# DATA PRACTICES REQUESTING SUBJECT INFORMATION

LAKES INTERNATIONAL LANGUAGE ACADEMY
An IB World School
District #4116

# POLICY 134

## A Data Subject's Guide to Requesting Information
## Lakes International Language Academy

This document also discusses your rights when government entities collect and keep information about you, per Minnesota Statutes, section 13.05, subdivision 8.

### I. DATA ABOUT YOU

A. The 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. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including paper, email, CDROMs, photographs, etc.

### II. CLASSIFICATION OF DATA ABOUT YOU

A. The Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples:

1. Public data: Lakes International Language Academy (the "School") must give public data to anyone who asks; it does not matter who is asking for the data or why. The following is an example of public data about you: (employee name and job title is public).

2. Private data: We cannot give private data to the general public, but you have access when the data are about you. The following is an example of private data about you: your Social Security number. We can share your private data with you, with someone who has your permission, with the School staff who need the data to do their work, and as permitted by law or court order.

3. Confidential data: Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. The following is an example of confidential data about you: if you register a complaint with the School concerning violations of state laws or local ordinances concerning the use of real property, your identity is confidential. We can share confidential data about you with the School staff who need the data to do their work and to others as permitted by law or court order. We cannot give you access to confidential data.

### III. YOUR RIGHTS UNDER THE DATA PRACTICES ACT

A. The School must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights:

1. Your Access to Your Data: You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and

private data about you. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

2. When We Collect Data from You: When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennessen warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

   We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you must use the consent form we provide.

3. Protecting your Data: The Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe. [Applies only to state agencies: In the unfortunate event that we determine a security breach has occurred and an unauthorized person has gained access to your data, we will notify you as required by law.]

4. When your Data is Inaccurate and/or Incomplete: You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

## IV. HOW TO MAKE A REQUEST FOR YOUR DATA

A. To look at data, or request copies of data that the School keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts document in Section VI. of this policy. You may make your written request by mail, using the data request form available from the school.

   If you choose not to use the data request form, your written request should include:

   1. that you, as a data subject, are making a request for data about you under the Data Practices Act (Minnesota Statutes, Chapter 13);

   2. whether you would like to inspect the data, have copies of the data, or both;

   3. a clear description of the data you would like to inspect or have copied; and

   4. identifying information that proves you are the data subject, or data subject's parent/guardian.

   The School 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 Standards for Verifying Identity Document located in Section VIII of this policy.

## V. HOW THE SCHOOL RESPONDS TO A DATA REQUEST

A. Once you make your written request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

1. If we do not have the data, we will notify you in writing within 10 business days.

2. If we have the data, but the data are confidential or private and are not about you, we will notify you in writing within 10 business days and state which specific law says you cannot access the data.

3. If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:

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

    b) provide you with copies of the data within 10 business days. You may choose to pick up your copies, or we will mail or fax them to you. Information about copy charges is on page 7. We also will arrange for you to prepay for the copies.

    We will provide electronic copies (via email or other means) upon request if we keep the data in electronic format. After we have provided you with access to data about you, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

4. 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.

5. The Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are 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.

6. In addition, we are not required under the Data Practices Act to respond to questions that are not requests for data.

## VI. DATA PRACTICES CONTACTS

A. RESPONSIBLE AUTHORITY

Tiffany Kurpiel
Lakes International Language Academy
246 11th Ave. SE
Forest Lake, MN 55025-1823
Main Line: 651-464-0771
Fax: 651-464-4429
Email: TKurpiel@mylila.org

B. DATA PRACTICES DESIGNEE(S)

Board Chair (see www.mylila.org for current board chair name)
Lakes International Language Academy
246 11th Ave. SE
Forest Lake, MN 55025-1823

Main Line: 651-464-0771
Fax: 651-464-4429
Email: info@mylila.org

C. DATA PRACTICES COMPLIANCE OFFICIAL

Tiffany Kurpiel
Lakes International Language Academy
246 11th Ave. SE
Forest Lake, MN 55025-1823
Main Line: 651-464-0771
Fax: 651-464-4429
Email: TKurpiel@mylila.org

## VII. COPY COSTS - MEMBERS OF THE PUBLIC

A. The School charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

B. We do not charge for copies if the cost is less than $10. In the event that the cost of copies exceeds $10, you must pay for the copies before we will give them to you and the price will be calculated as follows:

1. For 100 or Fewer Paper Copies – 25 Cents Per Page

    a) 100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one -sided copy, or 50¢ for a two-sided copy.

2. Most Other Types of Copies – Actual Cost

    a) The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

    b) In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, thumb drive, or other means), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

    c) The cost of employee time to search for data, retrieve data, and make copies is $28.00 per hour. If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

## VIII. STANDARDS FOR VERIFYING IDENTITY

A. The following constitutes proof of identity.

1. An adult individual must provide a valid photo ID, such as

    a) a state driver's license

b) a military ID

c) a passport

d) a Minnesota ID

e) a Minnesota tribal ID

2. A minor individual must provide a valid photo ID, such as

   a) a state driver's license

   b) a military ID

   c) a passport

   d) a Minnesota ID

   e) a Minnesota Tribal ID

   f) a Minnesota school ID

3. The parent or guardian of a minor must provide a valid photo ID and either

   a) a certified copy of the minor's birth certificate or

   b) a certified copy of documents that establish the parent or guardian's relationship to the child, such as

      (1) a court order relating to divorce, separation, custody, foster care ▪▪ a foster care contract

      (2) an affidavit of parentage

4. 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

   a) court order(s)

   b) 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.

**REVISION HISTORY**

| Date | Status | | Date | Status | | Date | Status |
|---|---|---|---|---|---|---|---|
| 08/13/09 | Adopted | | 01/15/13 | Amended | | 01/10/17 | Amended |
| 11/14/17 | Amended | | 07/14/20 | Amended | | 11/10/20 | Amended |
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