

Alabama sues AHSAA over athletics eligibility, school choice

Summary

The article describes Alabama's governor suing the state's high school sports association over a transfer rule that impacts students in a new school choice program. The Alabama High School Athletics Association (AHSAA) is enforcing a rule that requires students who transfer and receive financial aid to sit out a year from sports.

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A referee picks up a yellow flag off of the field during a game at Hueytown High School in Hueytown, Ala., Friday, Nov. 10, 2023. (Will McLelland | preps@al.com) Will McLelland | preps@al.com

This story has been updated.

Alabama Gov. Kay Ivey is suing the state's high school sports association over a transfer rule that impacts students in [a new school](#)

[choice program.](#)

The Alabama High School Athletics Association has doubled down on a rule that would force some athletes participating in the state's CHOOSE Act to spend a year on the bench. Ivey and other politicians say the rule isn't fair.

"We wrote and passed the CHOOSE Act to give every child a true choice in their education, and that very much includes participation in athletics," Ivey said in a news release Sept. 4.

Earlier the same day, AHSAA said it would enforce the transfer rule, which has been in bylaws for years.

"This policy, established by our member schools, promotes competitive equity and deters recruitment," the organization said in a statement.

State attorneys are asking the court to require AHSAA to immediately reverse that rule.

"The AHSAA issued this ruling without consulting a single policymaker or even attempting to gain clarity on the intended interpretation of lines 162–165 in Act 2024-21, which clearly state the CHOOSE Act will not impact the eligibility of student-athletes," Ledbetter, R-Rainsville, said in the news release. "For the AHSAA's leadership to take such drastic action just as football season begins tells me they are not concerned with the best interests of all student-athletes.

"While I fully expect members of the House and Senate will take a hard look at how the AHSAA operates in the upcoming session, this situation demands action today. My hope is the court will side with our student-athletes and not allow this organization to wrongfully take away their

opportunity to compete."

The AHSAA did not immediately respond to a request for comment after the suit was filed.

The [CHOOSE Act](#) provides Alabama families with up to \$7,000 to spend on private education. About 23,000 students signed up to use the program this year, [AL.com found](#). It's not clear which schools they attend or how many students also want to compete in sports.

Complaints about AHSAA transfer rules

Lt. Gov. Will Ainsworth [posted on X](#) Thursday that the association was "BREAKING THE LAW by denying eligibility to CHOOSE Act students. I'll offer legislation to strip AHSAA of its power and give it to an entity that will follow the law."

"I think it's very likely this will be addressed," Rep. Danny Garrett, R-Trussville, [told the Trussville Tribune](#). "It's regrettable, especially for kids who are now being affected right in the middle of football season. Hopefully, there will be a resolution soon."

The Alabama Policy Institute [put out a statement](#) arguing that the vouchers are tax credits controlled by families, not incentives offered by schools.

What are AHSAA transfer rules?

Under the organization's current rules, students who transfer and receive financial aid must sit out from sports for one year. AHSAA considers the CHOOSE vouchers to be "financial aid."

AHSAA [has been trying more broadly to monitor transfers, too](#).

The CHOOSE Act itself, passed in 2024, states that “Nothing in this act shall affect or change the athletic eligibility of student athletes governed by the Alabama High School Athletic Association or similar association.”

Alabama has followed the same guidelines since school choice was first offered by the Accountability Act in 2015.

“Early drafts of the CHOOSE Act explicitly protected AHSAA’s eligibility rules. However, the final version omits the word “rules,” introducing ambiguity,” the association wrote in a statement Sept. 4. “Following legislative review and confirmation that both Acts function identically, our interpretation remains unchanged and legally sound.”

The association pointed to state lawmakers’ comments on the House floor in 2024; [at the time, Garrett said](#) that “...nothing in this bill is to override existing rules related to athletics in high school.”

The rule, according to AHSAA:

- Does not affect first-time 7th grade enrollees
- Does not apply to students continuously enrolled for more than one year

“We welcome thoughtful dialogue through appropriate channels and remain committed to preserving the integrity of high school athletics in Alabama,” AHSAA wrote. “Our responsibility is to enforce the rules as adopted by our member schools through a transparent, democratic process.”

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