



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.  
State Superintendent of Education

July 21, 2022

**MEMORANDUM**

**TO:** City and County Superintendents of Education

**FROM:** Eric G. Mackey *EGM*  
State Superintendent of Education

**SUBJECT:** *Alabama Extended Learning Opportunities Act*

In 2021, the Alabama Legislature passed the *Alabama Extended Learning Opportunities Act* (Act 2021-428) mandating that the Alabama State Board of Education (SBOE), each local board of education, and public charter school shall routinely inform students and their parents of the ability to earn elective credit for participating in an Extended Learning Opportunity (ELO).

ELOs are defined as approved out-of-classroom learning experiences that provide a student with enrichment opportunities; career readiness or employability skills opportunities, including internships, pre-apprenticeships, and apprenticeships; or any other approved educational opportunities.

The provisions of Act 2021-428 states that each local board of education and public charter school shall distribute and implement an ELO policy that provides, within certain parameters, all of the following:

1. An application process for accepting and approving ELOs offered for credit by outside entities.
2. A list of entities that are eligible to submit applications for offering ELOs.
3. A process for students to follow for requesting credit.
4. Criteria the local board of education or public charter school shall use to determine whether a proposed ELO shall be approved to count toward credit.
5. Criteria the local board of education or public charter school shall use to award a student a certificate of completion and credit for completing an approved ELO.

Permission is not required from a local board of education or public charter school in which the student is enrolled and attending for a parent to enroll his or her child in any approved ELO; however, before participating in an ELO for elective credit, both parent and student shall sign an agreement detailing all program requirements in a form provided by the SBOE.

Following the provisions of this legislation, the Alabama State Department of Education (ALSDE) created a model ELO policy and submitted it to the SBOE for approval. On July 12, 2022, the SBOE adopted the new *Alabama Administrative Code* Rule 290-3-1-.03, providing guidance and incorporating a model policy for ELOs. *Alabama Administrative Code* Rule 290-3-1-.03 will become effective September 15, 2022.

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For your reference, copies of Act 2021-428 and *Alabama Administrative Code* Rule 290-3-1-.03 are attached to this memorandum (Attachments A and B).

Also attached to this memorandum is the model policy developed by the ALSDE (Attachment C). This is a model policy and is not intended to be fully inclusive of all ELO scenarios you may face in your system. Your local system's policy should be developed in consultation with your staff and board attorney.

If you have any questions, please contact Mrs. Cathy Jones, Education Administrator, Instructional Services, by telephone at (334) 694-4768 or by email at [cjones01@alsde.edu](mailto:cjones01@alsde.edu) or Mrs. Laura Bailey, Education Administrator, Career and Technical Education/Workforce Development, by telephone at (334) 694-4876 or by email at [laura.bailey@alsde.edu](mailto:laura.bailey@alsde.edu).

EGM/CJ/PK

Attachments

cc: Mrs. Angela Martin  
Dr. Elisabeth Davis  
Mr. Sean J. Stevens  
Mrs. Cathy Jones  
Mrs. Laura Bailey

**FY22-2053**

***Extended Learning Opportunities Act***

**Ala. Code § 16-46C-1. Short title.** This chapter shall be known and may be cited as the *Extended Learning Opportunities Act*.

**Ala. Code § 16-46C-2. Legislative findings.**

The Legislature finds and declares all of the following:

- (1) Students attending schools in this state would benefit from experiencing extended learning opportunities outside of the traditional classroom.
- (2) Students are capable of learning both inside and outside of the traditional classroom.
- (3) Students should earn credit for approved extended learning opportunities that facilitate their mastery of required skills or fulfilling state standards.

**Ala. Code § 16-46C-3. Definitions.**

For the purposes of this chapter, the following terms shall have the following meanings:

- (1) EXTENDED LEARNING OPPORTUNITY. An out-of-classroom learning experience, approved by the State Board of Education, a local board of education, or a public charter school, that provides a student with any of the following:
  - a. Enrichment opportunities.
  - b. Career readiness or employability skills opportunities, including internships, pre-apprenticeships, and apprenticeships.
  - c. Any other approved educational opportunity.
- (2) STUDENT. Includes elementary and secondary school students attending K-12 non-charter public schools and public charter schools, as those schools are defined in Section 16-6F-4.

**§ 16-46C-4. Participation in extended learning opportunities.**

Commencing with the 2021-2022 school year, the State Board of Education and each local board of education and public charter school shall routinely inform students and their parents of the ability to earn credit for participating in extended learning opportunities. Employees of the State Board of Education, local boards of education, and public charter schools may assist students, and their parents, in completing any enrollment processes required for participating in approved extended learning opportunities. Permission is not required from the local board of education or public charter school in which the student is enrolled and attending, for a parent to enroll his or her

Effective August 1, 2021  
Credits

(Act 2021-428)

*(Final placement and text of 2021 legislation is subject to editorial action of the Code Commissioner)*

student in any approved extended learning opportunity; however, before participating in an extended learning opportunity, both parent and student shall sign an agreement detailing all program requirements, in a form provided by the State Board of Education.

**Ala. Code § 16-46C-5. Elective credit toward graduation requirements; adoption of policy; approved entities; certificate of completion and credit.**

(a) An extended learning opportunity shall count as elective credit toward graduation requirements and the achievement of applicable state standards for students, upon approval of the extended learning opportunity by the State Board of Education, a local board of education or public charter school. To receive credit, a student shall submit a written request for credit and proof of successful completion of the approved extended learning opportunity, to the designated administrator of the school he or she is attending. The State Board of Education shall adopt, and each local board of education and public charter school distribute and implement, an extended learning opportunities policy that provides all of the following:

- (1) An application process for accepting and approving extended learning opportunities offered for credit by outside entities.
- (2) A list of entities that are eligible to submit applications for offering extended learning opportunities. Eligible entities shall include, but not be limited to, all of the following:
  - a. Nonprofit organizations.
  - b. Businesses with established locations in the state.
  - c. Trade associations.
  - d. Any of the Armed Forces of the United States, subject to applicable age requirements.
- (3) A process for students to follow for requesting credit.
- (4) Criteria the local board of education or public charter school shall use to determine whether a proposed extended learning opportunity shall be approved to count toward credit.
- (5) Criteria the local board of education or public charter school shall use to award a student a certificate of completion and credit for completing an approved extended learning opportunity. The criteria shall include, but not be limited to, allowing a student to demonstrate competencies through performance-based assessments and other methods independent of instructional time and credit hours.

(b) An entity approved by the State Board of Education to offer an extended learning opportunity shall be automatically qualified to offer that extended learning opportunity for all local boards of education and public charter schools in the state.

(c) A student who successfully completes an approved extended learning opportunity, and satisfies criteria established for the award of a certificate of completion and credit pursuant to subdivision (a)(5), shall be considered to have completed all of the required coursework for the

particular course. If an approved extended learning opportunity satisfies all required coursework for a high school course, the student shall also be considered to have satisfied the equivalent number of credits toward his or her graduation requirements.

**Ala. Code § 16-46C-6. Equal opportunity requirements.**

Any policy or procedure adopted by the State Board of Education, a local board of education, or a public charter school for participating in an extended learning opportunity, shall provide every student an equal opportunity to participate and satisfy established time lines and requirements for purposes of transcribing credits and state reporting.

**Ala. Code § 16-46C-7. Rulemaking authority.**

The State Board of Education shall adopt rules as necessary to implement this chapter.

**CHAPTER 290-3-1  
PUBLIC SCHOOL GOVERNANCE**

**290-3-1-.03 Extended Learning Opportunities.**

(1) An Extended Learning Opportunity (ELO) is an out-of-classroom learning experience, approved by the State Board of Education, a local board of education, or a public charter school, where an eligible entity provides a student with any of the following:

- (a) Enrichment opportunities.
- (b) Career readiness or employability skills opportunities, including internships, pre-apprenticeships, and apprenticeships.
- (c) Any other approved educational opportunity.

(2) In accordance with Alabama Code section 16-46C-5, eligible outside entities shall include, but not be limited to, all of the following:

- (a) Nonprofit organizations.
- (b) Businesses with established locations in the state.
- (c) Trade associations.
- (d) Any of the Armed Forces of the United States, subject to applicable age requirements.

(3) ELOs shall involve partnerships between local education agencies, parents or guardians, students, and outside entities who will be providing or assisting with high quality instruction. Such partnerships shall clearly delineate the responsibilities of each entity partner and provide structures to guide the ELO. To assist local school districts implement ELOs, the State Department of Education shall publish a sample guidance which, at a minimum, shall include:

- (a) A sample ELO Application.
- (b) A sample ELO Agreement for to guide LEA, entity and student responsibilities.
- (c) A sample ELO Criteria for Approval to assist local education agencies as they adopt policies for ELOs and develop ELO plans.

(d) A sample rubric for evaluation of an ELO proposal.

(4) The ELO application is to be completed by the student, a certified educator, parent/guardian, ELO partner, superintendent, and other members of the school leadership team designated in the local district policy.

(5) At the time of application, the responsible entities will select the amount of elective credit to be awarded and will set the guidelines for awarding such credit.

(6) ELO experiences may not duplicate or replace courses, programs, or work-based learning experiences that are a part of the school district's academic guide.

(7) No student shall receive more than one (1) credit for any given ELO.

(8) Local school board policy will set guidelines for grading, calculation of GPA, and inclusion of ELO credit on the student transcript.

(9) Matriculation through the ELO requires benchmarks that may include, but are not limited to small projects, rehearsals, practices, drafts, artifacts, or other work that allows the student to move towards competency mastery.

(10) Students with IEPs and 504 Plans shall be given the appropriate accommodations so that they can construct meaning from their ELO experience.

(11) A signed copy of the ELO application shall be placed in the student cumulative record to document the standards by which the credit was awarded and transcribed.

(12) An ELO that has been approved by at least 50 percent of school districts shall be eligible to apply to the department for state-wide approval.

**Author:** Eric G. Mackey

**Statutory Authority:** Code of Ala. 1975, §16-46C-7; §16-3-12

**History:** Adopted New: 7-12-22; effective 9-15-22;

## **ALSDE Extended Learning Opportunities Act Model Policy & Guidance**

### **Section 1. Application process for accepting and approving Extended Learning Opportunities offered for credit by outside entities.**

Extended Learning Opportunities (ELOs) shall involve partnerships between the local education agencies, parents or guardians, students, and outside entities who will be providing or assisting with high-quality instruction. Such partnerships shall clearly delineate the responsibilities of each partner and provide structures to guide the ELO.

*To assist local school districts implement ELOs, a sample application has been developed. Major components of the sample application include local education agency assurances, school, student, and emergency contact information, type of ELO experience, partner organization information, ELO proposal standards, content, and timeline, conditions of the agreement, and partner signatures. Instructions for completing the application process are embedded throughout this guidance.*

### **Section 2. Entities that are eligible to submit applications for offering Extended Learning Opportunities.**

(a) According to *Alabama Code*, Section 16-46C-5, eligible entities shall include, but not be limited to, all of the following:

- (1) Nonprofit organizations.
- (2) Businesses with established locations in the state.
- (3) Trade associations.
- (4) Any of the Armed Forces of the United States, subject to applicable age requirements.

(b) Partnership agreements with eligible entities shall comply with all federal and state labor laws and must include provisions for ensuring that students are supervised by approved individuals who meet and agree to guidelines set forth in local school district policy.

*Partnerships with outside entities are crucial to providing high quality ELOs. In many instances, students may already participate in service or leadership organizations that benefit the communities in which they live. By writing intentional, specific, and rigorous standards to accompany these group activities, students can be encouraged to broaden their participation in and learn from participation in community service. To promote student access to ELOs, partnerships should provide instruction on topics that are relevant and customized for students' individual learning needs and interests. Activities and designs should be respectful of all student subpopulations and student driven.*

*A sample agreement is included in this guidance.*

### **Section 3. Process for students to follow for requesting credit.**

(a) The ELO application is to be completed by the student, a certified educator, parent/guardian, ELO partner (supervising member of the entity described in Part 2), superintendent, and other members of the leadership team designated in the local district



policy. At the time of application, the responsible entities will select the amount of credit to be awarded and will set the guidelines for awarding such credit.

(b) No student shall receive more than one (1) credit for any given ELO.

(c) Local school board policy will set guidelines for grading, calculation of GPA, and inclusion of ELO credit on the student transcript.

(d) The student and the certified educator will research the competencies/skills that can be met through the ELO to establish general expectations and goals for the project. The student and the certified educator work together to develop an overview of the project.

*Some guiding questions that may assist with the development of the ELO are as follows:*

- *What is your area of interest or curiosity?*
- *What do you want to learn?*
- *What will you create to show what has been learned?*
- *With whom will you work?*
- *How will your work be assessed? By whom?*

(e) The student, certified school personnel, family member/adult advocate, and community member/non-school based mentor, will work as a team to provide a detailed plan that includes standards and assessment strategies and clearly defined grading criteria.

*The plan should be student driven and include provide students with the opportunity to do the following:*

- *Construct meaning through disciplined inquiry and produce knowledge.*
- *Apply, document, and defend his/her learning (via higher order thinking).*
- *Apply skills and strategies to investigate the world through the lens of the academic discipline being studied.*
- *Produce discourse, products or performances that have value or meaning beyond success in school.*

(f) Matriculation through the ELO requires benchmarks that may include, but are not limited to small projects, rehearsals, practices, drafts, artifacts, or other work that allows the student to move towards competency mastery.

(g) Students with IEPs and 504 Plans shall be given the appropriate accommodations so that they can construct meaning from their ELO experience.

**Section 4. Criteria the local board of education or public charter school shall use to determine whether a proposed Extended Learning Opportunity shall be approved to count toward credit.**

ELOs shall, at a minimum, take into account the criteria listed in the sample provided.

*A sample [ELO Criteria for Approval](#) is provided to assist local education agencies as they write policy for ELOs and develop ELO plans.*

**Section 5. Criteria the local board of education or public charter school shall use to award a student a certificate of completion and credit for completing an approved Extended Learning Opportunity.**

(a) Assessments of ELOs shall be based upon the process and work product described in the application and learning plan.

(b) Once the student satisfactorily completes the ELO, a signed copy of the ELO application shall be placed in the student cumulative record to document the standards by which the credit was awarded and transcribed.

*A sample [rubric](#) for evaluation is provided. While the supervising teacher should be tasked with ensuring that the credit is documented and transcribed, all members of the supervision team should participate in the assessment of the learning goals.*