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The Institute for Creation Research Graduate School filed suit over the Texas Higher Education Coordinating Board's decision to deny the ICR's request for a state certificate of authority to offer a master's degree in science education. The [complaint](#) [4], filed on April 16, 2009, in the United States District Court for the Northern District of Texas, named Raymund Paredes, the Texas Commissioner of Higher Education, and the Texas Higher Education Coordinating Board and its members as defendants, in both their official and individual capacities, accusing them of imposing "an unconstitutional and prejudicial burden against ICRGS's academic freedom and religious liberties" (p. 63) and asking the court for declarative and injunctive relief.

As NCSE's Glenn Branch [explained](#) [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." Subsequently, 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.

Although the ICR continues to pursue its appeal, the complaint explains that the ICR deemed it necessary to file the lawsuit now because "(a) waiting a couple months [sic] to do so would miss the Statute of Limitations deadline; and (b) SOAH [the State Office of Administrative Hearings] has insufficient jurisdiction to remedy or otherwise resolve all of the serious legal problems involved" (p. 14).

(Unmentioned in the complaint is Texas's [House Bill 2800](#) [6], introduced in the Texas House of Representatives on March 9, 2009, which would, if enacted, in effect exempt institutions such as the ICR's graduate school from Texas's regulations governing degree-granting institutions. The bill is still in the House Higher Education committee.)

The sixty-seven-page complaint teems with various factual claims and legal arguments, leading a blogger for the *Dallas Observer* (April 20, 2009) to [quip](#) [7] that it "reads kind of like stereo instructions." It also teems with unabashed creationist rhetoric, citing articles from the ICR's publication *Acts & Facts* along with case law, explaining that Paredes — born as he was in 1942 — was not a witness to the Big Bang, asserting that discussions about the origin of life and the formation of the earth "do not become 'empirical science' simply because those discussions emit from the oral cavities of 'scientists'" (p. 33), and insisting that the Big Bang "should not be confused with the 'great noise' mentioned in 2nd Peter 3:10" (p. 21).

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