

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.

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## What is a “Data Subject”?

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When a government entity 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. The Data Practices Act gives you certain rights as a data subject. 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 a legal guardian.

## When Ramsey/Washington Recycling & Energy Has Data About You

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Ramsey/Washington Recycling & Energy (R&E) has data on many people, such as employees, job applicants, vendors and contractors. We can collect and keep data about you only when we have a legal purpose for having the data. R&E 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 is public unless a state or federal law says that the data is not public. We must give public data to anyone who asks. It does not matter who asks for the data or why the person wants it. The following are examples of public data about you that we might have:

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*Names, job titles and salary information*

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### Private data

We cannot give private data to the general public. We can share your private data with you, with someone with 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:

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*Social Security number, date of birth*

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### Confidential data

Confidential data have the most protection. Neither the public nor you can access confidential data, even when the confidential data is 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:

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*Civil investigative data, internal audit data, certain personnel data*

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## Your Rights Under the Government Data Practices Act

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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.

If you ask, we will tell you whether we keep data about you and whether the data is public, private or confidential.

### Access to data on minor children

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 Tennessean 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 must use the consent form we provide.

### Protecting your data

The Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data is 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 is 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

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You can ask to look at (inspect) data at our offices or ask for copies of data that R&E has about you, your minor child, or an individual for whom you have been appointed legal guardian.

Make your request for data by completing the Data Request Form, available on the Ramsey Washington R&E Center website and send the completed form to [info@recyclingandenergy.org](mailto:info@recyclingandenergy.org) or to:

Ramsey/Washington Recycling & Energy  
Data Practices  
100 Red Rock Road  
Newport, MN 55055

If you choose not to use the request form we have available, you can send an email to [info@recyclingandenergy.org](mailto:info@recyclingandenergy.org) that includes the following information:

Say that you are requesting 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 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. Please see the Standards for Verifying Identity on page 9. 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

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Upon receiving your request, within ten (10) business days 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 is confidential or not public data about someone else, we will notify you within ten (10) business days and identify the law that prevents us from providing the data.
- If we have the data, and the data is 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 ten (10) business days upon payment of the charges for the copies. You may choose to pick up your copies or have us mail or email them to you. We may provide electronic copies upon request, if we keep the data in electronic format and can reasonably make a copy.

## Costs/Fees

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Minnesota Statutes, section 13.04, subdivision 3 allows us to charge for copies. Payment must be made before we give you the copies.

### Inspection of data at no charge

A fee may not be charged for inspection of government data. This includes situations where:

- a. R&E displays computerized data on a terminal or prints a copy of the requested data for the requestor to inspect the data
- b. A person wishes to visually inspect a paper document or data kept in any other medium that may be inspected visually
- c. A person requests access to electronic data via their own computer equipment, and possibly prints copies or downloads data on their own equipment

### Data subjects

We may charge the data subject, or a data subject's parent/guardian, the actual cost for an employee to make paper copies or to print copies of electronically stored data. We may not charge a data subject, or a data subject's parent/guardian, any fee for searching for and retrieving data. We may require the data subject to prepay the cost for copies of data.

### Actual cost of making copies

We will charge the actual cost of making copies for 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.

### Establishing actual costs

The following items can be included in calculating actual costs:

- Cost of media (CD ROMs, DVDs, etc.)
- Employee time to prepare copies (*employee time must be calculated based on wages/salary of the lowest-paid entity employee who could complete the task. If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.*)
- Costs of reproduction that cannot be done by the entity, such as photographs
- Employee time to search and retrieve data (*this only applies for data requests from members of the public, including public data and summary data*)

The following items cannot be included in calculating actual costs:

- Employee time to search and retrieve data (this only applies when the requestor is the data subject, or the data subject's parent/guardian)
- Employee time to separate public from non-public data
- Operating expenses of copier, such as electricity, depreciation, maintenance, etc.
- Costs not related to copying, such as preparing, the invoice, cover sheet, etc.
- Returning data to off-site storage
- Sorting, reviewing, or verifying accuracy if not necessary for copying
- Sales tax
- Accounting functions
- Costs related to inspection
- Employee time to provide information about the data to the requester (i.e., explain content and meaning of data)
- Costs incurred because data is not maintained in a manner that makes them easily accessible for convenient use

Following our response, if you do not make arrangements within 60 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 is 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.

### **Revision History**

6.13.2024, Revision 1

## Data Practices Responsible Authorities

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### Ramsey County Attorney

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### Washington County Attorney

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### Ramsey/Washington Recycling & Energy Commissioners

Individual Commissioner  
Ramsey/Washington Recycling & Energy  
2785 White Bear Ave N.  
Maplewood, MN 55109

Office contact information available on the [Ramsey/Washington Recycling & Energy website](#).