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Chris Comer, the Director of Science at the Texas Education Agency (TEA) who was forced to resign over a dispute involving intelligent design, has filed suit in Federal District Court for redress. Comer seeks:

- a declaratory judgment that the TEA policy of being "neutral" on the subject of creationism violates the Establishment Clause;
- a declaratory judgment that Comer's firing was unconstitutional;
- an offer from the TEA of reinstatement of Comer to her previous position as Director of Science;
- an injunction against TEA "having, expressing, or imposing through any means, a policy of 'neutrality' with respect to the teaching of creationism in the Texas public schools, or a policy that expressly or implicitly equates evolution and creationism, or that in any way credits creationism as a valid scientific theory"
- legal fees

Comer's offense was that she forwarded an email from NCSE's Glenn Branch announcing a talk by NCSE board member Dr. Barbara Forrest, co-author of *Creationism's Trojan Horse*, a critique of intelligent design creationism (see previous coverage [here](#) [4] and [here](#) [5]). Administrators reprimanded her for having informed her colleagues about the upcoming talk because it implied "that TEA endorses the speaker's position on a topic on which the agency must remain neutral."

Comer's [suit](#) [6] takes to task the TEA's policy of "neutrality" regarding creationism, a religious view. "... the Agency's firing of its Director of Science for not remaining 'neutral' on the subject violates the Establishment Clause, because it employs the symbolic and financial support of the State of Texas to achieve a religious purpose, and so has the purpose or effect of endorsing religion. By professing 'neutrality,' the Agency credits creationism as a valid scientific theory. Finally, the Agency fired Director Comer without according her due process as required by the 14th Amendment -- a protection especially

important here because Director Comer was fired for contravening an unconstitutional policy."

NCSE will keep you informed.

[Watch NCSE's video about Chris Comer](#) [7]

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