

I. PURPOSE

This policy establishes the policies and procedures Athlos Academy of St. Cloud will follow when handling private data.

II. DEFINITIONS

- A. Private Data: Government data that is deemed private by state or federal law. Examples of private data include most student educational data and an employee's home address and social security number.

III. POLICY**A. Collecting and Storing Data:**

1. When Athlos Academy of St. Cloud collects private or confidential data from an individual, it shall provide a Tennessee warning indicating the intended use of the data.
2. Private data will not be released in circumstances other than those outlined in the Tennessee warning without an informed consent form signed by the data subject.
3. Private data collected by Athlos Academy of St. Cloud will be stored in a manner that ensures appropriate safeguards against unauthorized data access.
 - a. If data is accessed in an unauthorized manner, data subjects will be notified as required by law.
4. Any breaches of the security of data will result in notifications prescribed in Minn. Stat. 13.055

B. Requesting Data:

1. Private data may be accessed by the data subject, those granted permission by the data subject, Athlos Academy of St. Cloud staff, and others as permitted by law or court order.
2. A request for public data shall:
 - a. Be made in writing (via mail, email, or fax) using the contact information found in section IV of this policy;
 - b. State that the individual is requesting public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13);

- c. State whether the individual wishes to inspect, have copies of the data, or both;
 - d. Include a clear description of the data to be inspected and/or copied.
 - e. Include identifying information that proves that the requesting individual is the data subject, or, in the case of a minor, the data subject's parent/guardian.
3. Parents and guardians have the right to access private data about their minor children, with the following exception:
 - a. A minor has the right to ask Athlos Academy of St. Cloud to not release data to his/her parent/guardian(s).
 - b. A request to not release data to a parent/guardian shall be made in writing and may not pertain to educational data.
 - c. Athlos Academy of St. Cloud shall make a final decision regarding whether or not to release data under this section based on the best interests of the minor.
4. A data subject or his/her parent/guardian(s), if a minor, may challenge the accuracy and/or completeness of public and private data held by Athlos Academy of St. Cloud.

C. Responding to Requests for Data:

1. If it is not clear what data is being requested, Athlos Academy of St. Cloud will make all reasonable efforts to clarify what is being requested.
2. If the data exists, but is confidential or is private data about someone other than the data subject, Athlos Academy of St. Cloud shall respond as soon as reasonably possible and state which specific law makes the data inaccessible by the requester.
3. If the data exists and is determined to be public or private data about the requester, Athlos Academy of St. Cloud shall respond as soon as reasonably possible and:
 - a. Arrange a date, time, and place to inspect data, for free, if the request is to look at the data; or
 - b. Provide the requester with copies of the data as soon as reasonably possible.
 - i. Physical copies may be picked up, mailed, or faxed.
 - ii. Electronic copies may be provided by email or on digital media such as CD-ROM or flash drive.

4. If the requested data does not exist as requested, Athlos Academy of St. Cloud shall respond and indicate that the data either does not exist or does not exist in the requested format.
 - a. Athlos Academy of St. Cloud may offer to create the requested data for a fee to be paid by the requester.
5. All requests for data shall be responded to within ten business days.
6. Athlos Academy of St. Cloud is not obligated to respond to the same request for information within 6 months of the prior request unless there is a dispute or new data has been collected or created.

D. Copying Costs:

1. Athlos Academy of St. Cloud charges for copies of government data as authorized by Minn. Stat. 13.03(c).
2. Records requests that result in the generation of 100 or fewer pages of black and white, letter or legal size paper copies shall cost \$0.25 per one-sided page or \$0.50 per two-sided page.
3. Other types of copies shall be charged an actual cost incurred for searching for and retrieving the data and making the copies or electronically transmitting the data.
 - a. In determining the actual cost of making copies, Athlos Academy of St. Cloud factors in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any).
 - i. The minimum hourly employee cost for copies is \$13.25 per hour.
 - b. If a request is for copies of data that Athlos Academy of St. Cloud cannot reproduce using on-site technology, such as photographs, the charge will include the actual cost paid to an outside vendor for the copies.
 - c. If, because of the subject matter of a request, it is necessary for a higher-paid employee to search for and retrieve the data, Athlos Academy of St. Cloud will calculate the search and retrieval portion of the copy charge at the higher wage.
4. Athlos Academy of St. Cloud does not charge for records requests that result in copy costs of \$25.00 or less.

- a. Athlos Academy of St. Cloud may charge an entity that breaks requests for records into multiple smaller requests in order to avoid meeting this threshold at the discretion of the Lead School Administrator.

IV. DATA PRACTICES CONTACTS

Responsible Authority

Dan McKeon
3701 33rd Street South, St. Cloud, MN 56301
320-281-4430
dmckeon@athlosstcloud.org

Data Practices Compliance Official

Amy Dierkes
3701 33rd Street South, St. Cloud, MN 56301
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Data Practices Designee(s)

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Legal References:

[Minn Stat 13.025](#) (*Government Entity Obligation*)
[Minn Stat 13.03](#) (*Access to Government Data*)
[Minn Stat 13.055](#) (*Disclosure of Breach in Security*)