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**HOT BUTTON BOARDS:**  
REPRESENTING SCHOOL DISTRICTS  
ADDRESSING CONTROVERSIAL POLITICAL ISSUES

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DESTINATION 2019...



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## HOT-BUTTON ISSUES



- Health & Safety Protocols
- CRT
- Library books
- DEI
- Gender

A | R | B | H  
ABERNATHY ROEDER  
BOYD HULLETT  
EST. 1876

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## CONFLICTS

1. Board (as a body corporate) in conflict with administration
2. Board (majority) in conflict with individual trustee(s) (minority)
3. Individual trustees in conflict with one another (limited / zero consensus)

A | R | B | H  
ABERNATHY ROEDER  
BOYD HULLETT  
EST. 1876

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## WHO IS THE CLIENT?

### Rule 1.12(a) of the Texas Rules of Professional Conduct

“A lawyer employed or retained by an organization represents the **entity**. While the lawyer in the ordinary course of working relationships may report to, and accept direction from, an entity’s **duly authorized constituents**, . . . the lawyer shall proceed as reasonably necessary in the **best interest** of the organization without involving unreasonable risks of disrupting the organization and of revealing information relating to the representation to persons outside the organization.”



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## WHO IS THE CLIENT?

- “Entity” = School District
- “Best Interest” = Board Majority
- “Duly Authorized Constituents” = Administration



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Also available as part of the eCourse

[2023 School Law eConference](#)

First appeared as part of the conference materials for the  
38<sup>th</sup> Annual School Law Conference session

"Hot Button Boards: Representing School Districts Addressing Controversial Political  
Issues"