

Freeborn County Data Practices Policy:

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

Minnesota Statutes, sections 13.025 and 13.03 require this policy.



Adopted by the
Freeborn County Board of Commissioners
July 19, 2022

What is a “Data Subject”?

When government has information recorded in any form (paper, harddrive, 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 Freeborn County Has Data About You

Freeborn County has data on many people, such as if you are an employee of a government entity, the fact that you work there, and your job title and bargaining unit are public. 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 a Freeborn County program.

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.

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 a mandated reporter of child abuse or neglect.

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 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 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 by making a written request. You may also make a written request for 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 the request to the office and person found on Appendix A. Use the data request form attached here as Appendix C.

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. 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 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 do not have the data, we will notify you as soon as reasonably possible.
- 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 in our offices, for free, or
 - Provide you with 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. Information about copy charges is in Appendix We will arrange for you to pre-pay for the copies. Following our response, if you do not arrange within ten 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.

Requests for Summary Data

Summary Data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. Freeborn County will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request, we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Standards For Verifying Identity

The following constitute proof of identity:

- An adult individual must provide a valid photo ID, such as
 - a driver's license
 - a state-issued ID
 - a tribal ID
 - a military ID
 - a passport
 - the foreign equivalent of any of the above
- A minor individual must provide a valid photo ID, such as
 - a driver's license
 - a state-issued ID (including a school/student ID)
 - a tribal ID
 - a military ID
 - a passport
 - the foreign equivalent of any of the above
- 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 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.

Appendix A

Freeborn County 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 whom questions about, or problems related to, data practices should be directed.

Office	Responsible Authority, Data Practices Compliance Official and Designees: Freeborn County Administrator PO Box 1147, 411 S. Broadway, Albert Lea, MN 56007 507-377-5116; Fax: 507-377-5109 Email:
County Attorney	<i>Responsible Authority: David Walker, County Attorney</i> <i>Designee: Erin M. O'Brien, Assistant County Attorney</i> PO Box 1147, 411 S. Broadway, Albert Lea, MN 56007 507-377-5192; Fax: 507-377-5196 Erin.O'Brien@co.freeborn.mn.us
Sheriff	<i>Responsible Authority: Kurt Freitag, County Sheriff</i> <i>Designee: Paige Bangert, LEC Records Manager</i> PO Box 1147, 411 S. Broadway, Albert Lea, MN 56007 507-377-5239, Fax: 507-377-5257 Paige.Bangert@co.freeborn.mn.us

<p>All other County Offices</p>	<p><i>Responsible Authority: Freeborn County Administrator</i> PO Box 1147, 411 S. Broadway, Albert Lea, MN 56007 507-377-5116, Fax: 507-377-5109 Email:</p> <p><i>Data Practice Compliance Official: Erin M. O'Brien</i> Erin.Obrien@co.freeborn.mn.us</p>
	<p><i>Designees:</i></p> <p><u>Assessor</u> County Assessor PO Box 1147, 411 S. Broadway Albert Lea, MN 56007 507-377-5176, Fax: 507-377-5259 Email:</p> <p><u>Auditor/Treasurer</u> Patricia Martinson, County Auditor-Treasurer PO Box 1147, 411 S. Broadway Albert Lea, MN 56007 507-377-5123; Fax: 507-377-5175 Patricia.Martinson@co.freeborn.mn.us</p> <p><u>Environmental Services</u> Mark Goskeson, Environmental Services Director 2020 Pioneer Trail Albert Lea, MN 56007 (507) 377-5186; Fax: (507) 377-4688 Mark.Goskeson@co.freeborn.mn.us</p> <p><u>Highway Department/Public Works</u> Phil Wacholz, County Engineer/Public Works Director 3300 Bridge Avenue Albert Lea, MN 56007 (507) 377-5188; Fax: (507) 377-5189 Philip.wacholz@co.freeborn.mn.us</p> <p><u>Human Services</u> Suzi Nerison. Human Services Director 203 Clark West Street, PO Box 1246 Albert Lea, MN 56007 507-377-5401, Fax: 507-377-5498 Suzanne.Nerison@co.freeborn.mn.us</p>

Information Technology

Scott Woitas, IT Director
PO Box 1147, 411 S. Broadway
Albert Lea, MN 56007
507-377-5102

Scott.Woitas@co.freeborn.mn.us

Probation & Pre-Trial Services (*aka Court Services*)

Lyndon Stinson, Director
PO Box 1147, 411 S. Broadway
Albert Lea, MN 56007
507-377-5137; Fax: 507-377-4695

Lyndon.Stinson@co.freeborn.mn.us

Public Health

Sue Yost, Public Health Director
PO Box 1147, 411 S. Broadway
Albert Lea, MN 56007
507-377-5100, Fax: 507-377-5272

Sue.Yost@co.freeborn.mn.us

Recorder

Kelly Hendrickson
PO Box 1147, 411 S. Broadway
Albert Lea, MN 56007
507-377-5791; Fax: 507-377-5265

Kelly.Hendrickson@co.freeborn.mn.us

Veteran's Services

Jeff Dahlen, Veteran's Services Officer
PO Box 1147, 411 S. Broadway
Albert Lea, MN 56007
507-377-5184; Fax 507-377-5256

Jeff.Dahlen@co.freeborn.mn.us

Appendix B

Freeborn County Data Request Form

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 Name: _____ Email: _____

Parent/Guardian Name (if applicable): _____

Signature of Data Subject or Parent/Guardian: _____

Freeborn 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	