

**CITY OF SHAKOPEE**

**DATA PRACTICES PROCEDURES**



Updated November 1, 2023

**CITY OF SHAKOPEE**

**DATA PRACTICES PROCEDURES**

**INDEX**

<b>Subject</b>	<b>Page</b>
I. Introduction .....	1
II. Responsible Authority and Data Practices Compliance Official.....	1
III. General Overview of the Act.....	1
IV. Access to Public Data .....	1
A. People Entitled to Access .....	1
B. Form of Request.....	2
C. Time Limits.....	2
D. Form of Copies .....	2
E. Fees .....	2
V. Access-to Data on Individuals .....	3
A. People Entitled to Access .....	3
B. Form of Request.....	4
C. Identification of Requesting Party .....	4
D. Time Limits.....	4
E. Fees .....	4
F. Summary Data .....	4
G. Juvenile Records.....	5
VI. Denial of Access .....	6
VII. Collection of Data on Individuals .....	6
VIII. Data Accuracy, Currency and Completeness.....	8
A. Challenge to Data Accuracy or Completeness.....	8
B. Employee Accuracy.....	8
C. Review.....	8

IX.	Policy for Ensuring the Security of Not Public Data.....	8
A.	Legal Requirement.....	8
B.	Data Inventory .....	9
C.	Data Safeguards.....	9
D.	Data Sharing with Authorized Entities or Individuals.....	10
E.	Penalties for Unlawfully Accessing Not Public Data.....	10

**EXHIBITS**

**Number**

Responsible Authority and Compliance Official and Designees.....	1
The Minnesota Government Data Practices Act: Definitions and Classifications of Data.....	2
City Copy Charge Policy .....	3
Consent to Release Private Data.....	4
Information Disclosure Request.....	5
Government Data Access and Nondisclosure Agreement.....	6
Notice to Persons Underage of 18.....	7
Data Practices Advisory (Tennessee Warning) .....	8
Sample Contract Provision .....	9

**APPENDICES**

**Letter**

Private and Confidential Data Maintained by City.....	A
---	---

## **CITY OF SHAKOPEE DATA PRACTICES PROCEDURES**

### **I. Introduction.**

These procedures are adopted to comply with the requirements of the Minnesota Data Practices Act (the "Act"), specifically Minnesota Statutes Sections 13.025, 13.03, subdivision 2 and 13.05 subdivisions 5 and 8.

### **II. Responsible Authority and Data Practices Compliance Official.**

The person who is the responsible authority and the data practices compliance official for compliance with the Act is the City Administrator. The name and contact information for the responsible authority and data practices compliance official are provided in Exhibit 1. The responsible authority and compliance official has designated certain other City employees to assist in complying with the Act. These designees are listed on attached Exhibit 1.

### **III. General Overview of the Act.**

The Act regulates the handling of all government data that are created, collected, received, or released by a state entity, political subdivision or statewide system, no matter what form the data are in, or how the data are stored or used.

The Act establishes a system of data classifications that defines, in general terms, who is legally authorized to access government data. The classification system is constructed from the definitions provided in Minnesota Statutes Section 13.02. A table that summarizes the classifications is attached as Exhibit 2.

### **IV. Access to Public Data.**

All information maintained by the City is public unless there is a specific statutory designation which gives it a different classification.

**A. People Entitled to Access.** Any person has the right to inspect and copy public data. The person also has the right to have an explanation of the meaning of the data. The person does not need to state his or her name or give the reason for the request unless a

statute specifically authorizes the City to request such information. The City may ask a person to provide identifying or clarifying information for the sole purpose of facilitating access to the data. Examples of when identifying information may be requested include, but are not limited to, obtaining a mailing address when the person has requested that copies be mailed or requesting identification when copies have been paid for by check.

**B. Form of Request.** The request for public data may be verbal or written. The responsible authority or designee may require a verbal request to be made in writing, whenever a written request assists the responsible authority or designee in performing his or her duties.

**C. Time Limits.**

- **Requests.** Requests will be received and processed only during normal business hours.
- **Response.** If the request is made by someone other than the data subject and access or copies cannot be made at the time of the request, copies must be supplied as soon as reasonably possible. If the request is made by the data subject, the response must be immediate, if possible, or within 10 working days if an immediate response is not possible.

**D. Form of Copies.** Where public data is maintained in a computer storage medium, the responsible authority must provide copies of the public data in electronic form, upon request, if a copy can reasonably be made in that form. The responsible authority is not required to provide the data in an electronic format or program that is different from the format or program in which the responsible authority maintains the data. The responsible authority may charge a fee for the actual cost of providing the copy.

**E. Fees.**

- **No Fees Charged.** No fee may be charged for merely inspecting data. An inspection of data includes instances where the responsible authority prints copies of data, when the only method of providing for inspection is to print a copy. When copies are requested and a fee is charged for copies, no fee may be charged for time spent separating public from non-public data.

- 
- **Fees Charged.** Fees may be charged only if the requesting person asks for a copy or electronic transmittal of the data. Fees will be charged according to the City's standard copying policy, attached as Exhibit 3.

The responsible authority may charge an additional fee if the copies have commercial value and are a substantial and discrete portion of a formula, compilation, program, process, or system developed with significant expenditure of public funds. This additional fee must relate to the actual development costs of the information. The responsible authority may also charge a fee for remote access to data where the data or the access is enhanced at the request of the person seeking access.

#### **V. Access to Data on Individuals.**

Information about individual people is classified by law as public, private, or confidential. A list of the private and confidential information maintained by the City is contained in Appendix A. The form used to collect private and confidential information is contained in Exhibit 8.

##### **A. People Entitled to Access.**

- Public information about an individual may be shown or given to anyone for any reason.
- Private information about an individual may be shown or given to:
  - The individual data subject (as limited by an applicable statute or federal law), but the City is not obligated to provide access to the individual data subject more frequently than only once every six months, unless a dispute or legal action pursuant to the Act is pending or unless additional data on the individual has been collected or created.

- 
- A person or entity who has been given access by the express written consent of the individual data subject. This consent must be on the form attached as Exhibit 4, or on a reasonably similar form.
  - Entities and agencies as determined by the responsible authority who are authorized by statute, including Minnesota Statutes Section 13.05, subdivision 4, or federal law, to gain access to that specific data.
  - People within the City staff, the City Council, and outside agents under contract with the City (e.g., insurance adjusters or attorneys) whose work assignments reasonably require access. The responsible authority is authorized to determine whose work assignments or responsibilities require access to data.
- Confidential information may not be given to the public or the individual subject of the data, but may be shown or given to:
- People who are authorized access by statute, including Minnesota Statutes Section 13.05, or federal law to gain access to that specific data.
  - People within the City staff, the City Council, and outside agents under contract with the City (e.g., insurance adjusters or attorneys) whose work assignments reasonably require access. The responsible authority is authorized to determine whose work assignments or responsibilities require access to data.

**B. Form of Request.** Any individual may request verbally or in writing as to whether the City has stored data about that individual and whether the data is classified as public, private, or confidential.

All requests to see or copy private or confidential information must be in writing. An Information Disclosure Request, attached as Exhibit 5, must be completed to document who requests and who receives this information. The responsible authority or designee must complete the relevant portions of the form. The responsible authority or designee may waive the use of this form if there is other documentation of the requesting party's identity, the information requested, and the City's response.

**C. Identification of Requesting Party.** The responsible authority or designee must verify the identity of the requesting party as a person entitled to access. Verification can be through personal knowledge, presentation of written identification, comparison of the data subject's signature on a consent form with the person's signature in City records, or other reasonable means.

**D. Time Limits.**

➤ **Requests.** Requests will be received and processed only during normal business hours.

➤ **Response.** The response must be immediate, if possible, or within 10 working days, if an immediate response is not possible. If the request is made by someone other than the data subject and access or copies cannot be made at the time of the request, copies must be supplied as soon as reasonably possible.

**E. Fees.** Fees may be charged in accordance with the City's Copy Charge Policy (Exhibit 3).

**F. Summary Data.** Summary data means statistical records and reports derived from data on individuals, but which do not identify an individual by name or any other characteristic that could uniquely identify an individual. Summary data derived from private or confidential data is public. The responsible authority or designee will prepare summary data upon request if the request is in writing and the requesting party pays for the cost of preparation. The responsible authority or designee must notify the requesting party about the estimated costs and collect those costs before preparing or supplying the summary data. This should be done within 10 days of receiving the request. If the summary data cannot be prepared within 10 days, the responsible authority must notify the requester of the anticipated time schedule and the reasons for the delay.

Summary data may be prepared by "blacking out" personal identifiers, cutting out portions of the records that contain personal identifiers, programming computers to delete personal identifiers, or other reasonable means.

The responsible authority may ask an outside agency or person, including the person requesting the summary data, to prepare the summary data if (1) the specific purpose is given in writing, (2) the agency or person signs a nondisclosure agreement that meets the



requirements of Minnesota Rules, Part 1205.0700, subpart 5, and (3) the responsible authority determines that access by the outside agency or person will not compromise the privacy of the private or confidential data. The responsible authority may use the form attached as Exhibit 6.

**G. Juvenile Records.** The following applies to private (not confidential) data about people under the age of 18.

- **Parental Access.** In addition to the people listed above who may have access to private data, a parent may have access to private information about a juvenile data subject. "Parent" means the parent or guardian of a juvenile data subject, or individual acting as a parent or guardian in the absence of a parent or guardian. The parent is presumed to have this right unless the responsible authority or designee has been given evidence that there is a state law, court order, or other legally binding document which prohibits this right.
- **Notice to Juvenile.** Before requesting private data from juveniles, City personnel must notify the juveniles that they may request that the information not be given to their parent(s). This notice should be substantially in the form attached as Exhibit 7.
- **Denial of Parental Access.** The responsible authority or designee may deny parental access to private data when the juvenile requests this denial and the responsible authority or designee determines that withholding the data would be in the best interest of the juvenile. The request from the juvenile must be in writing stating the reasons for the request. In determining the best interest of the juvenile, the responsible authority or designee will consider:
  - Whether the juvenile is of sufficient age and maturity to explain the reasons and understand the consequences of denying parental access,
  - Whether denying parental access may protect the juvenile from physical or emotional harm,
  - Whether there are reasonable grounds to support the juvenile's reasons for denying parental access, and

- Whether the data concerns medical, dental, or other health services provided under Minnesota Statutes Sections 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize the health of the minor.

The responsible authority or designee may also deny parental access without a request from the juvenile under Minnesota Statutes Section 144.335, or under any other state or federal statute that allows or requires denial of parental access and that provides standards for denying parental access.

#### **VI. Denial of Access.**

If the responsible authority or designee determines that the law does not permit the requesting party to have access to the requested data, the responsible authority or designee must inform the requesting party orally at the time of the request or in writing as soon after that as possible. The responsible authority or designee must give the specific legal authority, including statutory section, temporary classification, or specific provision of federal law upon which the determination is made for withholding the data. Upon request, the responsible authority or designee must place an oral denial in writing and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

#### **VII. Collection of Data on Individuals.**

The collection and storage of information about individuals will be limited to that necessary for the administration and management of programs specifically authorized by the state legislature, the City, or the federal government.

##### ➤ **Tennessee Warning: When Required**

When the City requests an individual to provide private or confidential data about himself/herself, the City will give that individual a notice – sometimes called a Tennessee warning. The Tennessee warning is given at the time the data is collected. It must be given whenever all four of the following conditions are met:

- The City requests data,

- The data is requested from an individual,
- The data requested is classified as private or confidential; and
- The data requested is about the individual from whom the data is being requested.

➤ **Tennessee Warning: When *Not* Required**

A Tennessee warning is not required to be given by a law enforcement officer who is investigating a crime. In addition, a Tennessee warning is not required if:

- The data subject is not an individual (e.g., the data subject is a corporation or partnership)
- The data subject offers information that has not been requested by the City,
- The information requested from the individual is about someone else,
- The City receives information about the subject from someone else; or
- The information requested from the subject is classified as public data.

➤ **Contents of a Tennessee Warning**

A Tennessee warning must inform the individual data subject of the following:

- The purpose and intended use of the requested data (why the data are requested and how the City will use the data)
- Whether the individual may refuse or is legally required to supply the requested data
- Any known consequences from supplying or refusing to supply the requested data; and
- The identity of other persons or entities authorized by state or federal law to receive the data.

A Tennessee warning may be on a separate form or may be incorporated into the form which requests the private or confidential data. See attached Exhibit 8 for an example of a Tennessee warning.

➤ **Collection of Data on Individuals using the City's Computer**

When an individual gains access to government information or services through the City's computer, the City may create, collect, or maintain electronic access data or use its computer to install a cookie on an individual's computer. The City must inform individuals gaining access to the City's computer of the creation, collection, or maintenance of electronic access data or the City's use of cookies before requiring the individual to provide any data about the individual to the City. As part of that notice, the City must inform the individual how the data will be used and disseminated. Notwithstanding an individual's refusal to accept a cookie on its computer, the City must allow the individual to gain access to data or information, transfer data or information, or use government services by means of the City's computer.

**VIII. Data Accuracy, Currency and Completeness.**

**A. Challenge to Data Accuracy or Completeness.** An individual who is the subject of public or private data may contest the accuracy or completeness of that data maintained by the City of which he or she is the subject. "Accurate" means the data are reasonably correct and free from error. "Complete" means the data describes all the subject's transactions with the City in a reasonable way.

To challenge the accuracy or completeness of data, the individual must notify the City's responsible authority in writing describing the nature of the disagreement. The statement should describe why or how the data are inaccurate or incomplete and should also state what the individual wants the City to do to make the data accurate or complete. Within 30 days, the responsible authority or designee must respond and 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 authority believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data. The responsible authority should provide the data subject with a written statement that informs the data subject of the right to appeal and should also provide a copy of Minnesota Rules Part 1205.1600.

An individual who is dissatisfied with the responsible authority's action may appeal to the Commissioner of the Minnesota Department of Administration, using the contested case procedures under Minnesota Statutes Chapter 14. The responsible authority will correct, complete, or destroy any data if ordered by the Commissioner.

**B. Employee Accuracy.** All City employees will be requested, and given appropriate forms, to annually provide updated personal information to the responsible authority, as necessary for tax, insurance, emergency notification and other personnel purposes. Other individuals who provide private or confidential information will also be encouraged to provide updated information when appropriate.

**C. Review.** Department heads should periodically review forms used to collect data on individuals to delete items that are not necessary and to clarify items that may be ambiguous. All records must be disposed of according to the City's records retention schedule.

#### **IX. Policy for Ensuring the Security of Not Public Data.**

**A. Legal Requirement.** The adoption of this Section by the City satisfies the requirement in Minnesota Statutes Section 13.05, subdivision 5 to establish procedures ensuring appropriate access to non-public data. By incorporating employee access to non-public data in the City's Data Inventory (see Appendix A), in the individual employee's position description, or both, the City's policy limits access to non-public data to employees whose work assignment require reasonable access.

Please direct all questions regarding this Section to the responsible authority.

**B. Data Inventory.** Under the requirement in Minnesota Statutes Section 13.025, subdivision 1, the City has prepared a Data Inventory which identifies and describes all non-public data on individuals maintained by the City. To comply with the requirement set forth in Minnesota Statutes Section 13.05, subdivision 5, the City has also modified its Data Inventory to represent the employees who have access to non-public data.

**C. Data Safeguards.**

- Non-public data will be stored by the City in files or databases which are not readily accessible to individuals who do not have authorized access and will be secured during hours when the offices are closed.
- Non-public data must be kept only in City offices, except when necessary for City business.
- The City will assign appropriate security roles to its employees, limit employee access to appropriate shared network drives and implement password protections for non-public electronic data.
- Only those City employees whose job responsibilities require them to have access will be allowed access to City files and records that contain non-public data. Employee position descriptions will contain provisions identifying any non-public data accessible to the employee when a work assignment reasonably requires access. If a City employee does not have a work assignment allowing access to the non-public data, the City will ensure that the non-public data are secure. The City's employees will be instructed to:
  - Release or disclose non-public data only to those persons, within and outside of the City, who are authorized by law to have access to the data,
  - Not leave non-public data where unauthorized individuals might see it,
  - Password protect their computers and lock their computers before leaving workstations,
  - Secure non-public data within locked workspaces and in locked file cabinets, and
  - Shred non-public data before discarding.

**D. Data Sharing with Authorized Entities or Individuals**

- When a contract with an outside party requires access to non-public data, the contracting party will be required to use and disseminate the information consistent

with the Act. The City must include in a written contract the language contained in Exhibit 9 or substantially similar language.

- In addition to the employees listed in the City's data inventory (see Appendix A), the responsible authority, the City's criminal prosecutor, and the City Attorney may have access to all non-public data maintained by the City if necessary for specified duties. Any access to non-public data will be strictly limited to the data necessary to complete the work assignment.
- State or federal law may authorize the sharing of non-public data in specific circumstances. non-public data may be shared within another entity if a federal or state law allows it or mandates it. Individuals will have notice of any sharing in applicable Tennessee warnings, or the City will obtain the individual's informed consent. Any sharing of non-public data will be strictly limited to the data necessary or required to comply with the applicable law.

**E. Penalties for Unlawfully Accessing non-public Data.** The City will utilize penalties for unlawful access by its employees to non-public data as provided for in Minnesota Statutes Section 13.09, if necessary. Penalties include suspension, dismissal, or referring the matter to the appropriate prosecutorial authority who may pursue a criminal misdemeanor charge.

**Exhibit 1**

**RESPONSIBLE AUTHORITY AND COMPLIANCE OFFICIAL  
AND DESIGNEES**

**Responsible Authority and Compliance Official**

City Administrator  
485 Gorman Street  
Shakopee, MN 55379  
952-233-9311

**Records**

All records

**Designees**

Parks and Recreation Director  
485 Gorman Street  
Shakopee, MN 55379  
(952) 952-233-9514

Parks, Recreation & Natural  
Resources Department

Chief of Police  
475 Gorman Street  
Shakopee, MN 55379  
(952) 233-9400

Police Department

Director of Planning & Development  
485 Gorman Street  
Shakopee, MN 55379  
(952) 233-9346

Department of Planning &  
Development

Public Works Director  
400 Gorman Street  
Shakopee, MN 55379  
(952)233-9361

Public Works

Fire Chief  
334 2<sup>nd</sup> Avenue West  
Shakopee, MN 55379  
(952) 233-9300

Fire Department



Engineering Director  
485 Gorman Street  
Shakopee, MN 55379  
(952) 233-9361

Engineering Department

Finance Director  
485 Gorman Street  
Shakopee, MN 55379  
(952) 233-9326

All records

Assistant City Administrator  
485 Gorman Street  
Shakopee, MN 55379  
(952) 233-9310

All Records

City Clerk  
485 Gorman Street  
Shakopee, MN 55379  
(952)233-9318

All Records

**Exhibit 2**

**THE MINNESOTA GOVERNMENT DATA PRACTICES ACT: DEFINITIONS AND CLASSIFICATIONS OF DATA**

The Minnesota Government Data Practices Act (MGDPA) establishes a system of data classifications that define, in general terms, who is legally authorized to access government data. This classification system is constructed from the definitions provided in Minnesota Statutes Section 13.02. See also Minnesota Rules Part 1205.0200.

<p><b>GOVERNMENT DATA</b></p> <p>All data collected, created, received, maintained, or disseminated by any government entity regardless of its physical form, storage media or conditions of use.</p> <p>MINN. STAT. §13.02, SUBD. 7</p>
--

<p><b>DATA ON INDIVIDUALS*</b></p> <p>MINN. STAT. §13.02, SUBD. 5</p>	<p><b>DATA ON DECEDENTS</b></p> <p>MINN. STAT. §13.10, SUBD. 1</p>	<p><b>DATA NOT ON INDIVIDUALS *</b></p> <p>MINN. STAT. §13.02, SUBD. 4</p>
<p><b>PUBLIC</b></p> <p>Accessible to anyone for any reason.</p> <p>MINN. STAT. §13.02, SUBD. 15</p>	<p><b>PUBLIC</b></p> <p>Accessible to anyone for any reason.</p> <p>MINN. STAT. §13.02, SUBD. 15</p>	<p><b>PUBLIC</b></p> <p>Accessible to anyone for any reason.</p> <p>MINN. STAT. §13.02, SUBD. 14</p>
<p><b>PRIVATE</b></p> <p>Accessible to the data subject and City employees and officials with a business need to know. Not accessible to the public.</p> <p>MINN. STAT. §13.02, SUBD. 12</p>	<p><b>PRIVATE **</b></p> <p>Accessible to the representative of the decedent and City employees and officials with a business need to know. Not accessible to the public</p> <p>MINN. STAT. §13.10, SUBD. 1(B).</p>	<p><b>NON-PUBLIC</b></p> <p>Accessible to the subject of the data, if any and City employees and officials with a business need to know. Not accessible to the public.</p> <p>MINN. STAT. §13.02, SUBD. 9</p>

<p style="text-align: center;"><b>CONFIDENTIAL</b></p> <p>Not accessible to the data subject. Not accessible to the public. Accessible only to City employees and officials with a business need to know.</p> <p style="text-align: center;">MINN. STAT. §13.02, SUBD. 3</p>	<p style="text-align: center;"><b>CONFIDENTIAL**</b></p> <p>Not accessible to the representative of the decedent. Not accessible to the public. Accessible only to City employees and officials with a business need to know.</p> <p style="text-align: center;">MINN. STAT §13.10, SUBD. 1(A)</p>	<p style="text-align: center;"><b>PROTECTED NON-PUBLIC</b></p> <p>Not accessible to the data subject. Not accessible to the public. Accessible only to City employees and officials with a business need to know.</p> <p style="text-align: center;">MINN. STAT. §13.02, SUBD. 13</p>
--	--	---

\* "Individual" is defined by Minnesota Statutes Section 13.02, subdivision 8. "Individual" means a living human being. It does not mean any type of entity created by law, such as a corporation.

\*\* Private and confidential data on decedents become public data ten years after the death of the data subject *and* 30 years have elapsed from the creation of the data.

**Exhibit 3**  
**CITY COPY CHARGE POLICY**

**Regular Photocopy Charge** **\$ .25 per page**

**Special Copy Charge** **Actual Cost\***

(Charged in all other circumstances, including requests to provide data electronically or by facsimile)

\*the "actual cost" means the cost of any materials (paper, copier ink, staples, CDs/DVDs, video/ audio tapes, etc.), any special costs associated with making copies from computerized data, such as writing or modifying a computer program to format data, any mailing costs and any vehicle costs directly involved in transporting data to the appropriate facility when necessary to provide copies. In addition, "actual cost" also includes City staff time spent making and certifying and compiling the copies (when requested by the data subject). For requests by anyone other than the data subject, the "actual cost" also includes the City staff time spent retrieving the data to be copied, sorting and labeling documents (if this is necessary to identify what is to be copied), removing staples or paper clips, taking documents to the copier for copying as well as making and certifying and compiling the copies. Labor costs are never charged for separating public from non-public data.

**Document Charge** **Fee as established in the City fee schedule**

(Charged for certain frequently requested documents, such as zoning codes, maps, etc.)

**Exhibit 4**

**CONSENT TO RELEASE PRIVATE DATA**

I, \_\_\_\_\_, authorize the City of Shakopee ("City") to  
(print name)

release the following private data about me:

\_\_\_\_\_  
\_\_\_\_\_

to the following person(s) or entity(ies):

\_\_\_\_\_  
\_\_\_\_\_

The person(s) or entity(ies) receiving the private data may use it only for the following purpose or purposes:

\_\_\_\_\_  
\_\_\_\_\_

This authorization is dated \_\_\_\_\_ and expires on \_\_\_\_\_

**I understand that my records are protected under state privacy regulations and cannot be disclosed without my written consent unless otherwise provided for by law. I also understand that I may cancel this consent at any time prior to the information being released and that in any event this consent automatically expires 90 days after signing. By signing this document, I give my full and voluntary consent to the City to release the above-listed data to the persons identified in this release, and I waive any and all claims against the City for the disclosure of private data about me in accordance with this document.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of parent or guardian  
(if data subject is under 18 years of age)

**IDENTITY VERIFIED BY:**

- Witness:** x \_\_\_\_\_
- Identification:** Driver's License, State ID, Passport, other: \_\_\_\_\_
- Comparison with signature on file**
- Other:** \_\_\_\_\_

**Responsible Authority/Designee:** \_\_\_\_\_

**Exhibit 5**

**CITY OF SHAKOPEE  
INFORMATION DISCLOSURE REQUEST  
Minnesota Government Data Practices Act**

**A. Completed by Requester\***

REQUESTER NAME (Last, First, M.):	DATE OF REQUEST:
STREET ADDRESS:	PHONE NUMBER:
CITY, STATE, ZIP CODE:	SIGNATURE:
DESCRIPTION OF THE INFORMATION REQUESTED:	

\*Persons requesting access to public data are not required to complete this section unless they request to have the data mailed to them or they request to be called when the data is ready to be picked up.

**B. Completed by City**

DEPARTMENT NAME:	HANDLED BY:
INFORMATION CLASSIFIED AS: <input type="checkbox"/> PUBLIC <input type="checkbox"/> NON-PUBLIC <input type="checkbox"/> PRIVATE <input type="checkbox"/> PROTECTED NON-PUBLIC <input type="checkbox"/> CONFIDENTIAL	ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> APPROVED IN PART (Explain below) <input type="checkbox"/> DENIED (Explain below)
REMARKS OR BASIS FOR DENIAL INCLUDING STATUTE SECTION:	

PHOTOCOPYING CHARGES:

NONE

\_\_\_\_\_ Pages x \_\_\_¢ = \_\_\_\_\_

Pages x \_\_\_¢ = \_\_\_\_\_

Special Rate: \_\_\_\_\_ (attach explanation)

IDENTITY VERIFIED FOR PRIVATE INFORMATION:

IDENTIFICATION: DRIVER'S LICENSE,  
STATE ID, Etc.

COMPARISON WITH SIGNATURE ON FILE

PERSONAL KNOWLEDGE

OTHER: \_\_\_\_\_

AUTHORIZED SIGNATURE:



**Exhibit 6**

**GOVERNMENT DATA ACCESS AND NONDISCLOSURE AGREEMENT**

**1. AUTHORIZATION.** The City of Shakopee ("City") hereby authorizes \_\_\_\_\_, ("Authorized Party") access to the following government data:

---

---

**2. PURPOSE.** Access to this government data is limited to the objective of creating summary data for the following purpose:

---

---

**3. COST.** (Check which applies):

The Authorized Party is the person who requested the summary data and agrees to bear the City's costs associated with the preparation of the data which has been determined to be \$\_\_\_\_\_. The Authorized Party agrees to pay the actual City costs, regardless of whether those costs exceed the estimate.

The Authorized Party has been requested by the City to prepare summary data and will be paid in accordance with attached Exhibit A.

**4. SECURITY.** The Authorized Party agrees that it and any employees or agents under its control must protect the privacy interests of individual data subjects in accordance with the terms of this Agreement.

The Authorized Party agrees to remove all unique personal identifiers which could be used to identify any individual from data classified by state or federal law as not public which is obtained from City records and incorporated into reports, summaries, compilations, articles, or any document or series of documents.

Data contained in files, records, microfilm, or other storage media maintained by the City are the City's property and are not to leave the City's custody. The Authorized Party agrees

not to make reproductions of any data or remove any data from the site where it is provided, if the data can in any way identify an individual.

No data which is not public, and which is irrelevant to the purpose stated above will ever be disclosed or communicated to anyone by any means.

The Authorized Party warrants that the following named individual(s) will be the only person(s) to participate in the collection of the data described above:

---

---

**5. LIABILITY FOR DISCLOSURE.** The Authorized Party is liable for any unlawful use or disclosure of government data collected, used, or maintained in the exercise of this Agreement and classified as not public under state or federal law. The Authorized Party understands that it may be subject to civil or criminal penalties under those laws.

The Authorized Party agrees to defend, indemnify, and hold the City, its officials and employees harmless from any liability, claims, damages, costs, judgments, or expenses, including reasonable attorneys' fees, resulting directly or indirectly from an act or omission of the Authorized Party, its agents, employees, officers or assignees under this Agreement and against all loss by reason of the Authorized Party's failure to fully perform in any respect all obligations under this Agreement.

**6. INSURANCE.** To protect itself as well as the City, the Authorized Party agrees at all times during the term of this Agreement to maintain insurance covering the Authorized Party's activities under this Agreement. The insurance will cover \$1,000,000 per claimant for personal injuries and/or damages and \$1,000,000 per occurrence. The policy must cover the indemnification obligation specified above.

**7. ACCESS PERIOD.** The Authorized Party may have access to the information described above from \_\_\_\_\_ to \_\_\_\_\_.

**8. SURVEY RESULTS.** (Check which applies):

If the Authorized Party is the requester, a copy of all reports, summaries, compilations, articles, publications or any document or series of documents which are created from the information provided under this Agreement must be made available to the City in its entirety.

If the Authorized Party is a contractor of the City, all copies of reports, summaries, compilations, articles, publications or any document or series of documents which are created from the information provided under this Agreement must be provided to the City.

The Authorized Party may retain one copy for its own records but may not disclose it without City permission, except in defense of claims brought against it.

AUTHORIZED PARTY: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Title (if applicable): \_\_\_\_\_

CITY OF SHAKOPEE

By: \_\_\_\_\_

Date: \_\_\_\_\_

Its: \_\_\_\_\_

**Exhibit 7**

**NOTICE TO PERSONS UNDERAGE OF 18**

Some of the information you are asked to provide is classified as private under state law. You have the right to request that some or all the information not be given to one or both of your parents/legal guardians. Please complete the form below if you wish to have information withheld.

Your request does not automatically mean that the information will be withheld. State law requires the City to determine if honoring the request would be in your best interest. The City is required to consider:

- Whether you are of sufficient age and maturity to explain the reasons and understand the consequences,
- Whether denying access may protect you from physical or emotional harm,
- Whether there is reasonable grounds to support your reasons, and
- Whether the data concerns medical, dental, or other health services provided under Minnesota Statutes Sections 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize your health.

NOTICE GIVEN TO: \_\_\_\_\_ DATE: \_\_\_\_\_

By: \_\_\_\_\_ (name) \_\_\_\_\_ (title)

**REQUEST TO WITHHOLD INFORMATION**

I request that the following information: \_\_\_\_\_  
\_\_\_\_\_

Be withheld from: \_\_\_\_\_

For these reasons: \_\_\_\_\_

---

---

Date: \_\_\_\_\_ Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

**Exhibit 8**

**DATA PRACTICES ADVISORY  
(Tennessee Warning)**

Some or all the information that you are asked to provide on the attached form is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.

Our purpose and intended use of this information is: \_\_\_\_\_  
\_\_\_\_\_.

You  are /  are not legally required to provide this information.

If you refuse to supply the information, the following may happen: \_\_\_\_\_  
\_\_\_\_\_.

Other persons or entities who are authorized by law to receive this information are:  
\_\_\_\_\_  
\_\_\_\_\_.



## Exhibit 9

### SAMPLE CONTRACT PROVISION

Data Practices Compliance. This contract is governed by Minnesota Statutes Section 13.05, subdivisions 6 and 11, the provisions of which are incorporated by reference into this contract. The City of Shakopee ("City") agrees to give the CONTRACTOR access to data collected or maintained by the City as necessary to perform CONTRACTOR'S obligations under this contract. CONTRACTOR agrees to maintain all data created, collected, received, stored, used, maintained or disseminated by CONTRACTOR consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes Sections 13.02, et seq. (the "Act"). CONTRACTOR will not release or disclose the contents of data classified as not public to any person except at the written direction of the City. CONTRACTOR agrees to defend and indemnify the City from any claim, liability, damage or loss asserted against the City as a result of CONTRACTOR'S failure to comply with the requirements of this paragraph; provided that CONTRACTOR shall have no duty to defend or indemnify where CONTRACTOR has acted in conformance with the City's written directions.

---

**APPENDIX A****PRIVATE AND CONFIDENTIAL DATA MAINTAINED BY CITY**

---

**The list of data types is divided into the following categories: General; Administration; Community Development; Personnel; and Public Safety. The categories are provided only for convenience in locating types of data; inclusion in any category is not intended to indicate an exclusive location for that data type. (E.g., data listed under Personnel may be physically located in more than one City department.)**

*[The City should review this list and determine whether there are any items for which it does not maintain data; if the City does not possess that category of data, modify appropriately.]*

**GENERAL****Applications for Election or Appointment**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.601, subd. 3

DESCRIPTION OF DATA: Data on applicants collected by the City from the applicant's application is private, except the following is public: name, city of residence, education and training, employment history, volunteer work, awards and honors, and prior government service or experience. Once appointed, the following is public: residential address and either telephone number or email where the appointee may be reached, or both at the request of the appointee; any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency as defined in Minn. Stat. § 15.0597, subd. 1, and veteran status.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk, Assistant City Administrator, Director of Planning & Development

**Audit Data (provided by State Auditor)**

CLASSIFICATION(S): Protected Nonpublic/Confidential

GOVERNING STATUTE: Minn. Stat. § 6.715, subd. 5

DESCRIPTION OF DATA: Data relating to an audit, examination or investigation performed by the state auditor. Data provided by the state auditor for the purpose of review and verification must be protected from unlawful disclosure.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk

**Business Data**

CLASSIFICATION(S): Private/Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.591

DESCRIPTION OF DATA: Data submitted to the City by a business requesting financial assistance or a benefit financed by public funds are private or nonpublic data. The data becomes public when public financial assistance is provided or the business receives a benefit from the City, except that business plans, income and expense projections not related to the financial assistance provided, customer lists, income tax returns, and design, market and feasibility studies not paid for with public funds remain private or nonpublic.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk, Director of Planning & Development

**City Attorney Records**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.393

DESCRIPTION OF DATA: The use, collection, storage, and dissemination of data by the city attorney is governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility. Data which is the subject of attorney-client privilege is confidential. Data which is the subject of the "work product" privilege is confidential.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk, Director of Planning & Development, Parks and Recreation Director, Chief of Police, Public Works Director, Fire Chief, Assistant City Administrator

**Civil Investigative Data**

CLASSIFICATION(S): Confidential/Protected Nonpublic/Not public /Public

GOVERNING STATUTE: Minn. Stat. § 13.39

DESCRIPTION OF DATA: Data collected as part of an active investigation undertaken to commence or defend pending civil litigation, or which are retained in anticipation of pending civil litigation, with the exception of disputes where the sole issue or dispute is a government entity's timeliness in responding to a data request.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk

**Community Dispute Resolution Center Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.88

DESCRIPTION OF DATA: Data relating to a case in a community dispute resolution program.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development, Chief of Police

### **Elected Officials Correspondence**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.601, subd. 2

DESCRIPTION OF DATA: Correspondence between individuals and elected officials is private data on individuals but may be made public by either the sender or the recipient.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk

### **Emergency Services for Homeless Persons**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.587

DESCRIPTION OF DATA: Data that identifies any individual receiving emergency services for homeless persons from the city under a grant from a state agency.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development

### **Financial Disclosure Statements**

CLASSIFICATION(S): Public

GOVERNING STATUTE: Minn. Stat. § 13.601, subd. 1.

DESCRIPTION OF DATA: Financial disclosure statements of elected or appointed officials which, by requirement of the City, are filed with the City, are public data on individuals.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk

### **Grants**

CLASSIFICATION(S): Nonpublic/Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.599

DESCRIPTION OF DATA: Data created by state agency providing grants and persons/agencies that apply for or receive grants.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk, Public Works Director, Director of Planning & Development, Chief of Police, Fire Chief, Parks and Recreation Director

### **Identity of Employees Making Complaints**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 181.932, subd. 2; 13.7905, subd. 5(b)

DESCRIPTION OF DATA: The identity of an individual who reports to any governmental body or law enforcement official a violation or suspected violation by the individual's employer of any federal or state law or rule.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Chief of Police

### **Internal Competitive Response**

CLASSIFICATION(S): Private/Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.591, subd. 5, 13.37.

DESCRIPTION OF DATA: A bid or proposal to provide government goods or services that is prepared by the staff of a government entity in competition with bids or proposals solicited by the same government entity from the private sector or a different government entity from the private sector are classified as private or nonpublic until completion of the selection process or completion of the evaluation process at which time the data are public with the exception of trade secret data as defined and classified in Minnesota Statutes Section 13.37.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk, Public Works Director

### **Internal Auditing Data**

CLASSIFICATION(S): Confidential/Private/Protected Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.392

DESCRIPTION OF DATA: Data, notes, and preliminary drafts of reports created, collected and maintained by the internal audit offices of the city or by person performing audits for the city and relating to an audit or investigation; data on an individual supplying information for an audit or investigation, under specified circumstances.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk

### **Judicial Data**

CLASSIFICATION(S): Confidential/Private/Protected Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.03, subd. 4(e)

DESCRIPTION OF DATA: Judicial branch data disseminated to the city has the same classification in the hands of the city as it had in the hands of judicial branch entity providing it. If the data have a specific classification in state statute or federal law, the city must maintain the data according to that specific classification.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Assistant City Administrator

### **Personal Contact and Online Account Information**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.356, 13.04, subd. 2.

**DESCRIPTION OF DATA:** Data on an individual collected, maintained, or received by the City for notification purposes or as part of a subscription list for the City's electronic periodic publications as requested by the individual. This data includes telephone numbers, e-mail addresses, internet usernames and passwords, Internet protocol addresses, and any other similar data related to the individual's online account or access procedures. This data may only be used for the specific purpose for which the individual provided the data. This data also does not include data submitted for purposes of making a public comment.

**EMPLOYEE ACCESS:** City Administrator, Parks and Recreation Director, Director of Planning & Development, Finance Director, City Clerk, Assistant City Administrator

### **Pleadings**

**CLASSIFICATION(S):** Public

**GOVERNING STATUTE:** Minn. Stat. § 13.03, subd. 12

**DESCRIPTION OF DATA:** Pleadings in a lawsuit by or against the City.

### **Requests for Proposals**

**CLASSIFICATION(S):** Private/Nonpublic/Not public/Public

**GOVERNING STATUTE:** Minn. Stat. § 13.591, subd. 3(b), 13.37.

**DESCRIPTION OF DATA:** Data submitted by a business to the City in response to a request for proposals is not public data until the responses are opened. Once the responses are opened, the name of the responder is public. All other data in a response to a request for proposal are private or nonpublic data until completion of the evaluation process. After completion of the evaluation process, all remaining data submitted by responders are public with the exception of trade secret data as classified in Minn. Stat. § 13.37. If all responses to a request for proposals are rejected prior to completion of the evaluation process, all data, other than that made public at the response opening, remain private or nonpublic until a resolicitation of the requests for proposal results in the completion of the evaluation process or a determination is made to abandon the purchase. If rejection occurs after the completion of the evaluation process, the data remains public. If resolicitation of the proposals does not occur within one year of the proposal opening data, the remaining data becomes public.

**EMPLOYEE ACCESS:** City Administrator, Parks and Recreation Director, Director of Planning & Development, Public Works Director, Assistant City Administrator, Chief of Police, Fire Chief, Finance Director, City Clerk

### **Sealed Bids**

**CLASSIFICATION(S):** Private/Nonpublic

**GOVERNING STATUTE:** Minn. Stat. § 13.37, subd. 2

DESCRIPTION OF DATA: Sealed bids, including the number of bids received, prior to opening.

EMPLOYEE ACCESS: City Administrator, Parks and Recreation Director, Director of Planning & Development, Public Works Director, Assistant City Administrator, Chief of Police, Fire Chief, Finance Director, City Clerk

### **Security Information**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Data which, if the responsible authority determines that if disclosed, would be likely to substantially jeopardize the security of information possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury. This includes checking account numbers, crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home and mailing addresses, telephone numbers, e-mail or other digital addresses, Internet communication services accounts information or similar accounts information, and global positioning system locations, but these may be disseminated to other volunteers participating in crime prevention programs. If the City denies a data request based on a determination that the data are security information, upon request, the City must provide a short description explaining the necessity for the classification.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Finance Director, City Clerk, Assistant City Administrator, Parks and Recreation Director, Director of Planning & Development

### **Service Cooperative Claims Data**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.203

DESCRIPTION OF DATA: Claims experience and all related information received from carriers and claims administrators participating in a group health or dental plan, including any long-term disability plan, offered through Minnesota service cooperatives to Minnesota political subdivisions and survey information collected from employees and employers participating in these plans and programs, except when the executive director of a Minnesota service cooperative determines that release of the data will not be detrimental to the plan or program, are classified as nonpublic data not on individuals.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk

### **Social Security Numbers**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.355

DESCRIPTION OF DATA: Social security numbers of individuals, whether in whole or in part.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk

### **Social Security Numbers on Mailings**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.355, subd. 3

DESCRIPTION OF DATA: City may not mail, deliver, or cause to be mailed or delivered an item that displays a Social Security number on the outside of the item or visible without opening the item.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk

### **Trade Secret Information**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Data, including a formula, pattern, compilation, program, device, method, technique or process: (1) that was supplied by the affected individual or organization; (2) that is the subject of efforts by the individual or organization that are reasonable under the circumstances to maintain its secrecy; and (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use

EMPLOYEE ACCESS: City Administrator, Public Works Director

### **Utility Disconnection Notice**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.681, subd. 6

DESCRIPTION OF DATA: Utility data on disconnections provided to cities under Minn. Stat. § 216B.0976.

EMPLOYEE ACCESS: City Administrator, Public Works Director, Finance Directory, City Clerk



---

**ADMINISTRATION****Absentee Ballots**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Sealed absentee ballots before opening by an election judge.

EMPLOYEE ACCESS: City Administrator, City Clerk

**Assessor's Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.51

DESCRIPTION OF DATA: Data contained on sales sheets from private multiple listing service organizations; income information on individuals used to determine eligibility of property for classification for class 4(d) under Minnesota Statutes Section 273.126; and specified data regarding income properties.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk

**Computer Access Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.15

DESCRIPTION OF DATA: Data created, collected, or maintained about a person's access to the City's computer for the purpose of: (1) gaining access to data or information; (2) transferring data or information; or (3) using government services.

EMPLOYEE ACCESS: City Administrator

**Deferred Assessment Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.52

DESCRIPTION OF DATA: Data collected pursuant to Minnesota Statutes Section 435.193, which indicates the amount or location of cash or other valuables kept in the homes of applicants for deferred assessment.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk, Public Works Director

**Federal Contracts Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.35

DESCRIPTION OF DATA: All data collected and maintained by the City when required to do so by a federal agency as part of its contract with the City.

---

EMPLOYEE ACCESS: City Administrator, Public Works Director, Director of Planning & Development

**Homestead Applications**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.4965, subd. 3, 273.124, subd. 13

DESCRIPTION OF DATA: Social security numbers, affidavits, or other proofs of entitlement to homestead status that are submitted by property owners or their spouses. The data may be disclosed to the Commissioner of Revenue or, under limited circumstances, the county treasurer.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk

**Library and Historical Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.40

DESCRIPTION OF DATA: Data that links a library patron's name with materials requested or borrowed or with a specific subject about which the patron has requested information; data in applications for borrower cards, other than the name of the borrower; data contributed to a historical records repository operated by the city, if the data was contributed under an agreement that restricts access or if access would significantly endanger the physical or organizational integrity of the data.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development

**Lodging Tax Data**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.495

DESCRIPTION OF DATA: Data, other than basic taxpayer identification data, collected from taxpayers under a lodging tax ordinance.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development, Finance Director

**Municipal Bonds Register Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. §§ 13.202, subd. 12, 475.55, subd. 6

DESCRIPTION OF DATA: Data with respect to the ownership of municipal obligations.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk

**Municipal Electric Utility Customer Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.685

DESCRIPTION OF DATA: Data on customers of municipal electric utilities.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk, Public Works Director

### **Municipal Self-insurer Claims**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 13.202, subd. 9(a), 471.617, subd. 5

DESCRIPTION OF DATA: Data about individual claims or total claims made by an individual under a self-insured health benefit plan of a municipality.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk

### **Parking Space Leasing Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: The following data on an applicant for or lessee of a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, work telephone number and location of the parking space.

EMPLOYEE ACCESS: City Administrator, Finance Director, City Clerk

### **Registered Voter Lists**

CLASSIFICATION(S): Confidential/Public

GOVERNING STATUTE: Minn. Stat. § 13.607, subd. 6; 201.091

DESCRIPTION OF DATA: Information contained in the master list of registered voters.

EMPLOYEE ACCESS: City Administrator, City Clerk

### **Security Service Data**

CLASSIFICATION(S): Nonpublic/Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.861, 13.37 and 13.82, subd. 2, 3 and 6.

DESCRIPTION OF DATA: Data collected, created, or maintained by a security service for the purpose of providing security services to a political subdivision.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Public Works Director

### **Social Recreational Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.548

DESCRIPTION OF DATA: For people enrolling in recreational or other social programs: name, address, telephone number, any other data that identifies the individual, and any data which describes the health or medical condition of the individual, family relationships,

living arrangements, and opinions as to the emotional makeup or behavior of an individual.

EMPLOYEE ACCESS: City Administrator, Parks and Recreation Director

### **Solid Waste Collector Customer Lists**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.7411, subd. 4 (c), 115A.93, subd. 5

DESCRIPTION OF DATA: Customer lists provided to the City by solid waste collectors.

EMPLOYEE ACCESS: City Administrator, Public Works Director

### **Transportation Service Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.72, subd. 10

DESCRIPTION OF DATA: Personal, medical, financial, familial, or locational information, except the name, of applicants or users of transportation services for the disabled or elderly. Survey responses that include names, home addresses, email addresses and home telephone numbers are private. Zip codes are public. Survey responses that include business names, business addresses, business email addresses and business telephone numbers are nonpublic. Zip codes are public.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development, Public Works Director

---

**COMMUNITY DEVELOPMENT****Appraisal Data**

CLASSIFICATION(S): Confidential/Protected Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.44, subd. 3

DESCRIPTION OF DATA: Appraisals made for the purpose of selling or acquiring land through purchase or condemnation. This data may also become public at the discretion of the City, determined by majority vote of the entity's governing body.

EMPLOYEE ACCESS: City Administrator, Parks and Recreation Director, Director of Planning & Development, Public Works Director, Finance Director, City Clerk

**Award Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.48

DESCRIPTION OF DATA: Financial data on business entities submitted to the City for the purpose of presenting awards to business entities for achievements in business development or performance.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development, Finance Director, City Clerk

**Benefit Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.462

DESCRIPTION OF DATA: Data on individuals, corporations and/or partnerships collected or created when individuals, corporations and/or partnerships seek information about becoming, is or was an applicant for or recipient of benefits or services provided under any housing, home ownership, rehabilitation and community action agency, Head Start, or food assistance programs administered by the City.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development

**Convention Center Data**

CLASSIFICATION(S): Private/Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.55

DESCRIPTION OF DATA: Letters or documentation from any person who makes inquiry to or who is contacted by the convention facility regarding availability of the facility for staging events; identity of firms and corporations that contact the facility; the type of event that the contacting person wants to stage in the facility; suggested terms of rentals and responses of staff to such inquiries are non public data. The names addresses and contact

persons for individual exhibitors if the facility determines that privacy is necessary to protect the competitive position of the facility or its customers.

EMPLOYEE ACCESS: City Administrator, Parks and Recreation Director

**Housing Agency Data**

CLASSIFICATION(S): Confidential/Private/Protected Nonpublic/Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.585

DESCRIPTION OF DATA: Correspondence between the agency and agency's attorney containing data collected as part of an active investigation undertaken for the purpose of the commencement or defense of potential or actual litigation; income information on individuals collected and maintained to determine property tax classification eligibility; data pertaining to negotiations with property owners regarding the purchase of property.

EMPLOYEE ACCESS: City Administrator, Finance Director

**Property Complaint Data**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.44, subd. 1

DESCRIPTION OF DATA: Data that identifies individuals who register complaints concerning violations of state laws or local ordinances concerning the use of real property.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development, Chief of Police

**Redevelopment Data**

CLASSIFICATION(S): Private/Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.59

DESCRIPTION OF DATA: Names and addresses of individuals and businesses and the legal descriptions of property owned by individuals and businesses, when collected in surveys of individuals conducted by the City or Housing and Redevelopment Authority for the purposes of planning, development, and redevelopment.

EMPLOYEE ACCESS: City Administrator, Director of Planning & Development

---

**PERSONNEL****Employee Drug and Alcohol Tests**

CLASSIFICATION(S): Confidential/Private

GOVERNING STATUTE: Minn. Stat. § 13.7905, subd. 5(c), 181.954, subd. 2 and 3

DESCRIPTION OF DATA: Results of employee drug and alcohol tests.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Chief of Police, Fire Chief, Director of Public Works

**Employment and Training Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.47

DESCRIPTION OF DATA: Data on individuals collected, maintained, used, or disseminated because an individual applies for, is currently enrolled in, or has been enrolled in employment and training programs funded with federal, state, or local resources.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Chief of Police, Fire Chief, Director of Public Works

**Examination Data**

CLASSIFICATION(S): Private/Confidential

GOVERNING STATUTE: Minn. Stat. § 13.34

DESCRIPTION OF DATA: Completed versions of personnel and licensing examinations.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Chief of Police, Fire Chief, Director of Public Works

**Human Rights Data**

CLASSIFICATION(S): Confidential/Private/Protected Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.552, 363A.28 and 363A.35

DESCRIPTION OF DATA: Data maintained by the human rights department of the city, including investigative data in an open case file; the name and address of the charging party or respondent, factual basis of the allegations, and statute or ordinance under which the charge is brought; investigative data in a closed case file.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator

**Labor Relations Information**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Management positions on economic and non-economic items that have not been presented during the collective bargaining process or interest arbitration, including information specifically collected or created to prepare the management position.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Director of Public Works, Chief of Police, Finance Director

**Personnel and Employment Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.43.

DESCRIPTION OF DATA: Data on individuals collected because the individual is or was an employee of or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a government entity.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Parks and Recreation Director, Chief of Police, Director of Planning & Development, Fire Chief, Finance Director

**Salary Benefit Survey Data**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.435

DESCRIPTION OF DATA: Salary and personnel benefit survey data purchased from consulting firms, nonprofit corporations or associations or obtained from employers with the written understanding that the data shall not be made public.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director



---

**PUBLIC SAFETY****911 Emergency Telephone Service**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.202, subd. 6, 403.07, subd. 3 and 4

DESCRIPTION OF DATA: Names, addresses and telephone numbers provided to a 911 system.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Fire Chief

**Ambulance Service Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.381, subd. 12, 144E.123

DESCRIPTION OF DATA: Ambulance reports/prehospital medical care data are private data on individuals.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Fire Chief

**Arson Investigation**

CLASSIFICATION(S): Confidential/Public

GOVERNING STATUTE: Minn. Stat. § 13.6905, subd. 26, 299F.055 and 299F.056

DESCRIPTION OF DATA: Information relating to a fire loss or potential fire loss.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Fire Chief

**Child Abuse Report Records**

CLASSIFICATION(S): Confidential/Private

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 6 (b), 13.82, subd. 8 and 9 and 626.556

DESCRIPTION OF DATA: Active or inactive investigative data that identify a victim of child abuse or neglect reported under Minnesota Statutes Section 626.556 are private data on individuals. Active or inactive investigative data that identify a reporter of child abuse or neglect under Minnesota Statutes Section 626.556 are confidential data on individuals, unless the subject of the report compels disclosure under Minnesota Statutes Section 626.556, subd. 11. Investigative data that become inactive under Minnesota Statutes Section 626.556, subd. 7 (a) or (b) and that relate to the alleged abuse or neglect of a child by a person responsible for the child's care, as defined in Minnesota Statutes Section 626.556, subdivision 2 are private data.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Civil Commitment Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 253D.07, subd. 2, 253B.07, 253B.08

DESCRIPTION OF DATA: Notwithstanding any provision of Chapter 13, a county attorney considering the civil commitment of a person may obtain records and data from the City upon request and without a court order.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Corrections and Detention Data**

CLASSIFICATION(S): Confidential/Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.85

DESCRIPTION OF DATA: Data on individuals created, collected, used or maintained by a municipal correctional or detention facility, the release of which would disclose medical, psychological, financial or personal information not related to the individual's detainment or which would endanger an individual's life; detention data, the release of which would endanger an individual's life, endanger the effectiveness of an investigation, identify a confidential informant, or clearly endanger the security of any institution or its population.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Crime Victim Notice of Release**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 5 (a), 611A.06

DESCRIPTION OF DATA: All identifying information regarding a crime victim, including a victim's request for notice of release and a notice of release made pursuant to Minnesota Statutes Section 611A.06.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Criminal Gang Investigative Data System**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.6905, subd. 14, 299C.091

DESCRIPTION OF DATA: Data in the criminal gang investigative data system are confidential data on individuals as defined in Minnesota Statutes Section 13.02, subdivision 3, but are accessible to law enforcement agencies and may be released to the criminal justice agencies.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Criminal History Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.87

DESCRIPTION OF DATA: Criminal history data maintained by agencies, political subdivisions and statewide systems are classified as private, pursuant to Minnesota Statutes Section 13.02, subdivision 12, except that the data created, collected or

maintained by the Bureau of Criminal Apprehension that identify an individual who was convicted of a crime, the offense of which the individual was convicted, associated court disposition and sentence information, controlling agency and confinement information are public data for 15 years following the discharge of the sentence imposed for that offense. Data maintained in the integrated search service is private. An individual who is the subject of the data may only be provided with (1) a list of government entities that provided public or private data about the individual and (2) data that describes what is maintained about the individual at each government entity on the list.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Finance Director

### **Criminal History Data – Discharge / Dismissal of Crime**

CLASSIFICATION(S): Not Public

GOVERNING STATUTE: Minn. Stat. § 13.871

DESCRIPTION OF DATA: Data in criminal discharge and dismissal records is classified under Minn. Stat. § 609.3751, subd. 5.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Data on Videotape Consumers**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 325I.02, subd. 2, 13.487, subd. 3

DESCRIPTION OF DATA: Personally identifiable information concerning a videotape consumer that a law enforcement agency obtains in connection with an action commenced by the videotape seller or provider to collect fines for overdue or unreturned videotapes or collection for unpaid videotapes.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Detention Data**

CLASSIFICATION(S): Private/Confidential/Public

GOVERNING STATUTE: Minn. Stat. § 13.85

DESCRIPTION OF DATA: Data on individuals created, collected, used, or maintained because of their lawful confinement or detainment in a correctional or detention facility, including a municipal jail or lockup.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Diversion Program Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.6905, subd. 18, 299C.46, subd. 5

DESCRIPTION OF DATA: Names and identifying data concerning diversion program participants that are maintained in the criminal justice information system.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Domestic Abuse Data**

CLASSIFICATION(S): Confidential/Public

GOVERNING STATUTE: Minn. Stat. § 13.80

DESCRIPTION OF DATA: Data on individuals collected, created, received, or maintained by police departments pursuant to the domestic abuse act.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**E-Charging Data**

CLASSIFICATION(S): Confidential/Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 11, 299C.41, subd. 2

DESCRIPTION OF DATA: Data created by local law enforcement agencies and maintained by the Bureau of Criminal Apprehension in a statewide, data sharing, electronic charging system. Credentialing data is private protected nonpublic, and auditing, workflow and routing data is confidential protected nonpublic.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**EMT or First Responder Misconduct Data**

CLASSIFICATION(S): Confidential/Protected Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.383, subd. 2, 144E.305, subd. 3.

DESCRIPTION OF DATA: Reports of emergency medical technicians, emergency medical technicians-intermediate, emergency medical technicians-paramedic or first responders' misconduct are considered to be confidential or protected nonpublic while an investigation is active. Except for the Emergency Medical Services Regulatory Board's final determination, all communications or information received by or disclosed to the Board relating to disciplinary matters of any person or entity subject to the Board's regulatory jurisdiction are confidential and privileged and any disciplinary hearing shall be closed to the public.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Fire Chief

**Explosives or Blasting Agents**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 299F.75, subd. 4

DESCRIPTION OF DATA: Data from application submitted by applicant and data held by law enforcement indicating applicant's place and time of intended use of explosives or blasting agents and place and means of storage of the explosives or blasting agents until such use. Data may be shared with other law enforcement whose job requires access to a facility containing explosives or blasting agents. Recipients of the data are prohibited from disclosing the data to anyone not directly involved in the work.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Fire Chief, Public Works Director

### **Firearms Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.87, subd. 2

DESCRIPTION OF DATA: Data about the purchase or transfer of firearms and applications for permits to carry firearms.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Hazardous Substance Emergency**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.6905, subd. 27, 299F.095 and 299F.096, subd. 1

DESCRIPTION OF DATA: Information contained in hazardous materials notification reports made pursuant to Minnesota Statutes Sections 299F.091 to 299F.099.

EMPLOYEE ACCESS: City Administrator, Fire Chief, Chief of Police, Public Works Director

### **Health Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.3805, subd. 1

DESCRIPTION OF DATA: Data on individuals created, collected, received or maintained by the city relating to the identification, description, prevention, and control of disease or as part of an epidemiologic investigation designated by the commissioner of health as necessary to analyze, describe or protect the public health.

EMPLOYEE ACCESS: City Administrator, Fire Chief, Chief of Police

### **Investigative Detention Data**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.86

DESCRIPTION OF DATA: Data created, collected, used or maintained by a municipal correctional or detention facility that, if revealed, would identify an informant who provided information about suspected illegal activities and is likely to subject the informant to physical reprisals by others.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Law Enforcement Data**

CLASSIFICATION(S): Private/Confidential/Public/Non-Public

GOVERNING STATUTE: Minn. Stat. §13.82, 259.10, subd. 2

DESCRIPTION OF DATA: Certain arrest data, request for service data, and response or incident data are public data.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Fire Chief

An audio recording of a call placed to a 911 system for the purpose of requesting service from a law enforcement, fire or medical emergency is private data on individuals, except that a written transcript of the audio recording is public, unless it reveals the identity of an individual otherwise protected under Minnesota Statutes Section 13.82, subdivision 17.

Criminal investigative data collected or created by a law enforcement agency in order to prepare a case against a person for the commission of a crime or other offense for which the agency has primary investigative responsibility is confidential or protected nonpublic while the investigation is still active.

Photographs that are part of inactive investigative files and that are clearly offensive to common sensibilities are classified as private or nonpublic, provided that the existence of the photographs shall be disclosed to any person requesting access to the inactive investigative file.

Data on court records relating to name changes under Minnesota Statutes Section 259.10, subdivision 2 which is held by a law enforcement agency is confidential data on an individual while an investigation is still active and is private data on an individual when the investigation becomes inactive.

Data in arrest warrant indices are classified as confidential data until the defendant has been taken into custody, served with a warrant or appears before the court, except when the law enforcement agency determines that the public purpose is served by making that information public.

Data that uniquely describes stolen, lost, confiscated, or recovered property are classified as either private data on individuals or nonpublic data depending on the content.

Financial records of a program that pays rewards to informants are protected nonpublic data in the case of data not on individuals or confidential data in the case of data on individuals.

Data on registered criminal offenders is private data on individuals.

Data in missing children bulletins are public data.

Data that reflect deliberative processes or investigative techniques of law enforcement agencies are confidential data on individuals or protected nonpublic data, provided that information, reports, or memoranda that have been adopted as the final opinion or justification for a decision of a law enforcement agency are public data.

Booking photographs is public data.

Data that would reveal the identity of persons who are customers of a licensed pawnbroker or secondhand goods dealer are private data on individuals.

Data describing the property in a regulated transaction with a licensed pawnbroker or secondhand goods dealer are public.

Criminal investigative data that are a person's financial account number or transaction numbers are private or nonpublic data.

### **Peace Officer Discipline Procedures**

CLASSIFICATION(S): Confidential/Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 6(p), 626.89, subd. 6 and 13.43

DESCRIPTION OF DATA: Investigative report made by a law enforcement agency in connection with a peace officer disciplinary matter; identities of confidential informants in such matters; identities of witnesses expected to testify in disciplinary hearings.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Assistant City Administrator

### **Peace Officer Records on Juveniles**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.875, subd. 2, 260B.171, subd. 5.

DESCRIPTION OF DATA: Peace officers' records of children who are or may be delinquent or who may be engaged in criminal acts.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Peace Officer Reports on Accidents**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 169.09, subd. 13

DESCRIPTION OF DATA: Data collected by law enforcement agencies as required for a report of an accident under Minn. Stat. § 169.09, subd. 8. Data must be disclosed to, upon

written request by, individuals involved in an accident or representing the individual's estate, surviving spouse, next of kin, or an appointed trustee, or other person injured in person, property, or means of support, or who incurs other pecuniary loss by virtue of the accident. Data must also be disclosed, upon written request, to the attorney, or representative of the insurer of any of those listed above.

EMPLOYEE ACCESS: City Administrator, Chief of Police, Fire Chief

### **Reports of Gunshot Wounds**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 6 (a), 626.53

DESCRIPTION OF DATA: A report made by a health professional concerning a wound or injury arising from or caused by discharge of a firearm or inflicted by the perpetrator of a crime using a dangerous weapon other than a firearm.

EMPLOYEE ACCESS: City Administrator, Chief of Police

### **Safe at Home Program Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 5B.07, subd. 1; 13.045

DESCRIPTION OF DATA: Data on Safe at Home Program participants maintained by local government in conjunction with an active investigation or inspection of health, building or fire codes, or city ordinances. Identity and location data kept pursuant to the program are any data used to identify or physically locate a program participant, including but not limited to the program participant's name, residential address, work address, and school address, and data that is collected received or maintained prior to the date a program participant's certification expires, or notice of withdrawal from the participant. Private or confidential identity and location data on a program participant who submits a notice in writing that the participant is certified in the Safe at Home address confidentiality program may not be shared with any other government entity or disseminated to any person unless 1) the program participant has expressly consented in writing to sharing the dissemination of the data for the purpose in which the sharing will occur; 2) the data are subject to dissemination pursuant to a court order; or 3) the data are subject to sharing pursuant to Minnesota Statutes Section 5B.07, subdivision 2. Regardless of whether certification has been submitted, the City must accept the address designated by the Secretary of State as a program participant's address and is subject to the requirements contained in Minnesota Statutes Section 5B.05.

EMPLOYEE ACCESS: City Administrator, Assistant City Administrator, Finance Director, City Clerk, Chief of Police



**Sex Offender HIV Tests**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 5(b), 611A.19, subd. 2

DESCRIPTION OF DATA: Results of HIV tests of sex offenders must be handled in accordance with Minnesota Statutes Section 611A.19.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Sexual Assault Crime Victims**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 3(e), 609.3471

DESCRIPTION OF DATA: Data that identifies a victim who is a minor, in records or reports relating to petitions, complaints or indictments made for criminal sexual conduct in the first, second, third or fourth degrees.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Undercover Buy Fund**

CLASSIFICATION(S): Confidential/Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.6905, subd. 13, 299C.065, subd. 4

DESCRIPTION OF DATA: An application to the commissioner of public safety for a grant pursuant to Minnesota Statutes Section 299C.065; information within investigative files that identifies or could reasonably be used to ascertain the identity of assisted witnesses, sources, or undercover investigators; information in a report at the conclusion of an investigation pertaining to the identity or location of an assisted witness.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Use of Motor Vehicle to Patronize Prostitutes**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 3 (c) and 609.324, subd. 5

DESCRIPTION OF DATA: Notation in a driving record that the driver has used a motor vehicle to patronize prostitutes.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Videotapes of Child Abuse Victims**

CLASSIFICATION(S): Private/Confidential

GOVERNING STATUTE: Minn. Stat. §§ 13.821, 611A.90

DESCRIPTION OF DATA: Videotapes in which a child victim or alleged victim is alleging, explaining, denying, or describing an act of physical or sexual abuse.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**Vulnerable Adult Report Records**

CLASSIFICATION(S): Private/Confidential

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 6 (l), 626.557, subd. 12(b).

DESCRIPTION OF DATA: Reports made pursuant to Minnesota Statutes Section 626.557 of possible incidents of maltreatment of vulnerable adults; identities of individuals making such reports.

EMPLOYEE ACCESS: City Administrator, Chief of Police

**RECORD OF ANNUAL REVIEW**

**DATA PRACTICES PUBLIC DOCUMENT**

Under the Minnesota Government Data Practices Act, I as the responsible authority for the City of Shakopee, Minnesota, am required to annually review the City's public document to update the document and ensure its accuracy. The following records the date on which I have done so.

DATE COMPLETED	SIGNATURE
12/29/06	<i>Mark McNeill</i>
8/1/07	<i>Mark McNeill</i>
9/2/08	<i>Mark McNeill</i>
8/15/13	<i>Mark McNeill</i>
5/8/2015	<i>Bristinec Lyncha Wilson</i>
6/13/2017	<i>[Signature]</i>
4/30/2018	<i>[Signature]</i>
4/21/2021	<i>[Signature]</i>
10/7/2023	<i>[Signature]</i>

