



City of Chanhassen 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.

What is a “Data Subject”?

The Data Practices Act gives you certain rights as a data subject related to a government entity collecting, creating, and keeping government data about you. 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. 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 The City of Chanhassen Has Data About You

The City of Chanhassen 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. The City of Chanhassen must also keep all government data in a way that makes it easy for you to access data about you.

Classification of 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.

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. An example of public data about you includes (if you are an employee of a government entity) the fact that you work for the entity and your job title is public.

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 City of Chanhassen staff whose job requires or permits them to see the data, and with others as permitted by law or court order. An example of private data about you is 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 City of Chanhassen staff who have a work assignment to see the data and to others as permitted by law or court order. An example of confidential data about you is if you file a complaint with the City of Chanhassen concerning violations of state law or city ordinance concerning the use of real property.

Your Rights Under the Government Data Practices Act

The City of Chanhassen must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. 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 include the reasons why 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 may use the City of Chanhassen informed consent form.

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. Only the City Manager, Assistant City Manager, and Assistant Finance Director have access to certain data about you.

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 electronic or paper copies of data that we have about you, your minor child, or an individual for whom you have been appointed legal guardian.

The City of Chanhassen requires all data requests to be submitted in writing through the city's online data request portal at cityofchanhassen.nextrequest.com. Requests by mail, fax, or email will also be accepted; however, these types of requests will be entered into and processed through the city's online data request

portal. Verbal requests for data will not be accepted. These requests must be directed to the Chanhassen City Clerk, who has been designated as the Responsible Authority. If you choose not to use the city's online data request portal, your request on a data subject must include the following information:

- State that you are making a request as a data subject, for data about you (or your child, or the 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 the 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.

Standards for Verifying Identity

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 in writing 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:
 - 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
 - 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.
 - We will provide notice to you about our requirement to prepay for copies.
 - Following our response, if you do not make arrangements within ten (10) 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 six (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. 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.

Copy Costs – Data Subjects

Minnesota Statutes, section 13.04, subdivision 3 allows us to charge for copies. You must pay for the copies before we will give them to you.

Actual Cost of Making the Copies

We will charge the actual cost of making copies of data about you. In determining the actual cost, we include the employee time to create and send the copies, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs such as postage (if any).

If your request is for copies of data that we cannot copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

Data Practices Contacts

The City Clerk is the Data Practices Responsible Authority for all data issues not assigned by statute to someone else. The Assistant City Manager is the Compliance Official.

Responsible Authority:

Kim Meuwissen, City Clerk
7700 Market Blvd./PO Box 147
Chanhassen, MN 55317
952-227-1107
kmeuwissen@chanhassenmn.gov

Compliance Official:

Matt Unmacht, Assistant City Manager
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