

Sec. 6. Minnesota Statutes 1998, section 559.17, is amended by adding a subdivision to read:

**Subd. 3. SATISFACTION, RELEASE, AND ASSIGNMENT.** (a) An assignment of rents and profits under this section, whether in the mortgage or in a separate instrument, shall expire:

(1) with respect to the rents and profits from all of the mortgaged property, upon recording in the office of the county recorder or filing in the office of the registrar of titles of the county where the mortgaged property is located, of a satisfaction of the mortgage or a certificate of release complying with section 507.401 in lieu of a satisfaction of the mortgage; or

(2) with respect to the rents and profits from a portion of the mortgaged property, upon recording in the office of the county recorder or filing in the office of the registrar of titles of the county where that portion of the mortgaged property is located, of a release of that portion of the mortgaged property from the lien of the mortgage, or a certificate of release complying with section 507.401 in lieu of a release of that portion of the mortgaged property.

No separate reassignment of the rents and profits or satisfaction or release of the assignment is required.

(b) An assignment of a mortgage, whether or not the mortgage mentions an assignment of rents and profits, is sufficient to assign both the mortgage and the assignment of rents and profits permitted by this subdivision which secures the debt secured by the mortgage, and no separate assignment of the assignment of rents and profits shall be required.

#### Sec. 7. APPLICATION.

Sections 1, 2, 3, 4, and 6 apply to all mortgages and assignments of rents and profits, whenever executed, except as to those mortgages and assignments of rents and profits, the rights to which have been fully adjudicated or which are the subject of pending litigation as of the effective date of this act.

Presented to the governor April 27, 2000

Signed by the governor May 1, 2000, 2:47 p.m.

### CHAPTER 451—H.F.No. 2833

*An act relating to crime; authorizing certain behavioral data on students to be disclosed to the juvenile justice system; providing that when a juvenile has been adjudicated delinquent for certain violations of criminal law that the disposition order shall be shared with certain school officials, law enforcement, and specified others; providing for data sharing between probation officers and school officials for juveniles on probation; amending Minnesota Statutes 1998, section 13.32, subdivision 8; Minnesota Statutes 1999 Supplement, sections 13.99, by adding a*

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*subdivision; and 260B.171, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 121A.*

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

Section 1. Minnesota Statutes 1998, section 13.32, subdivision 8, is amended to read:

Subd. 8. **ACCESS BY JUVENILE JUSTICE SYSTEM.** (a) Upon request, the following education data shall be disclosed under subdivision 3, clause (i), to the juvenile justice system: a student's full name, home address, telephone number, date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.

(b) In addition, the following data on behavior by a student who is on probation may be disclosed under subdivision 3, clause (i) or (1), to the juvenile justice system:

(1) use of a controlled substance, alcohol, or tobacco;

(2) assaultive or threatening conduct that could result in dismissal from school under section 121A.45, subdivision 2, clause (b) or (c);

(3) possession or use of weapons or look-alike weapons;

(4) participation in gang activity as defined by the criminal gang oversight council under section 299A.64, subdivision 2, paragraph (b);

(5) theft; or

(6) vandalism or other damage to property.

Any request for access to data under this paragraph must contain an explanation of why access to the data is necessary to serve the student or to protect students or staff.

(c) A superintendent of a school district or chief administrative officer of a school who discloses information about a student to the juvenile justice system under this paragraph shall, to the extent permitted by federal law, notify the student's parent or guardian of the disclosure.

(d) Nothing in this subdivision shall limit the disclosure of educational data pursuant to court order.

Sec. 2. Minnesota Statutes 1999 Supplement, section 13.99, is amended by adding a subdivision to read:

Subd. 27g. **DISPOSITION ORDERS RECEIVED BY SCHOOLS.** Access to disposition orders received by schools is governed by section 3.

Sec. 3. **[121A.75] RECEIPT OF DISPOSITION ORDER; SHARING.**

(a) For purposes of this section "principal" means a principal or other person having general administrative control and supervision of a school.

(b) On receipt of a disposition order under section 260B.171, subdivision 3, the superintendent of the student's school district or chief administrative officer of the

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student's school must immediately transmit the order to the principal of the school where the student is in attendance. The principal must place the disposition order in the student's permanent education record. The principal must also immediately notify any counselor directly supervising or reporting on the behavior or progress of the student. In addition, the principal must immediately notify any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the data to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student, if they determine these individuals need the data to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. When provided in the disposition order, the notice given under this paragraph by the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information.

(c) Information received under this subdivision is private data on individuals as defined in section 13.32 and is received for the limited purpose of serving the educational needs of the student and protecting students or staff. The data may not be further disseminated by the teacher, counselor, staff member, administrator, substitute, or volunteer; except as necessary to serve the student, to protect students or staff, or as otherwise required by law, and only to the following persons:

- (1) the student;
- (2) the student's parent or guardian;
- (3) law enforcement officers; or
- (4) the student's probation officer.

(d) If a student is removed from school as part of the disposition order, the superintendent of the student's school district or chief administrative officer of the student's school must maintain the copy of the order in a secure file and shall notify the principal when the student is returned to school. If the student is returned to a different school district or school, the student's probation officer must send a copy of the disposition order to the superintendent of the new school district or the chief administrative officer of the new school.

(e) The disposition order must be included if the student's permanent education record is released to another school district or educational entity to which the student is transferring under section 120A.22, subdivision 7.

(f) Notwithstanding section 138.17, a disposition order received under section 260B.171, subdivision 3, paragraph (a), must be destroyed when the student graduates from school or at the end of the school year in which the student reaches age 23, whichever is earlier. A disposition order received under section 260B.171, subdivision 3, paragraph (b), must be destroyed when the student is discharged from probation.

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Sec. 4. Minnesota Statutes 1999 Supplement, section 260B.171, subdivision 3, is amended to read:

Subd. 3. **DISPOSITION ORDER; COPY TO SCHOOL.** (a) If a juvenile is enrolled in school, the juvenile's probation officer shall transmit a copy of the court's disposition order to the principal superintendent of the juvenile's school district or the chief administrative officer of the juvenile's school if the juvenile has been adjudicated delinquent for committing an act on the school's property or an act:

(1) that would be a violation of section 609.185 (first-degree murder); 609.19 (second-degree murder); 609.195 (third-degree murder); 609.20 (first-degree manslaughter); 609.205 (second-degree manslaughter); 609.21 (criminal vehicular homicide and injury); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223 (third-degree assault); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault); 609.2242 (domestic assault); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.342 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct); 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual conduct); 609.3451 (fifth-degree criminal sexual conduct); 609.498 (tampering with a witness); 609.561 (first-degree arson); 609.582, subdivision 1 or 2 (burglary); 609.713 (terroristic threats); or 609.749 (harassment and stalking), if committed by an adult;

(2) that would be a violation of section 152.021 (first-degree controlled substance crime); 152.022 (second-degree controlled substance crime); 152.023 (third-degree controlled substance crime); 152.024 (fourth-degree controlled substance crime); 152.025 (fifth-degree controlled substance crime); 152.0261 (importing a controlled substance); or 152.027 (other controlled substance offenses), if committed by an adult; or

(3) that involved the possession or use of a dangerous weapon as defined in section 609.02, subdivision 6.

When a disposition order is transmitted under this paragraph subdivision, the probation officer shall notify the juvenile's parent or legal guardian that the disposition order has been shared with the juvenile's school.

(b) In addition, the juvenile's probation officer may transmit a copy of the court's disposition order to the superintendent of the juvenile's school district or the chief administrative officer of the juvenile's school if the juvenile has been adjudicated delinquent for offenses not listed in paragraph (a) and placed on probation. The probation officer shall notify the superintendent or chief administrative officer when the juvenile is discharged from probation.

(c) The disposition order must be accompanied by a notice to the school that the school may obtain additional information from the juvenile's probation officer with the consent of the juvenile or the juvenile's parents, as applicable. The disposition order must be maintained in the student's permanent education record but may not be released outside of the school district or educational entity, other than to another school district or educational entity to which the juvenile is transferring. Notwithstanding

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section 138.17, the disposition order must be destroyed when the juvenile graduates from the school or at the end of the academic year when the juvenile reaches age 23, whichever date is earlier, shared, or released only as provided in section 3.

(e) (d) The juvenile's probation officer shall maintain a record of disposition orders released under this subdivision and the basis for the release.

(d) (e) The criminal and juvenile justice information policy group, in consultation with representatives of probation officers and educators, shall prepare standard forms for use by juvenile probation officers in forwarding information to schools under this subdivision and in maintaining a record of the information that is released.

(e) (f) As used in this subdivision, "school" means a public or private elementary, middle, or secondary school school as defined in section 120A.22, subdivision 4, except a home school.

Presented to the governor May 2, 2000

Signed by the governor May 5, 2000, 10:47 a.m.

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#### CHAPTER 452—S.F.No. 3300

*An act relating to courts; extending the streamlined dissolution procedure project; modifying the duties and powers of a referee for the duration of a family court block calendar pilot program; amending Laws 1996, chapter 365, section 3, as amended.*

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

Section 1. Laws 1996, chapter 365, section 3, as amended by Laws 1998, chapter 367, article 11, section 26, is amended to read:

Sec. 3. **REPEALER.**

Section 2 is repealed when the project is completed, or June 30, ~~2000~~ 2002, whichever occurs earlier.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective on the day following final enactment.

Presented to the governor May 2, 2000

Signed by the governor May 5, 2000, 10:47 a.m.

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#### CHAPTER 453—S.F.No. 3386

*An act relating to higher education; creating a separate subdivision for the salary procedure*

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