

MINUTES APPROVED BY THE MANDATED REPORTER COMMISSION

Office of the Child Advocate  
Mandated Reporter Commission Meeting Minutes  
Tuesday January 26, 2021  
2:00pm-4:00pm

Meeting held virtually via WebEx pursuant to the Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20 signed by Governor Baker on March 12, 2020.

**Mandated Reporter Commission Members Present:**

Maria Mossaides – Child Advocate - Chair

Andrew Rome – General Counsel, DCF

Katherine Ginnis – Sr. Director of Child, Youth & Family Policy Program, EOHHS

Angela Brooks – Dir. Child and Youth Protection Unit, AGO

Nina Marchese – Director of Approved Special Education Schools, DESE

Lisa Hewitt – General Counsel, CPCS

Michael Ryan also attending on behalf of CPCS

Ann Reale – Undersecretary of Education, EOE

Matthew Connolly also attending on behalf of EOE

Anne Connors -- Associate Commissioner for Field Investigations, EEC

Officer Elizabeth Fleming- School Resource Officer, Waltham Public Schools

John High- Chief Staff, DPL

**OCA Staff:**

Cristine Goldman

Christine Palladino-Downs

Melissa Williams

**Members of the Public**

**Acronyms:**

MRC= Mandated Reporter Commission

OCA= Office of the Child Advocate

DCF= Department of Children and Families

CPCS= Committee for Public Counsel Services

**Meeting Commenced:** 2:00pm

**Welcome from the Chair of the Mandated Reporter Commission:**

Maria Mossaides, Chair of the Mandated Reporter Commission, called the meeting to order. Chair Mossaides discussed the purpose of the MRC and the reasoning behind its establishment. She explained the MRC has a specific and targeted mission built off of previously identified challenges and barriers to the existing 51A statute: identifying the appropriate categories of mandatory reporters, clarifying what constitutes the filing of a 51A report, and to further explore the training requirements and processes for training. Chair Mossaides discussed that the current statute

includes language about a training requirement for persons licensed by the Commonwealth but there is no specificity about how trainings should be done and what they should include, and there is no oversight to ensure trainings are completed as required.

Chair Mossaides highlighted the importance of addressing these three overarching challenges through a racial equity lens, she discussed the impact of institutional racism, and that mandated reporters should have information about how to address concerns that don't rise to the level of abuse or neglect.

Chair Mossaides reminded the Commission members that the Commission's deadline for a full report to the legislature is June 30, 2021.

## **Discussion**

Commission members began the discussion by raising outstanding issues and topics. Commission members discussed possible approaches to addressing the racial and ethnic disparities in child protective services through the lens of 51A filings and that it is difficult, but necessary, to gather data to inform the discussion and proposals. Commission members discussed how the training recommendation could address the biases that may affect disproportionate reporting and could also be a mechanism to gather data on disproportional reporting. Members noted that training for mandated reporters also needs to be evaluated through a cultural competency lens. Commission members also discussed that there could be a requirement that racial/ethnic data be reported by mandated reporters when they file 51As. Commission members discussed that institutions, such as hospitals, could review their own institutional reporting data to determine any trends. It was noted that people of color are not represented among the MRC members. Commission members discussed that the public comment period is critical to bring in these necessary lenses and the Commission could examine the proposed statutory language recommendations for implicit bias in drafting.

The Commission again discussed the need for a thoughtful approach to what recommendations are appropriate for statutory language as statutes are very difficult to alter once they are passed. The Commission will also consider what topics should be reserved for regulations or other methods of formalizing policy. The Commission discussed some of the complexity of the recommendations as a full package, noting that the training piece would need to be in place prior to the expansion of the mandatory reporter definition to persons who have never been mandated reporters before so there will have to be some consideration of when the recommendations, if passed by the legislature, would become operational.

The Commission continued its discussion from the last meeting about the logistics of soliciting public comment on the work the MRC has completed thus far. Commission members discussed the implications of asking for public comment before finalizing the MRC's recommendations, as well as the implications of finalizing the recommendations before soliciting feedback. Commission members also discussed the possibility of identifying areas for further analysis.

Based on the Commission's discussion, Chair Mossaides provided two potential logistical avenues to solicit the public's feedback and directed the Commission members to vote on their preferred plan in order for the Commission to determine next steps:

The first option was for the Commission to work on creating a fully formed report that details the specific proposals the MRC has been considering with as much analysis as possible, including

dissenting analysis, and present this detailed package of proposals to the public for comment. This first option would require that the Commission engage in further content discussions to bring the proposed recommendations to as final a form as possible before seeking public comment. The goal of this option is to get as detailed and specific public comment as possible on the recommendations that the MRC is close to finalizing based on the work the MRC has done thus far. This option may delay the expected start date of the public comment period.

The second option was to circulate a more general list of topics, questions, and proposals without specific statutory drafting attached, to garner broad feedback from the public on the direction the Commission should take and topics that should be addressed, without restricting the discussion to the detailed proposals the Commission has been drafting. This second proposal would likely require that the Commission incorporate the public feedback into a more final document that would be circulated for a second public comment period before finalizing the recommendations. It is likely that this process would require an extension of the June 2021 deadline.

Chair Mossaides held a roll-call vote on the two options for next steps. The following members voted for option one: Andrew Rome, Nina Marchese, Anne Connors, Ann Reale, and Elizabeth Fleming. The following members voted for option two: John High, Kate Ginnis, and Michael Ryan on behalf of CPCS.

With the majority vote, the MRC will proceed with option one. The OCA will edit the draft detailed outline document provided to members in advance of this meeting to more fully reflect the detailed analysis of the proposals before the Commission and to include other topics which the Commission would like public input on. That new document will be the basis of the discussion for the next meeting.

### **Review and Approval of the January 11, 2021 Meeting Minutes**

A formal discussion was opened on the January 11, 2021 meeting minutes. No Commission member had any topics for discussion. A roll-call vote was held, and the following members approved the minutes: Maria Mossaides, Katherine Ginnis, Angela Brooks, Ann Reale, Andrew Rome, Nina Marchese, Anne Connors, and Michael Ryan on behalf of CPCS. The January 11, 2021 meeting minutes were approved.

### **Closing Comments**

Ann Reale introduced Matthew Connolly, General Counsel, EOE who will become the EOE's designee on the Commission starting at the next meeting, she thanked the Commission for their work and Chair Mossaides in turn thanked her for her valuable contributions and commitment to the Commission.

The next MRC meeting will be held on February 11, 2021 from 10:00am to 12:00pm.

**Adjournment:** 3:45pm