

February 9th, 2026

Meritt Holly, Superintendent
Le Roy Central School District
2-6 Trigon Park
Le Roy, NY 14482

Dear Superintendent Holly,

The New York Civil Liberties Union ("the NYCLU")¹ is writing to express our serious concern about the determination that an incident involving an in class simulation conducted in September 2025 was not in violation of the Dignity for All Students Act ("DASA"). This simulation, which involved students trading pretzels while assigned roles such as "plantation owner," "former slave," and "sharecropper," was designed to demonstrate sharecropping as "a form of legalized slavery" and the "cycle of poverty." The District's investigation found no issues with requiring students, including Black students, to roleplay as "former slaves" and "plantation owners" in an exercise that trivialized a brutal system of racial oppression.

In joint guidance issued in August 2023, the State Office of the Attorney General and the State Education Department emphasized that curricular content and classroom activities promoting hateful or demeaning stereotypes can create a racially hostile environment, even when not targeted at a specific person, and that "[f]ailure to evaluate, monitor, and revise as necessary....curricular choices may violate [a District's] obligations under federal and state law."²³ The guidance references a prior investigation by the Attorney General's office involving the Watertown City School District, where a teacher conducted a simulated slave auction in a fourth-grade classroom where students were "auctioned" to other students, and were told to refer to winning bidders as "masters." The OAG investigation found that this reenactment "had a profoundly negative effect on all students present—especially the African American students who reported that they experienced lasting emotional harm from these events...."⁴

The Southern Poverty Law Center has documented that "[w]hile simulating democratic processes is a proven practice for good civic education, simulation of traumatic experiences



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¹ The New York Civil Liberties Union (NYCLU) advances civil rights and civil liberties so that all New Yorkers can live with dignity, liberty, justice, and equality. Founded in 1951 as the state affiliate of the national ACLU, we marshal an expert mix of litigation, policy advocacy, field organizing, and strategic communications. Informed by the insights of our communities and coalitions and powered by 90,000 member-donors, we work across complex issues to create more justice and liberty for more people.

² Joint Guidance from the New York State Attorney General and the New York State Education Department (2023) available at www.nysed.gov/sites/default/files/programs/diversity-equity-inclusion/oag-nysed-dei-guidance.pdf; see also U.S. Department of Education Office of Civil Rights ["OCR"], "Race and School Programming" at 9 (2023) (where students were asked to reenact different episodes from Nazi Germany "OCR...could find that the class was a hostile environment, especially if the facts indicate that the teacher's conduct limited the student's ability to benefit from the school's program by preventing the student from participating in class or caused them to begin skipping class.") available at <https://www.naacpldf.org/wp-content/uploads/Race-and-School-Programming-Dear-Colleague-Letter-2023.pdf>.

³ See Executive Law § 296(4); N.Y. Educ. Law §§ 10-18.

⁴ Letter Agreement between OAG and Superintendent, Watertown City School District (July 31, 2020) available at <https://www.informnny.com/wp-content/uploads/sites/58/2020/08/OAG-Watertown-CSD-Letter-Agreement-07312020.pdf>.

is not shown to be effective” and are “disproportionately traumatic for students of color.”⁵ Requiring students to assume roles based on racial hierarchy like “plantation owner,” “former slave,” and “sharecropper” and physically trade pretzels to represent economic exploitation is objectively offensive and creates a racially hostile environment. The District’s own investigation confirms the students reenacted sharecropping power dynamics, with some controlling resources while others were systematically deprived of them. The decision to approve this simulation demonstrates a troubling lack of awareness that simulating a system that teachers themselves described as “legalized slavery” trivializes historical trauma.

The District’s investigation attempted to exonerate the lesson by focusing on whether specific terms – “slave master” versus “plantation owner,” or “slaves” versus “former slaves” – were used. Terminology alone does not determine whether conduct is harmful.⁶ Whether students were referred to as “slaves” or “former slaves” and “sharecroppers,” the fundamental problem remains: the teachers assigned students to roles in a racial hierarchy and asked them to simulate an exploitative system that targeted Black Americans. As teachers themselves acknowledged during the investigation, sharecropping was a “form of legalized slavery” and created an “endless cycle of legalized slavery and debt.” Asking students to roleplay any aspect of this system, regardless of the specific terminology used, requires Black students to witness and participate in a simulation of their ancestors’ oppression.

The District’s investigation failed to recognize that simulations of slavery and its legacy systems cannot be pedagogically or legally sound when they require students to embody racial hierarchies. Black students in suburban districts already experience the unique forms of racial isolation, and research demonstrates they are more likely to experience feelings of alienation and pressure to conform to majority culture.⁷ Subjecting these students to role-playing exercises that reenact their ancestor’s oppression compounds this harm and creates the exact environment that DASA and the Human Rights Law were designed to prevent.

We request that the District take the following immediate steps:

1. Acknowledge that the simulation created a racially hostile environment regardless of whether specific prohibited terms were used.
2. Immediately prohibit the use of simulations that require students to assume roles based on racial hierarchies, including but not limited to simulations of the transatlantic slave trade, segregation or other systems of racial oppression across all grades and classrooms.
3. Provide appropriate restorative support and counseling to affected students.
4. Develop and implement training for all staff on:

⁵ Southern Poverty Law Center, “Teaching Hard History” at 17 (2018) available at

https://www.splcenter.org/wp-content/uploads/files/tt_hard_history_american_slavery.pdf.

⁶ See *Zeno v. Pine Plains Cent. Sch. Dist.*, 702 F.3d 655, 665-66 (2d Cir. 2012) (holding that Title VI liability turns on the “totality of the circumstances,” including the “context, nature, scope, frequency, duration, and location” of the conduct—not how the school characterized its response or labeled individual incidents); *T.E. v. Pine Bush Cent. Sch. Dist.*, 58 F. Supp. 3d 332, 354-55 (S.D.N.Y. 2014) (examining the substance and effect of antisemitic conduct rather than accepting school officials’ characterizations that incidents were isolated or non-discriminatory).

⁷ Kristen R. Andriaccio, “How Black Students Experience School in a Predominately White Suburban High School: A Phenomenological Study to Examine Students Perceptions of Self-Efficacy, Sense of Belongingness, and Perceived Educational Opportunity” (2021) available at https://scholar.stjohns.edu/cgi/viewcontent.cgi?article=1237&context=theses_dissertations.



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- a. Culturally responsive teaching practices that center the dignity and psychological safety of students of color
- b. Alternative approaches for teaching about systems of racial oppression without requiring students to simulate them.

Sincerely,



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