

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, September 11, 2026, and filed with the agency secretary on Tuesday, September 15, 2026.

AGENCY NAME: Alabama Commission on Higher Education

INTENDED ACTION: Amend

RULE NO.: Chapter 300-4-16
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

RULE TITLE: Move On When Ready

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIV, ISSUE NO. 10, AAM,
DATED FRIDAY, JULY 31, 2026.

STATUTORY RULEMAKING AUTHORITY: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412

(Date Filed)
(For LRS Use Only)

REC'D & FILED
SEP 15, 2026
LEGISLATIVE SVC AGENCY

Dr. Stephanie C. Dolan

Stephanie C. Dolan

Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

**ALABAMA COMMISSION ON HIGHER EDUCATION
ADMINISTRATIVE CODE**

**CHAPTER 300-4-16
MOVE ON WHEN READY**

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300-4-16-.01 Purpose.

To establish the Move On When Ready Program in accordance with Alabama Act 2025-412, allowing eligible Alabama 11th and 12th grade students to complete all high school coursework through enrollment at eligible public institutions of higher education that choose to participate in the program, and to define the framework for secondary credit, funding, and oversight.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.

300-4-16-.02 Organization.

(1) The Move On When Ready Program will be administered in accordance with the policies and procedures established by the collaborative efforts of the Alabama Commission on Higher Education and its Council of Presidents along with the Alabama Community College System and its Board of Trustees in consultation with the Alabama State Department of Education and its State Board.

(2) The Alabama Commission on Higher Education will appoint the necessary staff to ensure the efficient operation of the Move On When Ready Program.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.

300-4-16-.03 Definition of Terms.

(1) ACADEMIC PERIOD. A portion of an academic year, such as a semester or quarter, during which a public postsecondary institution holds classes, excluding Summer.

(2) ACADEMIC YEAR. The 12-month period beginning on July 1 and ending on the following June 30.

(2) ACCS. The Alabama Community College System.

(3) ACHE or COMMISSION. The Alabama Commission on Higher Education.

(4) ALSDE or DEPARTMENT. The Alabama State Department of Education.

(5) BOARD OF TRUSTEES. The Board of Trustees of ACCS.

(6) CERTIFIED PARTICIPATION LIST. The official list submitted by an eligible institution to ACHE that identifies eligible students enrolled in the institution through the Move On When Ready Program that serves as the basis for authorizing payments from the appropriate fund on their behalf.

(7) COST. Tuition, materials, and fees directly related to the courses taken by the eligible student at the participating institution.

(8) COUNCIL OF PRESIDENTS. The Council of Presidents is recognized as an advisory committee to ACHE, consisting of the president of each public four-year institution of higher education and Athens State University, the Chancellor of Postsecondary Education, and the presidents of three public two-year institutions of higher education to be selected by the chancellor.

(9) ELIGIBLE INSTITUTION or INSTITUTION. Each of the following, provided that the institution chooses to participate in the program:

(a) Any two-year public institution of higher education in Alabama, including postsecondary technical colleges, trade schools, community colleges, and junior colleges.

(b) Any four-year public institution of higher education in Alabama.

(10) ELIGIBLE STUDENT. A student entering the 11th or 12th grade who spent the prior school year in attendance at a public high school in Alabama who meets the eligibility criteria adopted pursuant this chapter [see 300-4-16-.04(4)(a)-(d)].

(a) A participating student maintains continued eligibility in the program at two levels:

1. Meeting the minimum requirements for earning the high school diploma, and

2. Meeting the minimum requirements for full-time status at the participating institution.

(11) FUND. The funds for Move on When Ready, created by Act 2025-412, to be set up in the State Treasury. The Executive Director of ACHE shall distribute the fund to eligible institutions on behalf of each participating eligible student.

(12) LOCAL BOARD OF EDUCATION. A city or county board of education, whether elected or appointed, for a school district in the state of Alabama.

(13) PARENT. A resident of this state who is the parent, guardian, custodian, or other individual with authority to act on behalf of an eligible student. The term does not include an individual who is not lawfully present in the United States.

(14) PARTICIPATING STUDENT. An eligible student pursuant to this chapter who is enrolled at and attending an eligible institution as a full-time student taking postsecondary courses that align with the required secondary credit.

(15) PROGRAM. Move on When Ready as authorized by Act 2025-412 whereby an eligible student takes all of his or her courses, as approved according to the Alabama State Board of Education, at an eligible institution and receives secondary credit from his or her high school with the goal of completing graduation and high school diploma requirements.

(16) SECONDARY CREDIT. High school credit for courses taken at an eligible institution under the Move On When Ready Program.

(17) STATE BOARD. The Alabama State Board of Education, which oversees ALSDE.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.

300-4-16-.04 Enrollment Policies and Procedures.

(1) ALSDE shall provide each local board of education with the necessary forms and program guidelines of the Move On When Ready Program in reasonable time to ensure that the local board of education shares such documents with all middle school, 9th, 10th, and 11th grade students in the district no later than April 1 of each year.

(2) ALSDE shall ensure that each local board of education provides counseling services in accordance with the counseling guidelines to its students and their parents or guardians prior to each student's enrollment in the Move On When Ready Program and that the students and parents or guardians understand the responsibilities that shall be assumed in participating in the program.

(a) The counseling guidelines shall specify which courses offered through the Move On When Ready Program by a participating eligible institution are postsecondary-level courses that are acceptable undergraduate college credit to be recorded on an official college transcript.

(b) Students and their parents or guardians shall be advised that participation in this program may involve exposure to, and engagement in, discussions of mature subject matter. Course curricula shall not be altered or modified for purposes of participation in the program.

(3) The local board of education shall require the student and the student's parent or guardian to sign a form that states they have each received the counseling specified in (2) of this section and that they understand the responsibilities that shall be assumed in participating in the program.

(4) Eligibility criteria for program participation, including applicable state and federal testing requirements for eligible students participating in the program, are as follows:

(a) Students entering the 11th or 12th grade.

(b) Student who spent the prior school year in attendance at a public high school in Alabama.

(c) Students seeking enrollment in the Move On When Ready Program for postsecondary courses to be applicable for secondary credit must have a minimum cumulative (unweighted) high school grade point average of 3.25 on a 4.0 scale.

(d) Students must have written approval of the appropriate principal or career and technical education program representative (if applicable) and counselor. Approval from secondary school officials indicates that the student has demonstrated academic readiness.

(5) Each local board of education shall grant academic credit to an eligible student enrolled in a course at an eligible institution if that course has been approved pursuant to paragraph (6) of this section and if the participating student successfully completes that course.

(6) The state board and representatives of each participating eligible institution shall collaborate to approve courses for inclusion in the program. Any course that is substantially comparable to a high school course approved by the state board, other than a remedial or summer school course, shall be approved.

(a) Co-requisite courses may be approved for inclusion in the program, provided that a student may only receive one secondary credit for the completion of both the co-requisite course and the companion college-level course.

(7) The secondary credit granted shall be for the comparable high school course.

(8) Secondary school credits granted for eligible institution courses shall be counted toward graduation requirements and subject area requirements of the local board of education. Evidence of successful completion of each course and secondary credits granted shall be included in the eligible student's high school transcript. Secondary credit for postsecondary courses shall be awarded in the same manner as credits for dual enrollment courses.

(9) Students who successfully complete a course that is not approved under paragraph (6) of this section may receive secondary credit for purposes of satisfying an elective credit.

(10) The state board shall establish rules to require local boards of education to award a high school diploma to any eligible student who has completed the program at an eligible institution, provided that the credit earned at the institution satisfies course requirements needed for the eligible student to complete high school graduation.

(11) To enroll in the Move On When Ready Program at a participating institution, an eligible student shall submit copies of all duly executed program documents, as provided by the student's local board of education, to the eligible institution as part of the admission process along with all other standard institutional admission requirements.

(a) An eligible institution that accepts an eligible student for the Move On When Ready Program may not receive any state funds for that participating student unless the institution complies with the requirements of this chapter.

(b) An eligible student enrolled in an eligible institution for secondary credit shall not be eligible for any other state student financial aid for courses taken under the program.

(12) To maintain eligibility for this program, the participating student must maintain full-time enrollment status at the participating institution.

(13) If accepted at an eligible institution, an eligible student may take any approved course at that institution, whether or not the course is taught during the regular public school day, and receive secondary credit. While taking courses at an eligible institution, the participating student shall be considered a student of that participating institution and may not take any courses at his or her high school or participate in any school activities, including extra-curricular activities, except as provided as follows:

(a) A participating student who successfully completes the Move On When Ready Program at an eligible institution and satisfies the requirements for a high school diploma may participate in his or her official high school graduation ceremony pending approval of the local board of education.

(14) Participating students who fail to complete the requirements for a high school diploma while enrolled in the program shall not be reported as high school dropouts on the state report card.

(15) A participating student who voluntarily withdraws from a participating institution, or is dismissed from enrollment due to a violation of institutional rules or policies, shall be permitted to re-enroll in the high school previously attended in Alabama in accordance with guidelines established by ALSDE.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.

300-4-16-.05 Audits.

(1) Each eligible institution that participates and receives funds on behalf of, and to the credit of, any participating student shall be subject to examination at any time by the Commission, the Examiner of Public Accounts, or the State Auditor, for the purpose of determining whether the participating institution has complied with the rules, regulations, and procedures of the Move On When Ready Program.

(2) If a participating institution certifies an ineligible student for the Move On When Ready Program, the amount of the funds paid pursuant to such certification shall be refunded by the institution to the Move On When Ready Program. The Department of Examiners of Public Accounts may audit all receipts, disbursements, assets, liabilities, and other resources of any postsecondary educational institution receiving funds on behalf of, and to the credit of, any participating student.

(a) A participating institution that certifies an ineligible student shall be declared ineligible to participate in the Move On When Ready Program for the duration of four academic periods (equivalent to two fall and spring consecutive semesters). During this period of ineligibility, the institution must continue to meet all program requirements for students who were already properly enrolled but is prohibited from certifying or enrolling any new eligible students in the program.

(b) Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts a statement or misrepresentation knowing it to be false, for the purpose of

enabling an eligible institution to obtain wrongfully any payment under this chapter shall be guilty of a misdemeanor.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.

300-4-16-.06 Fund Allocation Procedures.

(1) All documents of 300-4-16-.04 provided by the eligible student's local board of education and signed by the eligible student and the student's parent or guardian shall be submitted along with all other admission requirements to the participating eligible institution.

(2) The amount paid shall be the lesser of the following, reduced by a records fee of two hundred dollars (\$200) to cover the administrative costs of the local board of education, which is to be used as follows:

(a) The actual cost of tuition, materials, and course-related fees, minus \$200 that goes to the local school board for handling paperwork and administration; or

(b) The amount of money the student's local board of education would have received from the state if the student had stayed in regular high school classes.

1. In a student's second year in the program, the amount that is paid to the local board of education will be reduced by the amount paid to the eligible institution from the fund.

2. The \$200 records fee can be increased each year by up to 4%, if ALSDE decides to do so.

3. All money in the fund must be budgeted and spent according to Alabama's Budget Management Act and only in amounts approved by the Legislature through the normal budgeting process.

(3) The total amount of Move On When Ready funds for each eligible student for the academic year will be split into two equal portions, with one portion distributed to a single eligible institution per academic period. A separate application must be submitted for each academic period of enrollment for every participating student by each participating institution.

(4) A student may transfer to another eligible institution, subject to and in compliance with the transfer policies and agreements governing both institutions, while continuing enrollment in courses under the Move On When Ready program in order to preserve program eligibility.

(5) In the event that a student voluntarily withdraws from a participating institution, or is dismissed from enrollment due to a violation of institutional rules or policies, the participating student shall be permitted to re-enroll in the high school previously attended in Alabama in accordance with guidelines established by ALSDE.

(6) Each participating institution shall maintain a Certified Participation List provided by ACHE to submit for request of Move On When Ready funds each academic period.

(a) The deadlines for the Certified Participation List for each academic period are as follows:

1. The fall academic period Certified Participation List must be received by November 1.

2. The spring academic period Certified Participation List must be received by April 1.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026. **Amended:** Published September 30, 2026; effective November 14, 2026.

300-4-16-.07 Disbursement Procedures.

(1) The Executive Director of ACHE shall distribute the fund to eligible institutions on behalf of each participating eligible student.

(2) Participating institutions shall, on an annual basis, enter into a Memorandum of Understanding with ACHE, setting forth the terms governing fund allocations and institutional payment procedures under the Move On When Ready Program.

(3) The amount paid shall be the lesser of the following, reduced by a records fee of two hundred dollars (\$200) to cover the administrative costs of the local board of education, which is to be used as follows:

(a) The actual cost of tuition, materials, and course-related fees, minus \$200 that goes to the local school board for handling paperwork and administration; or

(b) The amount of money the student's local board of education would have received from the state if the student had stayed in regular high school classes.

1. In a student's second year in the program, the amount that is paid to the local board of education will be reduced by the amount paid to the eligible institution from the fund.

2. The \$200 records fee can be increased each year by up to 4%, if ALSDE decides to do so.

3. All money in the fund must be budgeted and spent according to Alabama's Budget Management Act and only in amounts approved by the Legislature through the normal budgeting process.

(4) The total amount of Move On When Ready funds for each eligible student for the academic year will be split into two equal portions, with one portion distributed to a single eligible institution per academic period. A separate application must be submitted for each academic period of enrollment for every participating student by each participating institution.

(5) ACHE shall verify the dollar amount of each institution's total fund amount to cover all participating students enrolled in each academic period from the Certified Fund Lists received from all participating eligible institutions. No participating student shall receive Move On When Ready funds at more than one approved institution during any one academic period.

(6) ACHE shall prepare a request for the State Comptroller to disburse Move On When Ready funds to the participating institutions. The check and a signature roster with the dollar amount of fund payment indicated for each participating student shall be forwarded to each participating institution. The institution will be responsible for allocating the funds accordingly to the participating student's account with the dollar amount indicated on the signature roster. Should the dollar amount of a fund credited to an eligible student's account exceed the dollar amount due the institution by the participating student at the time the Move On When Ready fund is credited to the student's account, a check in the amount of the excess funds (credit) shall be returned to the Move On When Ready Program.

(7) If a participating student whose eligibility for the program has been certified by a participating eligible institution becomes ineligible for the fund before the expiration of the institutional tuition payment period, the funds shall not be applied to the student's account but shall be returned to the Move On When Ready Program.

(8) In no academic period may the fund amount credited to a participating student's account exceed the per student operating expenditures of the institution for nonsectarian, secular educational purposes. Under no circumstances shall any Move On When Ready Program funds be utilized by an eligible institution or an eligible student for religious, sectarian or denominational purposes. Eligible institutions receiving Move On When Ready Program funds shall segregate such funds in a special revenue account and shall identify nonsectarian expenditures of such funds.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026. **Amended:** Published September 30, 2026; effective November 14, 2026.

300-4-16-.08 Return of Funds.

(1) If a participating student whose eligibility for the program that has been certified by the participating institution becomes ineligible for the fund before the expiration of the institutional tuition payment period, the funds shall not be applied to the student's account but shall be returned to the Move On When Ready Program.

(2) If a participating student becomes ineligible for the fund at an institution after funds are received by the institution and applied to the student's account (following certification as eligible for the program by the institution) prior to the end of the academic period, the institution shall refund the Move On When Ready Program any portion of the payment that exceeds the institution's direct charges to the student for the period of actual enrollment.

(a) A participating student who drops below the minimum enrollment requirement of 12 hours for full-time status automatically becomes ineligible for the Move On When Ready Program.

(3) Each return of funds reported on the Move On When Ready Form shall include:

- (a) The name of the participating institution;
- (b) The full name and identification number of each participating student;
- (c) The action which necessitated the return of funds, and the date of that action;
- (d) The direct institutional charges to the student for the academic period involved; and
- (e) The amount of the student's Move On When Ready fund for that academic period.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.

300-4-16-.09 Review Procedures.

(1) No later than July 1 of each year, ALSDE, in consultation with ACCS and ACHE, shall prepare and publish a report on the impact of the Move On When Ready Program during the previous academic year. The report shall include, but not be limited to,

- (a) the number of students in each school district participating in the program,
- (b) the number completing the program,
- (c) the number graduating from high school, and
- (d) the number earning a postsecondary credential.

(2) No later than September 1 of each year, ACHE, in consultation with ACCS and ALSDE, shall prepare and publish a report on the funds of the Move On When Ready Program during the previous academic year. The report shall include, but not be limited to,

- (a) the number of participating students enrolled in each participating institution,

(b) the total amount of program funds paid to each participating institution on behalf of participating students,

(c) the number earning a postsecondary credential, along with the programs of study in which the participating students enrolled.

(3) The institutional review will enable the Commission to express an opinion of the administrative controls and of the compliance aspects of the Move On When Ready Program at the participating institution.

(4) The participating institution shall make all records and information relative to the Move On When Ready Program available to the reviewer whose primary objectives for performing institutional reviews are as follows:

(a) To determine whether the participating institution's reports present information accurately and in conformity with the Move On When Ready Program policies and procedures, and whether all reports are prepared on a consistent basis from one academic period to the next;

(b) To determine whether the institution has implemented and is utilizing reasonable procedures and internal controls for effectively discharging management responsibilities and for adequately protecting the state's interest;

(c) To review institutional records and report on areas of noncompliance; and

(d) Based upon the review, to provide constructive recommendations to the institution.

(5) The reviewer will provide a written report to the participating institution and shall include:

(a) Any findings of inaccuracies in institutional reports;

(b) Any inconsistencies in institutional reports;

(c) Conclusions regarding the adequacy of administrative controls;

(d) Any areas of noncompliance; and

(e) Recommendations for improvement.

(6) If the participating institution does not concur with all items in the written report, a written appeal should be submitted to the Executive Director of the Commission.

(7) When an institutional review reveals sufficient problems pertaining to the Move On When Ready Program at a participating institution, the Executive Director of the Commission may:

(a) Impose a temporary suspension of the Move On When Ready payments to the institution;

(b) Suspend the institution from participation in the program for an indefinite period of time;

(c) Demand repayment of any Move On When Ready Program funds to the State of Alabama to remedy a violation of applicable laws, regulations, agreements, or operating procedures; or

(d) Refer any problems to the Attorney General of the State of Alabama for appropriate legal action.

(8) A suspended institution may request a hearing by the Commission. The institution shall be notified in writing of the time and place of such ACHE hearing.

(9) After such hearing, ACHE shall determine (at an official meeting of the Commission) whether to:

(a) Continue the suspension pending the receipt of any additional information the Commission may require;

(b) Continue the Executive Director's suspension subject to limitations or exceptions,

(c) Revoke or lift the suspension and restore the institution to full participation as authorized under the regulations;

(d) Terminate the institution's eligibility for an indefinite period of time;

(e) Demand repayment of any Move On When Ready Program funds to the State of Alabama to remedy a violation of applicable laws, regulations, agreements, or operating procedures; or

(f) Take any other appropriate action the Commission deems necessary, including referral to the Attorney General of the State of Alabama for appropriate legal action.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.

300-4-16-.10 Maintenance of Records.

(1) Each participating institution shall establish and maintain current, adequate records which reflect all transactions with respect to the Move on When Ready Program and fiscal activities as they relate to the administration of the program. The records must be maintained in such a manner as to identify all program and fiscal transactions separately from other institutional activities and funds.

(2) The records for any fiscal activity period shall be retained for at least five (5) years following the date of submission of the institution's Certified Participation List, unless a longer retention period is necessitated because of program review or audit resolution problems. In the event a participating institution closes or otherwise ceases operation and fails to matriculate students, institutional Move On When Ready Program records of the institution shall be forwarded to ACHE for retention.

(3) The financial aid office representative of the participating institution for the Move On When Ready Program will submit the institution's Move On When Ready Certified Participation List to the Commission each academic period, which will be used to gather data in a uniform manner from each institution for each participating student; such forms shall contain information relative to all eligibility criteria for the Move On When Ready fund. Fiscal records pertaining to the operation of the Move On When Ready Program at a participating institution must be maintained in a manner which provides a clear audit trail.

(4) The Executive Director of the Commission or any of the Director's duly authorized representatives will have access for the purpose of review and examination to Move On When Ready Program records and supporting documents maintained by the participating institution.

(5) The records involved in any claim or expenditure which has been questioned by program review or by state audit must be retained until resolution of any such review or audit questions.

Author: Stephanie C. Dolan

Statutory Authority: Code of Ala. 1975, §16-5-1; Alabama Act 2025-412.

History: New Rule: Published March 31, 2026; effective May 15, 2026.