



**Mandated Reporting to
Community Supporting
Task Force**

*Communities Keeping Children Safe
and Families Together*

Prevention & Early Intervention Committee

Shifting from Mandated Reporting to Community Support: Task Force Recommendations

Child Welfare Council

June 5, 2024

Agenda

- MRCS Task Force Background
- The “Why” of the Work
- Strategic Priorities and Recommendations
- Discussion

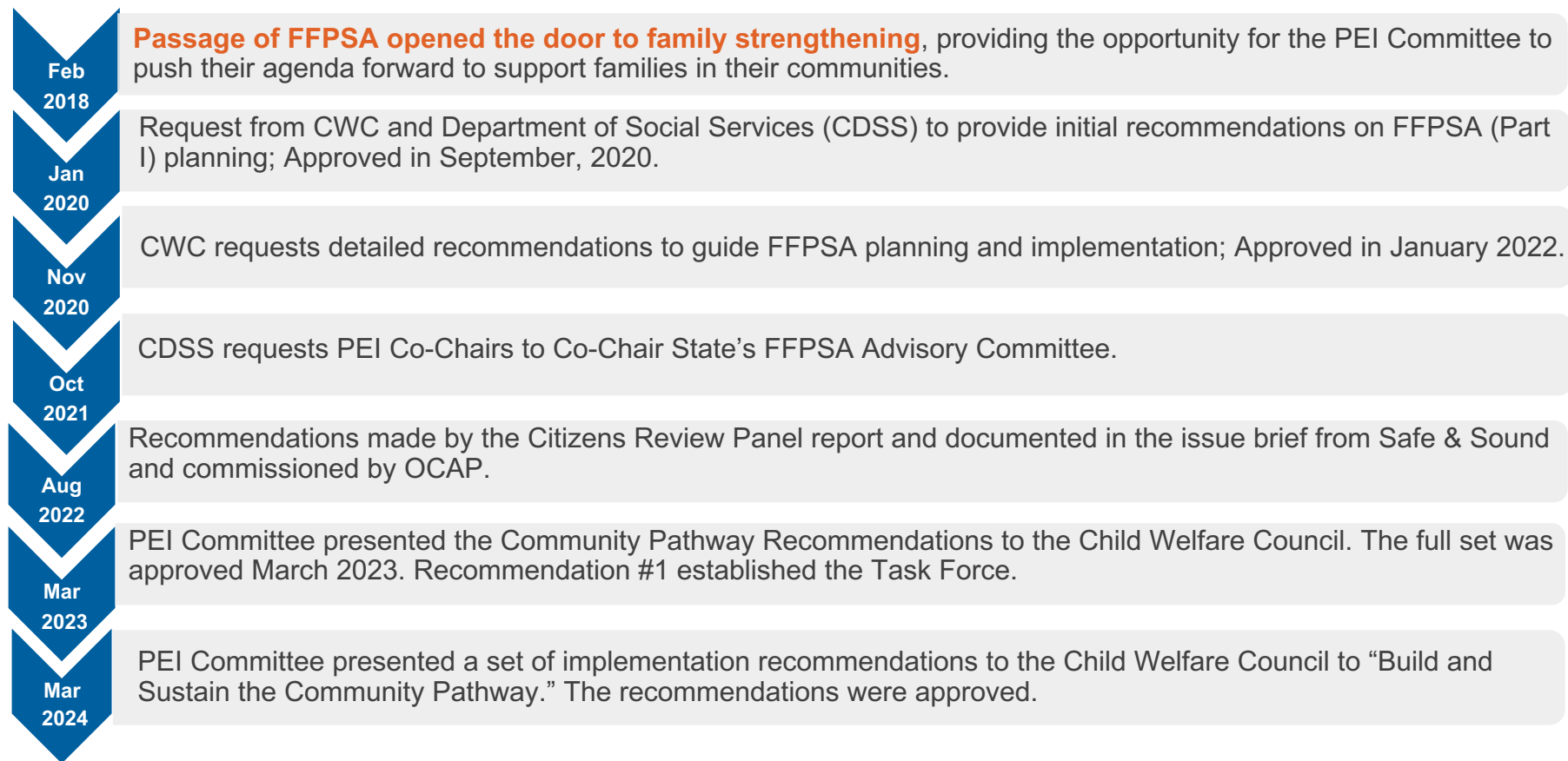
“This will take a reorientation of both mindset and how people work—how we invest in the work and invest in the people who do the work. This is not just an average vote that we turn our backs on. This is a vote with a commitment that we all stay involved and support a mindset shift to make this happen.”

- Dr. Mark Ghaly, Secretary of the California Health and Human Services Agency

[March 13, 2023: In response to a unanimous CWC approval of the PEI Community Pathway Recommendations]



Path to the MRCS Task Force Recommendations

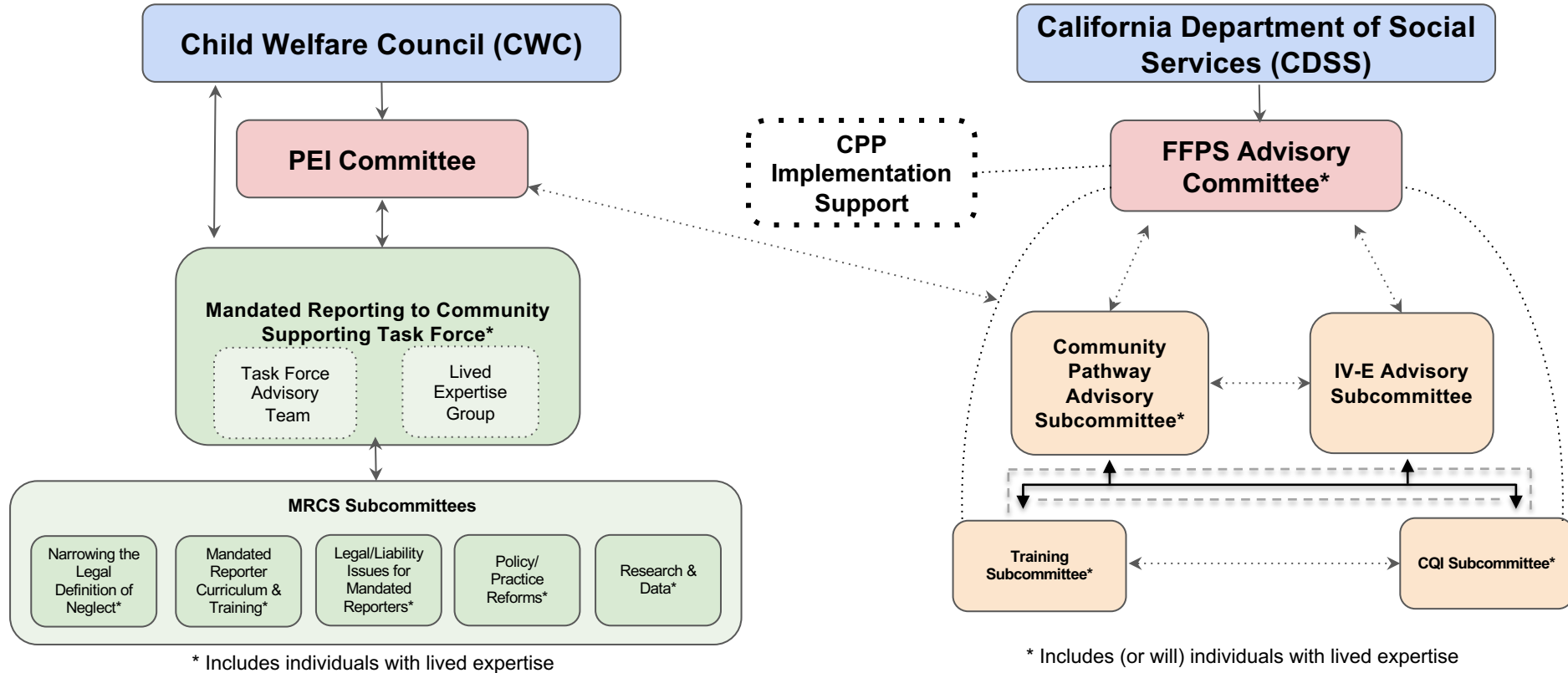


PEI Community Pathway Recommendations

Reform Mandated Reporting	+	Build a Community Pathway
Recommendation 1		Recommendations 2-7
<ul style="list-style-type: none">• Shifting the focus from mandated reporting to community supporting		<ul style="list-style-type: none">• Accountability/oversight – Community Pathway Advisory Committee• Consistent definitions• Financing• Measurable outcomes of well-being and accountability• Services and Practices• Training and Technical Assistance

PREVENTION ECOSYSTEM

DRAFT Updated: April 5, 2024



Standing Up the MRCS Task Force



Task Force Composition

The Task Force is comprised of **32 diverse members** across 7 sectors and 11 counties

Composition by Seat

CA Public System (5)

- CDSS
- CDE
- DJJ
- DPH
- DHS

Lived Experience (6)

- Youth
- Parents / caregivers
- Tribal communities

Legal (3)

- Child legal representation
- Parent legal representation
- Probation & juvenile justice

Education (3)

- Early childhood / childcare
- Elementary, middle, high school

CBOs (5)

- Child Abuse Prevention Council
- Domestic Violence advocacy / provider
- Family Resource Center
- Mental Health provider
- Substance Abuse Disorder provider

Child Welfare (3)

- Child Welfare Director
- Child Welfare System
- County Welfare Directors Association

Additional Categories (7)

- Community Partners
- LA County Mandated Supporter Initiative
- Faith-based community
- Health care
- Academia
- Data & Research

Composition by County

County	# of Members
Los Angeles	9
Napa/Sonoma	1
Riverside	2
Sacramento	3
San Bernardino	2
San Diego	3
San Francisco	2
San Luis Obispo	1
Santa Barbara	1
Santa Clara	2
Solano	1
Statewide	5

Task Force Composition

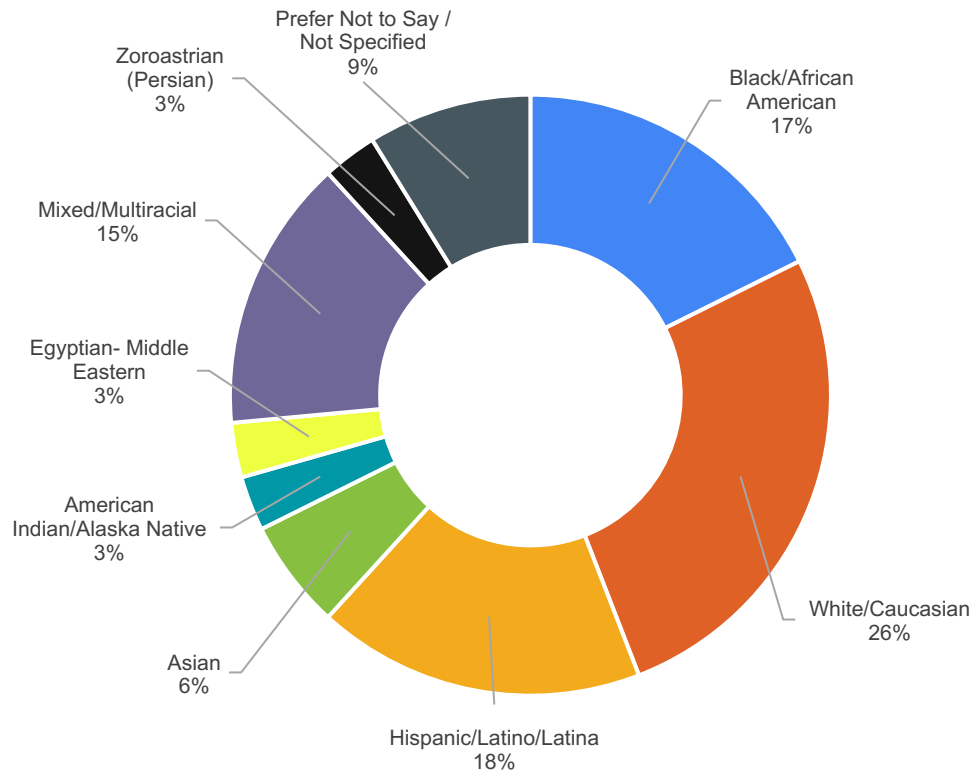
Lived Experience

- **88%** work, have worked in, or have personal experience with the child welfare system.
- **28%** of had or have lived experience with the child welfare system as a youth or parent/caregiver.

Mandated Reporter Experience

- **59%** are Mandated Reporters.
- **94%** work, have worked, or have personal experience with Mandated Reporting laws and/or practices.

Task Force Composition by Race and Ethnicity*



* Note: percentages add up to more than 100% as some members may fall into multiple categories

Subcommittee Composition

Six subcommittees that included 32 Task Force members and **68 cross-sector Subcommittee members** across 24 counties (including 32 Task Force members)

Composition by Seat

CA Public System (7)

- CDSS
- CDE
- DJJ
- DPH
- DHS

Lived Experience (18)

- Youth
- Parents / caregivers
- Tribal communities

Legal (7)

- Child legal representation
- Parent legal representation
- Probation & juvenile justice

Education (7)

- Early childhood / childcare
- Elementary, middle, high school

CBOs (32)

- Child Abuse Prevention Council
- Domestic Violence advocacy / provider
- Family Resource Center
- Mental Health provider
- Substance Abuse Disorder provider

Child Welfare (17)

- Child Welfare Director
- Child Welfare System
- County Welfare Directors Association

Additional Categories (22)

- Community Partner
- LA County Mandated Supporter Initiative
- Faith-based community
- Health care
- Academia
- Data & Research

Composition by County

County	# of Members
Alameda	3
Contra Costa	2
El Dorado	1
Fresno	4
Humboldt	2
Los Angeles	35
Madera	1
Marin	1
Monterey	1
Napa/Sonoma	1
Orange	3
Riverside	3
Sacramento	14
San Bernardino	5
San Diego	11
San Francisco	7
San Luis Obispo	1
Santa Barbara	1
Santa Clara	2
Santa Cruz	1
Solano	4
Stanislaus	1
Ventura	3
Yolo	2
Statewide	6
USA	2

Subcommittee Composition

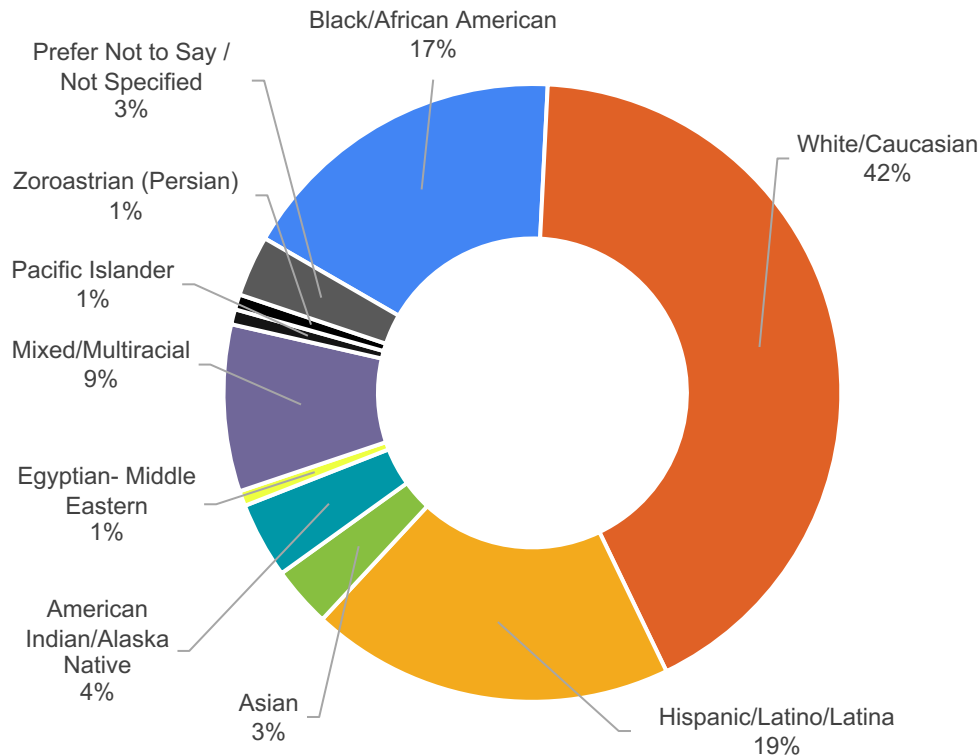
Lived Experience

- **79%** work, have worked in, or have personal experience with the child welfare system.
- **25%** of had or have lived experience with the child welfare system as a youth or parent/caregiver.

Mandated Reporter Experience

- **63%** are Mandated Reporters.
- **81%** work, have worked, or have personal experience with Mandated Reporting laws and/or practices.

Subcommittee Composition by Race and Ethnicity



* Note: percentages add up to more than 100% as some members fall into multiple categories

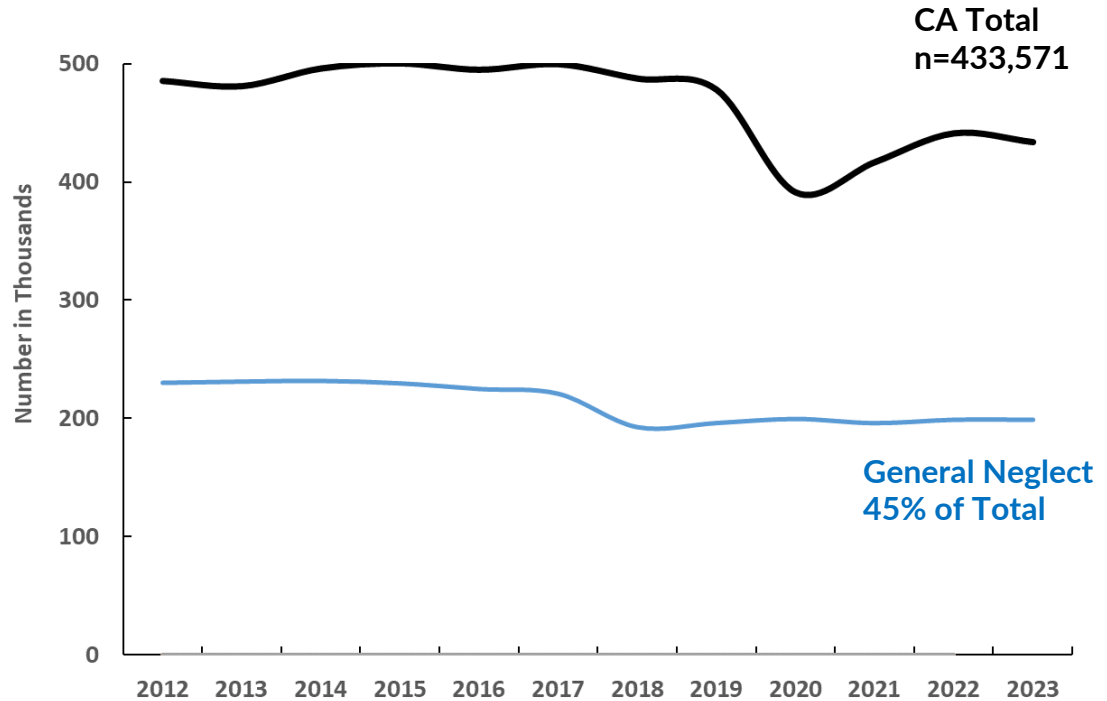
The “Why” of the Work

- The “Why” from Lived Experience
- California Data

General Neglect is the #1 allegation

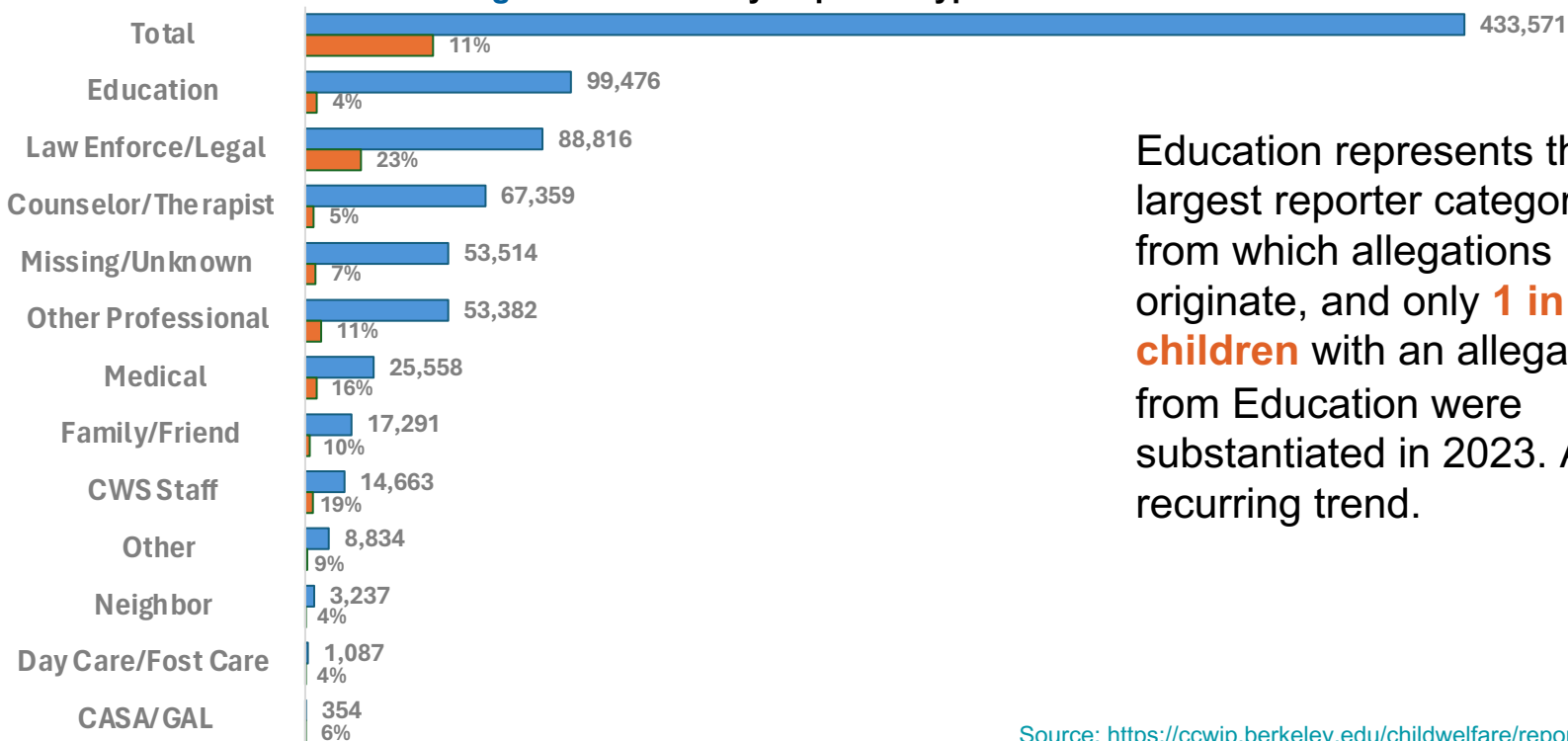
45% of all children with an allegation of maltreatment are related to general neglect, an occurrence that can often be mitigated by community supports. General neglect is a “catch-all” allegation that is often driven by racism, bias, and the absence of economic opportunity and resources. It can also include issues related to domestic violence, substance abuse, and mental health.

Children with an Allegation of Maltreatment



In 2023, only 1 in 9 children with an allegation of abuse and/or neglect was substantiated in California

Children with one or more Allegations in 2023 by Reporter Type & Percent Substantiated



Education represents the largest reporter category from which allegations originate, and only **1 in 25 children** with an allegation from Education were substantiated in 2023. A recurring trend.

Black/African American, Native American, and Latino families are significantly more likely to be reported to child abuse hotlines



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One in three children in the U.S. is subject to an investigation of child abuse by the time they turn 18.¹



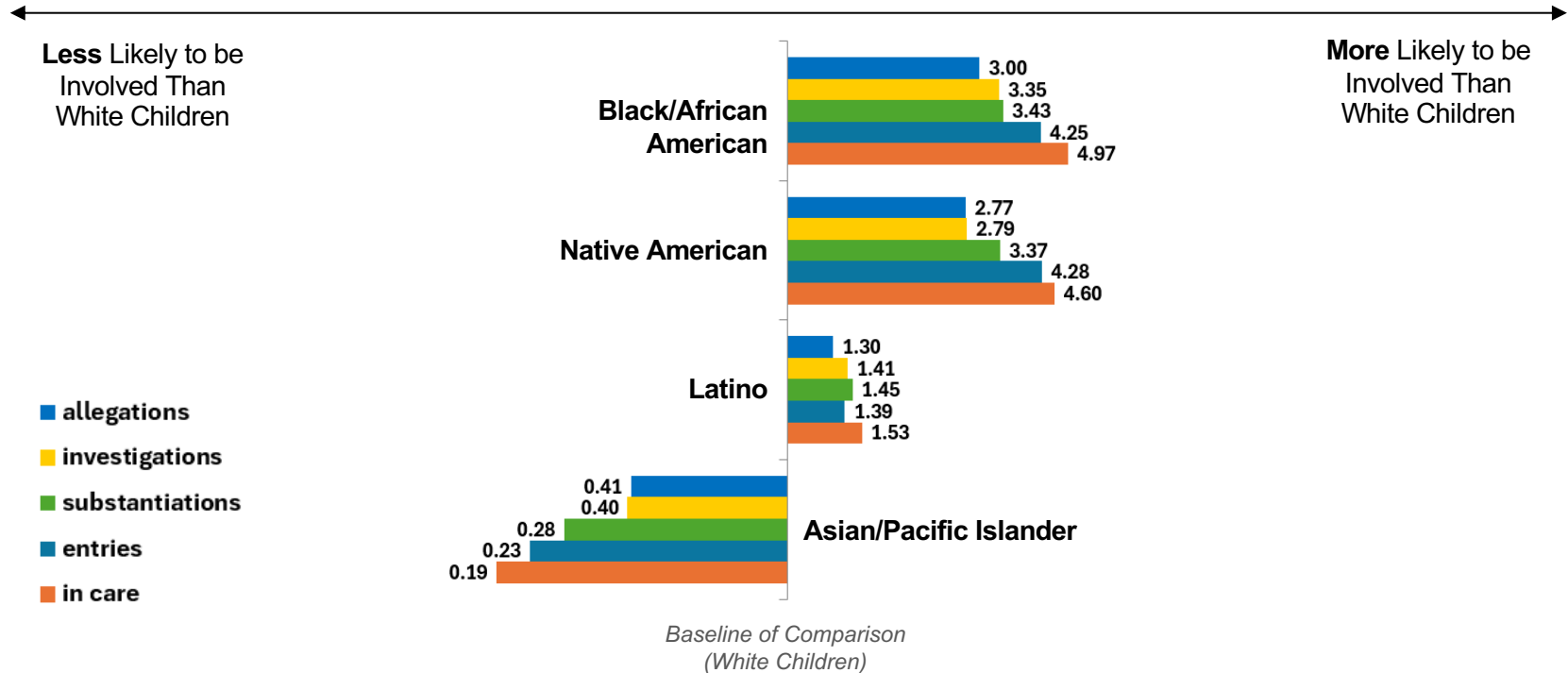
One in two Black and Native American children in California is subject to an investigation of child abuse by the time they turn 18.²

¹ American Journal of Public Health, 2017

² California Legislative Analyst's Office, 2024

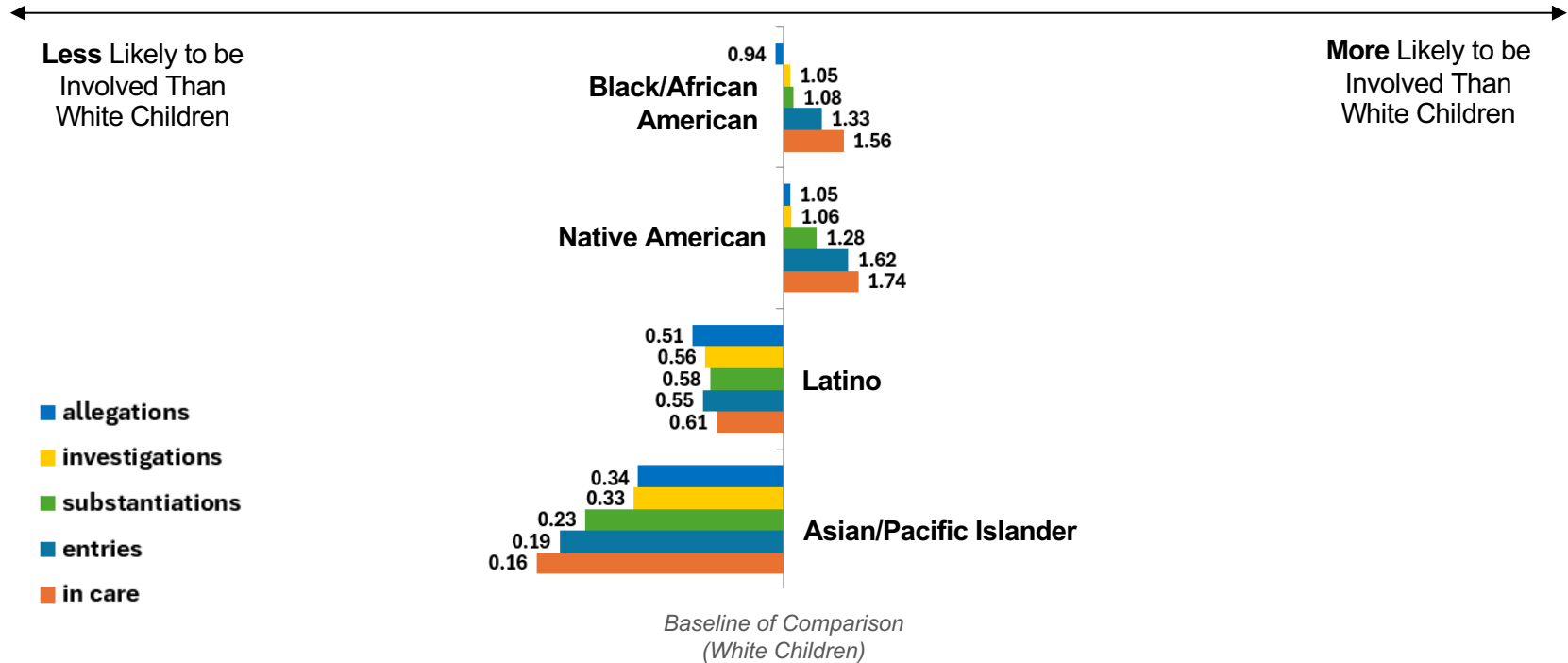
General Population Disparity Indices for 2023

Black and Native American children are more likely to be involved in the child welfare system than white children from Allegations through In Care.



In-Poverty Population Disparity Indices for 2023

Controlling for poverty decreases the disparities for Allegations and Investigations. However, it spotlights the racism in the system by showing that once Black/African American and Native American children and families touch the system, they are more likely than White children and families to Enter the System and remain In Care.



Task Force Recommendations



Approval Status

The MRCS Task Force Recommendations have been discussed and voted on as follows:

- **May 14: MRCS Task Force**
 - 34 individuals eligible to participate in a "Yes" or "No" vote:
 - 28 Voted
 - 26 Yes (93%)
 - 2 No (7%)
 - Four Task Force members submitted “Alternative Perspective” statements following the meeting. The statements were provided in writing to CWC members, posted on the CWC website, and will be documented for public posting in the Task Force Final Report.
- **May 17: Prevention & Early Intervention Committee**
 - 100% of the 21 members who voted unanimously approved the recommendations.



North Star: Keep children and families together, safe, well, and strengthened by the resources they need to thrive

We Believe That ...

All children deserve the right to grow up free from harm in their own family and thriving in their own strong communities that are well resourced

Parents want to do what is best for their children and sometimes need help because they may lack the networks, supports, and services needed to bring about what they want for their children and their families

Moving from mandated reporting to community supporting will greatly help California children grow up healthy, happy, and free from harm

The child welfare system must be free from racial and cultural bias. The structure of the current system results in a disproportionately negative impact on African American, Native American/Indigenous People, and Latino families. This must be fixed by better understanding how mandated reporting contributes to racism, and by recommending actions for change

Communities must be well-resourced to be able to provide quality services to help families stay together and keep children well and safe

Families and communities are the best agents of their own change and must be respected and trusted

The current child welfare mandated reporting system steals hope and personal power from families, minimizing their natural ability and strength to keep their children well and safe. This is especially true for African American, Native American/Indigenous People, and Latino families who disproportionately experience the trauma of intrusive investigations and sometimes harmful separation

Task Force Strategic Priorities



North Star: Keep children and families together, safe, well, and strengthened by the resources they need to thrive

1

Eliminate the disproportionate surveillance and reporting of Black/African American, Native American/Indigenous people, and Latino families and communities, thereby leading to an environment of anti-racism in support of all children and families.

2

Analyze all categories and subcategories of child abuse and neglect under California's mandated reporting law to create more precision about what should and should not be referred to Child Protective Services (CPS) to make consistent decisions to respond to families' needs appropriately.

3

Ensure that Mandated Reporting laws, policies, practices, education, and training do not incentivize or encourage inappropriate referrals and separation of families.

4

Ensure that Mandated Reporters have both access to and training on how families can connect to available resources, services, and supports; that these supports and how they are delivered are culturally aligned; and that families always retain agency in determining whether and how they utilize these supports.

5

Establish a long-term, sustainable, and comprehensive investment in Mandated Reporting reform, and its implementation, to guarantee transformative change and honor the commitments we have made to communities, families, parents, and children.

Strategic Priority 1:

Eliminate the disproportionate surveillance and reporting of Black/African American, Native American/Indigenous people, and Latino families and communities, thereby leading to an environment of anti-racism in support of all children and families.

Recommendation 1:

The California Child Welfare Council (CWC), through its Prevention and Early Intervention (PEI) Committee, shall establish a Mandated Reporting Advisory Committee (MRAC) to ensure the transformation of Mandated Reporting to Community Supporting continues and disparities in the child welfare system are eliminated. The PEI Committee shall appoint tri-chairs to lead the MRAC's efforts, with at least one individual with lived expertise, one Child Welfare Council member, and one child and family serving system representative in these positions. A minimum of 50% of the MRAC's membership shall be representative of those who have been impacted by Mandated Reporting or have advocated for changes in the child welfare system including those with lived experience, community members, and community organizations who are critical to the transformation to community supporting. Additionally, the MRAC shall consist of key stakeholders comprising Mandated Reporters, community representatives, and County and State Departments including Child Welfare, Justice, Behavioral Health, Education, Housing and Health Care. To the extent possible, individuals who served on the Mandated Reporting to Community Supporting (MRCS) Task Force will be given priority consideration and individuals with lived expertise shall be supported with training and resources to actively participate. The primary goals of the MRAC shall be to monitor the impact of Mandated Reporter system changes particularly with respect to the disproportionate reporting of Black/African American, Native American/Indigenous Peoples, and Latino families to child welfare and provide recommendations for additional changes and reform needed. Further, the MRAC will be tasked with analyzing existing and new decision-making tools and/or processes that can be incorporated into the Mandated Reporting process, including ensuring adequate equity checks and an evaluation of impact on racially disproportionate reporting. The MRAC will provide the CWC with semi-annual reports on its progress.

Strategic Priority 1:

Eliminate the disproportionate surveillance and reporting of Black/African American, Native American/Indigenous people, and Latino families and communities, thereby leading to an environment of anti-racism in support of all children and families.

Recommendation 2:

Request the California Department of Social Services (CDSS), in collaboration with the Mandated Reporting Advisory Committee (MRAC), to continuously monitor disparities in the child welfare system by gathering and analyzing research, data, and the impact of all reports of abuse and neglect, disaggregated by race/ethnicity, socioeconomic status, rural/urban, ZIP code/geographic region, domestic violence, substance use, mental health, disabilities, mandated reporter category and other factors to be published publicly and submitted to the California State Legislature on a minimum of an annual basis. Further, this research, data, and impact information shall be made available to the Community Pathway Advisory Committee to aggregate by community and/or region in order to support the identification of inequities in the distribution, availability and accessibility of needed services and supports based on underlying concerns related to reports of abuse and neglect and Social Drivers of Health (SDOH). Research shall include experiential and non-traditional sources of information on mandated reporting including community participatory research, as well as data on access to community-based support and services, including referral patterns, family engagement, and safety and well-being outcomes.

Strategic Priority 1:

Eliminate the disproportionate surveillance and reporting of Black/African American, Native American/Indigenous people, and Latino families and communities, thereby leading to an environment of anti-racism in support of all children and families.

Recommendation 3:

The California Department of Social Services (CDSS) shall ensure the implementation of AB 2085 in all California Counties and Tribes until such time that Recommendation #5 is implemented and General Neglect is removed as a mandated reporting requirement. Implementation of AB 2085 will happen with fidelity to its legislative intent through policies, practice, communications, and training to clearly instruct that Mandated Reporters may not refer families to Child Protective Services (CPS) based solely on a parent's economic disadvantage. Further, a child must be at substantial risk of suffering serious physical harm or illness for a mandatory report to be filed. CDSS shall oversee the implementation of this recommendation and provide Counties and Tribes with training and support as needed. This shall include regular reporting on the implementation of [ACL 23-105](#) and the data supporting its impact to the CWC and MRAC.

Strategic Priority 1:

Eliminate the disproportionate surveillance and reporting of Black/African American, Native American/Indigenous people, and Latino families and communities, thereby leading to an environment of anti-racism in support of all children and families.

Recommendation 4:

In alignment with the Legislative Analyst Office (LAO) report, *California's Child Welfare System: Addressing Disproportionality and Disparities*, encourage the LAO to continue analyzing disparities in the Mandated Reporting system to determine if narrowing mandated reporter categories in the Child Abuse and Neglect Reporting Act (CANRA) negatively impacts child safety. This would further existing research, which indicates no discernable impact on child safety is evidenced when Mandated Reporter categories are expanded or Universal Mandated Reporting is required. Elimination of categories in CANRA may further the paradigm shift from mandated reporting to community supporting. The LAO analysis shall include: (a) factors weighed to determine whether a category of individuals or a profession should carry the liability of a mandated reporter; (b) whether direct contact with children should be a criterion for mandated reporter classification; and (c) qualitative and quantitative analysis of the referrals, investigations, and dispositions related to reporting for each of the categories of abuse and neglect, aggregated by mandated reporter categories. Findings and any supporting recommendations shall be reported to the State Legislature, as well as the Child Welfare Council.

Strategic Priority 2:

Analyze all categories and subcategories of child abuse and neglect under California's Mandated Reporting law to create more precision about what should and should not be referred to Child Protective Services (CPS) to make consistent decisions to respond to families' needs appropriately.

Recommendation 5:

Support the amendment of the Child Abuse and Neglect Reporting Act (CANRA) to remove the reporting requirement of *General Neglect* for Mandated Reporters, while continuing to require mandated reporting on instances of Severe Neglect and child abuse (inclusive of physical and sexual abuse). The current definition of General Neglect is overly broad and incorporates situations that are screened out by child protection agency hotline workers at a high rate. The removal of General Neglect as a mandated reporting requirement will lower the rate of screened out and unsubstantiated calls, enable resources to be redirected to substantiated cases of abuse and severe neglect, and even more importantly, reduce the harm and trauma to children, families and communities. Amending CANRA to remove *General Neglect* from Mandated Reporting requirements would not prohibit Mandated Reporters from reporting General Neglect if they determined a child is at substantial risk of suffering serious physical harm or illness. Further, California must ensure that Mandated Reporters are adequately trained and, as needed, community resources are available and accessible to support the implementation of this amendment.

Strategic Priority 2:

Analyze all categories and subcategories of child abuse and neglect under California's Mandated Reporting law to create more precision about what should and should not be referred to Child Protective Services (CPS) to make consistent decisions to respond to families' needs appropriately.

Recommendation 6:

Support the amendment of the Child Abuse and Neglect Reporting Act (CANRA) to revise and clarify the definition of *Severe Neglect* to be aligned with the definition of Severe Neglect utilized in the [California Structured Decision Making \(SDM\) Tool](#), consistent with practice in child protection agencies. Aligning the definition of Severe Neglect with the SDM will enable Mandated Reporter training to be reflective of current practice and increase the accuracy of mandated reporter decision-making. Further, the MRAC shall be responsible for evaluation of the Severe Neglect definition in the SDM tool to determine if there is a more accurate way of defining this category that does not unintentionally cause further harm to families.

Strategic Priority 3:

Ensure that Mandated Reporting laws, policies, practices, education, and training do not incentivize or encourage inappropriate referrals and separation of families.

Recommendation 7:

Encourage the California Department of Social Services (CDSS), in collaboration with the Mandated Reporting Advisory Committee (MRAC) and Counties, to implement a two-year pilot that provides Mandated Reporters with immunity from liability as identified in [Penal Code Section 1116 \(C\)](#) when there is a demonstrated use of a child abuse and neglect decision-making process that indicates a child's safety is not at risk and a report is not required. This pilot shall serve as a step towards the evaluation of the elimination of liability for Mandated Reporters when an informed decision is made regarding the need for a child abuse and neglect report, in support of the shift toward community supporting. The decision-making process to be piloted will be selected by the MRAC based on sufficient evidence of efficacy and risk mitigation. At the conclusion of the pilot, the MRAC, or an entity appointed by the MRAC, will evaluate the pilot to determine if a recommendation for removal of liability should be made.

Strategic Priority 3:

Ensure that Mandated Reporting laws, policies, practices, education, and training do not incentivize or encourage inappropriate referrals and separation of families.

Recommendation 8:

Support the amendment of Child Abuse and Neglect Reporting Act (CANRA) to require all Mandated Reporters in California receive standardized training on child abuse and neglect to increase consistency of appropriate referrals to Child Protective Services and decrease disproportionate referrals due to race, ethnicity, or income status. It is critical to the reform of the Mandated Reporting system to ensure all Mandated Reporters are adequately trained to understand CANRA, are aware of the impact of structural racism and implicit bias, are provided with decision-making tools to assist with identification of families who meet criteria for “reasonable suspicion” of child abuse and neglect, and are educated on the availability of referral pathways to support families in their communities. This training shall be required for all current Mandated Reporters within six months of passage of this amendment. Thereafter, newly identified Mandated Reporters must complete the training within 90 days of their appointment. Annual updates will be provided, as indicated.

Strategic Priority 3:

Ensure that Mandated Reporting laws, policies, practices, education, and training do not incentivize or encourage inappropriate referrals and separation of families.

Recommendation 9:

Require the CDSS Office of Child Abuse Prevention (OCAP) to develop, with participation of individuals with lived expertise, a standardized curriculum for Mandated Reporters. This standardized curriculum will include core content that must be included in all subsequently developed curriculum. The MRAC will provide oversight to OCAP on training development, as well as assist with the development of standards related to the minimum length of initial training and subsequent updates; mode of presentation (in-person, virtual); and, the certification of Mandated Reporters to verify completion. Further, OCAP shall work in collaboration with the California Departments of Education, Justice, and Health Care Services to develop specific components targeted to educators, law enforcement, and those in the health and behavioral health care fields, respectively. To ensure local flexibility, entities may choose to develop a Mandated Reporter training specific to their community and/or unique population served and/or enhance the standardized curriculum developed. All curricula developed or enhanced by other entities shall be approved by OCAP and/or their designee to ensure consistency with the state standardized curriculum. A list of approved training shall be maintained in each county, as well as on the CDSS website. To the extent possible, individuals with lived expertise shall be incorporated in the review and delivery of mandated reporter training.

At minimum, the core content shall include:

1. History of mandated reporting laws, including the impact of structural racism on disparities for Black and Indigenous families
2. Child Abuse Prevention and Treatment Act
3. California Child Abuse and Reporting Laws, including AB 2085, abuse and neglect categories and liability
4. Best practice for defining “reasonable suspicion” and “substantial risk”
5. California child abuse, neglect, and disproportionality data
6. Definitions of bias (implicit and explicit) and trauma; the impact on families and children, and strategies for recognizing and mitigating their impact
7. The impact on families of making a child abuse and/or neglect report to CPS
8. Considerations for special populations, including individuals with disabilities, behavioral health, domestic violence, and substance use concerns, as well as the unique factors involved in supporting children ages 0-5
9. Decision-making processes and tools for Mandated Reporters
10. Education and information on community resources

Strategic Priority 3:

Ensure that Mandated Reporting laws, policies, practices, education, and training do not incentivize or encourage inappropriate referrals and separation of families.

Recommendation 10:

Encourage the California Department of Social Services (CDSS), in collaboration with the Mandated Reporting Advisory Committee (MRAC), to develop a Mandated Reporter web page specific to Child Abuse and Neglect Reporting to ensure the information is current, comprehensive, and provides alternatives for Mandated Reporters to promote child safety and family well-being. Specifically, the content of the page shall include, but not be limited to, information and resources to assist with understanding child abuse and neglect reporting law, accessing mandated reporter training, and providing tools and guidance to assist with the mandated reporting decision-making process, as well as resources available to support families. This may include: FAQs related to child welfare, training requirements, review of CANRA and its reporting requirements, the impact of structural racism and implicit bias, implementation status of AB 2085, updates on any future legislative changes regarding mandated reporting, and data specific to mandated reporting and disparities. In addition, the site shall provide links to county resources and supports, as well as the County's Title IV-E agencies. Further, Health and Human Services (HHS) shall encourage all State Departments under their purview to provide a web page for Mandated Reporters with information consistent with this recommendation, as well as a link to the CDSS Mandated Reporter web page.

Strategic Priority 4:

Ensure that Mandated Reporters have both access to and training on how families can connect to available resources, services, and supports; that these supports and how they are delivered are culturally aligned; and that families always retain agency in determining whether and how they utilize these supports.

Recommendation 11:

Require the California Department of Social Services (CDSS) to incorporate an assessment of the capacity of community supports and services that are available and accessible to Mandated Reporters to meet local needs of families in all 58 counties as a priority in the Family First Prevention Services Continuous Quality Improvement process. Further, CDSS shall support the California Citizen Review Panel in its examination of the CDSS Office of Child Abuse and Prevention (OCAP) funding, to develop a deliberate review of the prevention pathway, with an emphasis on access and connections to Community Pathways for Mandated Reporters. These efforts shall be co-led by individuals with lived expertise, community representatives, and members of the Mandated Reporting Advisory Committee (MRAC). All findings, as well as policy and practice recommendations, shall be available to the public for review and comment.

Strategic Priority 4:

Ensure that Mandated Reporters have both access to and training on how families can connect to available resources, services, and supports; that these supports and how they are delivered are culturally aligned; and that families always retain agency in determining whether and how they utilize these supports.

Recommendation 12:

Consistent with the [PEI Community Pathway Recommendations](#), the California Department of Social Services (CDSS) shall be required to ensure Counties' Comprehensive Prevention Plans (CPP) incorporate information and education specific to Mandated Reporters regarding the implementation of and access to Community Pathways and/or community resources available to support families in their communities. This should be incorporated into all Mandated Reporter training and may include Information and Referral Systems, Warm-Lines, Family Resource Centers and the use of Community Health Workers or Navigators. Further, Counties shall incorporate messaging specific to Mandated Reporters through social media and other communication vehicles to increase awareness and ensure that resource information remains current.

Strategic Priority 5:

Establish a long-term, sustainable, and comprehensive investment in Mandated Reporting reform, and its implementation, to guarantee transformative change and honor the commitments we have made to communities, families, parents, and children.

Recommendation 13:

Require the California Department of Social Services' (CDSS) to ensure recommendations from the Mandated Reporting to Community Supporting (MRCS) Task Force and any subsequent policy reforms related to Mandated Reporting are enacted and efforts necessary to ensure continued transformation of the Mandated Reporting system are advanced. This shall include resources for and support of Mandated Reporters, implementation of AB 2085 consistent with [ACL 23-105](#), MRAC, as well as monitoring the impact of these recommendations on disparities and inequities in the system. These efforts shall include, but not be limited to, working in partnership with the Office of Child Abuse Prevention (OCAP) for the oversight of standardized training and certification. To the extent necessary, CDSS shall receive additional staffing and/or state operations resources to carry out these additional responsibilities.

Strategic Priority 5:

Establish a long-term, sustainable, and comprehensive investment in mandated reporting reform, and its implementation, to guarantee transformative change and honor the commitments we have made to communities, families, parents, and children.

Recommendation 14:

Ensure the creation and implementation of a statewide narrative change initiative that acknowledges the harm committed by mandated reporting and the child welfare system, especially to Black/African American and Native American/Indigenous families and shifts beliefs and behaviors toward families and communities safely caring for their children. This work shall incorporate the participation of individuals with lived expertise and community members representative of diverse perspectives throughout the process.



What's Next:

Call for a Vote at the CWC September Meeting





**Mandated Reporting to
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Thank You & Discussion