

# Hennepin County Family Child Care Licensing Program

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## PRIVACY

### Providers have a legal right to it.

#### WE ASK A LOT OF QUESTIONS ABOUT:

- Your childhood experiences
- Your life style
- Your child-rearing practices
- The health and safety of your home

These are only a few of the areas child care providers in Hennepin County are expected to share with our agency. What happens to all of this information, how is it used, and how is your right to privacy protected?

The Minnesota Legislature has created the Government Data Practices Act (Minnesota Statutes Chapter 13) to protect people from improper use of personal information. The Act gives you rights which are spelled out in this document.

#### YOUR RIGHT TO KNOW

When we ask for information about you, we have the responsibility to tell you how and by whom it will be used. You also have the right to know whether the information is public, private, or confidential.

**Public** data is information about you which is open to other people and which must be shown to them upon request.

**Private** data is information about you which is not available to others without your permission unless specifically authorized by law. Private data about you must be shown to you upon request.

**Confidential** data is information about you which is normally not open to you or others.

#### PUBLIC INFORMATION ABOUT YOU

As a licensed child care provider, some information about you is public. Information classified as public will be shared with others upon request. Examples of public information would be your name, address, telephone number, licensed capacity, license type, variances granted, the record of training and education in child care and child development, type of dwelling, name and relationship of other family members and previous license history. It also includes the existence and status of licensing and maltreatment complaints, correction orders, fines, other negative actions, including license suspensions, revocations, denials, and orders to place a license on conditional status, and the number of serious injuries or deaths in the program.

Personal and personal financial information, however, are classified as private.

#### YOUR FILE

Your file begins when we receive your application for licensure. It continues through the licensing study and will continue to be updated for as long as you are a licensed child care provider. Because we are required to maintain an up-to-date file on each licensed provider, your refusal to supply necessary information could mean that your home would not be licensed.

Your child care file serves three purposes:

- It documents that your child care operation meets the legal standards governing family child care programs.
- It is the total history of your child care operation while it is functioning in Hennepin County.
- It substantiates your eligibility to qualify for food subsidies, to be a contracted provider, and to obtain suitable liability insurance (optional).

## SHARING INFORMATION FROM YOUR FILE

Your child care files may be used in several ways:

- Information about you that is classified as private will be shared with the Minnesota Department of Human Services to assist them in being able to grant or deny your request for a license to provide child care.
- Information about you may be shared with parents who are considering bringing their child to your child care home.
- Information about you may be used for studies relating to family child care, but your name or any identifying information would not be revealed.
- Information about you may be shared with community child care referral sources with your permission.
- No other information will be given to any other agency or individuals without your consent; however, state and federal law may make exceptions to this. Some examples would be when a court order requires the release of information or when a criminal or civil investigation is being conducted about you as a child care provider.

After a certain period of time when you are no longer licensed, your file will be destroyed.

## YOUR RIGHTS

### Your right to see information

You have the right to see any information about you that is not legally classified as confidential. You also have the right to have its meaning explained to you if you wish. However, you may not see information other members of your family have provided to us about themselves.

### If you want to see your file

- Ask your licensing worker about the procedure required to see your child care licensing file. Your licensing worker will provide this information to you.
- At any time, you may request copies of any papers in your file that you have a right to view. You will then be required to pay copying costs.

### Your right to challenge

If you find inaccurate information about you in your file, notify your licensing worker in writing. Within 30 days, we must correct the information and attempt to notify anyone who has received inaccurate information in the past, including anyone you name. Or, if we maintain that the data is correct, we must notify you. Thereafter, to use any data you challenge, the department must attach your explanation.

In general, if you have questions about your data privacy rights or feel that they may have been violated, please contact our licensing staff. If you are not satisfied with the response, you may contact the Commissioner of the Minnesota Department of Human Services.

## YOUR PRIVACY AND THAT OF OTHERS

If you have any questions about these rights, please discuss them with your licensing worker. Your privacy is a legal right, but respect and concern for personal privacy is an important consideration for everyone. As a child care provider, we expect you will keep private any information you may learn about children in child care and their families. This contributes to the essential atmosphere of trust and respect among child care providers, Hennepin County, and families. Respect for privacy means respect for people that goes beyond the legal rights.