## **HOT BUTTON BOARDS:**

REPRESENTING SCHOOL DISTRICTS
ADDRESSING CONTROVERSIAL POLITICAL ISSUES

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— EST. 1876 —

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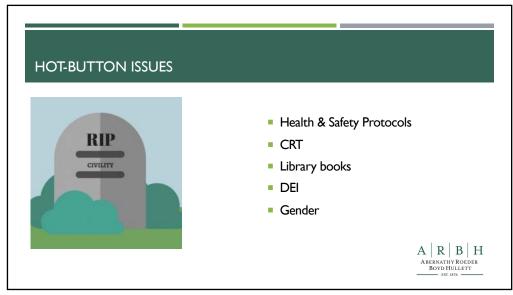
#### DESTINATION 2019...



A R B H

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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)

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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







Also available as part of the eCourse 2023 School Law eConference

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