



Data Practices Policy: Requesting Government Data About You

Minnesota Zoological Gardens
November 2017

Minnesota Statutes, section 13.025, subdivision 3, requires this document.

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.

Data About You

Minnesota Zoological Gardens (MN Zoo) 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 Data Practices Act (Minnesota Statutes, chapter 13) gives every individual important rights when government collects, creates, and keeps government data about them. This document explains these rights and how to use them.

An individual is a living human being. The law classifies data about individuals as public, private, or confidential. These classifications determine who is legally allowed to see the data.

Public Data	Private Data	Confidential 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.	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.	Confidential data have the most protection. Neither the public nor you can get access 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.
Example: Your name on a membership purchase	Example: Your social security number	Example: Information collected during an active investigation

Your Rights Under the Data Practices Act

If Minnesota Zoological Gardens (MN Zoo) has data about an individual, and the individual can be identified from the data, the individual is the data subject. MN Zoo can collect and keep only those data about data subjects that is needed to administer and manage programs that are permitted by law. As a data subject, you have the following rights.

Your 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 Tennesen 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 private and confidential data about you as the subject of 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 and/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

To look at data or request copies of data that MN Zoo keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make your request for data to the MN Zoo Data Practices Compliance Official. You may use the data request form, but you are not required to use the form. Send your request in writing by email, fax or letter and include the following information:

- that you are making a request, under the Data Practices Act (Minnesota Statutes, chapter 13), as a data subject, for data about you
- whether you would like to inspect the data, have copies of the data, or both
- a clear description of the data that you would like to inspect or have copied
- identifying information that proves you are the data subject, or data subject's parent/guardian if you are requesting private data.

Identification

The MN Zoo requires proof of your identity before we can respond to your request for private 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. One of the following will provide proof of identity: a state driver's license, military ID, passport, or Minnesota ID. 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 work to process your request.

- If it is not clear what data you are requesting, we will ask you for clarification.
- 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 state which specific law says you cannot access the data.
- 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, for free, if your request is to look at the data, or
 - provide you with copies of the data. You may choose to pick up your copies or we will mail them to you. We will provide electronic copies upon request if we keep the data in electronic format. Any charges must be paid prior to receiving the documents.

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 if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. 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.

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

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 for Data Subjects

The MN Zoo may charge data subjects for copies of government data under the Minnesota Government Data Practices Act, section 13.04, subdivision 3.

- You must pay for the copies before we will give them to you.
- We do not charge for copies if the cost is less than \$10.
- We do not charge to inspect data or to separate public from not public data.
- When data is about you we do not charge for search and retrieval time.

Charges

Paper Copies (black and white, letter or legal size paper copies cost .25 cents for a one-sided copy, or .50 cents for a two-sided copy)

- For 100 or Fewer Paper Copies – .25 cents per page

- For 100 or More Paper Copies – Actual costs

For All Other Copies (data stored electronically, CDs, DVDs, photographs, etc.)

- Actual Costs

Actual Costs

Actual cost is employee time to make, certify, and electronically transmit copies; material costs (CD, DVD, etc.); and mailing costs. The cost of employee time is calculated using the hourly salary of the lowest paid employee able to complete the task, plus 20% for fringe benefits.

Standing Requests - Charges accrued are due after three months and prior to renewal.

At the discretion of the MN Zoo, requestors may be required to pay up to one-half of the estimated copy cost prior to search and retrieval. Considerations include the amount of data requested, number of locations data is kept, and number of staff required to conduct searches.

Data Practices Contacts

MN Zoo Responsible Authority:

John Frawley, President/Director MN Zoo
13000 Zoo Boulevard
Apple Valley, MN 55124

MN Zoo Data Practices Compliance Official:

Missy Remick, Director Board & Legislative Affairs
13000 Zoo Boulevard
Apple Valley, MN 55124
952.431.9299
Fax: 952.431.9200
missy.remick@state.mn.us