



That *all* might be free.

August 11, 2026

Roaring Fork Schools Board of Education
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Dear Mr. Delk, Ms. DeFrates, Ms. Kuhlenberg, Ms. Nimmo, Ms. Ramirez, and Superintendent Cole,

I write on behalf of Alliance Defending Freedom's Center for Parental Rights. ADF works to protect parents' fundamental right to direct the upbringing, education, and health care of their children by advocating in court, promoting sound policy, and collaborating with allies. As detailed below, several parents in the district have contacted ADF to express their frustration with the content and implementation of Roaring Fork's 3Rs curriculum. Even a cursory review of the curriculum reveals why. We urge you to address these concerns immediately.

The 3Rs curriculum includes graphic visuals and ideologically driven content aimed at children as young as five years old—an offense compounded by Roaring Fork's failure to provide adequate notice and opt-out rights to parents in violation of their fundamental constitutional rights. Many Roaring Fork parents still do not know what their children are being taught. And for those who know, many have struggled to get actual notice in time to protect their children from the highly sexualized content that violates their convictions about how they should raise their children. District schools have also failed to fully honor some parents' opt-out requests.

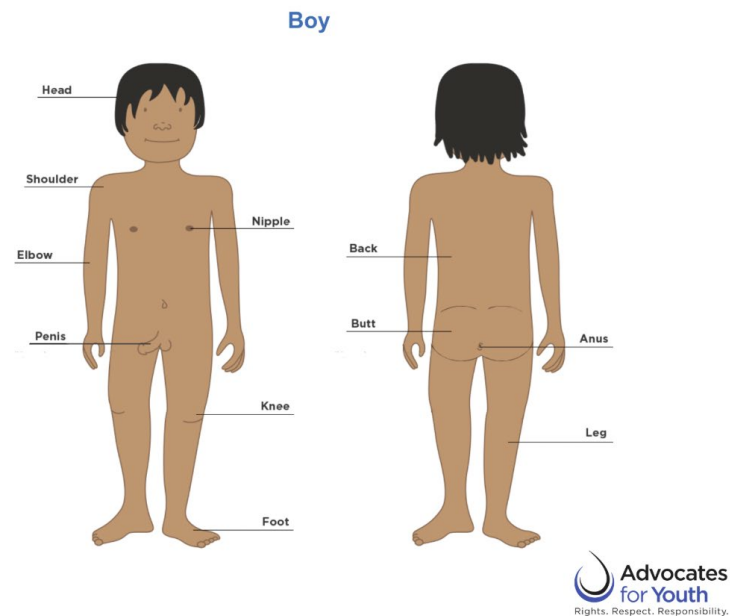
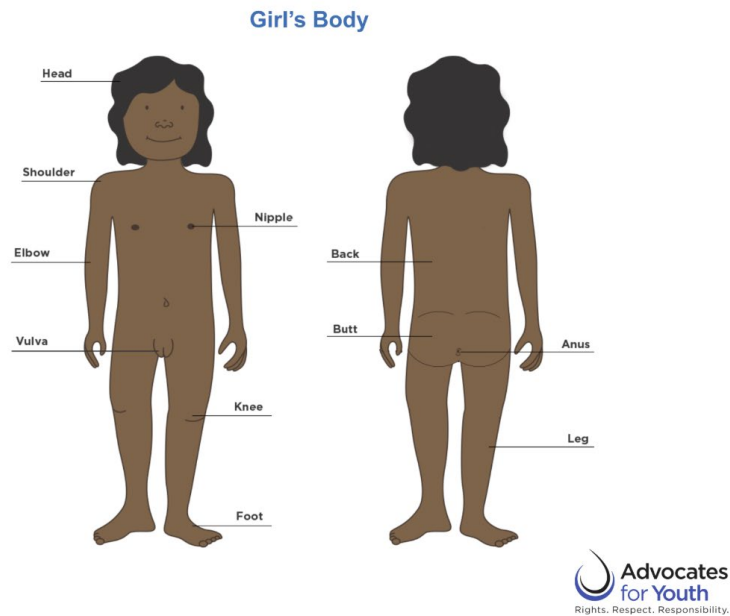
Given these constitutional deficiencies, we demand that Roaring Fork remedy them by abandoning the 3Rs curriculum altogether. At minimum, Roaring Fork must immediately implement an *opt-in* procedure that ensures parents can exercise their fundamental right to direct the upbringing and education of their children by automatically exempting all children from this explicit content except for those children whose parents choose to opt in. Anything less perpetuates Roaring Fork's parental-rights violations.

Roaring Fork Schools Adopts the 3Rs Curriculum

In May 2023, Roaring Fork Schools adopted the 3Rs (Rights, Respect, and Responsibility) curriculum. A [free curriculum](#) created by Advocates for Youth, the 3Rs curriculum serves as Roaring Fork's comprehensive human sexuality education. *See* Colo. Rev. Stat. § 22-1-128. When the Roaring Fork Board of Education [approved](#) the 3Rs curriculum, it recognized parents' deep concern over the content but dismissed the objections as "sensational comments" and other so-called "misinformation." In a statement accompanying the adoption of the 3Rs curriculum, the Board declared that it was "important to [the Board] that age-appropriate content that aligns to Colorado state standards is taught to all students." And the Board assured parents that it "approved the curriculum with the expectation that there is a clear opt-out system in place for families." But that hasn't been the parents' experience. And parents were right to be concerned about the content.

Just look at the curriculum. In [kindergarten](#), children learn to identify "at least three body parts of the female namely the nipples, vulva and anus," along with identifying the "nipples, penis and anus" for the male anatomy. But this explicit language—foisted on young children without parental consent—is not all. The accompanying pictures are worth a thousand words. That same kindergarten lesson includes a PowerPoint presentation called "[Understanding Our Bodies](#)." The slides speak for themselves:



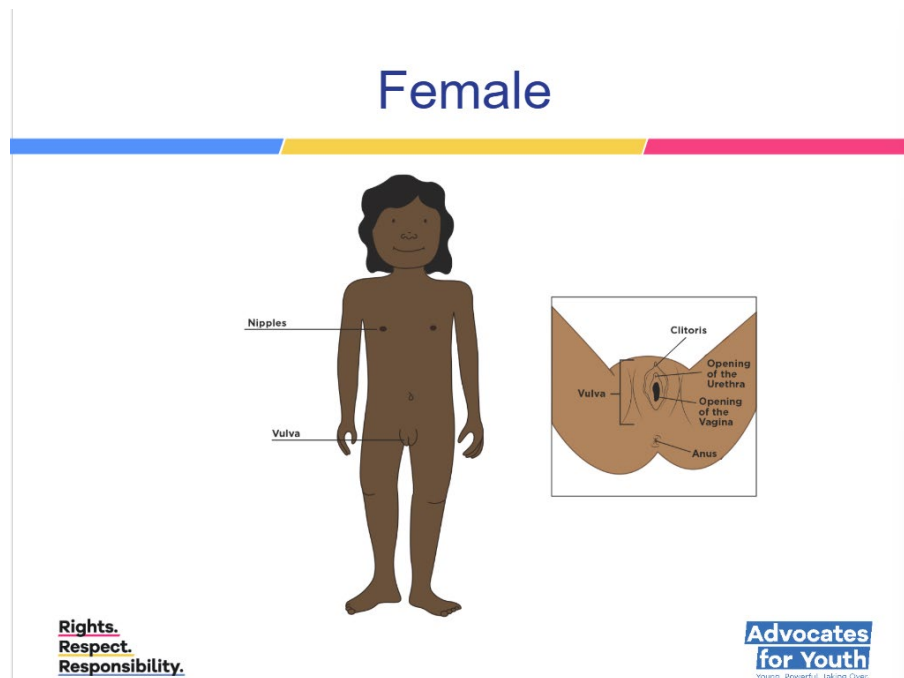


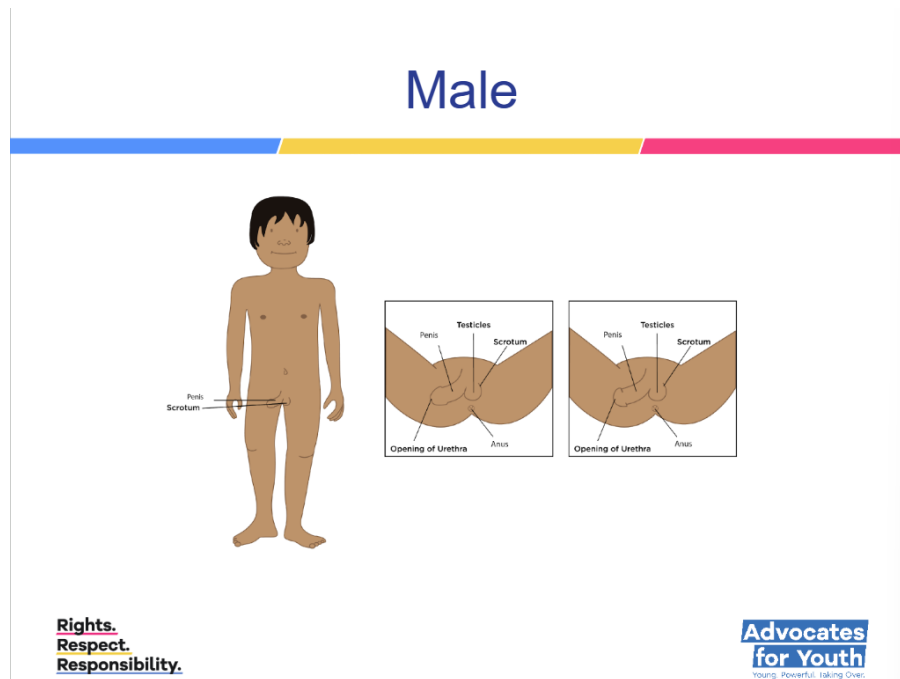
Despite the graphic nature of these slides, Roaring Fork gives its kindergartens complete discretion on whether to use the slides. Roaring Fork seems to assume that images depicting naked children with prominent genitalia will prompt questions, so it [instructs schools](#) to be “prepared for community/family questions about this lesson.” Roaring Fork recognizes that these slides are “[controversial](#),” yet the lesson plan directs teachers to show even “more detailed

anatomical drawings” from a book called *Not the Stork*—when “possible.” Parents never see that book.

Along with these graphic illustrations, the children learn that there are “some body parts that mostly just girls have and some body parts that mostly just boys have.” And teachers are expected to help their students figure out “[how they like to be touched](#).”

That’s just kindergarten. First graders are required to learn about reproduction and fill out a “[Can This Make Babies?](#)” worksheet that includes people, animals, cars, and pizza, among other items. And in second grade, the graphic “Understanding Our Bodies” slides copied above become mandatory and add [even more graphic material](#) with close-up imaging:





As is common throughout the 3Rs, the second-grade lesson plan cautions against a [“binary construct of gender.”](#) The 3Rs has third graders create a [“family pride flag”](#) in a lesson that celebrates same-gender parents. Fourth graders learn about some changes they can expect during [puberty](#), such as “spontaneous erections,” “wet dreams,” and “more conflict with parents.” They also learn that most abusers are [men whom the child knows](#), a message that could plant distrust towards male family members in the minds of nine-year-olds, again without parental consent or involvement.

In fifth grade, students learn about [sexual orientation](#). In that [lesson](#), fifth graders are told that they might love “people who are a different gender than we are,” or “people who are our same gender,” or “sometimes we might have feelings for people of all genders.” Sixth graders become [“Sex Ed Sleuths”](#) and are instructed to research sexual-education websites—with no mention of parental permission or involvement until after they finish their research. Despite the curriculum’s stated intent of teaching children how to find accurate information, the curriculum [also instructs sixth graders](#) that “someone can have a penis even if they don’t identify as a boy or a vulva even if they don’t identify as a girl.”

In a seventh-grade lesson called [“I Am Who I Am,”](#) Roaring Fork teaches students that “choosing” sexual orientation or gender identity is a myth. Students are required to affirm statements like this in a worksheet. Eighth graders are

required to fill out a sheet that grades how [“LGBTQ-inclusive”](#) their school is based on things like Valentine’s Day celebrations of LGBTQ couples, LGBTQ posters in school hallways, and the use of “parent/guardian” instead of “mom and dad.” High schoolers fill out another [myth or fact sheet](#), where they are to affirm that it is a myth that one can change his or her sexual orientation. They are also told that they should not use words like “homosexual” or “straight.” And the high-school curriculum takes great care to use phrases like [“someone with a vulva”](#) instead of “girl or woman” in the name of gender inclusivity.

Thousands of Roaring Fork parents don’t even know that their children are seeing this content or participating in these activities—and that is by design. Roaring Fork chose [“opt-out instead of opt-in”](#) to, by its own admission, “ensure[] students have access to health education.” Roaring Fork thus chose a well-hidden opt-out scheme, knowing that objecting parents would not see the notice or opt out in time. And that’s exactly what’s happening.

Roaring Fork’s notice and opt-out procedure does not effectively allow parents to opt their children out of this material. Roaring Fork requires only two weeks’ notice to parents before a 3Rs lesson is taught. Some parents aren’t even getting that. And the Board’s prescribed notice is woefully deficient—a physical copy of an opt-out letter stuffed in students’ take-home folders and a digital copy that’s often buried in the middle of other school announcements on the Remind app. It’s then often identified as “health education,” obscuring its highly sexualized nature from parents lucky enough to find the note. This opt-out procedure has had predictable consequences.

Roaring Fork Schools Implements the 3Rs Curriculum

The 3Rs curriculum is putting parents in a bind. Consider the experience of the following Roaring Fork parents:

One parent whose son was in Crystal River Elementary’s kindergarten class found the “Understanding Our Bodies” lesson plan in his son’s take-home folder in January 2026. Although the folder included an opt-out form, the form stated that the lesson would be taught the following month—with no date specified. The take-home folder also did not include the graphic slides that would accompany the lesson. Crystal River Elementary called the curriculum “Comprehensive Health Curriculum.” It otherwise buried the curriculum announcement in the monthly online newsletter, calling the curriculum there a “Health Curriculum.” So this announcement was mixed in with a host of other announcements in the letter—a letter accessible only after clicking on a link to the letter in the Remind app. This



father had to go through the school nurse and then the district nurse to receive a copy of the “Understanding Our Bodies” slides.

Another father with two children in Crystal River Elementary received a lesson plan that discussed the body parts that “some” boys have and the parts that “some” girls have. His wife signed an opt-out form and delivered it to the school for their young elementary school kids. Just an hour later, the principal called to let her know that their children would be taken out of class *that same day*. But the school had not told them which day the lesson would be taught, giving them almost no opportunity to opt out their children.

Even though this family narrowly achieved an opt out, the opt out had little practical effect. The graphic nature of the 3Rs curriculum left second-graders discussing penises and vaginas in front of this family’s children. Those second-graders were terrified by what they saw. And when this family asked for the 3Rs slides, their son’s teacher did not respond.

In March 2026, a Carbondale Middle School family saw an online letter notifying parents of upcoming “Health Education,” including benign subjects like puberty and hygiene. They never received anything in a take-home folder. Other families in their son’s class had no idea what their children would be taught. The mom sent the school an opt out for some of the 3Rs lessons. No one responded until she followed up with a separate email. She was then told that her opt out had been captured by the spam filter.

Another family had two sons in Basalt Middle School. One of their sons, when opted out of the 3Rs curriculum, was sent to the library with a random book during that time. Their youngest son was not pulled out of a 3Rs class until partway into the curriculum—leaving him in graphic lessons after his mother opted him out. Then, both children felt excluded and derided by other students, who still talked to them about the graphic content they had been pulled from seeing firsthand.

A second Basalt Middle School family received no opt out at all. Despite the mother signing an opt-out form and emailing it to the school at the beginning of the school year, and at least one more time closer to the time the 3Rs was taught, her son sat through the entire 3Rs curriculum. She understood from her opt-out emails that the school would send him to the library during the 3Rs instructions. But the school put him through the curriculum instead, contrary to her opt-out request.

A third Basalt Middle School family received no notice at all—not in a take-home folder, not in the Remind app, nothing. The only reason the mother knew the 3Rs was coming was that her children told her. She feels that it is difficult to keep



up with notifications when the school uses so many platforms—Infinite Campus, Remind, email, texting, and more. But even with those platforms, she received no notice from the school ahead of the curriculum.

The U.S. Constitution Requires Effective Notice and Opt Outs

The Constitution has long established that “parents—not the State—have primary authority with respect to ‘the upbringing and education of children.’” *Mirabelli v. Bonta*, 607 U.S. 492, 497 (2026) (quoting *Pierce v. Soc’y of Sisters*, 268 U.S. 510, 534–35 (1925)). So when parents have religious or moral objections to public-school curriculum, the Constitution requires that the school districts provide parents effective notice and a meaningful opportunity to opt out. *Mahmoud v. Taylor*, 606 U.S. 522, 568–69 (2025); *see also* Colo. Rev. Stat. § 22-1-128 (3)-(5) (requiring the same for comprehensive human sexuality education).

Roaring Fork has failed the parents it serves. By design, Roaring Fork implemented a vulgar sexual-education program with ineffective notice and opt-out opportunities for parents. Roaring Fork rejected an opt-in procedure to ensure that *more* children would see the 3Rs materials—banking on parents missing the opportunity to opt out their children.

The 3Rs curriculum is not just another science or math course, but one infused with controversial material. And the Board knows that. Their comments during and after its passage confirm it. “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox” in “matters of opinion.” *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943). While “Boards of Education” have “important, delicate, and highly discretionary functions,” they have no duties “that they may not perform within the limits of the Bill of Rights.” *Id.* at 637. Roaring Fork is not “beyond reach of the Constitution” and needs to take corrective measures here. *Id.* at 638.

Roaring Fork Must Ensure Educational Freedom

Roaring Fork has trampled parental rights for years, smuggling an obscene, ideologically driven curriculum in front of children and behind their parents’ backs. The Constitution requires Roaring Fork to take the following steps in the 2026-2027 school year:

First, Roaring Fork should remove the 3Rs curriculum from all district schools. Nothing in Colorado law requires school districts to shove vulgar slides in front of innocent kindergarteners. Nor should school districts indoctrinate children in gender ideology’s tenets under the guise of sexual education. Roaring Fork can

reverse course by implementing an age-appropriate curriculum stripped of ideological indoctrination. In fact, parents have suggested such alternatives.

Second, if Roaring Fork retains the 3Rs curriculum over the community's objections and common sense, then Roaring Fork must change the opt-out procedure to an opt-in procedure. No child should be automatically enrolled in a class that forces them to accept the 3Rs' graphic slides and controversial ideology. An opt-in procedure ensures that children will participate in the 3Rs only if their parents expressly consent—the minimum constitutional requirement.

Third, Roaring Fork must provide effective notice—even in an opt-in procedure. Parents need to know what is coming. Roaring Fork has clouded the true nature of the 3Rs curriculum by sometimes calling it “health education” or “health curriculum” instead of what it is—graphic sexual education. Roaring Fork schools send a take-home notice that does not include the graphic slides that students will see. And the only place Roaring Fork does provide the slides is online—accessible only after parents click through several links, starting with an e-newsletter that does not clue parents in to the graphic nature of the 3Rs to begin with.

To ensure that parents have full opportunity to exercise their fundamental right to direct the upbringing and education of their children, Roaring Fork must take the following steps: (1) notify all parents about the 3Rs curriculum at the beginning of the school year; (2) refer to the curriculum as “sexual education” or “comprehensive human sexuality education” in all communications to parents; (3) send home physical copies of the entire curriculum—including all diagrams, activities, and slides—at *least* four weeks in advance of in-class instruction; (4) in all notices, provide specific dates when the 3Rs curriculum will be taught; and (5) make any online notice about the 3Rs curriculum a standalone notice that is not buried in an e-newsletter or otherwise combined with other announcements.

Fourth, Roaring Fork must implement measures to ensure that parents' opt-in or opt-out choices are followed by their schools. Roaring Fork schools have left far too many children in 3Rs classes after their parents opted out. Those are constitutional violations, and any failures to abide by parents' educational choices may result in legal action.

Conclusion

Parents—not school districts—are the primary educators of their children. This fundamental right is one of the bedrock principles of a free society. When school districts like Roaring Fork undermine parental authority by exposing children to vulgar and ideologically charged material without ensuring parental



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involvement, they fracture that liberty interest. Roaring Fork must act now to restore the community's broken trust, honor the constitutional rights of the families it serves, and ensure that parents are in control of their children's education.

Sincerely,



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