

Data about You

According to the Data Practices Act (Minnesota Statutes, Chapter 13), 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, CDRoms, photographs, etc.

Classifications of Data about You

The Data Practices Act presumes that all government data are public, unless a state or federal law says otherwise. Data that is about you may be classified by state law as public, private, or confidential.

Public data: We must give public data to anyone who asks for it (e.g., the assessed value of your home is public data).

Private data: We cannot give private data to the general public, but you may have access when the data is about you (e.g., your Social Security number is private data). We may share your private data with you, with someone who has your written permission, with Mille Lacs County staff who need the data to perform an official function or duties, and as otherwise permitted by law or required by 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 (e.g., 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 may share confidential data about you with Mille Lacs County staff who need the data to perform an official function or duty, and with others as permitted by law or court order. We cannot give you access to confidential data about you.

Your Rights under the Data Practices Act

Mille Lacs County must keep all government data about you in a way that makes it easy for you to access. We can collect and keep only that data about you that we need for administering and managing programs that are permitted by law.

As a data subject, you have the right to look at the public and private data that we keep about you, free of charge; the right to get copies of public and private data about you, for which the Data Practices Act allows us to charge an appropriate fee; and the right to look at data, free of charge, before deciding to request copies. 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 Mille Lacs County not to give data about them to their parent(s) 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 why we should deny your parents/guardian access to the data. Mille Lacs County will make the final decision about your request based on your best interests.

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

When we ask you to provide data about yourself that are not public, we must give you a data privacy notice (sometimes referred to as a Tennessean warning). This 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. If you want us to release data to another person, written authorization to do so must be provided to us.

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 the accuracy or completeness of data about you.

How to Make a Data Request

To look at data or request copies of data that Mille Lacs County keeps, you must make a written request directly to the department who maintains the data you are requesting. You may make your written request for data by mail, fax, or email, using the Data Request Form (copy attached).

If you choose not to use the Data Request Form, your written request must include:

- A statement that you are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13, as a data subject, or as the parent/guardian of the data subject;
- Whether you would like to look at the data, get 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 the data subject's parent/guardian, as listed below.

Standards for Verifying Identity

- An **adult individual** must provide a valid photo ID, such as a state driver's license, a military ID, a passport, a state ID, or a state tribal ID
- A **minor individual** must provide a valid photo ID, such as a state driver's license, a military ID, a passport, a state ID, a state tribal ID, or a state 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, or foster care; a foster care contract; or 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) or valid power of attorney
- An **attorney** requesting information on your behalf must send a request on his/her letterhead along with your express written consent; the request should be signed by both you and the 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. (*This requirement does not apply to attorneys requesting data on your behalf.*)

How We Respond to a Data Request

Upon receiving your written request, we will begin to process it. 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 within 10 business days. If we have the data but the data are confidential, we will notify you 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. If your request is to look at the data, we will arrange a date, time, and place to inspect data.

After we have provided you with access to data about you, we do not have to show you the same 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 contact the person who provided it, so that he/she can explain it.

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 in response to your request.) If we do agree to create data for you, we will work with you on the details of your request, including cost and response time.

Charges for Copies of Data

We may only charge you the actual cost of making copies of data about you. This charge may include the following: employee time* to prepare and make copies (i.e. removing staples and paper clips, sorting data, labeling data, taking data to a copier and actually producing copies); actual cost of media used (e.g., paper, CD ROMs, DVDs, etc.); and mailing costs if you request the copies be mailed to you. We *may not* charge you the cost of searching for and retrieving the data, redacting confidential data or private data about others from your data, or sorting of data that is not necessary for copying of your data. The amount that is charged will be the same regardless of whether the request is made by you as the data subject, your parent/guardian, or by a representative to whom you have granted authorization to access your data.

* Employee time is calculated based upon the average wage of the lowest-paid Mille Lacs County employee who could complete the tasks necessary, plus the base cost of insurance benefits for that employee.

Data Practices Contacts

The following table provides contact information for the individuals who are responsible for responding to requests for data. The Responsible Authority is the individual responsible for establishing and overseeing data access processes. The Data Practices Compliance Official is the individual to whom questions about, or problems related to, data practices should be directed.

| Office | Responsible Authority/Data Practices Compliance Official |
|--------------------------|---|
| County Auditor-Treasurer | Eric Bartusch, County Auditor-Treasurer 635 2 nd Street SE, Milaca, MN 56353 320-983-8302; Fax 320-983-8336 eric.bartusch@millelacs.mn.gov |
| County Attorney | Joe Walsh, County Attorney 225 6 th Ave SE, Milaca, MN 56353 320-983-8305; Fax 320-983-8408 joe.walsh@millelacs.mn.gov |
| | Rena Szymanski, Victim Assistance Coordinator 225 6 th Ave SE, Milaca, MN 56353 320-983-8409; Fax 320-983-8408 rena.szymanski@millelacs.mn.gov |
| Sheriff | Don Lorge, County Sheriff 640 3 rd Street SE, Milaca, MN 56353 320-983-8243; Fax 320-983-8343 don.lorge@millelacs.mn.gov |
| All other County offices | <p><i>Responsible Authority:</i> Pat Oman, County Administrator 635 2nd Street SE, Milaca, MN 56353 320-983-8218; Fax 320-983-8382 pat.oman@millelacs.mn.gov</p> <p><i>Data Practices Compliance Official</i> Holly Wilson, Personnel Director 635 2nd Street SE, Milaca, MN 56353 320-983-8378; Fax 320-983-8382 holly.wilson@millelacs.mn.gov</p> |



DATA REQUEST FORM
Subject of Data

Date of request: _____

I am requesting access to data in the following way:

- Inspection Copies Both inspection and copies

Note: Inspection is free, but there is a charge for copies. If the fee for fulfilling the request is greater than \$5.00, pre-payment shall be required.

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.

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. To request data on behalf of the data subject, you must present proper written permission granting you such access.

Data Subject Name: _____

Address: _____

Phone number: _____ Email: _____

Parent/Guardian Name (if applicable): _____

Signature of Data Subject or Parent/Guardian: _____

Mille Lacs County will respond to your request within 10 days.

| | |
|----------------------------|----------------------------|
| <i>(For office use)</i> | |
| ID provided: | |
| Department name: | Request handled by: |
| Method of response: | |
| Charges: | |
| Amt Due: | Received by: |
| Notes: | |