

## **Data Practices Policy for Data Subjects**

### **Minnesota Campaign Finance and Public Disclosure Board**

#### **Data about you**

The Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. Generally, you are the subject of data when you can be identified from the data. But if the appearance of your name or other identifying information is only incidental to the data and the data is not accessed by your name or identifying information, you are not the subject of the data. For example, committee treasurers are not data subjects because their names and addresses are only incidental to the data collected about their committees and the committee data is not accessed by the treasurer's name or address. Government data is a term that means all recorded information a government entity has, including paper, email, and electronic records.

#### **Classification of data**

The Minnesota Campaign Finance and Public Disclosure Act, Minnesota Statutes Chapter 10A, provides that almost all of the information collected by the Board is public. In addition, the Government Data Practices Act presumes that all government data is public unless a state or federal law says that the data is not public. Data about individuals is classified by state law as public, private, or confidential.

#### **Public data**

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. Information submitted to the Board on reports and statements, for example, is public data.

#### **Private data**

We cannot give private data to the general public, but you can have access to private data when you are the subject of the data. As an entity whose primary purpose is to disclose the information that it collects, the Board does not have very much private data. If the Board has private data about you, we can share that data with you, with someone who has your permission, with Board staff who have a work assignment that requires them to see the data, and with others as permitted by law or court order.

#### **Confidential data**

Confidential data has the most protection. Neither the public nor you can get access even when you are the subject of the confidential data. We can share confidential data about you with Board staff who have a work assignment that requires them to see the data and to others as permitted by law or court order.

## **Your rights under the Government Data Practices Act**

The Board must keep all government data in a way that makes it easy for you to access data where you are the subject of that data. Also, we can collect and keep only the 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 where you are the subject of that data. You also have the right to get copies of public and private data where you are the subject of that data. Although the Government Data Practices Act allows us to charge for copies, it is the Board's policy not to charge the subject of data for copies of the data about that individual. 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 of which you are the subject and whether the data is public, private, or confidential.

Parents have the right to look at and get copies of public and private data about their minor children (under the age of 18). Legally appointed guardians have the right to look at and get copies of public and private data about an individual for whom they are appointed guardian. Minors have the right to ask the Board not to give data about them to their parent or guardian.

Because the Board does not collect information about parental status, age, or guardianships, we will not know if you have any of the rights listed in the previous paragraph unless you tell us. If you make one of the requests in the previous paragraph, we will ask you to make that request in writing and to give us the reasons why we should grant the request.

### **When we collect data from you**

When we ask you to provide data about yourself that is not public, we must give you a notice. The notice is sometimes called a Tennessee warning. The notice controls what we do with the not public data that we collect from you. Usually, we can use and release the not public 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 private and confidential data**

The Government Data Practices Act requires us to protect your private and confidential data. We have established appropriate safeguards to ensure that private and confidential data is safe. In the unfortunate event that we determine a security breach has occurred and an unauthorized person has gained access to your private or confidential data, we will notify you as required by law.

## **When your data is inaccurate and/or incomplete**

You have the right to challenge the accuracy and/or completeness of public and private data when you are subject of that data. You also have the right to appeal our decision.

## **How to make a request for your data**

You have the right to look at public and private data when you are the subject of that data and to request copies of that data from the Board. Make your written request for data to the responsible authority listed in the Data Practices Contacts on page 4. You may make your request by email, mail, fax, or in-person delivery.

A form that you can use for requesting data is included on page 6. If you choose not use to use the data request form on page 6, your request should include the following items:

- You are making a request, under the Government Data Practices Act, Minnesota Statutes, Chapter 13, for data where you are the subject of that data.
- Whether you would like to inspect the data, have copies of the data, or both.
- A clear description of the data you would like to inspect or have copied.
- Identifying information that proves you are the subject of the data or the data subject's parent or guardian.

The Board requires 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 guardian, you must show legal documentation of your guardianship. Please see the acceptable ways to verify identity located on page 7.

## **How we respond to a data request**

Once you make 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.

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 is confidential or private data and you are not the subject of that data, 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 is public or private data and you are the subject of that data, we will respond to your request within 10 business days, by doing one of the following:

Arranging a date, time, and place to inspect data, for free, if your request is to look at the data, or

Providing you with copies of the data. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

It is the Board's policy not to charge for copies when the copies are provided to the subject of the data. Information about the Board's photocopy policy is on page 5.

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

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government 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 (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 under the Government Data Practices Act to respond to questions that are not specific requests for data.

### **Data Practices Contacts**

#### **Responsible authority**

Jeff Sigurdson  
190 Centennial Office Building  
658 Cedar St.  
St. Paul, MN 55155  
(651) 539-1189  
Fax: (651) 539-1196  
[jeff.sigurdson@state.mn.us](mailto:jeff.sigurdson@state.mn.us)

#### **Data practices compliance official**

Andrew Olson  
190 Centennial Office Building  
658 Cedar St.  
St. Paul, MN 55155  
(651) 539-1190  
Fax: (651) 539-1196  
[andrew.d.olson@state.mn.us](mailto:andrew.d.olson@state.mn.us)



# MINNESOTA CAMPAIGN FINANCE BOARD

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**Date:** October 19, 2023

**To:** Staff and interested persons

**From:** Jeff Sigurdson, Executive Director

**Telephone:** 651-539-1189

**Re:** Photocopy charges

Effective immediately, the Board's policy regarding photocopy costs is as set forth below.

1. Typically, the requester will make their own copies. The staff member helping the requestor will verify that the copier is available, and show the requestor how to operate the machine. The staff member helping the requestor must send an email to all staff for notification that the copier is being used by a member of the public, and that non-public documents should not be sent to the copier until the requestor is done. In some cases, it may be easier for staff to make the copies for the requestor, in which case this procedure may be modified if appropriate to facilitate office operations.
2. Complainants, respondents, and subjects of a Board investigation will not be charged for copies from a file related to them.
3. Candidates, political committees or funds and party units will not be charged for copies from their own files.
4. Any other subject of data in Board files will not be charged for copies of data about that subject.
5. For all others, there will be no charge for the first 25 copies made, regardless if the copying is done by the requestor or by staff.
6. A two-sided copy is counted as two copies.
7. If the request is for more than 25 copies the charge will be 25 cents per page for pages in excess of 25 pages if the requestor makes their own copies.
8. If staff makes the copies for the requestor the cost is 25 cents per page for copies 26 through 100.
9. If staff makes the copies, and the number of copies exceeds 100 pages, then all copies after 100 are charged at the rate of 50 cents per page.

10. The charge per page is the same regardless of whether the copy is printed to paper or printed to PDF.
11. Payment must be received before copies are mailed or emailed to the requestor.
12. For situations not covered in this policy see the Executive Director or the Assistant Executive Director.

## Data Request Form – Data Subjects

To request data as a data subject, you must show the identification specified on page 8.

Data subject name: \_\_\_\_\_

Parent/Guardian name (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Staff verification

Request date:

Identification provided:

I am requesting access to data in the following way:

- Inspection
- Copies
- Both inspection and copies

We will respond to your request within 10 business days.

This is the data I am requesting:

(Describe the data you are requesting as specifically as possible.)

## Acceptable ways to verify identity

The following constitute proof of identity.

- An adult individual must provide a valid photo ID, such as
  - a state driver's license or ID
  - a military or veteran ID
  - a passport
  - a university, college, or vocational school ID
  - a tribal ID
  
- A minor individual must provide a valid photo ID, such as
  - a state driver's license, ID, or learner's permit
  - a passport
  - a tribal ID
  - a school ID
  
- The parent or guardian of a minor must provide a valid photo ID and either
  - a certified copy of the minor's birth certificate or
  - a certified copy of documents that establish the parent or guardian's relationship to the child, such as
    - a court order relating to divorce, separation, custody, foster care
    - a foster care contract
    - an affidavit of parentage
  
- The legal guardian for an individual must provide a valid photo ID and a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
  - court order(s)
  - valid power of attorney

**Note:** Individuals who do not exercise their data practices rights in person must provide either notarized or certified copies of the documents that are required or an affidavit of ID.