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Minnesota Government Data Practices Act
Data Subject Rights and Access Policy
Responsible Authority
Frequency of Review: Annually

Data Subject Rights and Access Policy

BACKGROUND

Minn. Stat. § 13.04 is part of the Minnesota Government Data Practices Act (MGDPA) and explains an individual's rights as a data subject. An individual is a living human being. Minnesota Statutes classifies data that the Minneapolis Park & Recreation Board keeps about individuals as: public, private, or confidential.

SUPERINTENDENT APPROVAL:

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POLICY

Tennessee warning.

An individual asked to supply private or confidential data concerning the individual will be informed of: (a) the purpose and intended use of the requested data within the Minneapolis Park & Recreation Board; (b) whether the individual may refuse or is legally required to supply the requested data; (c) any known consequence arising from supplying or refusing to supply private or confidential data; and (d) the identity of other persons or entities authorized by state or federal law to receive the data. This requirement does not apply when an individual is asked to supply investigative data, pursuant to Minnesota statute section 13.82, subdivision 7, to a law enforcement officer.

Access to data by individual.

Upon request to the responsible authority, an individual will be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further written request, an individual who is the subject of stored private or public data on individuals will be shown the data without any charge and, if desired, will be informed of the content and meaning of that data. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to Minnesota Statutes, section 13.04 is pending or additional data on the individual has been collected or created. The responsible authority will provide copies of the private or public data upon request by the individual subject of the data. The responsible authority may require the requesting person to pay the actual costs of making and certifying the copies.

The responsible authority will comply immediately, if possible, with any request made pursuant to Minnesota Statutes, section 13.04 subdivision 3, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.

Procedure when data is not accurate or complete.

- A. An individual subject of the data may contest the accuracy or completeness of public or private data.
- B. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement.
- C. Upon receiving notification from the data subject, the responsible authority will within 30 days either:
 1. correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or
 2. notify the individual that the Minneapolis Park & Recreation Board believes the data to be correct. Data in dispute will be disclosed only if the individual's statement of disagreement is included with the disclosed data.
- D. The determination of the responsible authority may be appealed pursuant to the provisions of the Administrative Procedure Act relating to contested cases.



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- E. Data on individuals that have been successfully challenged by an individual will be completed, corrected, or destroyed by the Minneapolis Park and Recreation Board without regard to the requirements of Minnesota Statutes section 138.17.
- F. After completing, correcting, or destroying successfully challenged data, the Minneapolis Park & Recreation Board may retain a copy of the commissioner of administration's order issued under Minnesota Statutes chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

The Minneapolis Park & Recreation Board Responsible Authority is Jennifer Ringold. Questions or concerns regarding problems in obtaining access to data or other data practices problems are to be directed to the Data Practices Compliance Official, Katie Deneson.

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