date and time for you to pick up physical copies, or we will mail them to you.
Our office will send notice to a requestor when their data is available. We will send two reminders after the initial notice, and the request will be cancelled if no response is received within one month of the second reminder. Additionally, our office will retain data responsive to your data practice request for 30 days after the data is provided.

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

The Government 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 the requested form is not the original format. In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

Costs related to data requests

Minnesota Statutes, section 13.04, subdivision 3 allows us to charge for copies. Copy costs for a request made by a data subject only include the actual cost of materials and the actual cost for an employee to make paper copies or to print copies of electronically stored data. Copies will be made in black and white unless the requestor specifies color copies. Costs must be paid in advance of receiving data.

Data Practices Contact

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