# Policy for Ensuring the Security of Not Public Data
# City of Monticello
# July 27, 2015

## Legal requirement

The adoption of this policy by the City of Monticello satisfies the requirement in Minnesota Statutes, section 13.05, subd. 5, to establish procedures ensuring appropriate access to not public data. By incorporating employee access to not public data in the City of Monticello's Inventory (required by Minnesota Statutes, section 13.025, subd. 1), in the individual employee's position description, or both, the City's policy limits access to not public data to employees whose work assignment reasonably requires access.

Please direct all questions regarding this policy to the City of Monticello's Data Practices Compliance Official (DPCO):

**Monticello City Clerk**
Data.requests@ci.monticello.mn.us
Phone: 763.295.2711
Fax: 763.295.4404
505 Walnut Street, Suite 1
Monticello MN 55362

## Procedures implementing this policy

### Data inventory

Under the requirement in Minnesota Statutes, section 13.025, subd. 1, The City has prepared a Data Inventory which identifies and describes all not public data on individuals maintained by The City. To comply with the requirement in section 13.05, subd. 5, The City has also modified its Data Inventory to represent the employees who have access to not public data.

In the event of a temporary duty as assigned by a manager or supervisor, an employee may access certain not public data, for as long as the work is assigned to the employee.

In addition to the employees listed in the City's Data Inventory, the Responsible Authority, the Data Practices Compliance Official (DPCO), the City Administrator, and the City's General Counsel may have access to *all* not public data maintained by the City if necessary for specified duties. Any access to not public data will be strictly limited to the data necessary to complete the work assignment.

### Employee position descriptions

Position descriptions may contain provisions identifying any not public data accessible to the employee when a work assignment reasonably requires access.

### Data sharing with authorized entities or individuals

State or federal law may authorize the sharing of not public data in specific circumstances. Not public data may be shared with another entity if a federal or state law allows or mandates it. Individuals will have notice of any sharing in applicable Tennessen warnings *(see* Minnesota Statutes, section 13.04) or the City will obtain the individual's informed consent. Any sharing of not public data will be strictly limited to the data necessary or required to comply with the applicable law.

**Ensuring that not public data are not accessed without a work assignment**
Within the City, departments may assign tasks by employee or by job classification. If a department maintains not public data that all employees within its department do not have a work assignment allowing access to the data, the department will ensure that the not public data are secure. This policy also applies to departments that share workspaces with other departments within the City where not public data are maintained.

Recommended actions for ensuring appropriate access include:

- Assigning appropriate security roles, limiting access to appropriate shared network drives, and implementing password protections for not public electronic data
- Password protecting employee computers and locking computers before leaving workstations
- Securing not public data within locked work spaces and in locked file cabinets
- Shredding not public documents before disposing of them

**Penalties for unlawfully accessing not public data**
The City will utilize the penalties for unlawful access to not 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.

**Data on Individuals**
**Maintained by the Minnesota Department of Administration**
July 2014

This document identifies the name, title and address of the Responsible Authority for the City and describes private or confidential data on individuals maintained by the City (see Minn. Stat. 13.05 and Minn. Rules 1205.1200).

This document is also part of the City's procedures for ensuring that not public data are only accessible to individuals whose work assignment reasonably requires access (see Minn. Stat. 13.05, subd. 5). In addition to the employees listed, the City's Responsible Authority, Data Practices Compliance Official, City Administrator, and the City's General Counsel will also have access to all not public data on an as needed basis as part of a specific work assignment.

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**ATTEST**

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**Policy for Ensuring the Security of Not Public Data**

This policy was presented to the Monticello City Council at their meeting on July 27, 2015, for approval.

***ADOPTED BY*** the Monticello City Council this 27th day of July, 2015.

CITY OF MONTICELLO

Brian Stumpf, Mayor

ATTEST:

Jeff O'Neill, City Administrator