



Christopher M. Pape

Shareholder

Bar admissions: Alabama, 2011

Practice Areas

- Education and school law
- School desegregation law
- Special education law
- School board governance
- Civil rights
- Employment and labor law
- Employment discrimination
- Employment litigation
- First amendment law for students, employees, and boards of education

Profile

Mr. Pape's practice is almost solely focused on guiding boards of education through complex governance, policy, civil rights, special education, and employment issues; and, when those issues result in litigation, he defends boards of education.

A large part of his practice consists of assisting boards of education navigate complex, modern constitutional and equity matters. Mr. Pape has extensive expertise in the area of modern school desegregation. Between current and past matters, he has participated in or advised on over 10 school desegregation cases including *Hereford and the United States v. Huntsville City Board of Education*. Mr. Pape also regularly trains boards of education on emergent issues of equity like those presented by Title IX of the Civil Rights Act, LGBTQ+ issues generally, and those pertaining to matters of racial equity and school climate. He frequently trains boards of education on these equity issues and related constitutional issues, such as student and employee speech under the First Amendment. Mr. Pape also regularly represents boards of education in responding to claims under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

Mr. Pape also regularly assists boards of education on employment matters such as reviewing and drafting policy manuals for legal compliance, developing policies and procedures to prevent inequitable and unlawful employment practices, and counseling administrative employees to ensure implementation of these practices. He has expertise with federal and state employment laws including the Fair Labor Standards Act (FLSA), the Family and Medical Leave Act (FMLA), the National Labor Relations Act (NLRA), Worker Adjustment and Retraining Notification Act (WARN), Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), and the Patient Protection and Affordable Care Act.

Honors and Awards

- SuperLawyers.com selected Mr. Pape as a Rising Star for 2019, 2020, 2021 in the areas of employment litigation, constitutional law, civil rights, and state, local, and municipal law.

No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.

Honors and Awards (continued)

- Named to the Best Lawyers Ones-to-Watch list for 2022. Chosen by the same process used to determine inclusion in *The Best Lawyers in America*, attorneys added to the Ones-to-Watch list are young attorneys who are exhibiting outstanding professional excellence early in their careers. Mr. Pape is recognized in the area of labor and employment law (on behalf of management).

Representative Cases

- *Mahanoy Area School District v. B.L., a Minor, By and Through Her Father, Lawrence Levy and Her Mother Betty Lou Levy*, 141 S.Ct. 2038 (2021). Mr. Pape was the co-author of amici curiae brief filed with the U.S. Supreme Court on behalf of the Huntsville City Board of Education and 11 other Alabama boards of education.
- *Team Sys. Int'l LLC v. Aquate Corp.*, 682 F. Appx. 820 (11th Cir. 2017).
- *Hereford and United States v. Huntsville City Board of Education*, 2016 WL 9129951, (N.D. Ala. 2015).

Professional Associations

Alabama Council of School Board Attorneys

President, 2021-2022

Vice President, 2020-2021

Member, Board of Directors, 2019-2020

Alabama Bar Association

Huntsville-Madison County Bar Association

Court Admissions

U.S. Supreme Court

U.S. District Courts

Northern District of Alabama

Middle District of Alabama

All Alabama State Courts

Education

J.D., *magna cum laude*, 2011, University of Alabama, Tuscaloosa, AL

Junior and Senior Editor, Journal of the Legal Profession

Hugo L. Black Scholar Award Recipient

John A. Campbell Moot Court Board

Bruce B. Siegal Intellectual Property Moot Court Competition Team

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Education (continued)

B.A., *summa cum laude*, 2008, Auburn University, Auburn, Alabama, AL

Phi Beta Kappa Honor Society
Phi Kappa Phi Honor Society
Delta Epsilon Iota Honor Society
Auburn University Honors College

Publications

- “You Tweeted What? Navigating First Amendment Concerns In the Public School Setting,” *Alabama Lawyer*, Vol. 81, No. 6, November 2020.
- “A Primer For Inclusion Policies and Practices To Advance Racial and Educational Justice: Part II, Students,” Council of School Attorneys, Conference Paper, September 2020.
- “Ineffective Assistance of Rule 1.2: Seeking an on the Record Waiver to Protect Defendant’s Right to Testify,” *Journal of the Legal Profession*, 2011.

CLE Seminars

A recent selection of Mr. Pape’s continuing legal education (CLE) seminars include—

- Lasting Consequences: Addressing Inequity in Student Discipline, Alabama Council of School Board Attorneys (ACSBA) Annual Conference, October 2020.
- Inclusion Policies and Practices to Advance Racial and Educational Justice: Part II, Students, Panelist for Council of School Attorneys (COSA), September 2020.
- But I Don’t Want Comp Time: FLSA Refresher and Practice Tips, ACSBA Annual Conference, June 2019.
- First Amendment Issues for Students, ACSBA Annual Conference, June 2018.

Presentations

- Can They Say That? Speech Issues for Students and Employees, school board member training presented by the Alabama Association of School Boards (AASB), September 2020.
- Tough Topics in Student Discipline, school board member training presented by AASB, June 2020.
- Tackling Tough Issues and Dispelling Myths in Public Education, Leadership Greater Huntsville, Connect Class, December 2019.
- Tackling Tough Issues and Dispelling Myths in Public Education, Leadership Greater Huntsville, Leadership Flagship Class, November 2019.

Other Experience

- Law Clerk, U.S. District Judge, W. Harold Albritton, III, U.S. District Court for the Middle District of Alabama (2011-2012).

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Community Involvement

- Member, Committee of 100 Young Professionals, 2018.
- Member, Board of Directors, Huntsville-Madison County Chamber of Commerce, 2018.

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