

In The
Supreme Court of the United States

Theresa Skillings - Petitioner

vs

The City of New York - Respondent

Petition for Rehearing

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Ms. Skillings is petitioning the Court to rehear her case. At issue are the rights of parents when Social Services becomes involved. Ms. Skillings has an ongoing case with the City of New York's agency the Administration for Children's Services (ACS). Ms. Skillings' parental rights were never terminated, and ACS' goal for the family has been for the child to be reunified with her mother. However after 5 years, ACS still hasn't closed this case, and continues to unfairly use the child's disability as a reason to keep the case open. ACS has been determining the child's education, which interferes with Ms. Skillings' parental rights, and the ability for Ms. Skillings to make decisions for her child.

Due to the corona virus pandemic, New York City's Department of Education offers families, whether or not their child has a disability, the option to have instruction provided: remotely, in-person, or a combination of both remote and in-person. However Ms. Skillings is being ~~the~~ denied the right to choose; as ACS has told her that her child must attend in-person; thereby placing her child at increased risk. In fact, there have been a number of COVID cases at the school, requiring the school to be closed for quarantine. Why is it sanctioned that ACS assumes that it is okay for my child to be placed at risk for the sake of receiving services, when services are also offered remotely?

Also, because the child attends school in-person, she is

required to be periodically tested for COVID, an invasive procedure. Due to the child's disability, she can not tolerate the test. Although Ms. Skillings and other professionals have explained things to the child, it is nonetheless anxiety provoking for her and she becomes very agitated, as she does not understand the testing process or the reasons for it. Ms. Skillings' child was determined to be medically exempt from taking these random tests. However school officials are still requiring it as a condition of attending.

So why is Ms. Skillings, as a parent, being made to subject her child to this? The child hasn't been sick or exhibiting symptoms. The family has been following the Centers for Disease Control and Prevention guidelines such as hand washing, wearing masks (which can be challenging with young children). Thus, social distancing becomes very important particularly in light of just COVID but also variants.

Parents without ACS cases make a variety of decisions for their families including how to educate their children during this pandemic, as is their right. They are not considered to be breaking the law. In fact they are supported in doing so. However, according to ACS, these same options are not available to Ms. Skillings, who is often questioned and criticized about her decisions regarding her child, when all Ms. Skillings wants is to protect her child, like any parent would. Parents should have the right to determine their children's education that makes sense for their family, not ACS.

ACS has also interfered with Ms. Skillings' decisions in selecting appropriate services for her child. ACS decided they wanted the child to have additional services through an agency. Ms. Skillings did not agree with additional services, as the child is in receipt of various services through the school and is making satisfactory progress.

Also the agency that ACS recommended, failed to provide adequate services for the child, although Ms. Skillings tried to work with them. ACS was informed of these issues.

However ACS still insisted on the family remaining with this agency. This did not make sense since ACS says they want the child to have services, yet she didn't receive them.

Ms. Skillings then initiated the process to change to another, more suitable, agency about a year ago. However ACS interfered and prevented Ms. Skillings from doing this; again despite all the problems with the agency.

Now this year, Ms. Skillings was ordered to enroll her child with another agency. This is the same matter that Ms. Skillings attempted to address over a year ago (and without the need for a court order). Again, due to interference from ACS, and no fault of Ms. Skillings, the change in agencies did not occur. So now the onus is on Ms. Skillings to do this when the petitioner should have been able to make this decision as the child's mother. ACS caused the problem by preventing Ms. Skillings from obtaining help and better services for her child. The court order then places Ms. Skillings in the position of being required to correct things when she was not to blame. ACS is required to provide assistance, yet

they have consistently worked against the family.

What is happening is ACS is denying people's legal right, which is a form of oppression. They had every opportunity to do what is right and lawful by this family, yet have not.

The rights of parents to be able to make decisions for their children should not be infringed on, but affirmed.

Ms. Skillings requests that the Supreme Court of the United States grant her petition, and rehear her case.

Respectfully submitted,

Theresa Shull

April 21st, 2021