



Mandatory Reporting Task Force

July 19, 2023 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.

Directive Discussed: Is mandatory reporting effective in serving children and families in Colorado? (See C.R.S. §19-3-304.2(7)(a)(I))

Member Panel #1: Provider Professionals

Cris Menz, Zane Grant, and Brynja Seagren explored three main reasons for mandatory reporting: concerns about child safety, the desire to connect families with resources, and concerns about legal liability. They also discussed the challenges they encounter and potential improvements in the current system, focusing on better community interaction and policy changes at the department level to ensure the safety and well-being of children in need.

The main issues with the current reporting system include a lack of adequate training and support for mandatory reporters, leading to ineffective reporting of incidents. Engaging families and ensuring their participation in the process is challenging. Reporters also experience fear and frustration, particularly when dealing with screeners asking numerous questions. There is a need for a centralized repository or clearinghouse, such as the Colorado Human Services Department, to make informed decisions on reported cases and determine whether they are safety issues, resource issues, or require education. Additionally, the problem of misuse arises, with individuals making fake calls to cause trouble in family disputes or custody issues.

Member Panel #2: Education Professionals

Michelle Murphy, Dawn Alexander, and Colleen O'Neill discussed the challenges faced by educators and childcare providers in Colorado's mandatory reporting system. Educators make

numerous calls related to child protection due to their close interactions with children and their prioritization of students' well-being. New teachers may report more frequently due to fear and lack of knowledge about alternative resources. However, challenges arise as some educators, especially young or overwhelmed ones, lack in-depth training to identify and handle potential child abuse or neglect situations, leading to default reporting out of concern for their students. Improved training and support are necessary to enable educators to confidently recognize and respond appropriately to child protection concerns.

The panelists highlighted a significant issue of disconnect between the person making the report and the investigator who follows up. To bridge this gap, the panel suggests various approaches:

1. **Improve Training:** Enhance training for both mandatory reporters and investigators to ensure they understand each other's roles, perspectives, and goals in the reporting process.
2. **Foster Cultural Change:** Shift from a punitive reporting culture to a supportive one, where mandatory reporters become mandatory supporters. Encourage open conversations between reporters and investigators to build understanding and trust.
3. **Use Scenario-Based Training:** Implement scenario-based training that involves Lessons Learned from previous cases to help reporters and investigators better understand the complexities of each situation.
4. **Utilize Existing Systems:** Leverage existing community organizations and structures to support families and provide additional context to investigators, rather than creating new systems.
5. **Strengthen Mentorship Opportunities:** Establish mentorship programs that allow experienced professionals to guide new reporters and investigators, sharing insights and best practices.
6. **Encourage Local Collaboration:** Encourage collaboration between local organizations, school districts, and community groups to facilitate better communication and coordination between reporters and investigators.

By adopting these strategies, the panel believes that the gap between reporters and investigators can be bridged, leading to more effective and supportive reporting processes.

Challenges and Frustrations in Mandatory Reporting

- Potential impact on the relationship with the child and family when making a report
- Making a report is often the primary way to access services and support for families, especially in rural communities
- Need for transparent and courageous conversations with families when disclosing information
- To ensure a safer and more effective system, there is a need to create safety in the reporting process and update statutory language to reflect the current societal landscape

- Lack of a safety net or support structure for mandatory reporters
 - o Addressing liability concerns and managing gray areas can help providers feel more at ease with reporting
- Training deficiencies and lackluster efforts in preparing reporters
- Punitive consequences and legal involvement for reporters
- Providing adequate support in rural areas due to the lack of available services
- Importance of effectively navigating community resources
- Overreporting due to fear of unintended consequences and lack of alternatives
- Challenges with rigid system requirements leading to program closures
- The rigidity of the child care system, with every report triggering two investigations and even unfounded reports leading to additional licensing investigations, creates burdens on child care providers

Opportunities for Improvement in Mandatory Reporting

- Shift from mandatory reporters to mandatory supporters
- Creating a system for caregivers to have conversations before reporting
- Improving communication and understanding between reporters and investigators
- Repurposing existing support systems and organizations to better assist families
- Empowering children to advocate for themselves and providing resources in schools or safe spots, along with clear guidance on seeking help, can be beneficial. However, implementing such a system may lead to an initial influx of calls, making proper education for kids and parents crucial. Visiting communities with limited resources could help address barriers effectively.
- A more proactive approach in Colorado, shifting resources from reactive responses to a system that prioritizes prevention and collaboration with community partners
- Addressing false reports is crucial to retain dedicated professionals and maintain their passion for serving children

Doris summarized the discussion, highlighting the importance of looking at not only the law but also policies, procedures, training, and supports to create a different culture and enhance safety around making reports when necessary. She acknowledged the need for ensuring families have access to the services and supports they require, highlighting the significance of creating a comprehensive approach that addresses various aspects of the reporting system.

Data Presentation and Discussion - Steve Ellis and Crystal Ward Allen, Casey Family Programs

Casey Family Programs developed a data tool which offers insights into specific reporter types and tracks the data throughout the child welfare system's decision-making process, highlighting differences in race/ethnicity of the child, and rural versus urban data. Casey receives data sets from the State of Colorado, including the NCANs data set, but it does not include information on screening decisions, where many reports are screened out without investigation.

Overall, the data indicates that alternative response practices are gradually increasing in usage, and unsubstantiated findings are decreasing slightly. The majority of calls made by Educators and Child Care professionals still lead to either alternative response or unsubstantiated outcomes.

Black/African-American children are overrepresented in the system, with higher percentages being screened in for investigation and aging out of the system compared to the general population.

Educators make about 20% of the (screened-in) calls, while childcare providers make only about 1%.

Regarding the dispositions of the investigated cases, about 50% of the calls were unsubstantiated, around 27% were substantiated, and there has been a gradual increase in alternative response cases, particularly in rural areas, suggesting a possible faster adoption of alternative response practices.

Analyzing the data specifically for Educators, it is evident that about 14% of the cases are substantiated, while the majority (over 50%) result in unsubstantiated findings. The remaining cases go to alternative response. There is not much variation among different racial and ethnic groups in these outcomes.

For allegations of neglect, Educators make up around 17% of the calls, and the majority of these allegations are unsubstantiated. For physical abuse, Educators make up about 30% of the calls, and a higher percentage are unsubstantiated compared to the overall data. However, for sexual abuse, the percentage drops to around 12%, and for medical neglect and emotional neglect, it is around 18% and 17%, respectively.

In terms of rural and urban areas, there are slight differences in the rates of calls for different types of allegations: rural areas tend to call in more cases related to medical neglect, while physical abuse calls have slightly declined overall. General neglect has been increasing over time, but this may be due to changes in coding or policy.

Overall, the data shows similar patterns in rural and urban areas, with Educators making up a significant portion of the calls, and most of the allegations being unsubstantiated.

Discussion about the data highlighted the following:

- Greater rate of alternative response for white families compared to families of color. It was acknowledged that alternative response can be an easier path for families to engage with and emphasizes using good practices to promote equity.
- Higher rate of alternative response in rural communities compared to urban areas, highlighting the importance of building community partnerships for effective implementation.

- Utilizing alternative response data to identify family needs that may not require the same level of intervention as child abuse and neglect referrals.
- The potential for mandatory reporters to play a role in identifying cases suitable for alternative response, leading to different pathways for families.
- The importance of considering policy definitions of neglect, as the rate of general neglect is increasing while physical abuse calls are decreasing.
- Focus on equity in providing support to families, tailoring interventions and services to address individual family needs and circumstances.
- Understanding guidelines for accepting cases into differential response, considering cases related to youth services or the juvenile justice system.
- The importance of proper reporting from mandatory reporters to avoid cases being unfounded, highlighting the need for education and meaningful information provision.

Public comment

Stephanie, who works in the QA department for a statewide crisis hotline, suggested the idea of using First Steps as a potential mobile crisis unit to assess situations where abuse or neglect allegations are reported by telephone. Instead of immediately calling in a mandated report based solely on the information provided over the phone, investigators would send a mental health professional or a clinic to visually assess the situation and ensure that the appropriate steps are taken in reporting. This approach would allow for a more thorough assessment before making a decision on reporting and could potentially lead to more accurate and informed responses in child welfare cases.