

# **CITY OF ROSEAU**

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

### **Legal requirement**

The adoption of this policy by the City of Roseau satisfies the requirement in Minn.Stat. 13.05 subd. 5 to establish procedures ensuring the appropriate access to not public data. By incorporating employee access to not public data into the City's Data Inventory (required by Minn. Stat. 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 Roseau's Data Practices Compliance Official:

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Phone: (218)463-1542  
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Roseau City Center  
121 Center Street East, Suite 202 Roseau,  
Minnesota 56751

### **Procedures implementing this policy.**

#### **Data inventory**

Under the requirement in Minn. Stat. 13.025 subd. 1, the City will use the "General Records Retention Schedule for Minnesota Cities" adopted by the City May 7<sup>th</sup>, 2007, as the City's inventory which identifies and describes which data on individuals is public and not public data.

#### **Employee Access**

It shall be the Cities general policy that only those employees whose job responsibilities require them to have access, will be allowed access to files and records that contain not public data. The Responsible Authority, in conjunction with the department heads and employee supervisors shall determine which employee's job responsibilities require them to have access to what not public data categories.

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.

The Responsible Authority, the Data Practices Compliance Official, the City's Senior Management Team, and the City Attorney may have access to all not public data maintained by

the City if necessary for specific 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**

Federal or state 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 Tennessee warnings 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 division do not have a work assignment allowing access to the data, the department will ensure that the not public data are secure.

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 work stations.
- 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 also pursue a criminal misdemeanor charge.