

(e) (3) A forfeiture of a conveyance device, communications device or component, primary container, or weapon used encumbered by a bona fide security interest is subject to the interest of the secured party unless he had knowledge of or consented to the act or omission upon which the forfeiture is based.

(e) (4) Proceeds which are derived from or traced to the commission of a designated offense are subject to forfeiture under this section only to the extent that the owner of the proceeds was privy to the violation upon which the forfeiture action is based.

(b) Any property acquired during or after the commission of the designated offense shall be presumed to be proceeds derived from or traced to the commission of a designated offense and subject to forfeiture under paragraph (a). The burden of rebutting this presumption is upon the claimant.

Sec. 5. **EFFECTIVE DATE.**

Sections 3 and 4 are effective August 1, 1986, and apply to crimes committed on or after that date.

Approved March 25, 1986

CHAPTER 447—H.F.No. 1919

An act relating to education; imposing a limit on participation; eliminating state tuition reimbursement for courses taken for post-secondary credit; making other modifications to the post-secondary enrollment options act; requiring the University of Minnesota, state university board, and state board for community colleges to develop policies for awarding post-secondary credit for advanced placement programs; amending Minnesota Statutes 1985 Supplement, section 123.3514, subdivisions 3, 4, 5, 6, 8, 10, and by adding subdivisions; Laws 1985, First Special Session chapter 12, article 5, section 7; proposing coding for new law in Minnesota Statutes, chapter 135A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1985 Supplement, section 123.3514, subdivision 3, is amended to read:

Subd. 3. **ELIGIBLE POST-SECONDARY INSTITUTIONS DEFINITIONS.** For purposes of this section, an "eligible institution" means a Minnesota public post-secondary institution or a private, residential, two-year or four-year, liberal arts, degree-granting college or university located in Minnesota. "Course" means a course or program.

Sec. 2. Minnesota Statutes 1985 Supplement, section 123.3514, subdivision 4, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 4. **AUTHORIZATION; NOTIFICATION.** Notwithstanding any other law to the contrary, an 11th or 12th grade pupil may apply to an eligible institution, as defined in subdivision 3, ~~to allow the pupil to enroll in nonsectarian courses or programs offered at that post-secondary institution.~~ If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school district, and the commissioner of education within ten days of acceptance. The notice shall indicate the course ~~or programs~~ and hours of enrollment of that pupil. If the pupil enrolls in a course for post-secondary credit, the institution shall notify the pupil about payment in the customary manner used by the institution.

Sec. 3. Minnesota Statutes 1985 Supplement, section 123.3514, is amended by adding a subdivision to read:

Subd. 4a. COUNSELING. To the extent possible, the school district shall provide counseling services to pupils and their parents or guardian before the pupils enroll in courses under this section to ensure that the pupils and their parents or guardian are fully aware of the risks and possible consequences of enrolling in post-secondary courses. The district shall provide information on the program including who may enroll, what institutions and courses are eligible for participation, the decision-making process for granting academic credits, financial arrangements for tuition, books and materials, eligibility criteria for transportation aid, available support services, the need to arrange an appropriate schedule, consequences of failing or not completing a course in which the pupil enrolls, the effect of enrolling in this program on the pupil's ability to complete the required high school graduation requirements, and the academic and social responsibilities that must be assumed by the pupils and their parents or guardian. The person providing counseling shall encourage pupils and their parents or guardian to also use available counseling services at the post-secondary institutions before the quarter or semester of enrollment to ensure that anticipated plans are appropriate.

Prior to enrolling in a course, the pupil and the pupil's parents or guardian must sign a form that must be provided by the district and may be obtained from a post-secondary institution stating that they have received the information specified in this subdivision and that they understand the responsibilities that must be assumed in enrolling in this program. The department of education shall, upon request, provide technical assistance to a district in developing appropriate forms and counseling guidelines.

Sec. 4. Minnesota Statutes 1985 Supplement, section 123.3514, is amended by adding a subdivision to read:

Subd. 4b. DISSEMINATION OF INFORMATION; NOTIFICATION OF INTENT TO ENROLL. By March 1 of each year, a school district shall provide general information about the program to all pupils in grades 10 and 11. To assist the district in planning, a pupil shall inform the district by March 30 of each year of the pupil's intent to enroll in post-secondary courses during the following school year. A pupil is not bound by notifying or not notifying the district by March 30.

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Sec. 5. Minnesota Statutes 1985 Supplement, section 123.3514, is amended by adding a subdivision to read:

Subd. 4c. LIMIT ON PARTICIPATION. A pupil who first enrolls in grade 11 may not enroll in post-secondary courses under this section for secondary credit for more than the equivalent of two academic years. A pupil who first enrolls in grade 12 may not enroll in post-secondary courses under this section for secondary credit for more than the equivalent of one academic year. If a pupil in grade 11 or 12 first enrolls in a post-secondary course for secondary credit during the school year, the time of participation shall be reduced proportionately.

Sec. 6. Minnesota Statutes 1985 Supplement, section 123.3514, is amended by adding a subdivision to read:

Subd. 4d. ENROLLMENT PRIORITY. A post-secondary institution shall give priority to its post-secondary students when enrolling 11th and 12th grade pupils in courses for secondary credit. Once a pupil has been enrolled in a post-secondary course under this section, the pupil shall not be displaced by another student.

Sec. 7. Minnesota Statutes 1985 Supplement, section 123.3514, subdivision 5, is amended to read:

Subd. 5. CREDITS. A pupil may enroll in a course under this section for either secondary credit or post-secondary credit. At the time a pupil enrolls in a course, the pupil shall designate whether the course is for secondary or post-secondary credit. A pupil taking several courses may designate some for secondary credit and some for post-secondary credit.

A school district shall grant academic credit to a pupil enrolled in a course ~~or program under this section~~ for secondary credit if the pupil successfully completes the course ~~or program attended~~. A school district shall also grant academic credit to a pupil enrolled in a course for post-secondary credit if secondary credit is requested by a pupil. If no comparable course ~~or program~~ is offered by the district, the state board of education shall determine the number of credits that shall be granted to a pupil who successfully completes ~~and passes the a course or program~~. If a comparable course ~~or program~~ is offered by the district, the school board shall grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course ~~or program~~, the pupil may appeal the school board's decision to the state board of education. The state board's decision regarding the number of credits shall be final.

The secondary credits granted to a pupil shall be counted toward the graduation requirements and subject area requirements of the school district. Evidence of successful completion of each course ~~or program~~ and secondary credits granted shall be included in the pupil's secondary school record. Upon the request of a pupil, the pupil's secondary school record shall also include evi-

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dence of successful completion and credits granted for a course taken for post-secondary credit. In either case, the record shall indicate that the credits were earned at a post-secondary institution.

If a pupil enrolls in a post-secondary institution after leaving secondary school, the post-secondary institution shall award post-secondary credit for any course successfully completed for secondary credit at that institution. Other post-secondary institutions may award, after a pupil leaves secondary school, post-secondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

Sec. 8. Minnesota Statutes 1985 Supplement, section 123.3514, subdivision 6, is amended to read:

Subd. 6. **FINANCIAL ARRANGEMENTS.** At the end of each school year, the department of education shall pay the tuition reimbursement amount within 30 days to the post-secondary institutions ~~that enroll pupils under this section for courses that were taken for secondary credit.~~ The amount of tuition reimbursement shall equal the lesser of:

(1) the actual costs of tuition, textbooks, materials, and fees directly related to the course or program ~~charged for~~ taken by the secondary pupil ~~enrolling in a course or program under this section;~~ or

(2) an amount equal to the difference between the formula allowance plus the total tier revenue attributable to that pupil and an amount computed by multiplying the formula allowance plus the total tier revenue attributable to that pupil by a ratio. The ratio to be used is the total number of hours that the pupil is enrolled in courses in the secondary school during the regular school year over the total number of secondary instructional hours per pupil in that pupil's resident district.

The amount paid for each pupil shall be subtracted from the foundation aid paid to the pupil's resident district. If the amount to be subtracted is greater than the amount of foundation aid due the district, the excess reduction shall be made from other state aids due to the district. If a pupil is enrolled in a course for post-secondary credit, the school district shall include the pupil in the average daily membership only for the portion of time during which the pupil is enrolled in courses at the secondary school and enrolled in courses at a post-secondary institution for secondary credit.

The department shall not pay any tuition reimbursement or other costs of a course taken for post-secondary credit only.

Sec. 9. Minnesota Statutes 1985 Supplement, section 123.3514, is amended by adding a subdivision to read:

Subd. 6a. GRANTS AND FINANCIAL AID PROHIBITED. A pupil enrolled in a post-secondary course for secondary credit is not eligible for any state student financial aid under chapter 136A.

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Sec. 10. Minnesota Statutes 1985 Supplement, section 123.3514, subdivision 8, is amended to read:

Subd. 8. **TRANSPORTATION.** A parent or guardian of a pupil ~~attending a post-secondary institution under this section~~ enrolled in a course for secondary credit may apply to the pupil's district of residence for reimbursement for transporting the pupil between the secondary school in which the pupil is enrolled and the post-secondary institution that the pupil attends. The state board of education shall establish guidelines for providing state aid to districts to reimburse the parent or guardian for the necessary transportation costs, which shall be based on financial need. The state shall pay aid to the district according to the guidelines established under this subdivision. Chapter 14 does not apply to the guidelines.

Sec. 11. Minnesota Statutes 1985 Supplement, section 123.3514, subdivision 10, is amended to read:

Subd. 10. **LIMIT; STATE OBLIGATION.** The provisions of subdivisions 6, 7, 8, and 9 shall not apply for any post-secondary courses ~~or programs~~ in which a pupil is enrolled in addition to being enrolled full time in that pupil's district or for any post-secondary course in which a pupil is enrolled for post-secondary credit.

Sec. 12. **[135A.10] CREDIT FOR ADVANCED PLACEMENT PROGRAM.**

Subdivision 1. **POLICY AND PROCEDURES TO AWARD CREDIT.** The board of regents of the University of Minnesota, the state university board, and the state board for community colleges shall each develop a clear and uniform policy for its system for awarding post-secondary credit toward a degree for a student who earns an acceptable score on an advanced placement program examination. Each policy must include procedures to inform students and prospective students about credit award and procedures to assure implementation on each campus. The higher education coordinating board shall assist in developing the policy.

Subd. 2. **DATA ABOUT CREDIT AWARD.** Each year the University of Minnesota, state universities, and community colleges shall provide the higher education coordinating board information and data about credit awarded for advanced placement program examinations.

Sec. 13. Laws 1985, First Special Session chapter 12, article 5, section 7, is amended to read:

Sec. 7. **EVALUATION.**

The department of education, in consultation with the higher education coordinating board, the public post-secondary systems and the participating private colleges, shall collect and evaluate information about the implementa-

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tion of the program established under section 1. By January 15, 1987, the commissioner of education shall submit a report to the education committees of the legislature on the implementation of this program. The report to the legislature shall address at least the following issues:

- (1) description of participating pupils and other enrollment data;
- (2) results of surveys of pupils, parents, school districts, and post-secondary institutions;
- (3) results of any appeals to the state board of education regarding credits for courses or programs taken under the program;
- (4) assessment of counseling services provided to pupils and their parents or guardians;
- (5) fiscal impact of the program;
- (6) feasibility of including summer school courses or programs in this program;
- (7) feasibility of implementing cooperative plans for offering post-secondary courses in the high schools;
- (8) current school district and post-secondary policies relating to advanced placement and other accelerated testing programs;
- (9) recommendations on the feasibility of implementing and funding a state-wide advanced placement program which would accomplish, to the extent possible, the goals of: (i) making advanced placement courses available in every school district; (ii) providing for a partial or total subsidy of advanced placement costs; and (iii) requiring post-secondary institutions to grant post-secondary credit for successful completion of advanced placement programs;
- (10) comparability of courses offered in the high schools and post-secondary institutions;
- (11) advisability of establishing specific admission standards for high school pupils enrolling in post-secondary courses or programs;
- (12) feasibility of expanding course offerings through alternative means when access to post-secondary institutions is geographically impossible;
- (13) feasibility of increasing the maximum age of compulsory attendance at school;
- (14) feasibility of participation of nonpublic school pupils in this program; and
- (15) other significant implementation issues or problems.

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Sec. 14. NOTICE FOR THE 1986-1987 SCHOOL YEAR.

To assist a school district in planning for the 1986-1987 school year, the district may obtain information from pupils about their intention to enroll in post-secondary courses or programs during the 1986-1987 school year under Minnesota Statutes, section 123.3514, 30 days after the district provides general information and to the extent possible, counseling services, on the program to pupils in grades 10 and 11 and their parents.

Sec. 15. ADVANCED PLACEMENT REPORT TO LEGISLATURE.

By January 1, 1987, the policy required under section 12 must be developed and submitted by each system to the higher education coordinating board for its review and comment on the policies. Each system shall report its policy and the higher education coordinating board shall report its review and comment to the education committees of the legislature by February 1, 1987.

Sec. 16. EFFECTIVE DATE.

Sections 1, 5, and 14 are effective the day following final enactment. Sections 2, 3, 4, 6, 7, 8, 9, 10, and 11 are effective for the 1986-1987 school year and thereafter.

Approved March 25, 1986

CHAPTER 448—H.F.No. 2012

An act relating to crimes; imposing a duty on the juvenile court to insure family reunification; increasing penalties for soliciting or inducing an individual under the age of 13 to practice prostitution; imposing criminal liability on persons who receive profit from prostitution if they have reason to know it was derived from prostitution; imposing criminal penalties on persons who allow juvenile prostitutes to reside in their dwelling; providing for a penalty assessment; authorizing counties to develop a program of intervention services for juvenile prostitutes; amending Minnesota Statutes 1984, sections 609.322; 609.323; 609.324, subdivision 1, and by adding a subdivision; and 626.558, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 260 and 609.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [260.012] DUTY TO INSURE FAMILY REUNIFICATION.

At all stages of juvenile court proceedings, it shall be the duty of the court to insure that all reasonable efforts are made to reunite a child with the child's family at the earliest possible time, consistent with the safety of the child and the public.

Sec. 2. Minnesota Statutes 1984, section 609.322, is amended to read:

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