

Lawsuit against Collier school board policy tossed by federal judge

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A federal lawsuit filed by a Collier County parent challenging a board policy that bans “personal remarks” during the public comments portion of meetings was tossed out by a judge this week.

Cory Seegmiller, the parent, claimed his freedom of speech and freedom of equal protection were violated when school board Chair Kathleen Curatolo cut him off at a meeting earlier this year. Seegmiller was talking about Collier Superintendent Kamela Patton and her staff. Comments about individuals on or off the dais were banned at the time.

District Judge Sheri Polster Chappell wrote that in his complaint, Seegmiller couldn’t prove that the board policy directly attacked his freedom of speech, or that Curatolo discriminated against him. Chappell wrote that some of the claims could be filed in state court.

The meeting that spurred the suit took place on Jan. 20. The topic: the district’s textbook adoption process and claims that principals and teachers were sending negative messages about parent-led textbook reviews.

“You will speak to issues and not people,” Curatolo said. “You will not speak to people, sir.”

“What this is about is trying to censor citizens coming her and addressing an issue with the School Board,” Seegmiller replied.

The judge order is a win for the district, which recently also settled a suit with local parent and attorney Steve Bracci. Bracci’s suit also dealt with the public’s right to speak during board meetings.

Since Seegmiller filed his suit, the school board amended its “personal remarks” policy, allowing them as long as “they are related to the topic being discussed or within the scope of District business so long as such comments are not abusive, obscene, irrelevant, or repetitive.”

“We are confident this federal suit is not over,” Oakey said in an email.

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