

Texas Home School Coalition

Dedicated to Serving and Protecting the Home School Community of Texas

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January 27, 2014

John J. Specia, Jr.
Commissioner
Department of Family and Protective Services
PO Box 149030
Austin, TX 78714

Commissioner Specia:

By way of introduction, let me state that the Texas Home School Coalition Association is a statewide advocacy organization for home educators, with almost 60,000 families on our mailing list. As the home school advocacy organization for the state of Texas, we act as a liaison with state and federal agencies in regard to issues related to home education. In fact, the state department of education, the Texas Education Agency, frequently refers calls received by that agency regarding home education to our organization for verification or resolution.

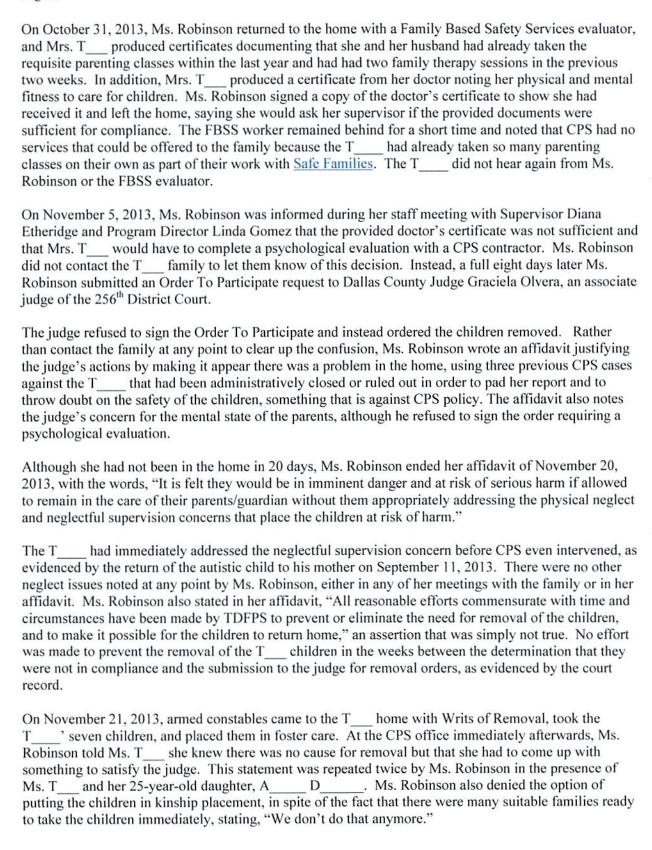
I am writing in regard to the T and C T case in Dallas County. The children of this family were removed wrongfully as a result of the actions of CPS caseworker Ms. Shan Robinson.
Ms. Robinson investigated a complaint resulting from an autistic child temporarily in the T' care wandering away from their home on September 11, 2013, and being returned by police. The child was returned to his mother's home by the T, of their own accord, on that same day in response to the incident, without any intervention at that point by CPS. CPS was notified by police at the time, but it was a week later that caseworker Shan Robinson came to do the standard walk-through investigation of the T' home. Mrs. T was cordial and fully cooperative with Ms. Robinson's investigation on September 18, 2013. At that time Ms. Robinson noted the clean, large house, and everything seemed fine.
In the course of their conversation that day, however, the caseworker questioned Mrs. T about her ministry to the homeless and her choice to home school, and she asked Mrs. T why she would choose to stay at home with her children. Ms. Robinson said, "Nobody in their right mind would want to stay home all day with so many children!"
Ms. Robinson had the children come to her office on September 20, 2013, for an interview, as some of the children were not at home during her first visit. Apparently her comment, "Nobody in their right mind," was not merely a figure of speech, because she issued a "safety plan," requiring the T to take parenting classes and requiring Mrs. T to have a psychological examination. The safety plan expiration date was October 20, 2013. Ms. Robinson handed Mrs. T a directory of all the clinical providers that work with CPS (from prenatal care to drug rehab) and gave her no further instructions. Ms Robinson did not communicate again with Mrs. T, and while Mrs. T did everything she thought she needed to do to be in compliance, she assumed the case would be closed out when the expiration date of October 20, 2013, came and went.

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In the court hearings that followed on December 16, 2013, and January 7, 2014, Ms. Robinson testified that the T___ home was safe and clean, and she insisted that that she did not request removal, but only an Order To Participate. However, under cross examination by the T___ ' lawyer on January 7, Ms. Robinson did acknowledge that she added the statutory language about imminent harm, as well as the closed CPS cases, to her report to the judge, and that she did not attempt to contact Mrs. T__ at any point after the safety plan was issued to let her know she was not in compliance. Ms. Robinson testified that she knew Mrs. T__ thought she was in compliance because of the documentation that she had submitted to Ms. Robinson.

The hearing on December 16, 2013, focused almost exclusively on the family's faith, community service, and their home schooling rather than on evidence supporting removal of the children. While some of the children have been returned to the family as a result of the appeal hearing on January 7, 2014, the family is not being allowed to home school, and some children remain away from the family. The actions caused by this caseworker and her supervisor cannot be ignored. She did not follow CPS procedure; instead, she traumatized these children, wasted CPS and county resources by placing seven children, who were living in a loving, safe home, into foster care.

Commissioner Specia, it appears that these egregious actions were taken by this caseworker and supported by her supervisor in order to facilitate or cover the judge's unjustified removal of these children. The removal has caused harm to the children and the family, and I urge you in the strongest terms to initiate a full and vigorous investigation of Ms. Robinson and her supervisor in this matter and to pursue disciplinary actions or removal for both.

Sincerely,

Tim Lambert

Tim Lambert

cc: Ms. Lisa Black, Assistant Commissioner Child Protective Services; Ms. Kristine Mohajer, CPS Education Specialist; Governor Rick Perry; Texas Senate Health & Human Services Committee; Texas House Human Services Committee; Texas home schoolers