

Requests from data subjects for public or private TRA data about themselves

This guide is provided in accordance with the Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13), which requires government entities to establish procedures for the subjects of data to request data about themselves. These types of requests are treated differently by the Government Data Practices Act than requests from members of the public.

The Government Data Practices Act presumes that all government data are public unless a state or federal law says otherwise. Government data means all data collected, created, received, maintained, or disseminated by any government entity regardless of its physical form, storage media, or conditions of use.

When you can be identified in government data, you are the “data subject” of that data. This guide focuses on data subjects, including TRA members, survivors, and beneficiaries, and how they can request and receive data about themselves that TRA keeps.

TRA takes steps to protect and restrict access to all personally identifiable personnel and member data. Examples of private data that TRA protects from unauthorized access and improper disclosure include: bank account information, benefit applications, birth dates, home addresses, medical records, social security numbers, and tax withholding information.

Rights of data subjects under the Government Data Practices Act

Subjects of TRA data have the following rights:

- » The right to look at (inspect), free of charge, their own personal data that TRA maintains in its data records and systems. Data subjects can acquire copies of this data, and TRA is permitted to charge for copies.
- » If TRA asks anyone to provide data that is not public, TRA will explain the reason for requesting the data, how it will be used, the right to refuse to provide the data, the consequences of refusing to provide the data, and the identity of anyone authorized by law to receive the data.
- » TRA will ask written permission of a data subject before it uses or releases personal private data to an outside party or to another person whom the data subject designates as a personal representative.
- » Data subjects have the right to contest the accuracy or completeness of data about them by notifying TRA in writing. TRA will take action within 30 days to correct the data or notify the data subject that TRA believes the data are accurate. The data subject has a right to appeal that TRA decision to the commissioner of the Department of Administration.

How to make a data request

Data subjects can look at (inspect) or have copies of their own personal data that TRA keeps about them or about their minor children. Individuals who have been appointed the legal guardian of or who serve as a personal representative of a TRA member may also make such a request.

Requests for data must be in writing. TRA provides a request form on its website for convenience. Requesters must include a clear description of the data they are seeking and whether inspection or copies of the data or both inspection and copies are sought.

Requests can be submitted by email to datarequest@minnesotatra.org or by mail to **Data Practices Compliance Official
Teachers Retirement Association
60 Empire Drive, Suite 400
St. Paul, MN 55103**

Requests must include identifying information that proves the requester is the data subject or the data subject's parent, guardian, or personal representative. TRA requires proof of identity before responding to requests for personal data, and TRA requires proof of relationship if the requester is a parent of a minor child or the guardian or personal representative of a TRA member. Please see the standards for verifying identity below. If the requester does not provide proof of identity, TRA cannot respond to the request.

How TRA responds to a request for personal data

Upon receiving a written data request, TRA will confirm the requester's identity as the data subject or as a guardian or personal representative by viewing an approved proof of identity at either TRA's St. Paul office or via a virtual meeting. Once the requester's identity is confirmed, TRA will process the request and may ask for clarifying information if necessary.

- » If TRA does not have the data, TRA will notify the requester in writing within 10 business days.
- » If TRA has the data, but the data are confidential (meaning neither the public nor the data subject can have access due to state or federal law), then TRA will notify the requester in writing within 10 business days and cite the specific law that prevents disclosure of the data.
- » If TRA has the data, TRA will respond to the request within 10 business days by doing one of the following:
 - Arrange a date, time, and place for inspection of the data, or
 - Provide the requester with copies of the data within 10 business days. The requester may choose to pick up the copies or receive them by mail, via fax, or in electronic form.

After providing access to the data and explaining its content, TRA does not have to provide the data again for six months unless there is a dispute or new data about the requester is collected by TRA.

The Government Data Practices Act does not require TRA to create or collect new data in response to a data request if TRA does not already have the data nor does the act require TRA to provide data in a specific form or arrangement if TRA does not keep the data in the form or arrangement.

Copy costs

TRA may charge data subjects for copies of data they request. These charges are authorized under Minnesota Statutes, section 13.04, subdivision 3, and are only for the actual cost of the copies, and not any time an employee spends searching for, retrieving, or compiling the data.

Standards for verifying identity

The following constitute proof of identity:

» **An adult individual must provide a valid photo ID, such as:**

- Driver's license
- Military ID
- Passport
- State-issued ID
- Tribal ID
- Foreign equivalent of any of the above

» **A minor individual must provide a valid photo ID, such as:**

- Driver's license
- Military ID
- Passport
- State-issued ID (including a school/student ID)
- Tribal ID
- Foreign equivalent of any of the above

» **The parent or guardian of a minor must provide a valid photo ID and either:**

- A certified copy of the minor's birth certificate, or
- A certified copy of documents that establish the parent or guardian's relationship to the child, such as:
 - A court order relating to divorce, separation, custody, or foster care
 - A foster care contract
 - An affidavit of parentage

» **The legal guardian or personal representative 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:**

- Court order(s)
- Valid power of attorney

This document was created and provided to you by the Teachers Retirement Association. It serves as a summary of the applicable state statutes in effect as of the date this document was issued. In the event that there is a discrepancy between information in this document and the governing laws and policies, the laws and policies shall apply. Plan provisions are subject to change. No information in this document should be construed as tax, financial, or legal advice.

This document can be made available in alternative formats to individuals with disabilities by calling 800-657-3669 or through the Minnesota Relay Service at 800-627-3529.



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minnesotatra.org

TRA provides retirement, disability, and survivor benefits to Minnesota's public educators assisting them in achieving future income security. TRA strives to provide benefits that attract and retain competent teachers who serve communities throughout the state, building a stronger education system. TRA is committed to safeguarding the financial integrity of the fund and takes pride in providing exceptional, innovative services.