

Data Practices Policy
Requests for Data About You and Your Rights as a Data
Subject

City of Tyler

This document is required by Minnesota Statutes, section 13.025 and 13.03.

What is a "Data Subject"?

When government has information recorded in any form (paper, hard drive, voicemail, video, email, etc.), 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.

When Admin Has Data About You

The City of Tyler has data on many people, such as employees, job applicants, vendors, etc. We can collect and keep data about you only when we have a legal purpose to have the data. Admin 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. The following are examples of public data about you that we might have:

- * Your name on an application for an ATV license from the city or City Council meeting proceedings with names of attendees.

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. The following are examples of private data about you that we might have:

- * Your Social Security Number or Driver's license 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. The following is an example of confidential data about you:

- * Your identity as mandated reporter of child abuse or neglect.

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 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 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. 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 called a Tennessee 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 must 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.

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 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 ask to look at (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.

Make a written request. You may make your request by mail, fax, or email. Requests should go to the Responsible Authority, a Designee, or someone else listed on page 5, using the data request form on page 7.

We recommend using the sample Data Request Form – Data Subjects on page 7. If you do not choose to use the data request form, your request should:

- Say that you are making a request as a data subject, for data about you (or your child, or person for whom you are the legal guardian), under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Include 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 proof 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 legal guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity on page 6. If you do not provide proof 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.
- We will ask you to confirm your identity as the data subject.

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 or not public data about someone else, 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 by doing one of the following:
 - o Arrange a date, time, and place to inspect data in our office, ensuring you have a meaningful opportunity to inspect data within 10 business days of your request at no charge
 - o Tell you how much the copies cost, and then provide you with copies of the data within 10 business days and upon payment of charges for the copies. You may choose to pick up your copies, or have us mail or email them to you. We will provide electronic copies (such as email or CD-ROM) upon request, if we keep the data in electronic format and we can reasonably make a copy.

Following our response, if you do not make arrangements within xx business days to inspect the data or pay for the copies, we will conclude that you no longer want the data and will consider your request closed.

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

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. 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, 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 to respond to questions that are not about your data requests, or that are not requests for government data.

Data Practices Contacts City of Tyler

Office	Responsible Authority	Data Practices Compliance Official	Designees
City Hall	Stephanie LaBrune, Administrator 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	Stephanie LaBrune, Administrator 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	Terri Ryan: tryan@heartlandpower.org Sandra Bakker: sbakker@heartlandpower.org
City Library	Shelly Finzen 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 tylerlib@plumcreeklibrary.net	Stephanie LaBrune, Administrator 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	Shelly Finzen: tylerlib@plumcreeklibrary.net
City Utility Department	Stephanie LaBrune, Administrator 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	Stephanie LaBrune, Administrator 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	Judd Guida: jguida@heartlandpower.org
City Attorney	Glen Petersen, City Attorney 225 N. Tyler St. Tyler, MN 56178 507-247-5515 glenpetersen@woodstocktel.net	Glen Petersen, City Attorney 225 N. Tyler St. Tyler, MN 56178 507-247-5515 glenpetersen@woodstocktel.net	
City Police	Police Chief 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	Police Chief 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	
All other City Offices	Stephanie LaBrune, Administrator 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	Stephanie LaBrune, Administrator 230 N. Tyler St. Tyler, MN 56178 507-247-5556; Fax 507-247-5557 cityadmin@heartlandpower.org	

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Copy Costs – Members of the Public - City of Tyler

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

You must pay for the copies before they will be given to you. Pre-payment of copies is required unless other arrangements are approved by the Department Head or Data Practices Compliance Official for the responding department.

For 100 or Fewer Paper Copies – 25 Cents Per Page

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

Most Other Types of Copies – Actual Cost

The charge for most other types of 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 transmitting the data (e.g. sending the data by email).

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, 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 search for data, retrieve data, make copies and prepare copies for delivery is \$25.00 per hour. If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

Standards For Verifying Identity

The following constitute proof of identity:

- An adult individual must provide a valid photo ID, such as
 - o a driver's license
 - o a tribal ID
 - o a passport
 - o a state-issued ID
 - o a military ID
 - o the foreign equivalent of any of the above
- A minor individual must provide a valid photo ID, such as
 - o a driver's license
 - o a tribal ID
 - o a passport
 - o a state-issued ID (including a school/student ID)
 - o a military ID
 - o the foreign equivalent of any of the above
- The parent or guardian of a minor must provide a valid photo ID and either
 - o 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
 - o court order(s)
 - o valid power of attorney

Note: Individuals who do not inspect data or pick up copies of data in person may be required to provide either notarized or certified copies of the documents that are required or an affidavit of ID.

TYLER CITY DATA/INFORMATION DISCLOSURE REQUEST

A. Requester Complete

Note: You do not have to provide any contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. We also need contact information if we do not understand your request. We will not work on your request until we can clarify it with you.
Request Frequency: Private Data on individuals. After you have been shown the data and informed of its meaning, the data need not be disclosed to you until six months thereafter unless a dispute or action is pending or additional data on you has been collected.

1. Requester Name (Last, First, MI)	2. Company Name (if applicable)	3. Date of Request
4. Parent/Guardian Name (if applicable – for request for data about minor)	5. Description of Requested Information	
6. Mailing Address		
7. City, State, ZIP code		
8. Phone (if required to advise when data is ready)		
9. e-mail address (if required for electronic delivery of data)	10. I am requesting access to the data in the following way: <input type="checkbox"/> Inspection <input type="checkbox"/> Copies <input type="checkbox"/> Both Inspection and Copies Note: Inspection is free, but there is a charge for copies	
11. Requester Signature (If required to prove identity – for requests for private data)		

Note: You are not required to complete the name & contact information requested. However, if we do not understand your request & need clarification, we may not be able to begin processing it until you contact us. Also, we will need contact information if you want us to mail or email data to you.

B. City Department/Division Complete

12. Department:	13. Request Handled By:
14. Request Type: <input type="checkbox"/> In-Person <input type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> E-mail	15. Requested by: <input type="checkbox"/> Subject of Data <input type="checkbox"/> Not the Subject of Data
16. The Information Requested is Classified: <input type="checkbox"/> Public <input type="checkbox"/> Non-Public <input type="checkbox"/> Private <input type="checkbox"/> Protected Non-Public <input type="checkbox"/> Confidential	17. Request: <input type="checkbox"/> Approved <input type="checkbox"/> Denied (explain in #20) <input type="checkbox"/> Approved in Part (explain in #20)
18. Identification provided (if request for private data ONLY – see Page 6 for Standard for Verifying Identity) Indicate form of identification provided:	
19. Authorized Signature:	
20. Remarks/Comments: (If requested data is classified so as to deny access to the requester, cite authority or reason. Also enter any other remarks or comments that are appropriate:	
21. Date Completed:	22. Date Notified & by Whom:

C. Department/Division Complete when Fees are assessed

(A receipted copy of this form is to be provided to the requester each time money is received.)

23. <input type="checkbox"/> Fees: Flat Rate	24. <input type="checkbox"/> Fees: Special Rate $\frac{\text{_____}}{\text{(# of items)}} \times \text{_____} = \text{_____}$ <div style="text-align: center; font-size: small;">(Rate Amt.)</div>
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I have received from the above named, the amount(s) indicated below opposite my signature(s) for providing the information requested.

25. Total Amount Due	\$	Received By:	Today's Date:
25a. Amount to be Prepaid (50% of est. totals over \$50.00)	\$	Received By:	Today's Date:
25b. Balance Due (Upon completion of copying)	\$	Received By:	Today's Date:

D. Requester, Please Note Items Checked

- Make check/money order payable to:
City of Tyler

- If mailed, return entire form and any fees to:
 City of Tyler
 PO BOX C
 Tyler, MN 56178