

Minnesota State Colleges and Universities

Procedure for Challenging Accuracy or Completeness of Data

SAMPLE

This procedure sets forth the process by which individuals may exercise their right to challenge the accuracy and/or completeness of their public or private data held by [Name of college/university/system office]. This procedure is in compliance with Minn. Stat. §13.04, subd. 4 and Minnesota Rules 1205.1600.

Definitions

Accuracy: conforming to verifiable facts; freedom from mistake or error.

Completeness: having all the necessary or normal parts, components or steps; including all essential facts.

Procedure

Making a Data Challenge:

An individual may challenge the accuracy and/or completeness of data about him/herself at [Name of college/university/system office] by submitting a written statement to: [president/chancellor; address] that includes the following information:

- Name (or legal authority to act on behalf of requester, such as legal guardian);
- Identify the data believed to be inaccurate and/or incomplete by providing a copy or describing the data in detail, including the location of the data;
- State the specific reasons why the data are believed to be inaccurate and/or incomplete (submit other documents or information, if believed to be helpful);
- State as specifically as possible how it is believed the data should be changed to make it accurate and/or complete; and

- Provide contact information on the requester about where questions about the request or the decision should be sent.

Processing the Challenge

The president/chancellor may consult with system legal counsel for assistance in determining the applicability of this procedure. The president/chancellor will respond in writing (template letter below) within 30 days of receiving the request.

The response will:

- State how the data will be changed for accuracy/completeness, if at all;
- State how the data are believed to be accurate/complete, as applicable;
- If data are changed, describe actions to notify past recipients of changed data and invite suggestions for further notifications;
- To extent request to change data is denied, include notice of right to appeal decision to the Minnesota Commissioner of Administration within 60 calendar days from the date of the [president/chancellor's] decision.

Handling Data in Dispute

Data in dispute as inaccurate and/or incomplete will be disclosed only if the individual's statement of disagreement is included with the disclosed data, as required by law.

If data is changed as a result of a request under this procedure, including following a contested case hearing, the uncorrected data shall be destroyed without regard to the requirements of the Official Records Act of Minn. Stat. §138.17 and a copy or summary of the basis for the corrective action shall be retained in accordance with the applicable retention schedule.

**TEMPLATE LETTER FROM PRESIDENT/CHANCELLOR AS “RESPONSIBLE
AUTHORITY” IN RESPONSE TO EMPLOYEE CHALLENGE TO
ACCURACY/COMPLETENESS OF DATA**

Date:

To: (Name and contact information)

Re: Your Challenge to the Accuracy and/or Completeness of Data

Dear:

This letter constitutes my response to your challenge to the accuracy/completeness of data about you: [briefly describe the dispute]. Based on the information available to me, I have concluded that:

Choose applicable language:

the disputed data is inaccurate/incomplete and will be amended as follows: XX (describe whether all or some of the disputed data will be amended). A copy of the amended record will be provided to any previous recipients: [identify if known]. If you are aware of other recipients of the disputed data, please inform me so that the amended data can be provided. *OR*

the disputed data is accurate/complete and will not be amended. A copy of your statement of disagreement will be included if the disputed data is disclosed.

If request to amend is denied in whole or in part: You have the right to challenge my decision not to amend your data by submitting a request in writing to the Minnesota Commissioner of Administration within 60 calendar days of the date of this decision. The appeal must comply with the requirements of the Department of Administration; a copy of Minnesota Rules 1205.1600 is enclosed and additional information about the process is available through the Information Policy Analysis Division of the Department of Administration at www.ipad.state.mn.us .

Encl.