

Freeborn County Data Protection Policy
(adopted effective July 19, 2022)

Part 1. Policy. The adoption of this policy by Freeborn County, Minnesota (hereafter, the “County”) satisfies the requirement in Minnesota Statutes, §13.05, Subd. 5, to establish procedures ensuring appropriate access to not public data. By incorporating employee access to not public data in the County's Data Inventories (required by Minnesota Statutes, §13.025, Subd. 1), in the individual employee's position description, or both, the County's policy limits access to not public data to employees whose work assignment reasonably requires access. This policy applies to all County Departments and Offices regardless of the Responsible Authority.

Please direct all questions regarding this policy to Freeborn County's Data Practices Compliance Official (DPCO):

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Part 2. Procedures

Subpart A. Data inventory.

The County has prepared Data Inventories which identify and describe all not public data on individuals maintained by the County pursuant to Minnesota Statutes, §13.025, Subd. 1.

The County Administrator has established safeguards for Data Inventories to ensure the employees who have access to not public data are in compliance with §13.05, Subd. 5 have work assignments which reasonably require access.

In the event of a temporary duty as assigned by a manager or supervisor, an employee may access certain not public data, for as long as the work is assigned to the employee.

In addition to the employees listed in the County's Data Inventories, the Responsible Authority, the DPCO, the Department Heads, the Freeborn County Attorney's Office members, and outside legal counsel retained by the County may have access to *all* not public data maintained by the County when their work assignment reasonably requires access to the data.

Subpart B. Employee position descriptions.

Position descriptions may authorize employee access to not public data when a work assignment reasonably requires it.

Subpart C. Data sharing with authorized entities or individuals.

State or federal law may authorize the sharing of not public data in specific circumstances. Not public data may be shared with another entity if a federal or state law allows or mandates it. Individuals will have notice of any sharing in applicable Tennessee warnings (see Minnesota Statutes, §13.04) or the County will obtain the individual's informed consent. Any sharing of not public data will be strictly limited to the data necessary or required to comply with the applicable law.

Subpart D. Ensuring that not public data are not accessed without a work assignment.

Within the County, departments/offices may assign tasks by employee or by job classification. If a department/office maintains not public data to which any employee within the department/office lacks authorized access, the department/office will ensure that the not public data are secure from unauthorized access by any such employee. This policy also applies to unauthorized access of data by employees in other departments/offices that share a workspace where not public data are maintained.

Recommended procedures for preventing unauthorized access include:

- Assigning appropriate security roles, limiting access to appropriate shared network drives, and implementing password protections for not public electronic data
- Password protecting employee computers and locking computers before leaving workstations
- Securing not public data within locked work spaces and in locked file cabinets
- Shredding/placing not public documents in confidential shred box when disposing of them

Part 3. Penalties for unlawfully accessing not public data.

The County may impose penalties for unlawful access to not public data including suspension, dismissal, other disciplinary action, or referral to the appropriate prosecutorial authority for consideration of criminal charges.