



Mandatory Reporting Task Force Charter

Introduction

On September 15, 2021, the Office of the Colorado Child Protection Ombudsman (CPO) issued a brief detailing its study of Colorado’s mandatory reporting law. The CPO initiated that study in response to repeated inquiries from citizens, professionals and mandatory reporters themselves, seeking clarification regarding what the law requires of them. The CPO spoke with numerous mandatory reporters, including health professionals, school administrators, teachers, school resource officers, law enforcement, county human service agencies and others whose job it is to report child abuse and neglect. During these conversations, many urged the CPO to also consider how mandatory reporting disproportionately impacts families of color and under-resourced communities.

The CPO’s analysis of issues revealed an inconsistent understanding of the law by mandatory reporters, a fragmented system of trainings for mandatory reporters and a general lack of support and resources for mandatory reporters to capably do the job asked of them – namely, to report suspected child abuse and neglect. This report culminated in the creation of House Bill 22-1240, which established the Mandatory Reporting Task Force (Task Force).

This Charter outlines the mission, scope and objectives of the Task Force along with its guidelines, media protocols and task force roles.

Mission

This critical task force is established to analyze the effectiveness of mandatory reporting and its relationship with systemic issues, including the disproportionate impact of mandatory reporting on under-resourced communities, communities of color and persons with disabilities. The Task Force will analyze whether Colorado’s mandatory reporting system is the most effective way to help and/or support children and families and may develop recommendations regarding secondary support systems, training and other issues identified by the Task Force.

Charge

Pursuant to HB 22-1240, the Task Force is required to analyze:

- Whether a study should be conducted to determine the effectiveness of mandatory reporting in serving children and families and determine the necessary funding for a study. If the Task Force determines there should be a study, the study must include an analysis on whether enhanced screening techniques for accepting reports may mitigate the disproportionate impact of mandatory reporting on under-resourced communities, communities of color and persons with disabilities.



- The disproportionate impact of mandatory reporting on under-resourced communities, communities of color and persons with disabilities.
- Standardized training that addresses implicit bias.
- Alternative processes and services for families who do not present mandatory reporters with child abuse or neglect concerns but who would benefit from alternative services.
- Standardized training that addresses the requirements of Colorado’s mandatory reporting law.
- The definition of “immediately” and how reporting time frames affect mandatory reporters from different professions.
- Reporting time frames for mandatory reporters who are creating a safety plan for victims of domestic violence, sexual assault or stalking to assure the safety of the victim and the victim’s family members while creating the safety plan.
- Medical child abuse and the process to report medical child abuse.
- Whether mandatory reporters should report incidents observed outside of a mandatory reporter’s professional capacity.
- Whether a mandatory reporter who is employed by, an agent of, or a contractor for an attorney who is providing legal representation is exempt from the reporting requirements.
- Mandatory reporting requirements for mandatory reporters who have knowledge or reasonable cause to know or suspect that a child or youth is the victim of dating violence or sexual assault.
- A reporting process for two or more mandatory reporters to report child abuse or neglect who have joint knowledge or joint reasonable cause to make a report of child abuse or neglect.
- Whether the duty to report remains with the mandatory reporter who has reasonable cause to know or suspect that a child has been subjected to child abuse or neglect.
- Whether institutions that employ mandatory reporters may develop procedures to assist mandatory reporters in fulfilling reporting requirements.
- Training requirements for people applying for or renewing a professional license for a profession that is identified as a profession required to report child abuse or neglect.
- The personal information that is collected for a report.
- Standardized training regarding the county department’s process to determine which reports meet the threshold for assessment and investigation.
- The benefit of an electronic reporting platform.
- A process for inter- and intra-agency communications, confirming receipt of reports, and, in some circumstances, sharing the outcome of reports with certain mandatory reporters.

Definitions (see other sections for more detailed descriptions):

- **Members:** The Task Force is composed of 24 individuals from our community. These members include young people who were previously involved with the child welfare system, families whose children have run from out-of-home placements, members of law enforcement and professionals who are responsible for the care of youth in out-of-home placements, including residential child-care providers, child welfare professionals, non-profit organizations, foster parents and others.



- **Facilitation Team:** Each meeting will be supported and facilitated by the Keystone Policy Center (Keystone). Keystone was established in 1975 and is an independent non-profit organization. They have helped public, private and civic-sector leaders solve complex problems and advance good public policy for more than 40 years in Colorado and nationally. Keystone does not advocate for any policy position but rather works to ensure that stakeholders share decision making and work together to find mutually agreeable solutions to complex problems.
- **Co-Chairs:** Co-chairs of the Task Force will serve in an advisory role to Keystone, between meetings to assist with assessing progress and setting agendas for Task Force discussions. They will be available to members to provide feedback and guidance.
- **Work Groups:** Forums composed of members and implementing partners that are focused on coordinating and aligning efforts in executing official and endorsed projects of the task force.

Task Force Outcomes

Per HB 22-1240, the Task Force must submit a first year status report and a final report to the House Public & Behavioral Health & Human Services Committee and the Senate Health & Human Services Committee. The first-year status report must be submitted by January 1, 2024, and the final report must be submitted by January 1, 2025. The CPO will also broadly disseminate the report to the public and members of the media.

Both reports will contain a summary of the Task Forces analysis of each directive listed above. The reports will recognize any points of consensus reached by the Task Force, as well as any differing opinions or perspectives. It is important to note that consensus is not required for any discussion to be presented in the report.

Pursuant to its enabling statute, the Task Force may issue recommendations, but it is not required to do so. The Task Force may discuss whether a recommendation is necessary to address any of the directives above.

Keystone is responsible for facilitation and project management, as it relates to the activities of the Task Force. Keystone is responsible for co-designing the process with the CPO office and co-chairs and ensuring the Task Force runs smoothly, including promoting full participation of all Task Force members and -- when possible -- helping the parties resolve their differences and work toward resolving concerns. Working with task force members, Keystone will ensure adequate and coordinated stakeholder engagement that will be essential to the task force meeting its goals. Keystone staff will also be available to consult confidentially with participants during and between meetings.



Ground Rules

- **GOOD FAITH:** Act in good faith in all aspects of group deliberations with the intent to promote joint problem solving, collaboration and collective, common-ground solutions; honor prior agreements including but not limited to the contents of this Charter.
- **OWNERSHIP:** Take ownership in the outcomes and the success of the Task Force.
- **OPENNESS:** Be honest and open in sharing your perspectives; be open to other points of view and to the outcome of discussions.
- **FOCUS:** Maintain focus on the mission and goals of the Task Force as well meeting objectives; honor agendas.
- **LISTENING:** Listen to each speaker rather than preparing your response; no interruptions; refrain from multitasking during meetings.
- **PARTICIPATION:** Participate actively, ensuring that your experience and voice is included in the discussion. Make space for others to speak. Be mindful and respectful of the presence of multiple backgrounds and areas of expertise and avoid the use of acronyms and technical language from your field.
- **RESPECT:** Disagree judiciously and without being disagreeable; do not engage in personal attacks; in all contexts, refrain from behavior that denigrates other participants or is disruptive to the work of the group.
- **PREPAREDNESS AND COMMITMENT:** Prepare for and attend each session; get up to speed if you missed a meeting.
- **FACILITATION AND CONFLICT RESOLUTION:** Let the facilitators facilitate; allow them to enforce the ground rules and engage them with any concerns.

Media Protocols

Media protocols are provided to ensure that Task Force members utilize consistent messages and processes when communicating about the Task Force and that individual members' interests are protected through the accurate characterization of their association with the Task Force.

- Only use messaging that has been agreed upon by the Task Force and approved by Keystone when characterizing the Task Force on behalf of its members, and when characterizing the roles and commitments of members.
- Be clear to delineate your own opinion or interest from the agreed-upon messaging of the Task Force.
- Do not characterize or attribute the opinions or positions of other members.
- Press releases of/on behalf of the Task Force will be reviewed by the CPO prior to their release. CPO will coordinate the development, review and submission of media releases with the Task Force under a timely process.



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- Individual members should not make announcements on behalf of the Task Force. Members planning their own media releases and/or other formal communications that reference or

characterize the Task Force – including but not limited to web copy and presentations – should submit the draft materials to Keystone for review at least one week prior to the intended public release date. Keystone will review the materials for consistency with agreed-upon messaging and, where necessary, coordinate with task force members for further review.

If you receive a media inquiry, you are encouraged to coordinate with Keystone prior to providing answers to interview questions. You may also feel free to refer the inquiry directly to Keystone.