

Mandated Support in Education

Protecting Children by Assisting Families



By Chelsea Prax

Ms. Hanover is Miguel's fourth-grade teacher. Over the past few months, she has become increasingly concerned about him. He often wears the same clothes, usually unwashed. Recently, he missed six days of school. And when he has come to class, she's noticed the distinct odor of marijuana.

Per the building protocol, Ms. Hanover discussed her concerns with the school social worker, Mrs. Tomas, who had heard about Miguel from another staff person as well. After school, they sat together to make a report to Child Protective Services (CPS). It was a long process, but Ms. Hanover was hopeful this would get Miguel and his family the help they needed.

The CPS hotline operator accepted the report for an investigation. Two days later, a caseworker arrived at Miguel's listed address. Miguel's mother, Carmen, was at work, so the caseworker engaged her brother, Ruben. Ruben was high and giggled as they walked around, pointing to empty beer cans: "Those are all mine, you know. Carmen hates me drinking."

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He did not seem to notice the dirty laundry, mostly bare cupboards, and sparse refrigerator. When asked about his parents, Miguel replied that he missed his father, but he wouldn't say any more. His younger siblings avoided the caseworker, focused instead on playing in a corner.

Following the visit, the caseworker developed a safety plan for the family with a few key tenets: Ruben must move out. Carmen needs to clean the house and fill the cupboards. She also needs to show proof that she owns some basic resources for health and safety: a crib and two car seats.

On the second visit, the caseworker found Ruben high again and was not satisfied with Carmen's attempts to fulfill the safety plan. The caseworker removed Miguel and his siblings to foster care with a CPS-approved provider and agreed to talk to Carmen's sister about completing the process to become a kinship caregiver. The caseworker told Carmen that her kids would be returned on three conditions: First, Carmen must implement the safety plan. Second, Carmen and Ruben must complete at least four sessions of a substance abuse intervention. Third, Carmen was court-ordered to complete at least four sessions of parenting classes.

Miguel disappeared from Ms. Hanover's class because his foster placement was zoned for a different school. She heard nothing more from CPS and still wonders whether her call was helpful.

Our collective failure to support children and families is evident—the nation is riddled with food insecurity, homelessness, discrimination, lead exposure, child labor, and more. Educators are not asked to call the departments of agriculture, housing, civil rights, environmental protection, or labor. But every state requires educators to activate child welfare agencies as mandatory reporters of child abuse and neglect.¹

Mandatory reporting is the first step in a troubling and common cascade: Poverty, reframed as “neglect,” precipitates far too many reports, with roughly one-third of children enduring a CPS investigation.² Investigated families are monitored and coerced to change their parenting (usually without support for alleviating their poverty), with the threat of child removal if they do not comply.³ Often, their children are taken even when they strive to comply. CPS removes thousands of children from their families, so that “on any given day, foster care rates for US children, at 563 per 100,000, exceed imprisonment rates for US adults, at 539 per 100,000.”⁴

More than 50 years ago, the government began requiring mandatory reporting, despite the concerns of social workers within CPS and other activists.⁵ Many of their worst fears, including an explosion in reports, a lack of personnel to handle the volume, and a shift to investigations instead of care, have come to pass.⁶ Mandatory reporting is part of how CPS transformed from a problem-solving agency that supported families into one focused on investigation, surveillance, monitoring, and family regulation.⁷ Each year, CPS chases millions of reports of suspected child abuse *after* signs of tragedy and at the expense of investing in prevention or effective interventions.⁸ Sadly, “Increased reporting has not been associated with a reduced incidence of severe injury and abuse of children.”⁹

Kids, families, and educators deserve a system that really works. Instead of mandatory reporting, we need *mandated support*, a term coined by JMACforFamilies to prioritize keeping families intact and reducing harm.¹⁰ Mandated support in education includes both programming changes¹¹ and policy commitments.¹² Individual educators acting as mandated supporters practice strategies to start, strengthen, and sustain healthy, trusting connections with families. They leverage all available resources and prioritize students’ bonds with their families. Just imagine what this would have meant for Miguel.

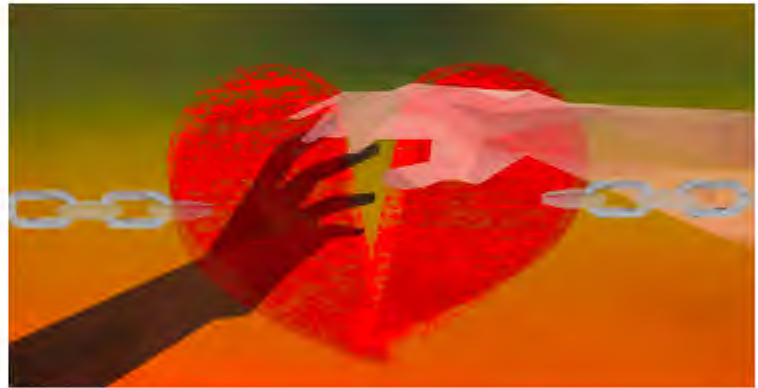
Ms. Hanover works in a district with a union-negotiated Parent-Teacher Home Visiting Project. She was trained to build authentic relationships and connect with families about their hopes and dreams. At the start of this school year, she reached out to the family of each student in her class, asking them to connect with her and the school social worker, Mrs. Tomas, at a mutually agreeable time and place. Ms. Hanover and Mrs. Tomas are compensated for every visit and always debrief together during dedicated staff meeting time.

Thanks to this program, Ms. Hanover knows that Miguel loves skateboarding at the local park when his older cousins are able to take him, struggles with fourth-grade reading but enjoys reading board books to his younger siblings, and is pretty

picky about textures. Carmen shared the short list of foods he eats and clothes he wears. Ms. Hanover offered to review the school menu to try to find items that fit his needs and to follow up with cafeteria staff about possible substitutions.

During the visit, which Carmen agreed to have at her home, they also learned that Miguel’s family was facing a lot of transitions. The baby was born just a few months after Miguel’s father was incarcerated. In addition to their ongoing grief over his absence, Carmen returned to work earlier than she wanted. Mrs. Tomas suggested that Miguel join a bereaved student group that meets every other week. Ms. Hanover made a note to review opportunities to make “father” focused content inclusive.

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At the end of the visit, Mrs. Tomas invited the family to the upcoming orientation for the school-based health center. Since Carmen probably would not be able to attend because of work, Mrs. Tomas offered a phone call. On the scheduled call, the center’s director, Mr. Pérez, explained how the health center works and encouraged the family to join. The school helped them enroll in Medicaid. Miguel’s first visit to the center focused on his dental health. Later, each of his siblings got a regular checkup and pediatric vaccines.

In the third month of school, after Miguel was absent two days, Ms. Hanover reached out to his mother. Carmen was surprised; Ruben had been spending more time at the house, including to provide childcare for Miguel’s siblings, but had not told her that Miguel was missing school. She texted Ruben while Ms. Hanover was still on the phone, and he admitted that he sometimes asked Miguel to stay behind with the kids on days he was feeling down.

“I’m so embarrassed,” said Carmen. “I didn’t know! He lost his job recently—that’s been really bothering him.”

Ms. Hanover asked about Miguel's cousins: "Miguel could benefit from a mentor, and we know that he works so well with them. If they agree to join the program, we could get them training and a small stipend for meeting with Miguel regularly." Carmen thought that would be great and named three cousins for the school to check out.

Two weeks later, Ms. Hanover noticed the distinct odor of marijuana trailing Miguel through the classroom. She asked Mrs. Tomas to reach out. Carmen agreed to a second visit, this time with Mr. Pérez. Ruben opened the door giggling and high. Carmen apologized for laundry all over the home and explained that her car was in the shop so she couldn't get to the laundromat. "It's getting so hard," Carmen lamented. "Ruben is almost too sad to help. I can't keep up." Mr. Pérez affirmed that he was there to help and suggested that Ruben join the health center. After bringing Carmen's youngest children to a few appointments, Ruben asked to start his second attempt at rehab, this time with a focus on depression.

Miguel's home life may not be ideal, but he's loved and cared for—and far better off than the vast majority of youth in foster care. Let's take a closer look at the challenges and harms of CPS's current policy architecture and how mandated support can improve outcomes for children and families.

Child Protective Services Doesn't Live Up to Its Name

Since the 1960s, CPS's work on child abuse has depended on mandatory reporting.¹³ And since the 1970s, one federal law—the Child Abuse Prevention and Treatment Act—has been a major reason states require school personnel to be mandatory reporters.¹⁴ Educators are among the most active mandatory reporters in the country, submitting about one in five reports overall,¹⁵ yet they have some of the lowest substantiation rates. Just 10 percent of the time, CPS agrees that an educator's referral is for a true victim of child abuse or neglect.¹⁶ Clearly, educators need more and different tools to meaningfully address student issues for at least the 9 in 10 times that CPS will not robustly engage.

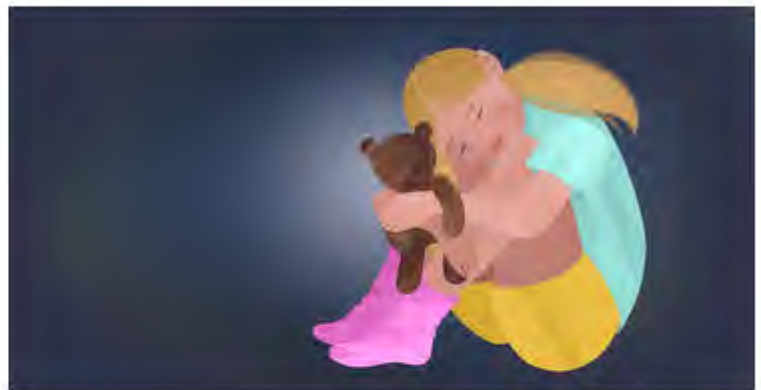
This is an incredible invitation to adopt mandated support—but first, let's continue to unpack current challenges.

Mandatory reporting does not have a great track record at school. It can interfere with effective family engagement and drive away the very families educators intend to help.¹⁷ After a report, system-involved families are less likely to trust educators and schools, which are seen as regulating agents, leaving families feeling unsure where to turn.¹⁸ Research in New Zealand has even found that mandatory reporting can deter students from disclosing abuse or attending school.¹⁹

After a report is made, CPS determines whether or not it will follow up. About half of reported families are selected for further investigation;²⁰ the rest are maintained on a sort of "watch list"²¹ and usually receive no services or support.²² An investigation is often traumatic, intrusive, and costly.²³ CPS workers, sometimes alongside police, scrutinize every aspect of a family's home and circumstances, including furniture, food, underwear drawers,

and children's disrobed bodies.²⁴ Investigations are a big part of how CPS workers' roles changed in the 1970s from collaborative problem-solvers who may coordinate temporary childcare for a single parent undergoing surgery or housing assistance for a mother of four, to detectives who monitor a parent's progress.²⁵

A caseworker's impressions during an investigation are used to label children either *victims* or *nonvictims*, and to establish next steps, which can include requiring training or counseling, changes to household routines, and family separation. CPS almost exclusively engages with low-income people. However, child welfare programming does not address many problems of poverty, such as help with food insecurity or housing instability. Instead, it focuses on parenting, such as a parent's expectations of their child, capacity to empathize, and use of punishment.²⁶ In fact,



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while poverty is clearly associated with CPS engagement²⁷ and poverty reduction may reduce CPS engagement,²⁸ CPS workers are trained to assess and change parents' behavior much more than they are prepared to change what informs, guides, and influences that behavior. For example, a 250-page federal toolkit for CPS caseworkers barely mentions poverty alleviation programs like housing vouchers, emergency rental assistance, nutrition support, or healthcare coverage.²⁹ In the words of a former caseworker, "CPS seemed only to manipulate, divide, or subtract. CPS could derail a life.... The remedial pathways we took often created more complications for families."³⁰

One in five victims is removed from their home, as are 1.4 percent of nonvictims.³¹ To what end? Many young people fare worse in government placements than they do with their families.³² After entering foster care, some evidence indicates that children are more likely to experience sexual abuse, physical abuse, homelessness, and lack of access to healthcare than they did at home.³³ So

it is no surprise that family separation leads to some of the same poor educational outcomes as child abuse: poor attendance and low academic engagement and attainment.³⁴

From subjective definitions of “abuse” and “neglect” to reporting, investigation, and family separation, CPS’s work is at high risk of bias.³⁵ For example, 53 percent of Black children in the United States will be subjected to a CPS investigation before the age of 18.³⁶ They are therefore more likely than white children to enter and stay in the system and then face multiple, compounding traumatic events.³⁷ It is absurd to suggest that *every other* Black family abuses their children—but that doesn’t mean that most or even many CPS caseworkers, hotline operators, or mandatory reporters harbor racist intent. Rather, this eye-popping number highlights the fact that Black families (and other families of color) are more exposed to harm and less protected from it.

Even if we could eliminate all bias from CPS, the current system would still fall short of its charge to uphold child welfare and improve safety. Researchers have found significantly higher risks of adverse health behaviors, mental illness, difficulty in school, and unhappiness among youth involved with CPS; they concluded, “we found no evidence that contact with the child welfare system improves child outcomes. Rather, CPS contact was associated with worse mental health and developmental outcomes.”³⁸

Further complicating matters, the child welfare workforce is overwhelmed by high caseloads due to inadequate funding and short staffing, as well as compassion fatigue and secondary trauma. A study in Ohio found that more than half of caseworkers met the criteria for posttraumatic stress disorder.³⁹ Not surprisingly, turnover is very high—estimated at 30 percent nationally (and much higher in some state agencies)⁴⁰—and children’s outcomes are worse when they have multiple caseworkers.⁴¹ One researcher predicts that “the harm to families will continue and likely become more pronounced as the workforce continues to suffer.”⁴²

Mandated Support Focuses on What Works

Mandated support is a set of values, strategies, and policies that focus on a single goal: meeting kids’ needs. Mandated support champions more ethical options and more effective tactics, including “real, concrete, material community support built on trust and care, not surveillance.”⁴³ Because increasing children’s connections to caring, supportive adults reduces the risk of abuse,⁴⁴ mandated supporters practice strategies to start healthy relationships, strengthen impactful bonds, and sustain trusting connections. They

- *Embed healing gestures into every interaction* with students and families as a solid foundation to build and reinforce relationships based on partnership, honesty, trust, and shared decision-making.⁴⁵
- *Communicate the limits of confidentiality.* Talking with students or families about state requirements for mandatory reporting can sound like this: “Before we get started, I want to remind everyone that if at any point I have information about something that immediately and directly challenges student safety, I must share that information with appropriate authorities.”

- *Support student privacy.* Communication and collaboration in deliberate teams is often essential to meeting complex and ever-changing student needs—but it does not require educators to become “trauma detectives” or to overshare students’ personal stories.⁴⁶ Access to detailed and personalized student data should be limited to those who require it. Mandated supporters prepare colleagues who do not need detailed information with the basics necessary for helpful action. They conscientiously and nonjudgmentally consider disclosures, observations, and formal records.

Mandated supporters value family preservation and share power with families through communication and education. They leverage all available resources to bring material support to struggling families without government intervention, monitoring, or punishment.⁴⁷ More specifically, they

- *Raise awareness of local resources among all families.* Mandated supporters promote community wellness and combat stigma by making access to information universal. Proactive efforts to connect families to what they need can include a schoolwide flier campaign about summer meal sites; introductions to school-based health center staff at a relevant assembly; adding a list of helpful numbers to back-to-school messaging for all families; committing to translation services so that all key information is available in families’ first languages; and embedding information about how trauma impacts bodies, brains, and behaviors into classroom instruction.
- *Collaborate to address the needs of those at elevated risk.* Multi-tiered systems of support call for informed assessments of student behavior, struggles, and known risk factors to connect students with additional support in a targeted area. Every school

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can benefit from a clear assessment of the skills and strengths of relevant school partners, programs, and staff, including professionals who work in counseling, family engagement, food service, nursing, psychology, social work, speech-language pathology, and therapy. Ideally, all schools would have a labor-management committee representative, a wraparound services coordinator, or other capable point person who knows what's available and helps streamline access for families.

- *Consider CPS consultations.* When a child is not in imminent danger, mandated supporters try to leverage CPS as a resource rather than as a regulator. Consultation calls to CPS are conducted before making a report. Such calls should be anonymized by withholding the names of the student, caregivers, and involved staff. Furthermore, consultations may provide more flexibility to share information about the whole child as well as family assets. A consultation might sound like this: "I'm

calling because I work with a family whose child ___ (risks or challenges). This child also ___ (strengths). In my work and my colleagues' work with this family, we have observed ___ (assets and protective factors). I do not believe this child is in imminent danger with their family. I am concerned that ___ (unmet needs or unresolved issues). What supports and resources can you recommend to better promote this child's well-being? Also, I am a mandatory reporter in our state. Does this need to be formally reported?"

- *Make caregivers their first call and listen to families' concerns, responding with empathy, warmth, and understanding.* Mandatory reporting lends educators significant power over families. CPS can transform this power into harm. If, after exhausting other options, mandatory supporters are moving toward a report, they involve the family.⁴⁸ They communicate with caregivers about situations that could lead to a report, as

Past and Present

The Trauma of Family Separation

Family separation has a long, sordid history in the United States, with debilitating effects.¹ Removed children show increased trauma responses, including elevated rates of academic challenges, substance abuse, and mental illness.² Rather than being a low-risk intervention, separating children from their families is "universally negative"³ and may have worse effects than neglect or doing nothing.⁴

For 400 years, family separation has been justified by rhetoric that poses certain parents—mainly parents of color—as undesirable, inferior, and morally suspect.⁵ The story begins with the slave economy and African people torn from their homes and forced

to intervene in Black families: every fourth report to CPS is about a Black child and one in five children in foster care is Black.⁹

Starting in the early 1800s, the federal government targeted Indigenous families for separation to advance assimilation into the dominant white culture.¹⁰ At military-style boarding schools, Indigenous children faced labor exploitation, sexual and physical violence, and humiliation.¹¹ By combining "all the harmful aspects associated with separation,"¹² boarding schools severed students from their communities, traditional practices, and first languages.¹³ Recent research found that boarding school students—and their descendants—have had poorer physical, mental, emotional, and general health outcomes than Indigenous families without a relationship to boarding schools.¹⁴ Indigenous activists shocked the nation in the 1960s and '70s with stories of families torn apart by removal. They catalyzed the 1978 Indian Child Welfare Act, but the legislation has failed to achieve its aims:

Indigenous parents are up to four times more likely than non-Indigenous parents to have their children placed in foster homes.¹⁵

Poor, immigrant children were also targeted in the mid-19th century for removal and placement with "good, Christian families"¹⁶ to assimilate and learn skills for good citizenship. Upon arrival to rural destination communities, the youth were often treated like human cargo on an auction block and expected to perform child labor. Sponsoring

charities finally ended this "orphan train" movement (a misnomer since the majority of the children had parents) following stories of widespread trauma and abuse and a cultural shift that expanded the social concept of whiteness to include Catholic families. Deemed white, these families were more likely to be given aid than torn apart.¹⁷

Mental disability has been a justification for separating families since the nation's inception.¹⁸ Grafted onto European values of community order, America's early response to disability was isolated confinement; if a family could not furnish an adequate attic or basement for the task, asylums, workhouses, and prisons served the public interest.¹⁹ Over the next 200 years, these institutions grew in size and by reputation for their brutal handling of residents.²⁰ In the 20th century, once eugenics fell out of favor, the United States moved to zealous termination of parental rights in families with a mentally disabled caregiver.²¹ Today, parental disability accounts for one in every five child removals by CPS.²² Furthermore, nearly one-third of children removed by CPS have a disability.²³ Human Rights Watch has raised serious concerns about how low-income parents are punished with child removal when they struggle to access quality care for their disabled kids, as well as the ways that institutionalization and family separation thwart disabled children's development.²⁴

Aren't 400 years of family separation and child trauma enough?

—C. P.

For the endnotes, see aft.org/ae/winter2024-2025/prax_sb.



to go to the Americas. Amid the horrors of bondage, enslaved people honored familial connections and expected women to prioritize motherhood over freedom.⁶ But enslavers would sell, or threaten to sell, children to keep mothers working.⁷ Moreover, they used family separation as a punishment and deliberately severed the bonds that undergirded resistance efforts.⁸ Although enslavement ended more than 150 years ago, today the government continues to disproportionately

well as their rights in potential next steps. When they make a report, they highlight the family's protective factors and confirm that the call operator can accurately repeat back details. They also inform the family that they are willing to act as a character witness to speak about their strengths.

It Will Take a Village

The truth is that most schools are not designed or resourced for mandated support. Most school districts do not employ specialized instructional support personnel—such as school counselors, nurses, psychologists, and social workers—at anywhere near the staffing levels required to meet students' growing needs.⁴⁹ Despite increasing interest and political commitments, only 5 percent of the nation's public schools are estimated to have the robust partnerships with families and community-driven wraparound services that comprise a community school⁵⁰ and thus provide the prevention infrastructure necessary for mandated support.⁵¹

Given these challenges, it's fair to ask difficult questions about how to make mandated support more than an idea: What if the situation needs immediate intervention? What if families do not accept support? What if I can't find the supports the family needs? What about my colleagues who are more concerned with compliance than with compassion? If the barriers to supporting are insurmountable, then keep the last two practices listed above in mind: consider a CPS consultation and, if reporting is necessary, make the report with the family.

We cannot "individual behavior" our way out of the structural problem of child maltreatment. Some of the most effective approaches to addressing child abuse are systemic changes: creating new, community-driven social environments;⁵² tackling poverty;⁵³ and increasing family-educator connections through home visitation.⁵⁴ To start building toward a mandated support system, team up with union siblings and bargain for the common good. This contract negotiation approach focuses on what your community needs for human dignity, and it can sometimes improve educators' working conditions. AFT affiliates have used this framework to win contract language to better support families. For example,

- The Saint Paul Federation of Educators negotiated to adopt the national Parent Teacher Home Visits project model in 2010.⁵⁵

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According to the collective bargaining agreement, educators who volunteer to participate receive four hours of training and meet at least eight families per year through visits that are "relation-based, focused on the hopes and dreams of the family."⁵⁶ Then, they document their visits and attend debriefs to inform collaboration with colleagues and increase family engagement. They also receive modest stipends.

- Educators in Boston observed that some people in their community—including students with disabilities, English language learners, and others who faced additional challenges during the COVID-19 pandemic—were struggling with homelessness. In 2022, the Boston Teachers Union negotiated a new partnership with the city and Boston Public Schools to address housing security. A resulting \$50 million pilot program concentrates on housing 4,000 families, and the contract codifies a shared goal to eliminate student homelessness in five years.⁵⁷

Mandated support is not only the work of the education sector. We're fighting to upend poverty, transform structural oppression, and eliminate the scourge of child abuse. It won't be easy. But if we continue to require reporting of the slightest suspicion, to conflate poverty with neglect, to funnel marginalized families into government surveillance, and to remove children from their families, we're pursuing more problems than solutions.⁵⁸ We must rely on thoughtful, rigorous public health and social science research to guide how we build the world that children and families deserve. And we must make it simple to get—and give—support. □

Prepare to Become a Mandated Supporter

Join the AFT for graduate-level professional learning on student trauma to review and practice mandated supporters' essential skills. Participants review contemporary high-quality research in diverse academic traditions on how adversity can impact children's developing brains, bodies, and behaviors. They practice distinguishing between traumatic events, experiences, and effects; analyze student cases for opportunities for effective intervention; and collaborate with peers to develop strategies for a variety of situations. Visit go.aft.org/v63 to learn more about the union's student trauma course and other professional development options for educators.

—C. P.

For the endnotes, see aft.org/ae/winter2024-2025/prax.