

**BEFORE THE MARYLAND STATE BOARD OF EDUCATION**

CITIZENS FOR A RESPONSIBLE CURRICULUM, )  
PARENTS AND FRIENDS OF EX-GAYS AND )  
GAYS, and )  
FAMILY LEADER NETWORK )  
 )  
Appellants )  
 )  
v. )  
 )  
MONTGOMERY COUNTY PUBLIC SCHOOLS, )  
MONTGOMERY COUNTY BOARD OF EDUCATION, )  
and JERRY WEAST, )  
in his official capacity as Superintendent, )  
 )  
Appellees )

**APPELLANT REQUEST FOR STAY**

Citizens for a Responsible Curriculum, Parents and Friends of Ex-Gays and Gays, and Family Leader Network, by and through its undersigned counsel, move the Maryland State Board of Education, through its State Superintendent of Schools, Dr. Nancy S. Grasmick, pursuant to Code of Maryland Administrative Regulations (COMAR) 13A.01.02.01, to issue immediately a stay of the action of the Montgomery County Board of Education on June 12, 2007 in approving the final adoption of revised health education curriculum at issue in this case.

Appellants state the following, as set forth in the accompanying Memorandum, submitted herewith and incorporated herein, in support thereof:

1. Appellants have demonstrated violations of federal, state, and administrative law and policy by Appellees in its curriculum's Additional Lessons to the 8<sup>th</sup> grade and 10<sup>th</sup> grade health education in Montgomery County Public Schools, which includes

lessons on “Respect for Differences in Human Sexuality” in Grade 8 and Grade 10 and a lesson on “Condom Use Demonstration” in Grade 10.

2. Genuine disputes of material facts exist in this case, as detailed in Appellants’ briefs submitted in this proceeding and incorporated herein, which prohibit Appellees from its approval of “final adoption of revised health education curriculum.”

3. In the March 7, 2007 Order of the State Superintendent, State Superintendent Nancy S. Grasmick held that “Appellants arguments are equally matched by the local board’s response” in its appeal of the curriculum and that “the appeal can move forward for a State Board decision on the merits.”<sup>1</sup> Appellee’s action in adopting a final curriculum without waiting for the State Board’s decision as to the legality of that curriculum is premature, tramples on the rights of Appellants, contradicts the findings of the Superintendent that Appellant’s arguments are equally valid and deserving of a decision on the merits, and violates the Superintendent’s Order.

WHEREFORE, Appellants ask that the State Board of Education, through its State Superintendent of Schools, grant this request for stay.

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Rockville, Maryland 20850  
(301) 340-8200  
Attorney for Appellants

**CERTIFICATE OF SERVICE**

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<sup>1</sup> Order of the Superintendent, pp. 3 & 4.

I HEREBY CERTIFY, that on this \_\_\_ day of June, 2007 a copy of the foregoing was mailed first class, postage prepaid to:

Dr. Nancy S. Grasmick, Superintendent of State Schools  
Maryland State Department of Education  
200 West Baltimore Street  
7<sup>th</sup> Floor Board Room  
Baltimore MD 21201-2595  
*By Hand Delivery*

Nancy Navarro  
President, Montgomery County Board of Education  
Carver Educational Services Center, Room 123  
850 Hungerford Drive  
Rockville MD 20850  
*Certified Mail Return Receipt*

Jerry D. Weast, Superintendent  
Office of the Superintendent of Schools  
Carver Educational Services Center  
850 Hungerford Drive, Room 122  
Rockville MD 20850  
*Certified Mail Return Receipt*

Attorney Deputy Jacqueline La Fiandra  
Maryland State Department of Education  
Office of the State Superintendent  
Office of Legal Counsel  
200 St Paul Place, 19th FL  
Baltimore MD 21202  
*By Hand Delivery*

Judith Bresler, Esq.  
Reese and Carney, LLP  
10715 Charter Drive  
Columbia MD 21044  
*Via Overnight Mail*

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John R. Garza, Esq.