



November 21, 2025

VIA EMAIL AND FEDEX

Dr. Larry C. Schmiegel
Superintendent, Watertown City School District



RE: Watertown City School District's unconstitutional violation of the parental right to be notified of sexually explicit content being shown to their children.

Dear Dr. Schmiegel,

The American Center for Law & Justice¹ represents Stephanie Boyanski and Jessy Roberts and their minor children, students at Watertown City School District. We write regarding the District's egregious conduct in allowing a teacher to expose students to pornographic and sexually explicit images under the guise of art, and subsequent failure to implement prompt or appropriate discipline. Because of the District's lax monitoring of its curriculum and teachers, and its deliberate choice to shield the teacher from accountability, the harm done to Mses. Boyanski and Roberts' children is irreparable and ongoing. The District's behavior goes directly against the rights of a parent to know and be in control of his or her child's education and moral upbringing.

Statement of Facts

On or about September 13, 2025, Ms. Bridgette Gates, a seventh-grade Art teacher at Watertown City School District, assigned her seventh-grade Art students a project involving the

¹ The ACLJ is an organization dedicated to the defense of constitutional liberties secured by law. ACLJ attorneys have argued before the Supreme Court of the United States in several significant cases involving the freedoms of speech and religion. *See, e.g., Pleasant Grove City v. Summum*, 129 S. Ct. 1523 (2009) (unanimously holding that the Free Speech Clause does not require the government to accept counter-monuments when it has a war memorial or Ten Commandments monument on its property); *McConnell v. FEC*, 540 U.S. 93 (2003) (unanimously holding that minors enjoy the protection of the First Amendment); *Lamb's Chapel v. Center Moriches Sch. Dist.*, 508 U.S. 384 (1993) (unanimously holding that denying a church access to public school premises to show a film series on parenting violated the First Amendment); *Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990) (holding by an 8-1 vote that allowing a student Bible club to meet on a public school's campus did not violate the Establishment Clause); *Bd. of Airport Comm'rs v. Jews for Jesus*, 482 U.S. 569 (1987) (unanimously striking down a public airport's ban on First Amendment activities).

artist Keith Haring. Students were instructed to visit the website [REDACTED] and select two artworks from the 1980–1990 period to interpret and sketch. The link, [REDACTED] provided via their school-issued Chromebooks, led students to a gallery displaying the artist’s works organized by year including numerous images, including several depicting explicit sexual acts, body mutilation, and other mature content wholly inappropriate for 11 and 12 year old children.

Parents later learned that Ms. Gates displayed the website in class using the Smart Board. Students observed the gallery images simultaneously. According to multiple students, the teacher acknowledged that “some of the images were inappropriate,” instructed students to “ignore them and be mature,” and proceeded with the lesson. Students reportedly discussed among themselves afterward that the content was inappropriate. Despite her acknowledgment that the images were inappropriate, Ms. Gates took no steps to: notify parents in advance, seek alternative, age-appropriate resources about Keith Haring that did not contain explicit sexual imagery, pre-screen and curate specific images for students to review, block or filter the explicit content, or provide students an alternative assignment.

This was not a momentary or inadvertent exposure. Students worked on this assignment over multiple class periods spanning approximately two weeks, with Art class meeting every other day. Ms. Boyanski’s child reported working on the assignment for two weeks before his mother learned of it on September 22, 2025. This means students were repeatedly exposed to this pornographic content across multiple class sessions.

Parent Discoveries and Complaints

On or about September 22, parents Stephanie Boyanski and Jessy Roberts discovered the content after reviewing the Google Classroom assignment on their children’s Chromebooks. Each confirmed that the Keith Haring website contained multiple sexually explicit or offensive images and that their children had viewed them as part of the assignment.

[REDACTED]

Ms. Roberts contacted Ms. Gates directly by email and phone. Ms. Gates attributed responsibility to the school’s IT department, stating that the content should have been blocked and that she had already instructed students to ignore inappropriate images. She refused to take personal responsibility for directing students to an unvetted website containing pornography. Ms. Gates’ response demonstrates a complete failure to understand the severity of exposing minors to pornographic content and an abdication of professional responsibility.

Ms. Boyanski also contacted school administrators and local law enforcement. A Watertown Police officer—who also serves as a school resource officer—met with the parents outside the school on September 22. The principal and assistant principal informed the parents that

they were taking the matter seriously and claimed that the District had not been aware of the issue. Parents were not permitted to enter the building or meet with the teacher.

Administrative Response

By September 23, 2025, Ms. Gates had reportedly been placed on paid administrative leave pending investigation, although the parents were not officially notified. The assignment link was removed from Google Classroom shortly thereafter. Following these meetings, the parents received minimal information from the District. The District later issued a ParentSquare message stating that students had “come across inappropriate content” but provided no acknowledgment or apology. This language is deliberately misleading: it suggests students stumbled upon the content accidentally, rather than the truth: that a teacher deliberately assigned them to view it, acknowledged its inappropriateness, and required them to analyze it for a graded assignment over a two-week period. The Keith Haring Foundation website was subsequently blocked on school Chromebooks.

School Board and Union Involvement

Parents, including Ms. Boyanski and Ms. Roberts, spoke at a school board meeting on or about October 7–8, 2025, expressing concern about the school exposing their children to sexually explicit materials. No board members publicly responded. Local media covered the controversy, blurring the offending images in their reports due to their graphic nature.

Ahead of that meeting, Kevin Todd, president of the Watertown Education Association, called for teachers to attend in solidarity. The District canceled all after-school activities to allow staff attendance. Teachers were provided pins reading “Fact Over Fiction,” which parents interpreted as directed toward them. During the meeting, Mr. Todd compared the parents' legitimate concerns about pornography being shown to their children to vandalism of his personal “Little Free Library” and described concerned parents as “internet warriors.”

Ongoing Developments

To date, Ms. Gates remains on administrative leave but has faced no formal discipline. Parents were informed that no criminal charges would be filed, as law enforcement considered the lesson to fall within the context of art instruction. The District has not publicly issued any updated policy or acknowledgment of error. Parents continue to express concern regarding the school's handling of the incident and the teacher's future return to the classroom.

Statement of Law

Parents have the right, as ultimate arbiter of a child's education, to make educational decisions for their children. *Meyer v. Nebraska*, 262 U.S. 390 (1923); *Pierce v. Society of Sisters*, 286 U.S. 510 (1925); and *Wisconsin v. Yoder*, 406 U.S. 205 (1972). These longstanding principles were most recently re-affirmed in the case of *Mahmoud v. Taylor*, just three months before the incident in question here, wherein the Supreme Court reaffirmed the concrete constitutional rights of parents when schools expose their children to sexually explicit or religiously objectionable content without notice or opt-out opportunities. *Mahmoud v Taylor*, 145 S. Ct. 2332 (2025).

In *Mahmoud*, the Supreme Court held that public schools substantially burden parents' free exercise of religion when they compel children to participate in instruction that "poses 'a very real threat of undermining' the religious beliefs and practices that parents wish to instill in their children." *Id.* at 2342 (quoting *Wisconsin v. Yoder*, 406 U.S. 205, 218 (1972)). The Court further held that when such a burden exists, schools must provide advance notice and honor opt-out requests. *Id.*

A Parent's Rights

The Fourteenth Amendment's Due Process clause provides heightened protection against governmental interference, including the fundamental right to make decisions concerning the care, custody, and education of one's children. *Troxel v. Granville*, 530 U.S. 57 (2000) (citing *Washington v. Glucksberg*, 521 U.S. 702, 720 (1997) and *Stanley v. Illinois*, 405 U.S. 645 (1972)).

Subjecting children to instruction that runs counter to a parent's faith and morals burdens parental efforts to raise their children in accord with the values the parent wishes to instill in the child. A public school has no monopoly on the instruction of the young. *Pierce*, 286 U.S. 510. "Students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate." *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 411 (1969). Isolated exposure of children to obscene words, pictures, or actions could have an instantaneous effect on a child. *FCC v. Pacifica Found.*, 438 U.S. 726, 749 (1978).

In showing their children sexually explicit content and requiring the students complete a project on sexually explicit and inappropriate material, Watertown has violated the Fourteenth Amendment Rights of Ms. Boyanski and Ms. Roberts to limit and prevent the exposure of their children to inappropriate material. The present case presents a violation of parental rights arguably more egregious than *Mahmoud*. In *Mahmoud*, the disputed content consisted of age-appropriate storybooks that included LGBTQ+ characters and themes, not sexually explicit, but parents had a constitutional right to notice and opt-out because the content substantially interfered with their religious beliefs about sexuality and gender. Here, the content was objectively pornographic and sexually explicit by any reasonable standard.

Ms. Roberts has religious objections to her son being exposed to sexually explicit imagery at age 11, as it conflicts with her religious beliefs about sexuality, sexual morality, and age-appropriate education. Under *Mahmoud*, she had a constitutional right to be notified before her son was exposed to such content and to opt him out of the assignment. The District violated this right.

Ms. Boyanski's objection is rooted in her fundamental right as a parent to control what sexual content her son is exposed to and when, particularly given his history of sexual trauma. She objects to her 12-year-old son being forced to view pornographic images depicting sex acts, regardless of whether they have artistic or cultural significance. Under *Mahmoud* and the broader parental rights doctrine, she had a constitutional right to be notified and to opt him out of this assignment.

Ms. Roberts, as affirmed in multiple Supreme Court cases—most recently *Mahmoud*—has a right supreme to the state in controlling the religious instruction of her child. Ms. Boyanski's

objection, while not rooted in a religious objection, is no less protected. The right of a parent to direct their child's moral upbringing and protect them from inappropriate content is central to raising a contributing member of society.

Educational decisions carry virtually the same weight as making medical decisions for one's child; the consequences are steep and routinely the outcome or consequence is an indelible mark on a child's life and future. New York law takes these types of decisions seriously, such that medical decisions are the jurisdiction of the parent and not the state. NY CLS Public Health § 2504.5. Even in cases where the issue of public concern was great, New York recognized the supremacy of a parent to make informed choices for their child. *Alfonso v. Fernandez*, 195 A.D.2d 46 (N.Y. App. Div. 2d Dep't) (Affirming parental rights to be notified of free condoms being given to their children).

School's Duty to Protect its Students and Provide Opt-outs

Moreover, a school board has the duty to protect its students under New York Law. The State, particularly the Board, "has a duty to ensure the safety of its students." *Matter of Santer v. Bd. of Educ. of E. Meadow Union Free Sch. Dist.*, 23 N.Y.3d 251, 265 (2014). "[A] school has a duty of care while children are in its physical custody or orbit of authority, or if a specific statutory duty has been imposed." *Chainani by Chainani v. Board of Educ.*, 87 N.Y.2d 370, 378 (1995). This duty stems from the "strong public policy of protecting children." *Villarin v Rabbi Haskel Lookstein School*, 96 A.D.3d 1, 9 (N.Y. App. Div. 1999).

Watertown District policy states that selection of curriculum, including textbooks and multimedia will be chosen partly based on the "appropriateness to grade level as to vocabulary, sentence structure, and organization," "levels of pupil maturity and experience necessary for empathetic reading of literature" and "thematic treatment which promotes sound and healthy values for students." Watertown City School District Policy 8301. In selection of library materials, similarly, a high educational standard is set that emphasizes the age appropriateness of the material for students. Watertown City School District Policy 8303. Shockingly, the District has no affirmative policy that it will refrain from showing sexually explicit material to its students. Even so, the requirement that seventh grade students were required to sift through and analyze the "artistry" of cartoon genitalia, depictions of several types of sex acts, genital mutilation, and group sex, shocks the conscience and can by no means qualify to fit the District's mandates for selecting curricula as it serves no educational value.

The teacher's actions, in sending seventh grade students to an open website, without checking if the school firewall would redact the explicit images, or assuring an alternative way to share and analyze the art, without taking precautions to limit the content the student viewed as other teachers in the school did, violated the rights of Ms. Boyanski and Ms. Roberts to direct their children's moral upbringing. Ms. Boyanski and Ms. Roberts had the undeniable right to be notified of the intent to show this material, and to be able to opt their children out of viewing pornographic art featuring genitalia and group sex. By failing to notify the parents ahead of this school assignment, the school violated constitutionally protected parental rights.

Demand

The situation described here is of serious importance, not just to Ms. Boyanski and Ms. Roberts's children, but to all students attending the school who were intentionally exposed to pornographic art when alternate routes existed to prevent such an egregious lapse. The rights of Ms. Boyanski and Ms. Roberts, along with their children, have been violated, and as you are undoubtedly aware, the violation of an individual's constitutional rights, even for a moment, results in irreparable injury. *Elrod v. Burns*, 427 U.S. 347, 373 (1976).

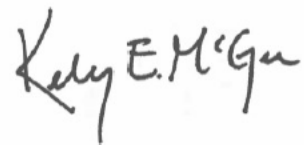
Given the nature of the rights involved, we request your immediate written assurances that:

1. A letter of reprimand will be placed in the offending Art teacher's employment file;
2. The school will adopt a policy **not** to show sexually explicit content to children without parental notification and the school will take prompt disciplinary action if the policy is not followed; and
3. When any future curriculum includes sexually explicit material, a parental consent form must be sent home, and a clear opt-out policy be articulated as an option to parents/students.
4. Counseling will be provided at the District's expense for students who were emotionally and psychologically affected by having a school assignment that required viewing pornographic images.

As this is not the first time our organization has held you accountable for violating First Amendment rights, *see Liberty Christian Ctr. V. Bd. of Ed.*, 8 F.Supp. 176 (N.D. NY 1998), we trust that this matter can be resolved swiftly. Please direct your response in writing immediately. If we do not hear from you before COB on December 1, 2025, we will assume that you intend to resolve this matter through litigation.

Thank you for your prompt attention to this important matter.

Sincerely,



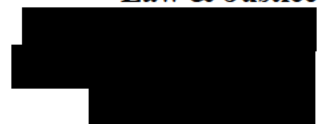
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