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[Home](#) > Legislative salvation for the ICR?

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[Glenn Branch](#) [2]

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[Legislative salvation for the ICR?](#) [3]



[House Bill 2800](#) [4] (PDF), introduced in the Texas House of Representatives on March 9, 2009, would, if enacted, in effect exempt institutions such as the Institute for Creation Research's graduate school from Texas's regulations governing degree-granting institutions. The bill's sole sponsor is Leo Berman (R-District 6), a member of the House Higher Education Committee. A member of NCSE called Berman's office to ask whether the bill would apply to the ICR's graduate school; a staffer answered that he thought that it would, adding that he believed that the bill's objective was to aid institutions that want to teach creation science or intelligent design. Berman himself seems not to have offered any public statement about HB 2800 so far.

As NCSE's Glenn Branch [recounted](#) [5] in *Reports of the NCSE*, "When the Institute for Creation Research moved its headquarters from Santee, California, to Dallas, Texas, in June 2007, it expected to be able to continue offering a master's degree in science education from its graduate school. ... But the state's scientific and educational leaders voiced their opposition, and at its April 24, 2008, meeting, the Texas Higher Education Coordination Board unanimously voted to deny the ICR's request for a state certificate of authority to offer the degree." Following the Texas Higher Education Coordination Board's decision, the ICR appealed the decision, while also taking its case to the court of public opinion with a series of press releases and advertisements in Texas newspapers.

Now, however, it seems that HB 2800 would take the matter out of the board's hands altogether. Subchapter G of [Chapter 61](#) [6] of Texas's Education Code serves to regulate "the use of academic terminology in naming or otherwise designating educational institutions, the advertising, solicitation or

representation by educational institutions or their agents, and the maintenance and preservation of essential academic records"; it provides, inter alia, "A person may not grant or award a degree or offer to grant or award a degree on behalf of a private postsecondary educational institution unless the institution has been issued a certificate of authority to grant the degree by the board [that is, the Texas Higher Education Coordination Board] in accordance with the provisions of this subchapter."

HB 2800 would amend subchapter G by providing, "The provisions of this subchapter do not apply to a private educational institution, including a separate degree-granting program, unit, or school operated by the institution, that: (1) does not accept state funding of any kind to support its educational programs; (2) does not accept state-administered federal funding to support its educational programs; (3) was formed as or is affiliated with or controlled by a nonprofit corporation or nonprofit unincorporated organization; and (4) offers bona fide degree programs that require students to complete substantive course work in order to receive a degree from the institution." Presumably the ICR would argue that its graduate school satisfies all four requirements.

[Anti-Evolution](#) [7]

[2009](#) [8]

[Texas](#) [9]

[+ read](#) [3]

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[1] <https://ncse.com/printpdf/13365>

[2] <https://ncse.com/users/glenn>

[3] <https://ncse.com/news/2009/03/legislative-salvation-icr-004644>

[4] <http://www.legis.state.tx.us/tlodocs/81R/billtext/pdf/HB02800l.pdf>

[5] <https://ncse.com/rncse/28/2/setback-icr-texas>

[6] <http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000061.00.htm>

[7] <https://ncse.com/news/anti-evolution>

[8] <https://ncse.com/news/2009>

[9] <https://ncse.com/news/texas>