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“Unfortunately what’s right isn’t always what’s best”: Exploring teacher and school staff experiences with mandated reporting

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ABSTRACT

Mandated reporting is the current system in place for school personnel to support youth whom they suspect have experienced maltreatment. However, limited research details the experiences of mandated reporters. Thus, the current study utilizes reflexive thematic analysis to explore how school personnel identify and respond to suspected abuse. Analysis of interviews with 14 school personnel who made reports resulted in three themes: (1) the *subjectivity of the decision to report*; (2) the *absence of youth voices*; and (3) *experiences navigating inadequate systems of support*. Findings illuminate the tensions reporters hold and reinforce calls to implement supports for youth and families.

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The reporting of suspected cases of child abuse and neglect in the United States (U.S.) remains high. In 2020, there were an estimated 3.9 million referrals involving almost 7 million children to child protection service (CPS) agencies throughout the nation (United States Department of Health and Human Services [USDHHS], 2022). Of referred youth, approximately 618,000 were determined to be victims of abuse and/or neglect and, despite significant government funding and preventative efforts, an estimated 1,750 children died from maltreatment that year (USDHHS, 2022). Since the 1970s, mandated reporting (i.e., the legal requirement to report suspicions of child abuse or neglect to the child welfare system [CWS] or to law enforcement) has been the cornerstone of the federal government’s attempt to ameliorate this critical issue. Schools have been at the vanguard of this process and have historically filed the majority of reports received by CPS (USDHHS, 2022).

Though the CPS reporting system has been the default for teachers and school staff concerned about potential child maltreatment, evidence demonstrating that mandated reporting decreases child abuse or neglect is limited

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(Schwab-Reese et al., 2022). Moreover, the impact of mandated reporting requirements on teachers and school staff themselves has received little attention, despite the potential for secondary traumatic stress associated with this responsibility (VanBergeijk & Sarmiento, 2006). Thus, the present study utilized secondary qualitative analysis (Long-Sutehall et al., 2010; Tate & Happ, 2018) to explore how and why teachers and school staff identify instances of suspected abuse, how they respond, and the impact on their own well-being. Reflexive thematic analysis of interviews with teachers and school staff working in three high schools in one county in Southern California add to our current understanding of the consequences of mandated reporting. Implications underscore the necessity of potential alternative responses to suspected maltreatment that better serve both schools and families.

Background

Mandated reporting in the United States

The advent of mandated reporting as a national practice in the U.S. is relatively new. In 1962, Kempe and colleagues published a detailed description of what they coined “battered child syndrome,” which led to subsequent guidance for practitioners in both the identification and treatment of child abuse (Kempe et al., 1962). This led to strong public support for the prosecution of child maltreatment and, in 1974, Congress enacted the Child Abuse Protection and Treatment Act (CAPTA), setting a legal but discretionary definition of child maltreatment and establishing the Office on Child Abuse and Neglect (Child Welfare Information Gateway, 2019a). Per CAPTA, child maltreatment includes both abuse and neglect. Abuse is most typically conceptualized as the enactment of physical (e.g., beating, burning), sexual (e.g., oral penetration, genital contact), or psychological (e.g., verbal attacks, humiliation) harm to a child by a caregiver. Conversely, neglect is an act of omission by a caregiver that may lead to a child’s harm (e.g., failure to provide food, shelter, safe living conditions) and is the most common form of child maltreatment (Gonzalez & McCall, 2017).

In addition to delineating types of child maltreatment, CAPTA also set forth federal funding for the prevention, investigation, and treatment of incidents of suspected or substantiated child maltreatment. Additionally, it required each state to have procedures in place that mandate certain individuals (e.g. education personnel, clergy, healthcare workers) to report suspected maltreatment (Child Welfare Information Gateway, 2019b). Education personnel make up the second highest percentage of child maltreatment report sources (17.2%) after law enforcement personnel (20.9%), accounting for approximately 675,000 reports of the total 3.925 million referrals made in the U.S. in 2020

(USDHHS, 2022). Since its inception, CAPTA has been reauthorized several times, most recently through 2027 (CAPTA Reauthorization Act of 2021, 2021).

In the state of California, the Child Abuse and Neglect Reporting Act (CARNA), originally passed in 1980 and requires certain personnel (e.g. education personnel, social service workers, doctors) to report suspicions of child abuse or neglect to the CWS or law enforcement within 36 hours (California Legislative Information, 2022). Under CANRA, failure to report these suspicions has severe consequences, including penalties of a misdemeanor, fines up to \$1000, or up to one year of imprisonment (California Legislative Information, 2022).

Even considering these severe penalties, previous research has found that teachers and school staff do not consistently report suspected child abuse or maltreatment (Kenny, 2004; Smith, 2010), citing both their discomfort with legal definitions of what qualifies as abuse and their disagreement with their legal role as mandated reporters (Hawkins & McCallum, 2001; Kenny, 2004). In response to this underreporting of child maltreatment, scholars have advocated for the increase of teacher and school staff training to identify abuse, as well as emphasizing to teachers and school staff that they are legally mandated to report abuse even if it is only a suspicion (Hawkins & McCallum, 2001; Kenny, 2004; Smith, 2010). To increase teacher and school staff knowledge and reporting of child maltreatment in California, lawmakers passed California Assembly Bill 1432 in 2015 (California Department of Education, 2021). This law required all local educational agencies (including teachers, aids, school staff, and administrators) to take a child abuse identification training every year and provide proof of completion within the first six weeks of each school year (California Department of Education, 2021). Thus, teachers and school staff are annually reminded of their duty to monitor children for abuse and the penalties for failing to report their suspicions.

Effectiveness of mandated reporting

Mandated reporting relies on the assumption that individuals who typically interact with youth (e.g., teachers, healthcare workers) are well-positioned to identify maltreatment and can do so successfully. It further requires that, once maltreatment is identified, the child welfare system can provide appropriate supports and services to facilitate more positive outcomes for impacted children and families. However, research into the effectiveness of mandated reporting at achieving these aims is limited. For example, in a meta-synthesis of qualitative research on mandated reporting across nine high income and five middle income countries, McTavish and colleagues noted no research that could prospectively link mandated reporting to child outcomes. Their review further indicated that, of studies that assessed mandated

reporters' perceptions of the reporting process, 73% highlighted negative experiences, such as harm to the therapeutic relationship, placement of the child in an unsafe foster care environment, or death of the child (McTavish et al., 2017). Notably, many of the narratives of mandated reporters included in this meta-synthesis were from healthcare workers, rather than teachers or other school staff, whose views remain comparatively underrepresented in the literature (McTavish et al., 2017).

McTavish et al. (2019) further found that children and caregivers have similarly negative perceptions of and experiences with the CWS, including fear of CPS involvement that discouraged help seeking, insufficient communication between families and mandated reporters, feeling threatened by mandated reporters, and child removal. While participants from a minority of studies did report positive experiences (e.g., structural and material supports, decreased family conflict) following a CPS referral, the results of this meta-synthesis suggest that mandated reporting's impact on families is harmful overall. To that end, scholars and advocates have begun to question the ways in which the mandated reporting system currently operates to police and surveil families, particularly families of color, who are disproportionality impacted by this process (Copeland, 2022; Harrell & Wahab, 2022).

Finally, Schwab-Reese et al. (2022) compared experiences from frontline CWS workers in a country with (i.e., the United States) and a country without (i.e., the Netherlands) mandated reporting laws. While some participants believed that mandated reporting was an effective way to prevent child maltreatment, others expressed concern that it was overly intrusive to families, caused significant damage to their therapeutic or clinical relationships, and discouraged help-seeking (Schwab-Reese et al., 2022). Critically, however, 25% of participants from the U.S. believed mandated reporting to be integral to the CWS, such that one could not exist without the other; in contrast, zero participants from The Netherlands endorsed this view. This finding suggests that mandated reporting may persist as a legal practice in the U.S. due to mere inertia rather than any robust evidentiary support. Thus, additional research that highlights stakeholders' experiences with the mandatory reporting process is needed to disrupt this potentially harmful status quo. Given that teachers are responsible for most CPS referrals, understanding their unique perspective is particularly valuable.

Mandated reporting by school staff

As previously stated, research detailing mandated reporting specifically from the perspective of teachers and school staff is more limited (Bryant & Baldwin, 2010). However, two recent studies from Swedish school teachers and staff utilized qualitative interviews to gather perspectives on the mandated reporting process (Dahlberg et al., 2022; Forsner et al., 2021).

Across both studies, teachers and school staff reported grappling with conflicting feelings including fear for the child, worry that making a mandated report was not in the best interest of the child, a desire to maintain a positive relationship with the student and parents, and concern over the long-term negative consequences of having reported the family (Dahlberg et al., 2022; Forsner et al., 2021). Teachers in an Australian study reported similar concerns regarding the potential for harm and a desire to serve the child's best interests – whether those interests aligned with reporting requirements or not (Falkiner et al., 2017). Participants also highlighted inadequate training as a major issue, indicating that both the frequency and content of trainings were insufficient to prepare them for the reality of identifying and reporting child abuse (Falkiner et al., 2017). A study conducted among school staff in Ireland likewise found that the quality of training was poor (e.g., provided online rather than face-to-face) and that the majority of participants were dissatisfied with their training experiences (Treacy & Nohilly, 2020). Lackluster training may in part explain why referrals made by Canadian educators are more likely to be unsubstantiated (45.3%) compared to those made by other professionals (23.6%) (King & Scott, 2014). Unfortunately, given the dearth of research on this topic, it is unclear if these training experiences hold true for school staff in the U.S.

Furthermore, despite evidence that teachers and school staff are emotionally impacted by student trauma, limited research has explored the consequences of positioning teachers and school staff in the frontlines of child maltreatment reporting. For example, one recent systematic review demonstrates that teachers increasingly report feelings of fatigue, helplessness, and guilt related to their students' trauma histories and also endorse concurrent decreases in job satisfaction (Ormiston et al., 2022). Along with this, VanBergeijk & Sarmiento (2006) found that teachers involved in the mandated reporting process experienced hyperarousal, disturbed sleep, and repetitive intrusive thoughts (among other emotional, physical, and cognitive symptoms) related to the reported trauma. Nevertheless, to understand the current impact of mandated reporting requirements on teachers and other school staff, more recent research is crucial.

Purpose of current study

As research on the consequences of mandated reporting in the U.S. school system is limited, the current study seeks to address this gap by capturing the experiences of teachers and school staff who have made mandated reports due to suspected child maltreatment. Furthermore, this paper also examines teachers and school staff's perceptions of how these referrals impacted students and caregivers. Specifically,

we use reflexive thematic analysis to examine teacher and school staffs' perspectives on their emotional and material experiences of mandated reporting in a large California school system serving children in grades K-12.

Methods

The current study used utilized secondary qualitative data analysis (Long-Sutehall et al., 2010; Tate & Happ, 2018) of a constructivist grounded theory study in three high schools in one county in Southern California (Sonsteng-Person, 2022). From the original study, 14 out of 23 participants described their experiences with suspected abuse and mandated reporting. These 14 interviews were analyzed using reflexive thematic analysis (Braun & Clarke, 2022) to answer the following research questions: (1) How and why do teachers and school staff decide to use mandated reporting? (1a) How do teachers and school staff identify suspected abuse? (1b) How do available supports in schools influence teacher and school staff decisions to make a mandated report?; (2) How do teachers and school staff describe the outcome of mandated reporting?

Data collection

The data used in this study were sampled from a constructivist grounded theory study that aimed to develop a conceptual framework that describes the process through which teachers and school staff respond to student trauma (Sonsteng-Person, 2022). Importantly, because our questions were related to student trauma, the majority of participants described instances of reporting child abuse rather than child neglect. Two separate interview guides were used for High School teachers and High School staff. School teachers in this study included both teachers and teaching assistants, while school staff included counselors and other administrators (e.g. principal, assistant principal, social workers, security guards). Based on the constructivist epistemology and grounded theory methods, questions were broad and general to allow the participants to construct what they believed was traumatizing for their students (Charmaz, 2014). Participants were asked to describe the most recent, the first, and the most memorable times that they were aware of a student exposed to trauma dealing with that exposure in the school or classroom. Participants were then probed to describe how they responded to these instances, what influenced their responses, who else was involved, and what they were thinking about this process. Of note, participants were not specifically asked to discuss instances of suspected abuse or experiences with mandated reporting and instead brought these up on their own, highlighting that participants defined these experiences as traumatizing for their students.

Interviews lasted an average of 60 minutes, took place over the phone or Zoom, were audio recorded, and transcribed using REV services. The participants were emailed a \$10 amazon gift card following their interviews.

Sample

Following IRB approval (IRB##20–000481), recruitment occurred from May 2020 until February 2021 during the stay-at-home orders from the COVID-19 pandemic and the uprisings for the movement for Black Lives. Purposeful sampling was used to recruit participants from three high schools that were participating in a county's Trauma and Resiliency Program (see Sonsteng-Person, 2022 for more details). As employees of schools participating in this program, teachers and school staff had all received training on introductions to trauma. Based in constructivist grounded theory methodology, particular staff were targeted for recruitment using theoretical sampling (Charmaz, 2014) to better understand the processes that teachers and school staff were describing.

Of the initial 23 participants, 14 described incidents of suspected abuse or cases of mandated reporting when asked to describe times when they were aware that students were exposed to trauma. These 14 interviews were re-analyzed using thematic analysis (Braun & Clarke, 2006) by three of the authors of this paper to understand how and why teachers and school staff decide to respond to instances of suspected abuse. As seen in Table 1, 3 of the participants were from School #1, all of which were school staff. Two of which identified as Latinx and one as White, two identified as male and one identified as female. Their years

Table 1. Participant pseudonyms and demographic characteristics.

Pseudonym	Race	Age	Gender	Years in K-12 Education	Grades Work With	Role in School
School 1						
Cole	White	50	Male	15	9–12	Counselor
Cedrick	Latino	41	Male	20	9–12	Assistant Principal
Angie	Latina	43	Female	22	9–12	Teacher, Assistant Principal, Principal
School 2						
Rosa	Chicana	37	Female	4	11, 12	Teacher
Eden	Hispanic	46	Female	27	9–12	Counselor
Zalina	Hispanic	31	Female	3.5	9–12	Teacher
Jessica	Hispanic	52	Female	15	2nd, 4th, 5th, 9–12	Teacher
Omar	Latino, Mexican	43	Male	22	9–12	Principal
Esmeralda	White	59	Female	34	PreK-12	Assistant Principal
School 3						
Dennis	Latino	50	Male	23	6–12	Teacher
Priscilla	White	25	Female	3	9–12	Teacher
Karla	Chicana	42	Female	18	6–12	Special Education Teacher
Ines	Latino	37	Female	15	9–12	Counselor
Isaiah	Chicano	53	Male	27	K-12	Principal

of experience ranged from 15–22 and all stated that they received training on how to identify trauma with only one indicating that they did not receive training on how to respond to trauma. There were 6 participants from School #2, 3 were teachers and 3 were school staff. All but one of these participants identified as Latinx, Hispanic, or Chicax. Five identified as female and 1 identified as male. Their years of experience in K-12 schools ranged from 4–34. All participants stated they received training on how to identify trauma- the majority of which described their trainings on abuse and substance use- and all but two stated they received training on responding to trauma. Finally, 5 participants were from School #3, of which 3 were teachers and 2 were school staff. Most participants identified as Latinx or Chicax, 3 identified as female and 2 identified as male. They had between 3 and 27 years of experience in schools. Similar to school #1, all but 1 participant stated they received training on how to identify trauma and all but 2 indicated they received training on how to respond to trauma.

Analysis

As constructivism posits that knowledge is derived from the social context through interpretations and understandings of interactions, it was important to combine the data from teachers and school staff for analysis (Charmaz, 2014; Vygotsky, 1978). Reflexive thematic analysis was used to create a detailed description of how and why teachers and school staff identify, respond to, and understand the outcomes of mandated reporting following suspected abuse (Braun & Clarke, 2006, 2022). Reflexive thematic analysis emphasizes that researchers' subjectivity adds to the meaning attributed to the data (Braun & Clarke, 2022, 2023). The data were coded by CL, MSP, and VC. The coders initially coded three transcripts to generate a shared codebook. Process, descriptive, and in vivo coding were used to determine what was happening in the data (Saldaña, 2016). Coders met weekly to compare codes and discuss similarities and discrepancies. Disagreements in codes or themes were resolved through discussion during weekly meetings and the authors developed a codebook of shared code names and definitions. They then applied this codebook to the remaining interviews. Once coding was completed, coders formed the codes into categories by discussing the commonalities and differences between each of the transcripts (Charmaz, 2014). Categories were then compared and grouped to identify the relationships between them (Charmaz, 2014). The coders utilized analytic memos to determine the greater meaning and relationships between the categories (Charmaz, 2015) which were then grouped to identify themes (Braun & Clarke, 2006). From this thematic analysis three themes were generated.

Reflexivity

Reflexive thematic analysis highlights the need to situate yourself within your data by being aware of your own positionality and how it shapes and informs the research (Braun & Clarke, 2022). The authors all identify as university outsiders, meaning that they do not come from the same community as the research participants (Sitter, 2017). They therefore used reflexive memoing and collaborative coding to situate themselves within the data (Braun & Clarke, 2022). CL is a biracial White and Chinese, cis, hetero woman who grew up in a rural politically conservative town in Southern California. She has experience working in various child welfare settings, including school social work, CPS social work, and outpatient family therapy settings for families involved in the child welfare system. As a CPS worker, she received extensive training in the need to use the current systems of CPS surveillance in order to protect children and recognizes that this may impact her analysis of this work. KA is a biracial white and Filipina cis woman who grew up in Central Florida. She has worked primarily in academic research settings and is currently studying school psychology. MSP is a white, cis, hetero woman that grew up in Southern California in a neighborhood east of Los Angeles in San Bernardino County. She has worked as a middle school teacher and trauma practitioner in schools throughout the U.S. VC is a non-binary Black and Filipinx researcher who grew up in North Las Vegas, Nevada. She is a family policing abolitionist who partners with community organizers in Metro Los Angeles. Aware of the impact of their identities on their analytic process, CL, MSP, and VC meet weekly to discuss their analysis and identify biases present in their interpretations of the data.

Results

Analysis of interviews with teachers and school staff highlight the impact of mandated reporting on participants' identification of and response to students' experiences of trauma. Throughout the interviews, teachers and school staff describe an ethical tension in which their desire to do what is "right" (i.e. follow the law and make a mandated report) does not always align with what they think is best for the child and their family. The legal pressure that teachers and school staff experience impacts their ability to make the choice to support the safety and well-being of their students and families. Of the 14 total interviews, only 2 participants stated that making a mandated report led to positive outcomes for the students and families. There were three salient themes identified throughout interviews with participants who described stories of mandated reporting. The first is the *subjectivity of the decision to report* which identifies the factors that

influence why and how participants decided to report suspected abuse of their student. Next, *the absence of youth voices* was prevalent throughout the narratives among teachers and school staff as they described the decision to report suspected abuse without the consent of the youth themselves. Finally, throughout the interviews participants describe *navigating inadequate systems of support* for all those involved in the mandated reporting process, including students, families, and the school staff themselves.

The subjectivity of the decision to report

Ultimately, teachers and school staff were responsible for the decision to make or not make a mandated report. However, far from being an objective process, participants cited several factors that influenced their decision making, including legal requirements and liability, personal experiences of abuse, and their ability to consult with administration and other colleagues prior to reporting.

Throughout the interviews, school staff consistently described that legal obligations underpinned their decisions to report suspected abuse and/or neglect. For example, Rosa, a teacher from School 3, states, “It’s always better [to be] safe than sorry when we report things. So, because we’re mandated reporters, so it’s like, ‘Okay, I have to.’” These legal obligations were reinforced by annual trainings that explained the school district’s expectations, requirements, and process for reporting. Dennis, another teacher from School 3, states:

As far as contacting Child Services or being a mandated reporter, we’re trained on that every year since I’ve been a teacher. You have to do some sort of video . . . so that everybody was clear if you do deal with some abuse or neglect that these are the steps that you have to take.

Yet, despite these legal requirements, some participants risked defying the mandate. For example, Ines, a counselor at School 3, states:

It’s hard because sometimes kids share things, but they [say], “Don’t call my mom.” [That] kind of thing. And there’s certain things that, “Sorry, I have to,” but other things that I’m like, okay, well, I can monitor without having to make a phone call [to CPS].

Likewise, Cedrick, the assistant principal at School 1, describes that while he is “observant and kind of watching for specific signs [of abuse],” he also tries to avoid “being quick to jump to conclusions.” Thus, some participants delayed filing a report when evidence of suspected abuse was ambiguous.

Other participants concur that the decision to report is typically subject to myriad emotional and interpersonal variables. Specifically, although school staff are required to contact CPS when they have reasonable cause to suspect abuse and neglect, participants’ perceptions of maltreatment are frequently

emotion-laden and influenced by their own experiences. For example, Karla, a current teacher, reflects on how she benefited as a child after her own teacher made a mandated report:

So, I told one of my teachers how my dad was [abusive], and she called CPS, and I'm grateful because he was horrible. . . I think that I became that teacher that helped me. [long pause, crying] And I think that's what I do a little bit more for my students because I guess they see myself in them, and they feel like I'm helping myself out.

Given this childhood experience, Karla believed that, in situations like hers, mandated reporting could be beneficial for a student. Likewise, Zalina, who contacted CPS to report a physical altercation between a student and her stepfather, explicitly connects her own experiences of trauma to her decision-making process:

I think because personally, there had been a trauma when I was young, I see a lot of things . . . I immediately go to the dark box, that probably would be like, what would happen? And I think it makes me feel more protective.

Thus, Zalina's personal history influenced her perception of abuse and justified her decision to make a report. Rosa, who also disclosed childhood abuse during her interview, reports similar subjectivity, stating that although there "wasn't anything necessarily physical going on," she reported a student's father for what she "perceived as being emotional abuse" that "impacted the student in terms of self-esteem." Critically, all three teachers' histories influenced their subjective understanding of maltreatment, and it is this understanding that ultimately underlies the decision to report.

Decision-making was further influenced by the availability of consultative support from colleagues. Some participants acted independently based on their own views, while others had supervisors or administrative staff from whom they could seek input. Cedrick, the assistant principal at School 1 elaborates that he is given the space to pause before reporting incidents that he perceives as potential maltreatment and that he can "bounc[e] those ideas off of [his] boss." However, when teachers and school staff report that they were unable to consult with a colleague prior to making a report, they were more likely to call CPS. Priscilla states that for her, "it's hard to get ahold of [school administrators] right away . . ." and being unable to ". . . get a hold of the assistant principal at the time" of an incident where she suspected abuse, she ". . . had to leave a message and make the report [herself]." Although some teachers and school staff reported that they had the opportunity to problem-solve with their colleagues, some participants stated that they had to make the decision on their own. In these cases, teachers and school staff had to decide if the potential legal ramifications of

failing to report outweighed the harm that filing a report might have on their students and families.

In sum, teachers and school staff hold the power and decision-making when it comes to mandated reports. Although the decision-making process varies from person to person, the most salient factors present in the data were legal requirements and training, personal experiences of abuse, and the ability to consult with others.

The absence of youth voices

Participants' experiences indicate that the mandated reporting system frequently decentralized, overrode, or silenced the voices of the students they worked with. Salient throughout the interviews was that youth themselves did not typically consent to reporting and experienced emotional distress when a report was made. Although students did voluntarily disclose trauma or abuse to the teachers and school staff they trusted, participants reported that these relationships were often damaged or marked by feelings of betrayal when CPS was contacted. This reaction was particularly common when students explicitly asked participants not to file reports.

One aspect of mandated reporting that makes it void of youth power is the fact that students are often unaware that their teachers and school staff are legally required to report suspected abuse and neglect. Many participants stated they explicitly sought to build trusting relationships with their students and, in doing so, encouraged students to confide in them; as Rosa describes, "Students don't have support in terms of this other stuff they're dealing with. And so I think, sometimes that's why they ended up coming to me . . ." However, participants further explained, despite these trusting relationships, many children and youth do not know about mandated reporting laws and are taken aback when teachers share that they will be disclosing their personal information to the authorities. Dennis describes this when he recounts the following conversation:

[The student] went ahead and said, "My stepfather is molesting me and raping me." And I was, it was a shock to me. And I was like, "Wow." And so, I went ahead and told her, "Okay, you know, I have to report this now. Do you understand that?" . . . And she did not understand that. She was [like], "What do you mean?"

Students' responses of disbelief were heard time and time again. For example, Eden tells the story of how a student disclosed domestic violence occurring in the home. When the student was told that a report would have to be made, Eden describes the following reaction:

Then [the student] started freaking out, and that's when I started getting . . . I say nervous, but just [started] feeling so bad for her because I knew it was going through her head like, "Oh my God. I'm going to get my dad arrested." I think he did get arrested that day.

Realizing what she had done, the student started “backing her story down” when talking to the assistant principal: “She was like, ‘No, wait, I don’t know. It wasn’t that . . .’” Eden states that such recantations “happen a lot” and impact her emotionally. She recalls wondering, “Maybe she thought I was just going to listen to her and be like . . . just someone to talk to, but I’m a mandated reporter.” In this example, Eden grapples with the ways in which her legal obligations caused emotional distress for both herself and her student and, moreover, eroded the trust between them. Other participants echo Eden and relay how students’ reactions to mandated reporting impacted their own well-being. For example, Angie describes a student who disclosed sexual abuse. When Angie informs the student that she will need to make a mandated report, the student starts “crying; she said, ‘Miss, why did you do that?’ And it just broke my heart because I felt like [crying long pause]. . . sorry [crying, long pause]. . . I thought, ‘I can’t betray her.’” Despite her ambivalence, Angie did ultimately file a report, stating, “Even if the students hate me, I have to do what’s right. Unfortunately, what’s right isn’t always what’s best for them at the time.” In other words, Angie believes that the potential benefits of reporting justify the lack of autonomy afforded to students by this process. In the stories from Dennis, Eden, and Angie, students’ voices are ignored by a system that requires teachers to report abuse even in the absence of consent.

On the other hand, two participants describe instances in which the students did want to report. Cole, a counselor at School 1, describes a different scenario, in which a student attempted to report being sexually abused by her principal but was ignored by the system. He describes, “This man [the principal] messed her up so bad that nobody believed her, the cops didn’t believe her initially . . .” Not only this, but Cole reports that “this principal was threatening to deport her . . .” He continues, “I feel like that was massive trauma.” In this instance, the student wanted to report the incident, and even when the protocols of mandated reporting were followed, she was not believed. Another participant, Esmeralda, shared about a student who specifically came to her to disclose the sexual abuse of her sibling and remembers how this use of the mandated reporting system resulted in a positive change for the student and her sibling:

I’m going to share a success story with you. I recall working at a middle school and unfortunately I had some girls who were being taken advantage of sexually by a grandfather that was in the home and nobody really believed it and nobody really wanted to hear it. [The student] was like, “I’m going to be in so much trouble if I say something, but I can’t let this happen to my sister anymore.” So she wasn’t really reaching out for herself, she was reaching out for her sibling. The whole investigation took place and as a result, the children were removed from their home, they went to different places.

While this one participant reported an instance in which youth voices were fully represented during the mandated reporting process, the vast majority were instead forced to grapple with feelings of guilt and betrayal after

disclosing students' abuse to authorities against their explicit wishes. Despite these feelings, participants consistently chose to file reports, believing that involving CPS would ultimately benefit the student.

Navigating inadequate systems of support

All teachers and school staff describe the impact of having to navigate inadequate systems of support from both the CWS and the school system. Although participants are legally mandated to file reports of suspected abuse or neglect, and many initially believed that doing so would benefit the student, their stories highlight how reporting ultimately does little to provide necessary supports that ensure the safety of students and their families. As participants reckon with this inadequacy, they further describe the toll that reporting takes on their own well-being and how the school system often fails to support them throughout this process.

As teachers and school staff are legally bound to report suspected abuse, the process is often highly protocolized and manualized and resulted in this escalation even if it was not what the youth, family, or teachers wanted for the situation. Cedrick explains this escalation:

The school had to address it and follow a protocol that was set there. And then, you have to bring the different people that need to be involved. You have to bring in risk management and you have to bring in your superintendent, or at least notify the superintendent, address it with the parent, and you have to offer support for the family . . . [Then we] notify law enforcement or your school resource officer, getting them involved, and then you go through a whole process of supporting your principal, and making sure that you're reaching out to students as best as you can.

Instead of being a productive conversation between the student and trusted adult, this response often ballooned to involve school staff, administration, law enforcement, mental health professionals, and CPS social workers. This forced disclosure not only impacts the youth, but places teachers in a state of ethical conflict as well.

In addition, teachers and school staff describe the CWS's failure to ensure that mental health services and supports are provided to impacted youth and families. Jessica, a teacher at School 2, shares a narrative in which one of her students discloses experiencing sexual abuse from a family member in the past. The case had already been investigated and the abuser was in prison; however, the teacher still felt obligated to make another mandated report. Jessica shares that this did not result in an increase in mental health support for the student as "the parents were specific and adamant that they just really wanted to put this behind them." Likewise, Rosa, who reported her student's

family for emotional abuse, had her concerns dismissed by CPS entirely. She recalls:

I remember when I talked to the social worker of LA County, they're kind of making it feel like it wasn't even that important or I was overreacting because I was like, "Well, she said her dad broke her phone, throwing stuff. And then the girlfriend, was mistreating her" Luckily, I haven't had to do it [make a report] since, but it just makes me concerned that, I'm mandated to do this, I'm telling you this, and then you're going to say to me that like, "Oh, well, kids lie and she might be lying." It was very frustrating to do it.

Thus, not only did Rosa's student fail to receive needed support from the CWS, Rosa herself was emotionally impacted by this lack of response and began to question the efficacy of the mandated reporting system.

Other participants reported similarly emotional reactions to the perceived failure of mandated reporting. For example, after reporting a student's sexual abuse, Angie described the following:

I wanted to be able to help this young lady, but she ended up checking out. . . She was constantly high, and I would talk to her and tell her, "Why are you doing this?" and she says, "I just don't want to. . . I don't want to think about it. I don't want to even remember anything. I don't want to think about it." So, she was always high on campus. [crying]. And I was afraid that something was going to happen to her again

Thus, even after reporting, Angie remained in fear that the student would continue to experience sexual assault. Furthermore, she explicitly linked escalation in the student's maladaptive coping behaviors (e.g., drug use) to the mandated reporting process, saying:

Well, you see its difficult. [long pause]. I just feel like I let her down. [crying]. It will be difficult for me to get over just because the downward spiral she has after. She was already getting into problems and then after that, the fact that she had to think about it all over again

In this way, Angie describes her belief that reporting not only failed to provide the student with necessary mental health supports but also resulted in an investigation that forced the student to relive her past trauma. This in turn caused Angie to experience guilt that persisted years later. Alternatively, as mentioned above, Esmerelda, recalls seeing a student years after she had made a mandated report that a student requested be made. She states that the "student said, "That was the best day of my life because we got out of that situation." In this instance, Esmerelda reflects that both she and her student were satisfied with the outcome of mandated reporting.

Participants also described the emotional toll of discussing abuse with students, with many indicating that, despite receiving annual training on mandated reporting, they were not prepared to effectively respond to

students' disclosures. This was true of Dennis, who recalls the following conversation:

And [the student] basically said, "I want to tell you something." And that triggered in my mind, oh, no, I don't want to hear this. That's what I thought. And then I go, "No, wait, stop." And that's what I told her, "Stop. Don't say anything. We can go down to the counselor and you can talk to a counselor . . ." And then she kept on going and she said, "No, no, I want to tell you because I respect you." And I was like, "What are you talking about?" . . . And so, I was like, "No. Let's go to the counselor, I want you to tell the counselor."

Not only did Dennis feel ill equipped to emotionally support the student, but he also was worried about having to make a report; thus, he attempted to stop the student from disclosing her experience of abuse.

In contrast, other participants encouraged students to confide in them. However, they nevertheless experienced feelings of distress similar to those of Dennis. For example, Priscilla describes, "I try my best to be calm and give [the students] some sense of, 'Everything's going to be okay.' Even though on the inside I'm like freaking out . . ." She states that when students come to her crying, she responds by thinking "'Oh, my gosh. You're so upset, I don't want to cry also,' and I guess I feel for them so deeply." The emotional impact of hearing about students' experiences with trauma and going through the mandated reporting process was heard throughout interviews. The assistant principal at School 2 shares, "It's a whole process, but it changes the morale, it changes yourself, you're almost defeated because, [mandated reporting is] a draining experience to have to go through." Angie concurs, explaining her experience with burnout after filing a report:

Back when that happened though, honestly, I left because like I said it wasn't. . . I left to Mexico. I made a decision after that happened to take a break, because I hadn't had a break. And I flew actually to Mexico City. So maybe I didn't deal with it. That was my way.

Still other participants describe how their friends left the profession after hearing students' stories of abuse due to burnout and vicarious trauma. These experiences highlight that although mandated reporting laws position teachers and school staff as the initial arbiters of students' trauma, they are often not equipped to carry the resulting emotional burden.

Discussion

The present study offers important preliminary insight into teacher and school staff perceptions of and experiences with the mandated reporting system. Findings highlight that the current mandated reporting process has lasting impacts for teachers and school personnel who are responsible for filing these reports. Participants were generally disappointed in the

CWS's response to reported maltreatment and perceived outcomes to be insufficient or actively harmful to students. Positive outcomes were less frequently described, with two out of 14 participants indicating that they perceived their reports to have net benefits for the child. Moreover, participants themselves experienced emotional distress related to hearing stories of trauma and subsequently making reports. Despite these negative experiences, however, participants typically reaffirmed the belief that reporting maltreatment to the CWS was necessary to safeguard students, as exemplified by Angie's statement, "Unfortunately, what's right [reporting] isn't always what's best for them at the time." This finding highlights a critical tension that teachers and school staff must grapple with in their roles as mandated reporters: although the process of reporting – from receiving a student's initial disclosure of maltreatment to witnessing the effects of CWS involvement – is replete with the potential for harm (e.g., breaking trust, witnessing insufficient supports), it is currently the primary means by which teachers and school staff are enabled to respond to students' experiences of abuse and neglect. This tension is further underscored by the legal ramifications in California (e.g., fines, jail time, loss of credentials) for failure to report, even in cases in which participants believed that reporting would lead to undesired outcomes for students or to the CWS simply dismissing their concerns. Ultimately, the disconnect between participants' desires to protect the students under their care and the inability of the mandated reporting process to consistently do so characterized all three study themes: (1) the *subjectivity of the decision to report*; (2) the *absence of youth voices*; and (3) *experiences navigating inadequate systems of support*.

The theme *subjectivity of the decision to report* highlights the individual factors that influence the decision for school staff to make a mandated report of suspected child abuse and are often influenced by the teachers and school staff's own upbringing, trauma history, and confidence in the child protection system. This finding aligns with previous work which has found some teachers can be reluctant to make a mandated report, citing fears that their suspicions alone may not be enough to warrant CPS involvement, as well as potential damage to the child-teacher or parent-teacher relationship, discomfort defining what qualifies as reasonable suspicion, and dissatisfaction with their legal role as mandated reporters (Dahlberg et al., 2022; Falkiner et al., 2017; Forsner et al., 2021; Hawkins & McCallum, 2001; Kenny, 2004; Lehrer-Small, 2022; Schwab-Reese et al., 2022). Narratives from the present study give validity to these concerns and reiterate the subjectivity of the mandated reporting process. Additionally, participant's decisions were also influenced by legal requirements and annual trainings that position mandated reporting as the expected and necessary action that teachers and school staff must take when they suspect maltreatment. It may be that these trainings facilitated

participants' initial perceptions that involvement with the CWS would benefit their students. However, as their narratives showed, actual outcomes were mixed.

The theme *the absence of youth voices* consistently demonstrated a lack of youth's voice or choice throughout the entire mandated reporting process, stripping them of their power and autonomy, and frequently resulting in a loss of their privacy or confidentiality. Furthermore, the explicit desires of youth to keep information confidential were often disregarded. This finding aligns with work that notes a great deal of fear and a desire for more autonomy and transparency from youth and caregivers who are the subjects of mandated reports (McTavish et al., 2019). While present findings advance our current understanding of how teachers and school staff perceive youth experiences with the current mandated reporting system, the literature is still limited in the inclusion of work that prioritizes youths' own perspectives regarding this process.

Finally, the theme *navigating inadequate systems of support* highlights the experiences of teachers and school staff who are attempting to care for their students within the confines of the education system. The punitive consequences for the failure to report suspicions of abuse can lead to teachers and school staff defaulting to the involvement of CPS, even if this may explicitly go against what a child or family requests, as they need to cover themselves from risk of penalty (Feng et al., 2012). This supports previous work which calls for educators to organize, educate themselves, support young people, collectivize, offer resources, and check their assumptions before reporting (Meiners & Tolliver, 2016). Furthermore, findings highlight the harm experienced by participants as they navigated the tension between being mandated reporters and wanting to adequately support their students. This extends previous research which states mandated reporting can cause high levels of emotional disturbance on the part of the reporters, ruptured rapport between the reporter the family, and concern of the long-term consequences of this broken trust (Feng et al., 2012; Hawkins & McCallum, 2001; Kenny, 2004; Smith, 2010; VanBergeijk and Sarmiento, 2006).

Indeed, present results support previous findings which detail the negative impacts reporting has on parent relationships with providers, and scholars have long sought to offer guidance on how to talk to parents about the legal mandate to make a mandated report in a way that allows the maintenance of rapport (Asnes & Leventhal, 2010; Davidov et al., 2012; Tufford, 2014). Despite these efforts, present findings show the mandated reporting approach continues to lead to alienation of youth and families and does not lead to greater treatment buy-in. Findings further highlight concerns voiced by scholars and advocates that the current CWS creates an antagonistic atmosphere in work with youth and families (Burton & Montauban, 2021; Copeland, 2022; Harrell and Wahab, 2022; Harvey et al., 2021; JMAC for Families, n.d.;

Washington, 2022). The inadequate systems of support for students lead to a “better safe than sorry” stance toward reporting. This approach removes agency at the student, teacher, and administration level and does not allow for a more comprehensive understanding of the implications for the youth and families that the CWS is most impacting.

Ultimately, the resultant themes demonstrate that mandated reporting is a deeply entrenched mechanism of child protection within the U.S. education system that often fails to fulfill its promise of ameliorating maltreatment. Though two participants highlighted the positive outcomes and successes of reporting, the majority had experiences that were characterized by uncertainty, distress, and burnout. Nevertheless, due to legal requirements, teachers and school staff impacted by the emotional consequences of reporting will likely have to engage in this process multiple times throughout their careers. Angie explicitly grappled with this possibility in her interview, saying she was “concerned” about how the CWS may respond to her reports in the future. Thus, these preliminary findings provide insight that teachers and school staff may benefit from alternative avenues of providing support to students who they suspect may be experiencing maltreatment.

Implications

Organizers and advocates have brought attention to the harms of policing and surveilling families, especially Black, Latinx, Indigenous and poor families (Copeland, 2022; Harrell & Wahab, 2022). Advocates express concern that the current punitive approach to child welfare exacerbates fear, harm, and alienates both children and caregivers (Copeland, 2022; Sonsteng-Person, 2022, Harvey et al., 2021). Results from this study highlight how the current mandated reporting system is not adequate to meet the often complex needs of youth and families, and can lead to guilt, fear, and emotional exhaustion for teachers and school staff. Schools have the potential to act as healing, trauma-informed spaces for vulnerable children and families to connect with appropriate resources and community supports (Chafouleas et al., 2016; Crosby, 2015). Instead of school staff being intimidated by legal mandates into a position when their duty to report conflicts with what they believe may be in the best interest of the child, there can be voice, choice and respect for all those involved, including those who come into contact with the CWS. Furthermore, collaborative discussions without the threat of legal ramifications can lead to clearer agreement upon what is in the best interest of the child from the teacher and school staff perspective, family perspective, and mental health perspective. Findings inform several implications for ensuring that schools are safe spaces.

First, some teachers and school staff used the mandated reporting system as a way to get students supportive mental health services,

highlighting the need for alternative pathways to support student mental health. Research calls for schools to expand their budgets to hire mental health services for students as well as teachers and staff to help address harm and prevent future harm from occurring (Sonsteng-Person & Loomis, 2021; Sonsteng-Person, 2022). Furthermore, on-site mental health professionals can also be a resource for teachers and school staff who may not know how to navigate the heavy emotional load and vicarious trauma that accompanies students sharing their past traumatic experiences. On-site mental health professionals can also provide specific training to teachers and school staff about the signs and symptoms of secondary traumatic stress and ways to prevent burn-out and compassion fatigue. To do this, schools should prioritize funding that would aid in the prevention of harm and treat the underlying needs of youth and families. Moreover, in focusing on preventive rather than reactive efforts, educators and policy makers should consider the scope of existing transformative justice interventions that do not rely on punitive measures or carceral mechanisms like surveillance. For example, the Bay Area Transformative Justice Collective who organizes around Child Sexual Abuse uses Pod Mapping to help address harm and reify support networks (Mingus, 2016). Transformative Justice interventions like Pod Mapping can help educators better respond to instances of harm in a way that prioritizes youth and preserves family and community bonds.

Next, findings emphasize the wide discretion and inherent subjectivity of deciding to file a report, as well as the lack of student voices in this process. As such, schools should move toward a model that first partners with students and their families or other trusted community members to understand how they envision addressing harm or conflict, and subsequently connects them with the resources they need to stay in their communities safely (Mandatory Reporting is Not Neutral, n.d.; Meiners & Tolliver 2016; Social Workers Against Mandates, n.d.; Tiano, 2023). This includes creating practices and processes that center youth's definition of safety and prioritizes their agency in requesting and receiving help. It may also include referral systems where students or families can make their mental health needs known and ask for connections to relevant resources, such as a counselor or peer advocate. Unlike mandatory reporting, these alternative models of intervention require schools to foster and maintain trusting relationships between educators, administrators, community organizations, and students.

As findings highlight, mandatory reporting continues to be frequently used as a way for educators to avoid liability over failure to report suspected instances of abuse or neglect. Organizers have proposed alternatives in hopes to repeal CAPTA in efforts to avoid these fear-based decision-making

processes (Copeland, 2022). For example, activist Joyce McMillan and a notable group of social workers created a “mandatory supporting” system that trains social workers and educators on the harms of mandatory reporting processes (Social Workers Against Mandates, n.d.). Alternative policies and trainings like Mandatory Supporting should be provided to teachers and school staff so that they may effectively support student and family well-being without the fear of being punished or compounding the surveillance of families.

Limitations and future directions for research

While the findings from this study were illuminating, there are several limitations that future research should address. First, the sample only included participants from three high schools in one county in Southern California. While findings provide an in-depth analysis of the experiences of school staff from these schools, results should be tested across districts and states. This is primarily due to the variation in mandated reporting laws across the U.S. As such, future research should seek to sample teachers and school staff across the U.S. In addition, quantitative research that tests the findings from this study should be utilized to understand generalizable experiences of mandated reporting more broadly.

Next, the study utilized secondary data analysis of data that was collected using Grounded Theory. Thus, true to this methodology, the questions posed to teachers and school staff did not directly ask about their experiences using mandated reporting. Instead, participants were asked to describe specific instances in which they were aware that a student had experienced trauma. Because of this framing, that majority of subjects described instances of child abuse rather than neglect. Child neglect is the most common form of child maltreatment (Gonzalez & McCall, 2017) and, as such, future research that probes how teachers and school staff identify and report neglect is critical.

Additionally, because teachers and school staff were not asked about mandated reporting directly, not all participants in the larger study could be included in the current analyses. However, the majority of respondents (14 out of 23) did describe instances of trauma that involved a mandated report to CPS. Thus, rather than being a weakness of the study, we believe that participants’ spontaneous, unprompted discussion of their experiences with mandated reporting highlights its centrality to school staffs’ responses to student trauma. Nevertheless, future qualitative research is needed that explicitly asks teachers and school staff about their experiences of making mandated reports and more intentionally captures their perspectives of the

outcomes for themselves, students, and families, especially as it relates to neglect versus abuse.

Finally, data were only collected from teachers and school staff, leaving void the voices of students and their families. Future research should address this limitation by conducting interviews with students and families who were the subjects of mandated reports and subsequent CPS investigations. As present findings highlight the absence of youth voices in mandated reporting, future research is needed that purposefully includes youth voices and perceptions of experiences.

Conclusion

The present study utilized secondary data analysis to explore experiences of the mandated reporting process from the perspective of teachers and school staff and sought to answer how and why they decide to make reports, how supports in schools influence their decision to report, and how they describe the outcome of mandated reporting. In many of the present narratives the mandated reporters noted fear, distress, and lack of family or student voice in the process. Despite these often negative experiences and outcomes, some teachers and school staff held to the belief that they did the correct thing by following the law and reporting the students and families to CPS. These experiences highlight the tensions teachers hold when making the decision to report and reinforce calls for the transformation of our education and child welfare systems in the U.S. to work toward community healing and family partnership. This work sets the stage for future research done in partnership with students, families, teachers, school staff, and community members that provides an understanding of the nuanced impacts of the current mandated reporting system on our students and their families.

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