


Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

May 23, 2005

MEMORANDUM

To: Members of the Board of Education

From: Jerry D. Weast, Superintendent of Schools 

Subject: Rescission of the Family Life and Human Sexuality Pilot and Other Actions

WHEREAS, the United States District Court for the District of Maryland issued a temporary restraining order on May 5, 2005, enjoining the Montgomery County Public Schools (MCPS), the Board of Education, and the superintendent from implementing a pilot program in six schools that would have modified the Family Life and Human Sexuality Units of Health Education in Grade 8 and Grade 10; and

WHEREAS, the superintendent of schools suspended the same pilot program on May 5, 2005, for the remainder of the 2004-2005 school year before it was implemented; and

WHEREAS, the list of teacher resource materials for one of the revised units of the pilot program contained certain materials that were not part of the curriculum to be taught to students and were not intended or authorized to be distributed to students; and

WHEREAS, the Board of Education believes that it is not appropriate to include these teacher resource materials in connection with any curriculum; and

WHEREAS, on May 17, 2005, the Court extended the temporary restraining order upon mutual agreement of the parties through December 31, 2005, unless the case is otherwise resolved before that date, and attorneys are now in settlement discussions; and

WHEREAS, the Board of Education is desirous of moving forward with improvements in the health education curriculum; now therefore be it

Resolved, That the Board of Education of Montgomery County hereby endorses the superintendent's decision to suspend the pilot program this year and officially withdraws the suspended pilot changes to the Family Life and Human Sexuality Units of Health Education in Grade 8 and Grade 10, as well as the "Protect Yourself" video; and be it further

Resolved, That the Board of Education instructs the superintendent to research, develop, and recommend new revisions (the Revisions) to the Family Life and Human Sexuality Units of Health Education in Grade 8 and Grade 10, including revisions to address the issue of sexual variations as provided in COMAR 13A.04.18.03(B)(3)(c), for the Board's consideration during the 2005-2006 school year; and be it further

Resolved, That the following materials shall not be used in any form as teacher resource materials or in any other way in connection with the Revisions or any curriculum:

- (a) Family Pride Organization, Issues and News: Myths and Facts (2002)
- (b) Maricopa Community College, Myths and Facts (2001) (previously available at <http://www.emc.maricopa.edu/diversity/slhra/mythfact.htm>)
- (c) "Lesbian, Gay, and Bisexual Youth Q & A," The Prevention Researcher Resource Issue, December 2002
- (d) Planned Parenthood Edmonton, Lesson Plan: Sexual Orientation Myths with Handout #1 Question Sheet and Handout #2 Answer Sheet (2001-02)

and be it further

Resolved, That, consistent with COMAR 13A.04.18.03(D)(1), the new Revisions shall be developed by professional educators within MCPS and consultants appointed by the superintendent and provided to the Citizens Advisory Committee on Family Life and Human Development (CACFLHD) for review and consultation, to the degree deemed appropriate by the superintendent; and be it further

Resolved, That the Board of Education reaffirms that MCPS retains the sole right and responsibility for determining the content of all curriculum, instructional materials, and associated resource materials under the direction and supervision of the Board of Education and the superintendent; and be it further

Resolved, That the Board of Education modifies its prior actions so that the terms of all current members of the CACFLHD expire as of today's date; and be it further

Resolved, That the Board thanks all former members of the CACFLHD for their diligent service, and be it further

Resolved, That the CACFLHD will hereafter be reconstituted for the 2005-2006 school year.

JDW:kmy