

Order in the Court:

Review of Recent Cases Affecting School Systems

Tim Riveria and Casey Hollins
Companion Paper — Case Summaries

This paper accompanies the presentation and addresses two categories of recent legal developments affecting Louisiana K-12 school systems. Part I reviews five major federal cases from the U.S. Supreme Court and the Fifth Circuit Court of Appeals addressing religious liberty, parental rights, Title IX and school athletics, and special education oversight. Part II turns to recent Louisiana state and regional case law governing the day-to-day operation of school systems, including employment and personnel decisions under the Teacher Tenure Law, tort liability and workers' compensation exposure, and school board governance under Louisiana's Open Meetings Law. Together, these cases illustrate the wide range of legal issues school leaders must navigate — from constitutional rights in the classroom to the practical mechanics of running a school system responsibly.

PART I: FEDERAL CASE LAW

1. *Roake v. Brumley*, 170 F.4th 292 (5th Cir. 2026)

U.S. Court of Appeals for the Fifth Circuit (en banc) — Decided February 20, 2026

Background

In 2024, the Louisiana Legislature passed House Bill 71, requiring every public school classroom in the state — kindergarten through college — to permanently display a poster-sized copy of the Ten Commandments. Schools were not required to pay for the displays themselves; they could rely on private donations. A group of Louisiana parents — Jewish, Christian, Unitarian, and nonreligious — sued, arguing the law violated the First Amendment's Establishment Clause (which bars government promotion of religion) and Free Exercise Clause (which protects a family's right to practice, or not practice, religion as they choose). Their core argument: requiring children to sit daily in front of a state-selected religious text, with no opt-out, amounts to government endorsement of religion.

Procedural History and Ruling

A federal district judge blocked the law in November 2024. A three-judge panel of the Fifth Circuit upheld that block in June 2025, calling the law “plainly unconstitutional.” Louisiana then asked the full Fifth Circuit to rehear the case *en banc*, meaning all judges on the Fifth Circuit review the decision. On February 20, 2026, the full court reversed course by a divided, non-unanimous vote. Rather than ruling on whether the law is constitutional, the court held the case was not yet “ripe” for decision — no actual displays existed yet, so the court could not evaluate their real-world content or impact. Notably, the Court stated that it could not rule for the Plaintiffs who argued that there was no situation where the displays would be constitutional. The decision explained that the court lacked “sufficient confidence in [their] powers of imagination to affirm such a negative.” The court vacated the injunction, allowing H.B. 71 to take effect, but explicitly left the door open for new, “as-applied” lawsuits once real displays go up in real classrooms. This is not a final ruling that the law is constitutional — only that this particular challenge was filed too early.

State Law (available at <https://www.legis.la.gov/legis/Law.aspx?d=1388961>)

Louisiana's Ten Commandments law, La. R.S. 17:2124, requires every public school governing authority to ensure that the Ten Commandments are displayed in each classroom within its jurisdiction. The display must consist of a poster or framed document measuring at least 11 inches by 14 inches, with the statutorily prescribed text of the Ten Commandments serving as the central focus and printed in a large, easily readable font. The law also requires that the display include a specific historical context statement titled "The History of the Ten Commandments in American Public Education," along with an explanation of the use of the Ten Commandments in early American educational materials in the statute listed in subsection (A)(3).

The statute permits, but does not require, schools to display other historical documents alongside the Ten Commandments, including the Mayflower Compact, the Declaration of Independence, and the Northwest Ordinance.

The law further provides that school systems are not required to expend public funds to obtain the displays. Instead, governing authorities may accept donated displays or donated funds for their purchase. To assist with compliance, the State Board of Elementary and Secondary Education (BESE) is directed to adopt implementing regulations, and the Louisiana Department of Education is directed to identify and post free resources that schools may use to satisfy the law's requirements.

From an administrative perspective, school leaders should ensure that any classroom displays conform to the statute's size, content, and contextual-statement requirements and should remain attentive to any applicable court rulings, BESE regulations, or state guidance affecting implementation.

Why This Matters for Louisiana K-12 Leaders

- In the Spring of 2026, BESE issued updated regulations adopting Act 71. See the regulations at this link ([2608.docx](#)) at page 1330, which references implementation of La. R.S. 17:2124. There are edits to Bulletin 741, concerning school administrators, and Bulletin 126, concerning public charter schools.
- The Attorney General, Liz Murrill, has also issued guidance concerning the implementation of Act 71 (<https://www.ag.state.la.us/Page/HB71>).
- New, narrower lawsuits may be filed once displays actually go up, as allowed by this decision.

- How a district implements the law — size, placement, framing, accompanying materials — will be important. However, it is very difficult to determine when and where the lawsuits will be filed.

2. *Mirabelli v. Bonta*, 607 U.S. 492, 146 S. Ct. 797, 224 L. Ed. 2d 310 (2026)

U.S. Supreme Court — Decided March 2, 2026

Background

Since 2016, California's Department of Education had directed public schools to treat a student's gender identity or transition at school as confidential — schools could withhold that information from the student's own parents unless the student consented to disclosure. Two teachers and a group of parents sued in 2023, arguing the policy forced teachers to actively participate in deceiving parents and cut parents out of major decisions about their own children's upbringing and mental health, in violation of the Free Exercise and Due Process Clauses.

The included teachers sought exemptions from their school district's policies. Two of the involved parents had religious objections to gender transitioning but were not told by their daughter's school when she began to present as a boy and use a male name and pronouns in seventh grade. The student later attempted suicide, and the parents found out from her doctor that she had gender dysphoria and had been presenting as a boy at school. Two other parents in the suit were concerned because their fifth-grade daughter identified as a boy at school, and they informed the school that they opposed this. The school principal explained to the parents that state law prohibited the school from sharing information about the child's transitioning without the child's consent. This set of parents transferred their daughter to a different public school.

Procedural History and Ruling

A federal district court sided with the parents and teachers in December 2025, issuing a permanent, class-wide injunction against the policy. The Ninth Circuit paused that injunction pending California's appeal, and the parents sought emergency relief from the Supreme Court. On March 2, 2026, the Court issued a 6–3 per curiam order reinstating the injunction as to the parent plaintiffs (the teachers' claims were not addressed at this stage). The Court held that California cannot enforce its non-disclosure policy against objecting parents while the case proceeds.

The Court's reasoning built directly on *Mahmoud v. Taylor*, 606 U.S. 522 (2025) — the Supreme Court's June 2025 ruling that public schools must allow parents to opt their children out of "LGBTQ+ inclusive" storybooks that conflict with the litigating parents' sincerely held religious beliefs and covered in last year's School Law Conference case review. This case was decided on similar Free Exercise of religion grounds. The Court also cites a much older case, *Wisconsin v. Yoder*, which is a 1972 decision where the U.S. Supreme Court held that Amish parents could not be criminally prosecuted for failure to send their children to high school.

In this decision, the Supreme Court reasoned that actively facilitating a student's gender transition while withholding that information from parents intrudes on parental rights even more directly than the classroom instruction at issue in *Mahmoud*, and if *Mahmoud* triggered heightened judicial scrutiny, this policy clearly does as well. This was an emergency order, not a final ruling on the merits — the underlying appeal continues before the Ninth Circuit.

Why This Matters for Louisiana K-12 Leaders

- Although the case concerns a California policy, the Court's reasoning is now persuasive authority nationwide: withholding a student's gender-related information from parents is presumptively suspect absent a compelling justification.
- Districts should review any policies or informal staff practices regarding confidentiality of a student's gender identity or expression. Allowing this without parental notice does involve legal risk.
- Districts should adopt clear, written protocols — rather than leaving the question to individual staff discretion — for how and when parents are notified of a gender transition.
- This decision is in line with Louisiana law, at La. R.S. 17:2125. Louisiana law does not prohibit school districts from allowing students or employees from requesting to be referred to by a name that is not their legal name, or that is not consistent with their sex as defined by La. R.S. 17:2125. However, there are a variety of obligations and rights in Louisiana law.
- La. R.S. 17:2125 prohibits public school governing authorities from adopting policies that require employees or students to use pronouns or names inconsistent with their biological sex as defined by their birth certificate. Employees and students also cannot be required to use a name or pronoun inconsistent with a person's biological sex and cannot be disciplined for refusing to do so.
- La. R.S. 17:2125 also allows parents to seek corrective action "If a school employee refers to a minor student by a pronoun that is inconsistent with the student's sex or refers to the student by a name other than the student's legal name, or a derivative thereof . . ." This law also allows the parents to **file a lawsuit for injunctive relief, monetary damages, reasonable attorney's fees**, and other relief "If the school principal intentionally refuses to implement corrective action."

3. *West Virginia v. B.P.J. (consolidated with Little v. Hecox)*, 146 S. Ct. 2356, 225 L. Ed. 2d 1040 (2026)

U.S. Supreme Court — Decided June 30, 2026

Background

More than half the states, including West Virginia and Idaho, have passed laws reserving girls' and women's school sports teams for students who are biologically female. The decision also states, "the International Olympic Committee, the United States Olympic and Paralympic Committee, and the NCAA—have banned all biological males from competing in women's and girls' sports." The West Virginia law was challenged by B.P.J., a transgender middle school student on puberty blockers who wanted to run on her school's girls' track and cross-country teams. Idaho's law was challenged by Lindsay Hecox, a transgender college student who wanted to try out for a women's track and cross country teams. Both students argued the laws violated Title IX and the Equal Protection Clause of the Fourteenth Amendment.

Procedural History and Ruling

The two challenges reached opposite results below: the Fourth Circuit sided with B.P.J. on Title IX grounds, while the Ninth Circuit sided with Hecox on equal protection grounds. The Supreme Court consolidated both cases. On June 30, 2026, writing for the majority, Justice Kavanaugh's decision held that Title IX does not require schools to allow transgender girls to compete on girls' teams — the Court read "sex" in Title IX's athletics provisions to mean biological sex as understood when the law and implementing regulations

were enacted in the 1970s. This decision extensively discusses the origins of Title IX protections of women's sports and the dangers that "boys would dominate the girls' programs and deny this an equal opportunity to compete in interscholastic events." The decision also distinguishes the facts presented in *Bostock v. Clayton County*, 590 U.S. 644, 662, 140 S. Ct. 1731, 207 L.Ed.2d 218 (2020), which is an employment case where the U.S. Supreme Court held that termination of employees because they are homosexual or transgender violates Title VII of the Civil Rights Act.

In this case, by a 6–3 vote, the Court also held that separating school sports teams by biological sex does not violate the Equal Protection Clause, reasoning that the classification is substantially related to important government interests in athlete safety and competitive fairness, and that allowing a transgender girl to compete necessarily displaces a biologically female athlete's roster spot or competitive outcome. Justices Sotomayor, Kagan, and Jackson dissented on the equal protection question, arguing the majority relied on broad generalizations rather than each athlete's individual circumstances.

Why This Matters for Louisiana K-12 Leaders

- Districts no longer face meaningful federal Title IX exposure for enforcing sex-separated teams consistent with state law.
- The ruling does not resolve every downstream question — for example, how to handle co-ed or intramural teams — so districts with unusual team structures should still consult all applicable guidance from governing bodies, state law, and all applicable policies.
- Louisiana's own Fairness in Women's Sports Act (2022) is now on firm constitutional footing under both Title IX and the Fourteenth Amendment. This is significant legislation, that is now codified at La. R.S. 4:441 to 4:446.
- La. R.S. 4:444 does not prohibit schools from having mixed athletics teams open to both biological males and biological females, “so long as a female, girls, or women’s athletic team or sporting event is not disbanded for the purpose of creating a coeducational or mixed team or event which would thereby result to the detriment of students of the female biological sex.”
- La. R.S. 4:445 states, “No cause of action may be maintained against any school, school coach, school employee, school board, school board employee, school board member, postsecondary education board, or postsecondary education board member who prohibits a biological male from participating in a female, girls, or women’s athletic team or sporting event pursuant to the requirements of this Chapter.”
- La. R.S. 4:446 also provides for a cause of action for biological females who are likely to suffer or have been harmed because of violation of the law, or for retaliation for reporting a violation of the law.

4. *P.B. v. Brumley* (New Orleans Special Education Consent Judgment), No. CV 10-4049, 2026 WL 890225 (E.D. La. Apr. 1, 2026)

U.S. District Court, Eastern District of Louisiana — Order terminating consent judgment issued March 31, 2026

Background

In 2010, the Southern Poverty Law Center filed a class-action lawsuit on behalf of roughly 4,500 New Orleans students with disabilities, alleging that the city's post-Katrina charter school system was screening out special education students during enrollment and failing to provide services required under the Individuals with Disabilities Education Act (IDEA). The parties settled in 2015 through a court-supervised consent judgment requiring the Orleans Parish School Board (OPSB) and the Louisiana Department of Education (LDOE) to overhaul how they identified, tracked, and served students with disabilities, monitored by an independent, court-appointed monitor.

Procedural History and Ruling

The consent judgment allowed OPSB and LDOE to seek termination of federal oversight after showing “substantial compliance” for at least two consecutive years. By late 2025, the independent monitor had found both agencies in substantial compliance for eight consecutive years. Parents and the Southern Poverty Law Center opposed termination, telling the court at a November 2025 hearing that children were still experiencing violations of special education law. U.S. District Judge Jay C. Zainey acknowledged those concerns and noted that the Defendants were very responsive when problems were brought to their attention, as had been their standard method of operation. Judge Zainey also found the consent judgment was designed to address systemic infrastructure—not to guarantee a perfect outcome for every individual student—and concluded the individual complaints raised did not amount to a systemwide failure.

The court did not accept the Plaintiffs' arguments attacking the very language they agreed to in the governing consent order, particularly the definition of “substantial compliance.” Instead, it found that the independent monitors who found substantial compliance for eight years had correctly interpreted the order based on its express textual definition. The court went on to conclude that the Defendants met the termination requirements of showing substantial compliance for two consecutive years. The court also explained that it needed assurance that the rights protected under the consent order would not erode after the end of court oversight, and it noted assurances of continuing compliance with special education law into the future.

He signed the order ending the eleven-year consent judgment on March 31, 2026. Federal Special Education Law continues to apply in full. Families retain their existing rights and now pursue them through ordinary channels (state complaints, due process hearings, OCR complaints) rather than through continuous federal court supervision.

Why This Matters for Louisiana K-12 Leaders

- Systemic IDEA compliance failures can trigger court-enforced oversight lasting a decade or more. Therefore, maintaining an eye on systemic IDEA compliance is critical.
- It is difficult to know when a systemic suit, or investigation may allege systemic violations. Maintaining district-wide systems to ensure free appropriate public education guaranteed under IDEA and other special education laws is critical to demonstrate compliance during challenges.

- Districts should treat this as a cautionary tale on both ends. Inadequate systems may invite prolonged federal oversight. However, real, lasting compliance infrastructure is what eventually lifts it. This can be true even when parents and/or their lawyers continue to submit complaints and fight for indefinite court monitoring.

PART II: LOUISIANA STATE AND REGIONAL CASE LAW DEVELOPMENTS

5. Employment and Personnel

Reassignment Versus Discipline Under the Teacher Tenure Law

School systems routinely reassign employees because of declining enrollment, reorganization, staffing needs, or other administrative reasons. But when does a reassignment become a disciplinary action that triggers the procedural protections of the Teacher Tenure Law?

Under La. R.S. 17:443(B)(1), a tenured teacher may not be disciplined without written charges and an opportunity to respond. However, not every reassignment constitutes discipline or removal. Courts consider whether the reassignment reduces the employee's salary, places the employee in a position for which he or she is not qualified, requires additional training or certification at the employee's expense, or effectively operates as a dismissal without the required procedures. *Winzer v. Bienville Parish School Board*, 56,529 (La. App. 2 Cir. 12/3/25), 425 So. 3d 478, 484.

In *Winzer*, a principal was reassigned after enrollment at her school declined to the point that there were essentially no students or teachers remaining. Her contract expressly permitted reassignment to another position for which she was qualified, at equal pay, when in the school system's best interest. She was first reassigned as an English teacher and later as a librarian, while continuing to receive her contractual compensation. The Second Circuit rejected Winzer's argument that the reassignment constituted an involuntary demotion or discipline. Because her salary did not decrease, she was qualified for the new assignments, no additional training was required, and the superintendent had a legitimate administrative reason and contractual authority for the transfer, the reassignment did not trigger the disciplinary procedures of the Teacher Tenure Law. The court also held that mandamus was unavailable because the superintendent's reassignment authority was discretionary. *Id.* at 484–85.

Why This Matters for Louisiana K-12 Leaders

- A change in title or assignment does not automatically constitute discipline. Before reassigning a tenured employee, administrators should document the legitimate administrative reason for the transfer, determine whether compensation will change, and ensure the employee is qualified for the new assignment.

Non-Tenured Teachers, Employee Misconduct, and Social Media

A nontenured teacher is generally an at-will employee unless and until tenure is acquired. La. R.S. 17:442(B); *Hargrave v. Vermilion Parish School Board*, 2024-353 (La. App. 3 Cir. 2/5/25), 407 So. 3d 1, 8. Nevertheless, La. R.S. 17:443(A) requires certain procedures before discipline. The superintendent must provide written reasons for the proposed action and an opportunity to respond, followed by written notice of the final decision. Judicial review is limited to whether the superintendent acted arbitrarily or capriciously.

Hargrave illustrates how these principles apply to off-duty and social media conduct. Barret Hargrave, a nontenured teacher, made a sexually explicit video that ultimately circulated through a Snapchat account and was viewed by students, parents, coworkers, and members of the community. Hargrave admitted making the video but denied posting or distributing it. The superintendent terminated Hargrave after considering the incident's effect on his ability to function as a teacher, complaints from parents, declining enrollment in his classes, his response to the investigation, and prior work-related deficiencies. The Third Circuit upheld the termination, finding that the statutory procedures were followed and substantial evidence supported the superintendent's decision. *Hargrave*, 407 So. 3d at 10–11. The court did not hold that any private or off-duty conduct justifies discipline. Rather, the evidence established a connection between Hargrave's conduct and the school environment: students and parents had seen the video, parents complained, and some refused to enroll their children in his classes.

Why This Matters for Louisiana K-12 Leaders

- Off-duty or social media conduct may support discipline when there is a demonstrable connection to the employee's effectiveness or school operations. Administrators should document that connection, including complaints, disruption to the school environment, applicable policies, the employee's response, and any relevant disciplinary history.

6. Tort Liability and Workers' Compensation

School employees injured during the course and scope of employment ordinarily have workers' compensation as their exclusive remedy against the school board. La. R.S. 23:1032. An exception exists, however, for an employer's "intentional act." To satisfy that exception, the employee must establish that the employer either consciously desired the physical result or knew the result was substantially certain to follow. *Bazley v. Tortorich*, 397 So. 2d 475, 481 (La. 1981).

The First Circuit recently addressed the significance of a school board's prior knowledge of dangerous student behavior in *Bernier v. St. Tammany Parish School Board*, 2025-0260 (La. App. 1 Cir. 11/7/25), 424 So. 3d 837.

Bernier, a paraprofessional, alleged that she was violently attacked by a third-grade student who had a known history of violent behavior. Significantly, she alleged that the student had attacked and injured another student earlier that same day but was nevertheless permitted to remain at school. Bernier alleged that administrators knew of the student's history and "intentionally ignored" the danger he presented.

The School Board filed an exception of no cause of action, arguing that Bernier’s exclusive remedy was workers’ compensation. The district court agreed and dismissed the suit. The First Circuit reversed. Because the case was before the court on an exception of no cause of action, Bernier’s well-pleaded factual allegations were accepted as true. The court also noted that intent and knowledge may be alleged generally under La. C.C.P. art. 856. Given the allegations concerning the student’s history of violence, the School Board’s knowledge of that history, and the attack on another student earlier that same day, the First Circuit held that Bernier had sufficiently pleaded an intentional-tort claim to survive the exception. *Bernier*, 424 So. 3d at 840–41.

The court did not hold that the School Board committed an intentional tort or that Bernier would ultimately recover outside workers’ compensation. It held only that her allegations were sufficient to proceed beyond the pleading stage.

Why This Matters for Louisiana K-12 Leaders

- Workers’ compensation exclusivity remains a significant protection for school boards, and the intentional-act exception remains demanding. Nevertheless, *Bernier* demonstrates the importance of responding to documented safety risks. When administrators know of serious or repeated violent student behavior they should document the conduct and the steps taken in response.

7. School Board Governance and the Open Meetings Law

How Specific Does an Agenda Have to Be?

Typically, the superintendent and board president work together to prepare the agenda for an upcoming board meeting. But how much information must an agenda provide to the public about the action the board intends to take?

Louisiana’s Open Meetings Law requires each agenda item to be “listed separately and described with reasonable specificity.” La. R.S. 42:19(A)(1)(b)(ii)(bb). An agenda need not describe every potential action in exhaustive detail, but it must provide enough information for the public to understand the subject that will be considered.

Two recent First Circuit cases illustrate the distinction. In *Maxwell v. Board of Elementary & Secondary Education*, 2025-0871 (La. App. 1 Cir. 3/27/26), 2026 WL 850835 (unpublished), BESE’s agenda stated that it would consider holding a public hearing concerning the “reconstitution” of a specific charter school governing board. At the meeting, BESE actually reconstituted the board and installed replacement directors. The First Circuit found no Open Meetings Law violation. Although the agenda did not expressly state every action BESE might take, it identified the specific entity and the substantive issue—reconstitution of its governing board—and therefore provided reasonable notice of the subject being considered. *Id.* at 1–3.

A few months later, the First Circuit reached the opposite result in *City of Baker School Board v. Board of Elementary & Secondary Education*, 2025-0799 (La. App. 1 Cir. 7/21/26) (unpublished). BESE voted to transfer two Baker schools to the Recovery School District, but the full board’s agenda identified the matter only as the “School Innovation and Turnaround Committee” under “Board Committee Reports.” Although the committee had specifically discussed the transfer at a meeting the previous day, the First Circuit held

that the committee's more detailed agenda could not cure the deficiency in the full board's agenda. A member of the public reading the full board agenda would have no way of knowing that BESE intended to consider transferring the two schools.

Together, the cases provide a useful distinction. In *Maxwell*, the agenda was imperfect but identified the actual substantive issue. In *City of Baker*, the agenda merely identified a committee and gave the public no meaningful notice of the significant action being considered.

Why This Matters for Louisiana K-12 Leaders

- The agenda does not need to predict every action the board may take, but it should identify the actual subject matter. When substantive action is contemplated, avoid generic descriptions such as "Committee Report" or "Superintendent's Report." Identify the affected school, employee, contract, property, program, or other subject when appropriate, and do not rely on another meeting's agenda to supply missing details. A useful rule of thumb is: Could a member of the public, knowing nothing beyond what appears on the posted agenda, reasonably understand the significant issue the board intends to consider?

Open Meetings Law and the "Walking Quorum"

Louisiana's Open Meetings Law prohibits a public body from using "any manner of proxy voting procedure, secret balloting, or any other means to circumvent the intent" of the law. La. R.S. 42:14(B). A recent Fifth Circuit Court of Appeal decision provides an example of what can constitute an unlawful attempt to avoid a quorum.

In *Butler v. St. James Parish*, 25-201 (La. App. 5 Cir. 2/25/26), 432 So. 3d 331, parish officials arranged two successive private meetings concerning a pending land-use permit. Different council and planning commission members attended each meeting so that neither gathering contained a quorum. An email arranging the meetings expressly stated that they were not open to the public and instructed, "We cannot have a quorum of the Planning Commission or the Parish Council." *Id.* at 335. The Fifth Circuit held that the arrangement violated the Open Meetings Law. The court explained that the statute does not require conduct to satisfy a technical definition of a "walking quorum." The relevant question is whether officials used some means to circumvent the intent of the law. Because the meetings were deliberately structured below quorum, excluded the public, and allowed members to privately receive information concerning a matter shortly before a scheduled vote, the court affirmed the finding of a violation. *Id.* at 338–40.

Merriott v. City of Bossier City, 179 F.4th 393 (5th Cir. 2026), illustrates the related problem of an actual quorum gathering outside a properly noticed meeting. Merriott alleged that four members of a seven-member city council privately discussed proposed changes to the council's public-comment rules and whether sufficient votes existed to pass the proposal. The Fifth Circuit held that these allegations were sufficient to state an Open Meetings Law claim. A quorum allegedly gathered to discuss a matter within the council's authority, and the conversation allegedly included informal polling concerning how members intended to vote. *Id.* at 415–16. As in *Bernier*, the procedural posture matters: the court did not make a final finding that an Open Meetings Law violation occurred; it held that the allegations were sufficient to survive dismissal.

Why This Matters for Louisiana K-12 Leaders

- Board members should not focus solely on whether a physical quorum is present at one time. *Butler* demonstrates that deliberately splitting members into smaller groups may still violate the law when the purpose is to avoid a quorum while discussing public business. *Merriott* demonstrates that a quorum does not need to formally vote to create a problem—deliberation, receipt of information, or questions such as “Do we have the votes?” may be enough. The safer question is not simply, “Do we have a quorum in this room?” It is: “Are we allowing a quorum of the board, directly or through a series of communications, to discuss, deliberate, receive information, or assess intended votes concerning board business outside a properly noticed public meeting?”

CONCLUSION

Taken together, the cases discussed in this paper reflect the breadth of legal issues confronting Louisiana school systems today. At the constitutional level, courts continue to recalibrate the balance between school authority and parental and religious rights, as seen in *Roake v. Brumley*, *Mirabelli v. Bonta*, and *West Virginia v. B.P.J.*, while *P.B. v. Brumley* illustrates how sustained, systemic compliance can ultimately end even long-standing federal oversight. At the same time, the day-to-day work of running a school system carries its own legal risks. *Winzer v. Bienville Parish School Board* and *Hargrave v. Vermilion Parish School Board* confirm that Louisiana courts will give school administrators real deference in personnel decisions — but only when those decisions are well-documented, properly authorized, and supported by a legitimate administrative or educational reason. *Bernier v. St. Tammany Parish School Board* is a reminder that workers' compensation exclusivity, while broad, is not absolute when administrators have specific, documented knowledge of a serious risk and fail to act. And the Open Meetings Law cases — *Maxwell*, *City of Baker*, *Butler*, and *Merriott* — demonstrate that Louisiana courts are willing to scrutinize both the substance of board agendas and the informal ways in which board members communicate outside of public meetings.

The common thread running through all of these cases is documentation and process. Whether the issue is a classroom display, a curriculum opt-out, a personnel reassignment, a response to a known safety risk, or the wording of a board agenda, school leaders who can show a clear, well-documented, good-faith process are far better positioned to defend their decisions than those who cannot. As the cases above illustrate, courts may be willing to give school systems the benefit of the doubt — but only when the record supports it.