



Mandatory Reporting Task Force | Meeting 18

May 8, 2024, Meeting Recap

Overview

The Mandatory Reporting Task Force is legislatively charged with analyzing the effectiveness of Colorado's mandatory reporting laws in keeping children safe, connecting families with the resources they need, and providing clarity to mandatory reporters. Integral to this analysis, the task force will continue to examine the relationship of these laws to systemic issues and disproportionate impacts on under-resourced communities, communities of color, and people with disabilities.

Survey Response Review

Task force members were divided into subcommittees to continue discussions from the previous meeting. After today's meeting, there will be a full group session to finalize recommendations and then move on to new subcommittees.

In the Training Subcommittee, Trace Faust proposed discussing each survey question to capture the conversation and to understand nuances and important points for writing recommendations related to training. They mentioned the importance of staying at a higher level in terms of policy rather than delving too deep into specifics. The goal was to understand the participants' thinking on each question and ensure alignment on the objectives.

Questions 1 & 2: Should Training Be Required, and Should It Address Implicit Bias

Question 1 asked the following: Should mandatory reporters be required to complete a standardized training regarding requirements of Colorado's mandatory reporting law? All participants answered this question in the affirmative. Some concerns about the frequency of training and the research informing the training were noted but will be addressed separately. Question 2 asked if that training should "educate participants about implicit bias and the disproportionate impacts of mandatory reporting on communities of color, under-resourced communities and persons with disabilities"; similarly, all subcommittee members answered this question with a "yes".

The discussion touched on the following points:

- *Clear Definitions and Data Utilization:* Participants emphasized the importance of defining terms clearly to eliminate biases associated with reporting issues like neglect and physical abuse. They suggested utilizing data to highlight common misconceptions, such as conflating poverty with neglect.

- *Training Exercises for Critical Thinking:* Sam Carwyn and Trace shared experiences with training exercises involving real-life scenarios to distinguish between unsafe and safe situations. They highlighted the importance of critical thinking in recognizing positives amidst perceived negatives and emphasized the value of such exercises in fostering nuanced understanding and decision-making.
- *Directives for Order of Operations:* Ida Drury suggested including directives regarding the order of operations, particularly concerning the establishment of a warmline for individuals concerned about poverty-related issues. She emphasized the need for training related to the use of the warmline to address these issues effectively.
- *Integration of Implicit Bias Discussions:* Margaret raised questions about the framing of training on implicit bias, advocating for its integration throughout rather than as a separate segment. The group agreed with this suggestion, emphasizing the importance of embedding discussions on implicit bias throughout the training and ensuring its ongoing application in day-to-day work.

Question 3: Should Training Educate About the County Department's Process?

Themes that emerged from discussions about the third question are captured below.

- *Threshold Determination Process:* The group discussed the importance of determining which reports meet the threshold for assessment and investigation, emphasizing the need to focus not only on the "what" but also on the "how" of reporting in training materials.
- *Concerns about Providing Education on County Processes:* Adriana Hartley expressed concerns about providing too much education on the county department's process, emphasizing that mandatory reporters should focus on recognizing and reporting child abuse and neglect rather than being burdened with additional responsibilities.
- *Understanding the Purpose of Educating Mandatory Reporters:* Roshan Kalantar echoed Adriana's point about including an explicit explanation of why mandatory reporters need to understand the county department's process, emphasizing the importance of managing expectations and avoiding the dissemination of incorrect information to families.
- *Including Information on Processes:* Margaret Ochoa emphasized the importance of providing some information to mandatory reporters about what county departments of human services look for in investigations, suggesting that this could prevent misunderstandings and facilitate smoother processes.
- *"What to Expect" Component:* Jade Woodard highlighted the importance of including a "what to expect" component in the training, suggesting that understanding the next steps could help reporters provide helpful information to families without burdening them with determining whether a case meets criteria.
- *Demystifying the Reporting Process:* Donna Wilson emphasized the importance of demystifying the process for mandatory reporters. She suggested providing

examples of cases that meet the threshold and called attention to the need for reporters to understand the specific processes of their county.

- *Recognizing Bias*: Sam highlighted the importance of recognizing that involving more people in a situation doesn't necessarily make it safer, but can instead increase bias.

Question 4: Stakeholders Involved in Training Curriculum Creation

Highlights from the discussion of question 4 are provided below:

- Trace Faust encouraged the group to focus on the values driving the inclusion of stakeholders rather than listing comprehensive examples, emphasizing the importance of ensuring that lived experiences of those most impacted by the system are represented.
- Margaret highlighted the importance of having stakeholders who can speak to the dynamics of sexual offending and power control, particularly for school staff. She emphasized the need for individuals who can effectively identify sexual abuse and grooming behaviors to ensure appropriate action can be taken.
- Leanna Gavin emphasized the importance of including parents and children with lived experience in the child protection system in the development of the training curriculum.
- Adriana emphasized the need to prioritize clarity regarding legal requirements in the training.
- Donna emphasized the importance of shifting from a compliance-based approach to mandatory reporting training, stressing the need to blend evidence-based practices with community-based approaches to effectively serve marginalized populations. The task force should seek to strike a balance between evidence-based practices and community-driven approaches.

Question 5: Agency Responsible for Training Administration

The subcommittee then turned to discuss where this training might be housed, and who would be responsible for its administration. Key points from this discussion include the following:

- Yolanda Arredondo highlighted the existing online mandatory reporter training created by the Colorado Department of Human Services (CDHS). She recognizes criticisms due to systemic issues but also sees potential in leveraging insights from the state-supervised, county-administered system. Yolanda questions the applicability of separate regulatory agencies for all mandatory reporter categories, expressing concerns about oversight.
- Sam suggested a dual approach where CDHS handles basic compliance while specialized entities like the Department of Regulatory Affairs (DORA) provide additional training tailored to specific mandatory reporter categories. This ensures that training addresses unique needs and perspectives effectively.

- Margaret Ochoa underscores CDHS' partnerships with expert nonprofits and the importance of continuing collaboration to improve training. She emphasized building upon existing work rather than starting anew and suggests ongoing involvement of partner organizations in collaborative efforts.
- Leanna raised concerns about accountability if CDHS administers the training. She questioned who will hold CDHS accountable, especially considering systemic issues.
- Yolanda stressed the need for regulations to ensure adequate mandatory reporter training. She points to the governor's office as overseeing CDHS and emphasizes community involvement for accountability.
- Others suggested recommendations for stronger accountability mechanisms, considering the Office of the Colorado Child Protection Ombudsman for oversight. Trace sought input on specific recommendations for accountability measures.
- Jade Woodard suggested CDHS develops training in collaboration with external entities and proposes a multidisciplinary oversight board to review and update the training regularly. She envisions the task force transitioning into an ongoing advisory board.

Question 6: Should Training be Required on a Recurrent Basis

Consensus on this question leaned towards requiring mandatory reporters to take standardized training on a recurrent basis, with most people agreeing on the need for it. The frequency of the training (two years versus three years) doesn't appear to be a major point of contention. Instead, attention was directed towards ensuring that the training is developed with input from relevant experts and stakeholders to make it effective and relevant.

Further discussion included the following ideas:

- Roshan Kalantar proposed a rotating approach to recurrent training, starting with core introductory training and then offering deeper dives into specific topics in subsequent cycles. This allows for a broader understanding of various issues over time, catering to the specific needs and interests of different professionals.
- Jade expressed concerns about the effectiveness of routine annual online training, suggesting that participants might disengage over time. She proposes incorporating levels or evolutions of training to ensure ongoing relevance and engagement.
- Margaret emphasized the need for statutory clarity regarding recurrent training requirements to avoid confusion and ensure compliance. She suggested a mix of in-person and online training, with new reporters undergoing in-person sessions and veteran reporters having online options.
- Sam highlighted the importance of regular training not just for compliance but also for understanding trends and addressing disparities.

Holding Mandatory Reporters Accountable for Completing Training.

- There was consensus among the group about the crucial role of accountability in ensuring compliance with mandatory reporter training, especially considering the absence of regulatory groups for some professions.
- While withholding licensure or certification may seem significant, the potential harm from uninformed or biased reporting underscores the importance of ensuring accountability among mandatory reporters. This discussion emphasized the balance between individual professional consequences and broader implications for child and family welfare.
- Roshan emphasized the need for infrastructure to support the implementation of accountability measures for mandatory reporters. Creating systems, such as databases, is crucial to streamline the process and prevent overwhelming smaller organizations with additional responsibilities.

The meeting concluded with a recap of the discussion and a reminder of the tasks ahead. Members were encouraged to review the summary sheets provided in the folder and to prepare for the next meeting, where draft recommendations would be discussed. There were no requests for public comment, and the meeting ended with expressions of gratitude for everyone's hard work and commitment.