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07.15.2008

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As NCSE previously [reported](#) [4], Chris Comer, the former director of science at the Texas Education Agency who was forced to resign over a dispute involving "intelligent design" creationism, filed suit in federal court, seeking an injunction against TEA's "policy of neutrality with respect to the teaching of creationism in the Texas public schools." The *Dallas Morning News* (July 3, 2008) [reports](#) [5] that the suit alleges "that she was terminated for contravening an 'unconstitutional' policy at the agency. The policy required employees to be neutral on the subject of creationism -- the biblical interpretation of the origin of humans, she said. The policy was in force, according to the suit, even though the U.S. Supreme Court has ruled that teaching creationism as science in public schools is illegal."

The Associated Press (July 3, 2008) [adds](#) [6] that Comer's suit "alleg[es] she was illegally fired for forwarding an e-mail about a speaker who was critical of teaching a controversial alternative to evolution. ... The e-mail, which was intercepted by a state education leader, was about a speaker coming to Austin who had critical views of creationism and the teaching of intelligent design. The federal courts have ruled that teaching creationism as science in public schools is illegal under the U.S. Constitution's provision preventing government establishment or endorsement of religious beliefs. 'The agency's 'neutrality' policy has the purpose or effect of endorsing religion, and thus violates the Establishment Clause,' the lawsuit said."

Comer's suit also revives concerns about the management of the TEA. The *Austin American-Statesman* (July 4, 2008) [reminds](#) [7] its readers, "In an interview with the Statesman last year, Comer said the actions of science curriculum employees at the agency had been subject to increasing scrutiny in 2007 as the State Board of Education prepared to consider revisions to the science curriculum for all Texas public school students. The board was originally slated to consider the science curriculum earlier this year but has postponed that discussion until November. The board plans to hold a first vote on the

curriculum in January and a final vote in March."

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