HOLLY MCINTUSH

PARTNER • AUSTIN

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512-615-2351

Holly has experienced first-hand the benefits of a strong public education and its ability to fuel upward mobility and civic engagement. That's why every facet of her career has been dedicated to improving public education, whether through the legislative process, counseling clients in general school law matters, or handling complex litigation for her K-12 and higher education clients. She takes pride in handling sensitive and demanding matters for her clients so they can focus on the important work of educating students.

A native west-Texan and a Partner in our Austin office, Holly McIntush advises K-12 districts and higher education institutions on a variety of matters, including personnel and student issues, open government, and high-profile investigations. Holly is a nationally recognized civil rights expert who trains and advises K12 and higher ed administrators across the country on civil rights compliance (including Title VII, Title VI, and Title IX). Holly regularly helps clients develop legally compliant civil rights policies and procedures, advises them as they conduct investigations and hearings under those policies, and defends them before the Office for Civil Rights and the Equal Employment Opportunity Commission. She also serves colleges and universities nationwide as a civil rights investigator, hearing officer, and appointed Title IX advisor.

A talented litigator, Holly has played a pivotal role in several high-profile cases, including litigation against the governor and attorney general over school districts' rights to make local decisions regarding face masks during COVID-19, challenging the constitutionality of the Texas school funding system, and several significant Title IX lawsuits involving allegations of sexual harassment in the university and K12 settings. At the appeals court level, Holly uses her excellent oral and written advocacy skills to fight for her clients before the Fifth Circuit, the Texas Supreme Court, and other state courts of appeals.

Holly has a deep knowledge of the Texas school finance and property tax systems. Prior to law school she served four years as the legislative director for a Texas state representative on the House Public Education and Appropriations committees, focusing on budget issues, public education, and school finance policy. In that role, Holly built school finance models that showed the impact of various proposed changes to the school finance system on every school district in the state, giving her an understanding of how small changes can move millions of dollars. Now, she uses that knowledge to advise K12 and community college clients on school finance, tax rate adoptions, and other tax and funding issues. She also drafts legislation, amendments, and budget riders for T&H legislative coalitions.

While in law school, Holly co-founded the Suspension Representation Project, through which students from multiple law schools throughout New York City represent public school students in school disciplinary proceedings.

Prior to joining Thompson & Horton, Holly litigated complex federal and state False Claims Act cases for the Texas Attorney General's Office, where she mastered the art of conducting effective depositions and direct and cross-examinations. She also served as a clerk at the Texas Third Court of Appeals, gaining insight into what to do—and not do—to craft a persuasive appellate argument..

PRACTICE AREAS

Constitutional Law
Elections & Redistricting
Employment Law
General Counsel / Board Counsel
Government Relations & Public Policy
Higher Education
Litigation & Appeals
Special Investigations
Title IX & Sexual Harassment
Training & Compliance

EDUCATION

J.D., magna cum laude, Root Tilden Kern Public Interest Law Scholar, New York University School of Law, 2008

M.A. Communications, Texas A&M University, 2000

B.A. Political Science, University Honors, Texas A&M University, 1998

LICENSING & COURT ADMISSIONS

Licensed in the state of Texas

U.S. Court of Appeals for the Fifth Circuit

U.S. District Court for the Western, Northern, Southern, and Eastern Districts of Texas

MEMBERSHIPS & RECOGNITIONS

National Association of College and University Attorneys

National School Attorneys Association

State Bar of Texas, School Law Section

Texas Association of Community College Attorneys

Texas Association of School Boards – Council of School Attorneys

Association of Title IX Administrators (ATIXA)

Texas Association of School Business Officials

Thompson & Horton LLP

ATTORNEYS | COUNSELORS

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SELECTED CLIENT REPRESENTATIONS

Currently representing central Texas area school district in complicated breach of contract claim

Currently representing north Texas area community college in appeal from college's summary judgment victory in Title IX case alleging sexual orientation discrimination

Currently representing private university in lawsuit alleging violations of university's Title IX procedure

Key member of firmwide trial and appellate team that defended school districts' right to exercise local control over mask requirements

Defended a large private university in multiple high-profile federal Title IX lawsuits involving more than a dozen plaintiffs whose allegations stem from sexual assault or dating violence

Obtained dismissal of race and disability discrimination and retaliation claims on behalf of central Texas area school district

Obtained dismissal of Title IX sexual harassment lawsuit on behalf of central Texas area school district

Successfully defended multiple appeals to federal Fifth Circuit Court of Appeals in parent appeals from IDEA due process hearings

Successfully defended appeal of trial court's dismissal of lawsuit by former school district employees alleging civil rights and First Amendment violations before the federal Fifth Circuit Court of Appeals

Obtained summary judgment on behalf of large urban school district in lawsuit alleging free speech retaliation, free association retaliation, and due process violations

Obtained dismissal of False Claims Act lawsuit by parents alleging fraud in district's School Health and Related Services (SHARS) program

Member of trial and appellate team on behalf of 88 public school districts challenging the constitutionality of Texas's school finance system

UPCOMING & RECENT TRAININGS

"Into the Bayou: Navigating the Title IX Hearing Process," Louisiana State University, Title IX Hearing Panelist and Advisor Training, August 2026

"Bell to Bell Compliance: Managing Title IX from First Report to Final Resolution," T&H Live Virtual K12 Training, September 1, 2026

"Class Is in Session: Title IX Basic Training for Team Members," T&H Live Virtual K12 Training, September 15, 2026

"Title IX Twists and Turns: Advanced Training for Navigating Unexpected Challenges During the Title IX Grievance Process," T&H Live Virtual Higher Ed Training, September 22, 2026

"Going the Distance: Title IX from Framework to Practice," Hawai'i State Department of Education, Civil Rights Compliance Division Training, October 2026

"Straight to the Office: A Campus Administrator's Guide to Title IX," T&H K12 Video Training

"Title IX: Foundations and Applications for Advisors," T&H Higher Ed Video Training

"Preventing and Responding to Discrimination, Harassment, and Retaliation in K-12 Schools," T&H K12 All-Employee Video Training

"Recognizing and Reporting Discrimination, Harassment, and Retaliation," T&H Higher Ed All-Employee Video Training

"Calling the Shots: 2025 Title IX Coordinator Training," T&H On-Demand Higher Ed Coordinator Training

"In the Zone: Rules & Best Practices for Title IX Investigations," T&H On-Demand Higher Ed Investigator Training

"Dial T for Title IX: Title IX Investigator Certification Course," T&H On-Demand K12 Investigator Training

"The Title IX Soundtrack: From Report to Resolution," Region 11 Education Service Center Title IX Workshop, June 2026

"Culture Starts with Us: Preventing Hazing in HCC Activities," Houston City College, Spring 2026

"Title IX Skills Lab: Training for Counselors, Student Conduct, and College & Departmental Administrators," Houston City College, Fall 2025

"Lights, Camera, Action!" Boston Public Schools Title IX Training & Workshop, July 2025

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UPCOMING & RECENT TRAININGS (CONTINUED)

Clery Act: Campus Security Authority Training," Houston City College, Summer 2025

Title IX Role-Specific Trainings, Austin Independent School District, Summer 2025

"Implementing the Title IX Grievance Process without Missing a Beat," Eanes Independent School District Basic Title IX Training, Summer 2025

REPRESENTATIVE SPEECHES & PRESENTATIONS

"Free Speech Speed Dating: First Amendment Strategy for K-12 Counsel," National School Attorneys Association Annual Conference, October 2026

"Civil Rights Speed Dating: A Fast-Paced Compliance Lab for K-12 School Personnel Administrators," American Association of School Personnel Administrators Pre-Conference, October 2026

"The Title IX Match Game: SCOTUS Decision on Transgender Athlete Participation," T&H TacTIX, July 2026

"Who Wants to Be a Prepared Title IX Administrator?" T&H TacTIX, May 2026

"Title IX Jeopardy: Litigation Update," T&H TacTIX, February 2026

"Prevention is Protection: HR's Role in Safeguarding Students and Avoiding District Liability for Educator Misconduct," TASBO Human Resources Academy, January 2026

"Pac-Manual: Powering Up Your Employee Handbook Game!" AASPA Virtual Legal Summit, November 2025

"Unforced Errors: Title IX Missteps that Put Schools at Risk," T&H TacTIX, November 2025

"A Whole New World: Navigating the K12 Civil Rights Landscape," AASPA Annual Conference, October 2025

"No Tricks, Just Compliance: Don't Ghost Your New TEA, SBEC & DFPS Reporting Requirements," Texas Association of School Personnel Administrators Webinar, October 2025

"Title IX: Athletics, Sexual Harassment, and Everything in Between," NSAA and AASA Federal Education Law Certificate Program, September 2025

"What in the Fed is Going On? The Uncertain Course for Civil Rights in Schools," Texas Association of School Boards, Council of School Attorneys' Annual Conference, September 2025

"Preparing for a New Season: Updates for your Civil Rights Playbook," T&H TacTIX, August 2025

"Navigating a New Minefield: Texas Legislature Eliminates Immunity from Claims Alleging Educator Sexual Misconduct," T&H Webinar, June 2025

"Fast Out of the Blocks: The Trump Administration's First 100 Days," T&H TacTIX, May 2025

"Student Discipline, Bullying, Harassment, and Title IX," Texas Association of School Boards, Biannual School Law Bootcamp, April 2025

"New Head Coach Directs New Plays: How Will Players & Refs Respond?" T&H TacTIX February 2025

"Teacher Rights in Texas: Creatively Using Your DOI to Increase your Flexibility," Texas Association of School Personnel Administrators, December 2024

"The Feds Have Been Really Busy: What Do Superintendents Need to Know about Major Regs, Guidance, and Lawsuits this Year?" AASA and ASBO Legislative Advocacy Conference, July 2024

PUBLICATIONS

"Litigating to Fix Our Broken Public School Finance System," in Texas Politics Today, 17th Edition (Mark P. Jones, 2018)

"Public Education: The Path Forward," in Putting Texas First: A Policy Primer for Elected Officials and Every Day Texans (Texas First Foundation, March, 2012)

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PUBLICATIONS (CONTINUED)

"Political Truancy: George Bush's Claim to the Mantle of 'The Education President,'" in The Rhetorical Presidency of George H. W. Bush (Martin J. Medhurst, ed. 2006)

"Communication, Structure and Health Care Policymaking," with Charles R. Conrad, in Handbook of Health Communication (Teresa L. Thompson, et al, eds 2002)

"Defining Education: The Rhetorical Enactment of Ideology in 'A Nation at Risk,'" in Rhetoric & Public Affairs 3:419 (Fall 2000)

"Robin Hood v. Horatio Alger: How We Talk about School Finance (and what it means for what we do about it)" (M.A. Thesis, Texas A&M University, 2000) (winner of the Association of Former Students' award for Distinguished Research at the Master's Level)