UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LUIS SOUSA, Plaintiff, v. SEEKONK SCHOOL COMMITTEE; RICH DROLET, in his personal and official capacities; KIMBERLY SLUTER, in her personal and official capacities, Defendants.	Civil Action No. 1:22-cv-40120-IT **REPLY IN SUPPORT OF PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION** **(Leave to file granted on December 22, 2022)**

1.0 Introduction

Defendants belabor the point that Plaintiff is "still refusing to accept any consequences for his behavior." Defendant's Memorandum in Opposition to Plaintiff's Motion for a Preliminary Injunction, Doc. No. 82 at 1. Sousa might say the same to the Defendants. Defendants are government officials who violated the Due Process Clause and the First Amendment. They should accept the consequences of merely being told to stop doing so. Defendants' conduct in banning Plaintiff from public meetings was an arbitrary and capricious prior restraint, and their arguments to the contrary are unavailing.

Defendants' narrative shifts from hearing to hearing, meeting to meeting. Defendants initially relied on Public Participation Policy Rules 2, 7, and 9 as the source of their authority to ban Sousa, for the rest of his life, from ever setting foot on school grounds or school events again. No Trespass Order October 4, 2022, Doc. No. 27-13. Then, on the eve of that Order being subject to scrutiny they retreated, and banned him from an established right to attend public meetings. Modified No Trespass Order, Doc. No. 41-1. Now, they claim that they never enforced those rules against him. The shifting narratives should not be credited.

2.0 Plaintiff Has Standing to Challenge Rules 2 & 9

In the First Amendment context, two types of injuries provide standing without criminal prosecution. First, when "the plaintiff has alleged an intention to engage in a course of conduct arguably affected with a constitutional interest, but proscribed by [the] statute, and there exists a credible threat of prosecution." *Mangual v. Rotger-Sabat*, 317 F.3d 45, 56-57 (1st Cir. 2003) (quoting *Babbitt v. United Farm Workers Nat'l Union*, 442 U.S. 289, 298 (1979)). Second, when a plaintiff "is chilled from exercising her right to free expression or forgoes expression in order to avoid enforcement consequences." *Id.* at 57 (collecting cases). Both apply here.

The current No Trespass Order ("NTO") bars Sousa from attending public meetings for a year under threat of arrest. Doc. No. 41-1. Plaintiff was barred from attending four prior public meetings and from participating in his children's daily lives. **Exhibit A** Decl. Sousa at ¶ 6. The ban was because Defendants claim that Sousa violated the Policy rules. Defendants now claim that they never applied the Policy against Sousa, and thus he lacks standing: "As the Public Participation Policy was not applied to plaintiff, plaintiff is unable to establish an injury in fact fairly traceable to the policy" Doc. No. 82 at 9. The Court can likely rely upon its own memory of these proceedings to cast this story aside. If in doubt, the Court should listen to Video Exhibit Recording of Meeting October 3, 2022, Doc. No. 27-11 at 3:32 – 5:35, 6:50-7:40, & 10:10-10:17. That recording proves that Drolet applied these rules to Sousa as the authority he relied on to ban Sousa from Seekonk School Committee ("Committee") meetings. Further, while a "clean copy" of the Policy was submitted as BEDH Public Participation Policy, Doc. No. 27-12, the exact copy of the rules that Drolet handed to Sousa when he was informed of the ban is attached as **Exhibit B** - with Rule 2, 7, and 9 highlighted – Drolet's handiwork. **Exhibit A** Decl. Sousa at ¶ 4. In Drolet's own words, "So what I did, is I made a copy just of [sic] at this meeting the rules that were broken." Doc. No. 27-11 at 3:50-3:55; *see also* Doc. No. 27-11 at 4:11-4:14 ("I got the policy, and I highlighted a few things."). To try and argue now that Sousa lacks standing because they never used these policies against him is (at least) *untethered*.

If the NTO is enjoined, Sousa will attend future public meetings. And, at the meeting this Court allowed him to attend, the vagueness of Rules 2 and 9 caused him to chill his expression out of fear that they will be used unconstitutionally again. Sousa has standing to challenge them facially and as applied. However, if the Court credits the government's revisionist argument, then what are the Defendants actually arguing? Because Sousa made noise during a single meeting, he can be sentenced to banishment from future meetings on an *ad hoc* basis? While yelling "no" or "this Committee is a joke" might be disruptive, this is the justification for a complete deprivation of a liberty interest? Then what rule did he violate, giving the Defendants the authority or justification to ban him? G.L. c. 266, § 120? If this were a private residence or a private business, the owner would have every right to arbitrarily ban someone from coming on the premises. But this is not a restaurant, this is a government facility where government meetings are held – there must be a justification that Sousa violated *something* in order to sentence him to being unable to participate in public meetings. Are the Defendants so fearful that they might need to amend Rules 2 & 9, or at least be enjoined from applying them the way they did, that they now retreat to "we just did it on an ad hoc basis?" This does not help them – either they applied the rules, which at least gives us *some* text to look at, or they applied an unwritten rule, which does not. It reminds us of the "Far Side" comic where fish outside a fishbowl with a fire raging inside. One fish says to the other, "Thank heaven we made it out." Yet, their problems are far from over.[1]

3.0 Defendants' Arguments to Save Rules 2 & 9's Application Are Unavailing

Defendants claim that even if Sousa has standing, Rule 2, on its face, is just aspirational. Doc. No. 82 at 13 ("Rule 2 merely *encourages* speakers to present their remarks in a respectful manner"). The fact that it may have a word in it that suggests an aspiration doesn't change how they used it. Defendants treated Rules 2 & 9 as a mandate justifying depriving Sousa of a right to attend government meetings. So if it is not facially invalid, it is invalid as applied.

[1] Larson, Gary, "Fire in the Fish Bowl", The Far Side (1988)

Defendants rely on *Nat'l Endowment for the Arts v. Finley*, 524 U.S. 569, 583 (1998). In that case the Court held that the provision at issue did not mandate viewpoint discrimination. *Id.* at 580 ("Section 954(d)(1) adds 'considerations' to the grant-making process; it does not preclude awards to projects that might be deemed 'indecent' or 'disrespectful,' nor place conditions on grants, or even specify that those factors must be given any particular weight in reviewing an application."). *Nat'l Endowment* does not apply as Rules 2 & 9 *were treated as a mandate*.

Defendants then argue that a similar policy in *Mama Bears of Forsyth Cty. v. McCall*, Civil Action No. 2:22-CV-142-RWS, __F.Supp.3d__, 2022 U.S. Dist. LEXIS 234538 (N.D. Ga. Nov. 16, 2022) was upheld as constitutional. Doc. No. 82 at 14. However, this is not the case. Facially, yes, because the *Mama Bears* court recognized that a non-compulsory civility provision was acceptable, "so long as that aspiration is not impermissibly treated as a mandate." *Mama Bears of Forsyth Cty., 2022 U.S. Dist. LEXIS 234538,* at *26. Then, in text that sounds precisely like this very case before the Court, the *Mama Bears* court continued "But Plaintiffs' as-applied challenge is where Defendants run into trouble. Although the civility clause itself is (on its face) a mere request, Defendants did not apply or treat it that way." *Id*. The court held the civility policy unconstitutional (as-applied) for three reasons. *Id.* First, there was no definition for "civil" which made it "nearly impossible" for plaintiff to tailor their speech accordingly. *Id.* at *27. Second, the court recognized (like here) that the civility policy had only been applied to those who criticized the Board. *See id.*; *see also Coll. Republicans at San Francisco Univ. v. Reed*, 523 F. Supp. 2d 1005, 1019-24 (N.D. Cal. 2007) (enjoining enforcement of civility clause because it "easily could be understood as permitting only those forms of interaction that produce as little friction as possible, forms that are thoroughly lubricated by restraint, moderation, respect, social convention, and reason" and "mandating civility could deprive speakers of the tools they most need to connect emotionally with their audience, to move their audience to share their passion"); *see also Coll. Republicans v. Reed*, 523 F.Supp.2d 1005, 1024 n.10 (N.D. Cal. 2007) ("This preliminary injunction does *not prohibit* the University from disciplining students for engaging in conduct that

clearly would be considered 'uncivil' if that conduct also violated a more specific proscription that was tailored in conformity with the First Amendment. The authority to impose discipline in any such circumstance would be rooted only in the more specific proscription.") (emphasis in original). Third, the court determined that the civility policy was selectively enforced. *Mama Bears of Forsyth Cty.*, 2022 U.S. Dist. LEXIS 234538, at *27. In this case the "respectful" and "debate" policies were similarly selectively enforced. *See* Doc. No. 55 at 65:16-65:18 & 67:8-67:10.

Defendants then argue that *Mama Bears* is inapplicable and rely on *Davis v. Colerain Township*, 551 F. Supp. 3d 812, 821 (S.D. Ohio 2021) for the proposition that a restriction on "disrespectful" comments survives First Amendment scrutiny. Doc. No. 82 at 13-14; Doc. No. 41 at 14. However, Defendants failed to reference the *Davis* appeal. The Sixth Circuit held the challenge to the restriction on disrespectful speech was moot because the township had repealed the rule. *Davis v. Colerain Twp.*, No. 21-3723, at *10 (6th Cir. Sep. 20, 2022). A week before the township repealed the rule, the Sixth Circuit "held that a school board's restriction on 'abusive' or 'antagonistic' statements at board meetings violated the First Amendment." *Id* at *12.; *see Ison v. Madison Loc. Sch. Dist. Bd. Of Educ.*, 3 F.4th 887, 893-94 (6th Cir. 2021).[2]

4.0 The Rules were Applied to Sousa in Without Procedural Due Process

On their face, the rules have no enforcement mechanism, but Defendants arbitrarily punished Sousa for an alleged violation. Defendants argue: "As the Court is aware, Superintendent Dr. Drolet issued the Modified NTO to plaintiff in response to two inappropriate and disruptive incidents on SPS property." Doc. No. 82 at 5. Defendants may have *some* authority under G.L. c. 266, § 120, it is not to issue a NTO; that was done in furtherance of the alleged rule breach.

The "process" was: On October 4, 2022, Defendants issued a Permanent NTO against Sousa that prohibited him from entering Seekonk Public School grounds forever. Doc. No. 27-13. On November 23, 2022, after they were sued, they changed it to barring him from Committee

[2] *Mama Bears* explicitly references the *Davis* appeal and that the township board "repealed its rule barring disrespectful speech, **impliedly acknowledging that such a restriction was not constitutional under applicable precedent**." 2022 U.S. Dist. LEXIS 234538, at *21 n.1 (N.D. Ga. Nov. 16, 2022) (citing *Davis v. Colerain Twp.*, 51 F.4th 164, 175 (6th Cir. 2022).

Meetings. Doc. No. 41-1. There was no hearing, opportunity for review, or post-deprivation remedy other than seeking court intervention.

If rules are to be applied, Sousa is entitled to due process in their application. A procedural due process claim has two elements: Deprivation of a liberty interest and deprivation of that interest without due process. *PFZ Props., Inc. v. Rodriguez*, 928 F.2d 28, 30 (1st Cir. 1991).[3] A liberty interest may arise from two sources: "(1) the Constitution itself, by reason of guarantees implicit in the word 'liberty,' or … (2) an expectation or interest created by state laws or policies." *Wilkinson v. Austin*, 545 U.S. 209, 221 (2005).

Here, state law clearly establishes an expectation and interest in attending public meetings. G.L. c. 30A, § 20(a). Further, the Public Participation Policy itself creates not just an interest in attending, but in a right to address the Committee during Public Speak. Doc. No. 27-12. Sousa has a liberty interest in attending Committee meetings and expressing himself at them. *Cyr v. Addison Rutland Supervisory Union*, 955 F. Supp. 2d 290, 295-96 (D. Vt. 2013); *Wilson v. North E. Indep. Sch. Dist.*, No. 5:14-CV-140-RP, 2015 U.S. Dist. LEXIS 132324, at *21 (W.D. Tex. Sep. 30, 2015); *see also Melville v. Town of Adams*, 9 F. Supp. 3d 77, 106 (D. Mass. 2014). Sousa was deprived of his right attend and speak without Due Process.

Like in the *Cyr* case, the NTO was "not issued pursuant to any protocol, because they did not set out a process to contest the ban, and because Mr. [Sousa] did not receive a meaningful opportunity to contest his ban." *Cyr*, 60 F. Supp. 3d at 551. There is no protocol for when a ban may be enacted—the Rules are silent. It is an *ad hoc* decision accompanied by shifting justifications. This is impermissible. *See id* (citing *Shuttlesworth v. Birmingham*, 394 U.S. 147, 153 (1969)). Neither NTO had any process set out for how to contest it. Sousa simply was called into a meeting on October 3 under threat, and it appears that the only criterion that *might* have changed Drolet's mind was if Sousa was adequately contrite. Doc. No. 82 at 6.

[3] These elements derive from the Fourteenth Amendment, which prohibits the deprivation of "life, liberty, or property, without due process of law." U.S. CONST. AMEND. XIV, § 1.

5.0 The Defendants' Analysis of Balance of the Hardships is Wrong

Defendants admit that the balance of hardships is not divorced from the Constitutional concerns. "Admittedly, when government creates a forum for citizen input at public meetings such as Public Speak, constitutional guarantees apply." Doc. No. 82 at 18. Defendants also claim that there was no right to be heard at the September 26 meeting. Doc. No. 82 at 17. Yet, there *was* a right to be there. G.L. c. 30A, § 20(a) establishes the right to attend. Seekonk policy also establishes the right to speak. Doc. No. 27-12. The NTO is an unlawful prior restraint, thus the balances of the hardships analysis is not a close balancing test – it is steeply tilted in Sousa's favor.

This is a limited public forum. It may be limited to a particular subject matter – school governance. Nevertheless, government entities are "strictly limited in their ability to regulate private speech in public fora" *Pleasant Grove City, Utah v. Summum*, 555 U.S. 460, 469 (2009)). To restrict speech, the government must always act in a viewpoint neutral and reasonable manner. *Christian Legal Soc'y Chapter of the Univ. of Cal. v. Martinez*, 561 U.S. 661, 679 (2010).

Here, Defendants banned one particular speaker, not content generally. Sousa has been "sentenced" to a year of not being allowed to attend or speak at Committee meetings either because he violated the Policy, as Defendants once claimed, or as they now argue – under no authority at all, simply a vague claim that he is "disruptive." "[A] notice against trespass targeting an individual rather than the public generally is equivalent to an injunction against speech." *Cyr*, 60 F. Supp. at 548.[4] "Injunctions … carry greater risks of censorship and discriminatory application than do general ordinances." *Madsen v. Women's Health Ctr.*, 512 U.S. 753, 764 (1994). No injunction against First Amendment rights would ever issue from any Court under these conditions, and it should not be upheld by this one.

[4] *Cyr* may be a D. Vt. case, but it is a case that has fought above its weight class, being cited frequently in cases just like this one. *See, e.g., Wilson v. N. E. Indep. Sch. Dist.*, 2015 U.S. Dist. LEXIS 132324 (relying almost entirely on Cyr for a school exclusion case); *McBreairty v. Sch. Bd. of RSU22*, __F.Supp.3d__, 2022 U.S. Dist. LEXIS 128353 (D. Me. July 20, 2022) (citing *Cyr* in a nearly identical case); *Bernstein v. Sims*, 2022 U.S. Dist. LEXIS 216919, at *10 (E.D.N.C. Nov. 30, 2022) (Citing Cyr and invalidating a no trespass order in Board of Elections meetings).

While the Defendants seem to take the position that their restrictions were mere time, place, and manner restrictions, they fail to analyze the relevant standard for their "punishment" of banning Sousa. "When evaluating a content-neutral injunction, … standard time, place, and manner analysis is not sufficiently rigorous. We must ask instead whether the challenged provisions of the injunction burden no more speech than necessary to serve a significant government interest." *Madsen,* 512 U.S. at 765. It is not just "balancing" scrutiny.

Defendants claim that violating the rules can subject a citizen to the sentence of being banned from public participation. They are incorrect. "Singling out one individual, banning his (perhaps disfavored) speech, and essentially preventing him from engaging in a form of civil discourse that is available to everyone else in [Seekonk]—is unreasonable." *McBreairty*, 2022 U.S. Dist. LEXIS 128353, at *28. Meanwhile, the interest (to the extent one can be divined) that Defendants seek to promote is to stop him from being "disrespectful" (Rule 2) "assigning time to another individual" (Rule 7)[5] and to stop him from "debating" (Rule 9). Even if these are compelling (or even reasonable) governmental interests (which they are not), the means of dealing with it by a categorical ban does not even meet the threshold of "reasonableness." *See Huminski v. Corsones*, 396 F.3d 53, 92 (2d Cir. 2004); *see also Cyr*, 60 F. Supp. 3d at 549; *McBreairty*, 2022 U.S. Dist. LEXIS 128353, at *27-28; *Wilson*, 2015 U.S. Dist. LEXIS 132324 at *16-20; *Bernstein*, 2022 U.S. Dist. LEXIS 216919, at *10.

Banning Sousa from attending meetings is unreasonable. "Physical participation in open school board meetings is a form of local governance, and to the extent that [Sousa] cannot be present at these meetings to communicate directly with elected officials, his First Amendment right of free expression is violated." *Cyr*, 60 F. Supp. 3d at 550. It is not reasonable to apply the Rules and ban a citizen from all public meetings as a punitive measure to scold him for "disrespect." "A categorical ban on speech is not tailored at all, as it entirely forecloses a means of communication."

[5] There is not a single fact in the record, nor can one even be inferred from any of the facts available that Rule 7 had any applicability to Sousa's conduct. It seems just "tossed in." To the extent Defendants may shift their rationale *again*, Sousa will amend to challenge Rule 7 as well. However, it is not anticipated that Defendants will do so.

Cyr, 60 F. Supp. 3d, at 548. The policy goals could have been achieved through less restrictive measures. If it was about safety, a school resource officer is present at the meetings, and could act if a citizen ever did anything.[6] The Open Meetings Law allows the Defendants to remove him any time there is a disruption (after a clear warning). The Rules are a prior restraint on Sousa's (and everyone's) speech at future meetings. The NTO is a prior restraint on Sousa. Prior restraints must meet a heavy burden to be valid. *In re Providence Journal Co.*, 820 F.2d 1342, 1348 (1st Cir. 1986). It has not been met here. See also, *Kinney v. Barnes*, 443 S.W.3d 87, 91 n.7 (Tex. 2014) (noting how obvious it is that prior restraints are constitutionally repugnant).

Enjoining the Rules and the NTO will not trample on any public nor Governmental Interest. M.G.L. c. 30A, 20(g) permits ejection of anyone who disrupts a meeting. There is a guard at each meeting. Banning Sousa as "punishment" to ostensibly enforce the Rules so that he learns proper contrition is not a government interest that outweighs Due Process and the First Amendment. To uphold the Rules and the NTO, the government must find justify a prior restraint. It can not. It is correct that the Court must balance the hardships, but on one side is the First Amendment, and due process. On the other is the government falsely claiming that it has no other way to maintain order but to impose a prior restraint. The only "extraordinary and drastic" thing here is not the injunction requested, but the claimed justification for a prior restraint imposed with no due process.

6.0 Conclusion

Defendants' arguments shift like sands in a Constitutional desert, but none save the NTO or Rules 2 & 9 from the heat of the First Amendment and the Due Process Clause. This Court should strike Rules 2 & 9 as unconstitutional. In the alternative, they should be enjoined as applied, as should the Defendants actions in derogation of his due process rights. The NTO must fall and if Seekonk ever issues one again, it must be in line with the First Amendment and due process.

[6] In fact, when Sousa gathered his belongings, instead of simply fleeing the room when being told to leave, the Defendants had the School Resource Officer intervene. Decl. of Luis Sousa, Doc. No. 62-1, at ¶ 25.

Dated: January 6, 2023.

Respectfully Submitted,

/s/ Marc J. Randazza

Marc J. Randazza, BBO# 651477
mjr@randazza.com, ecf@randazza.com
Jay M. Wolman, BBO# 666053
jmw@randazza.com
Robert J. Morris, II (*pro hac vice*)
rjm@randazza.com
RANDAZZA LEGAL GROUP, PLLC
30 Western Avenue
Gloucester, MA 01930
Tel: (978) 801-1776

Attorneys for Plaintiff
Luis Sousa

CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2023, the foregoing document was served on all parties or their counsel of record through the CM/ECF system.

/s/ Marc J. Randazza
Marc J. Randazza

Exhibit A

Declaration of Luis Sousa

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LUIS SOUSA, Plaintiff, v. SEEKONK SCHOOL COMMITTEE; RICH DROLET, in his personal and official capacities; KIMBERLY SLUTER, in her personal and official capacities, Defendants.	Civil Action No. 1:22-cv-40120-IT **DECLARATION OF LUIS SOUSA**

I, Luis Sousa, hereby declare:

1. I am over 18 years of age and have never been convicted of a crime involving fraud or dishonesty. I have knowledge of the facts set forth herein, and if called as a witness, could and would testify thereto.

2. I am the Plaintiff in the above-captioned matter.

3. I submit this declaration in support of Plaintiff's Reply in Support of Plaintiff's Motion for a Preliminary Injunction.

4. On October 3, 2022, I had a meeting with Superintendent Drolet, which took place inside of Superintendent Drolet's office inside of the Seekonk School Administration building in Seekonk Massachusetts. During the meeting, Superintendent Drolet gave me a copy of the Public Participation Policy with Rules 2, 7, and 9 highlighted. Attached is a true and correct copy of the paper that Drolet handed me during the meeting.

5. On October 3, 2022, Superintendent Drolet alleged that I violated Public Participation Policy Rules 2, 7, and 9 during the September 26 Committee Meeting.

6. I did not attend four Seekonk School Committee Meetings because of the no trespass orders that I received from Drolet. I would have attended Seekonk School Committee Meetings on October 17, November 14, November 21, and December 5, if Drolet had not issued a no trespass order against me that prohibited my attendance under the threat of criminal prosecution.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01 / 06 / 2023.

Luis Sousa

Exhibit B

BEDH Public Participation Policy – With Defendant Drolet's Highlights

File: BEDH

PUBLIC PARTICIPATION AT SCHOOL COMMITTEE MEETINGS

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desire members of the Seekonk school community to attend its meetings so that they may become better acquainted with the operations and the programs of the Seekonk Public Schools. In addition, the Committee would like the opportunity to hear the wishes and ideas of members of the Seekonk school community on matters within the scope of their authority. These matters include the budget for the Seekonk Public Schools, the performance of the Superintendent, and the educational goals and policies of the Seekonk Public Schools.

In order that all who wish to be heard before the Committee have a chance and to ensure the ability of the Committee to conduct the District's business in an orderly manner, the following rules and procedures are adopted consistent with state and federal free speech laws:

1. At the start and end of each regularly scheduled School Committee meeting individuals and/or groups may address the School Committee during public comment periods, which shall be known as Public Speak. Public Speak shall occur at the beginning and end of the agenda, unless the Chair determines that there is a good reason for rearranging the order at a public meeting that is unrelated to deterring participation in Public Speak.

2. All speakers are encouraged to present their remarks in a respectful manner.

3. Speakers must begin their remarks by stating their name, town or city of residence, and affiliation. All remarks will be addressed through the Chair of the meeting.

4. Public Speak may concern items that are not on the School Committee's agenda, but which are within the scope of the School Committee's authority. Therefore, any comments involving staff members or students must concern the educational goals, policies, or budget of the Seekonk Public Schools, or the performance of the Superintendent.

5. In the event that a line begins to form the Chair will ask speakers to sign in and the Chair will call on each speaker in the order in which they signed up. Public Speak shall last no longer than (2) 15 minute periods. Assuming that four (4) or fewer speakers sign up to engage in public comment, each speaker will be allowed three (3) minutes each to present their material. If five (5) or more speakers sign up to engage in public comment, then each speaker will be allowed two (2) minutes each to present their material. No more than six (6) speakers will be accommodated at any individual public speak portion of the agenda unless the Chair determines there is a good reason to extend the time allotted for public speak.

6. Large groups addressing the same topic are encouraged to consolidate their remarks and/or select a spokesperson to comment at Public Speak.

7. Speakers may not assign their time to another speaker, and in general, extensions of time will not be permitted unless the Chair determines there is a good reason to afford an extension.

However, speakers who require reasonable accommodations on the basis of a speech-related disability or who require language interpretation services may be allotted a total of five (5) minutes to present their material. Speakers must notify the School Committee by telephone or email at least 48 hours in advance of the meeting if they wish to request an extension of time for one of these reasons.

8. The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, comments that were found by a court of law to be defamatory, and/or sexually explicit comments made to appeal to prurient interests. Verbal comments will also be curtailed once they exceed the time limits outlined in paragraphs 5 and 7 of this policy and/or to the extent they exceed the scope of the School Committee's authority.

9. Disclaimer: Public Speak is not a time for debate or response to comments by the School Committee. Comments made at Public Speak do not reflect the views or the positions of the School Committee. Because of constitutional free speech principles, the School Committee does not have the authority to prevent all speech that may be upsetting and/or offensive at Public Speak.

Adopted and approved by the Seekonk School Committee: 10/21/2019

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