

## FIX DYFS, NOT HOMESCHOOLING

Rally for Homeschool Freedom

May 24, 2004

Trenton, New Jersey

Good afternoon.

My name is Diane Toler and I am Director of the Catholic Homeschoolers of New Jersey. My husband, Rick, and I have two birth children and four children adopted through DYFS. We were DYFS foster parents for many years. We have been homeschooling all of our children since January of 1993.

As a former foster parent, I am concerned about the welfare of children. My heart breaks at the sad stories of the children in the foster system. This is the reason my husband and I chose to foster and adopt. We care deeply about these poor children and I thank God every day that we were allowed to take four of these children into our home and raise them in a loving, safe and nurturing environment.

I am sure you have read the accounts of the Jackson family of Collingswood. Four children adopted through DYFS were allegedly being starved, and the Jacksons claimed that they homeschooled these children. I am very sorry for the problems in the Jackson family and I pray for healing and justice for the children and the parents.

Assemblywoman Loretta Weinberg seems to think that homeschooling was at the root of the Jackson children's woes. Homeschooling was not the cause of the Jackson's problems. She would lead you to think that a law requiring proof of annual medical examinations and annual standardized testing, and placing all home educated children under the auspices of the New Jersey State Board of Education would have prevented the Jacksons from abusing their children. Such a law would not have prevented the abuse. Laws and procedures already in place to stop such abuse were systematically ignored by DYFS.

I refer you to the February 12, 2004, Preliminary Report by the Office of the Child Advocate. It is titled "Jackson Investigation: An Examination of Failures of New Jersey's Child Protection System and Recommendations for Reform."

The independent Office of the Child Advocate was created by statute on September 26, 2003. Public Law 2003, c. 187 enables the Office of the Child Advocate to investigate, review, monitor and evaluate State agency responses to allegations of child abuse or neglect in New Jersey, and make recommendations for systemic and comprehensive reform.

As noted in the report, each of the four Jackson children in question, while foster children in the custody of the Jacksons, were seen by doctors, and their low stature and weight

loss were duly noted. This is documented on pages 10, 14, 16-17 and 19-20 in the Report. Nonetheless, no corrective action was ever taken and the Jacksons were allowed to adopt these children. It is clear that medical exams were not able to prevent abuse.

Additionally, the Jacksons were required by law, as foster parents, to submit annual medical reports to DYFS on all residents of the household. This is noted on pages 22 & 23 of the Report. No medical reports were ever obtained, even though the Jacksons were still a foster home, and the four adopted children continued to starve. It is apparent that a regulation which required an annual medical exam had no effect.

Responsibility for the Jackson situation rests squarely with the Division of Youth and Family Services and, ultimately, with legislators and the governor. Many in our state legislature, particularly Assemblywoman Loretta Weinberg, are using homeschoolers as scapegoats. Attention is focused on innocent homeschoolers in order to gloss over DYFS's shortcomings.

I am here to tell Assemblywoman Weinberg and other members of the Assembly that the reasons for the existence of bill A1918 are fundamentally flawed. I am here to ask Assemblywoman Weinberg, the entire assembly, the senate and the governor to halt this unjust persecution of innocent homeschooling families. I ask them to have the courage to take care of business in their own agencies and to stop the injustice of blaming our good families for the failures of DYFS.

Fix DYFS, not homeschooling.

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