

June 26, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 21-71**

The purpose of this All County Letter (ACL) is to notify county Child Welfare Services (CWS) agencies on the passage of [Assembly Bill \(AB\) 1929 \(Chapter 242, Statutes of 2020\)](#), which continues the Online Mandated Reporting Pilot Program.



KIM JOHNSON  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



GAVIN NEWSOM  
GOVERNOR

June 26, 2021

ALL COUNTY LETTER NO. 21-71

TO: ALL COUNTY CHILD WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL TITLE IV-E AGREEMENT TRIBES

SUBJECT: ONLINE MANDATED REPORTING PROGRAM

REFERENCE: [ASSEMBLY BILL \(AB\) 1929 \(CHAPTER 242, STATUTES OF 2020\), PENAL CODE \(PC\) SECTION 11166.02 , PENAL CODE \(PC\) SECTION 11166 , PENAL CODE \(PC\) SECTION 11165.7 AND WELFARE & INSTITUTIONS CODE \(W&IC\) SECTION 10612.5 SENATE BILL 478 ACL NO. 17-40](#)

The purpose of this All County Letter (ACL) is to notify county Child Welfare Services (CWS) agencies of the passage of [Assembly Bill \(AB\) 1929 \(Chapter 242, Statutes of 2020\)](#), which continues the Online Mandated Reporting Pilot Program (hereinafter “Online Reporting Program”). This ACL includes the County Interest Notification Form (Attachment A) to solicit county interest in participating in the Online Reporting Program, to be submitted to the California Department of Social Services (CDSS) no later than **September 3, 2021**.

## BACKGROUND

In 2016, Senate Bill ([SB\) 478 \(Chapter 490, Statutes of 2015\)](#) authorized up to ten counties to develop and implement an online mandated reporting pilot system for specified mandated reporters to report nonemergent<sup>1</sup> allegations of child maltreatment. Los Angeles County Department of Children and Family Services was the only participating county that developed an online reporting program, the Child Abuse Reporting Electronic System (CARES), which launched on November 15, 2017. The county experienced several benefits of implementing the online reporting program, including ease of use for mandated reporters to submit nonemergent child maltreatment

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<sup>1</sup>A nonemergent report is defined as a report that does not indicate immediate risk or imminent danger.

reports and alleviating long call wait times, essentially freeing up the hotline to receive emergent reports more quickly.

Prior to [Assembly Bill 1929](#), the pilot program was limited to ten counties and only allowed specific categories of mandated reporters to use this platform. With the passage of [Assembly Bill 1929](#), all county CWS agencies are able to develop and implement their own online mandated reporting program and there are no longer limitations on what categories of mandated reporters may use the program. Additionally, the sunset date of January 1, 2021 has been removed from the statute, allowing the program to continue on an ongoing basis. However, counties must decommission these systems should this functionality become available within the statewide comprehensive child welfare information system, in accordance with [Penal Code \(PC\) Section 11166.02\(c\)](#).

## **ONLINE REPORTING PROGRAM REQUIREMENTS**

Participating counties will develop and design an online reporting platform for mandated reporters to submit nonemergent reports of child maltreatment. The [PC Section 11166.02](#) has been amended to allow any mandated reporter, as defined by [PC Section 11165.7](#), to use the online reporting platform in lieu of the initial telephone report. The CDSS shall oversee the Online Reporting Program through the issuance of written directives that shall have the same force and effect as regulations. The online mandated reporting platform must include standardized safety assessment questions. These safety questions must be designed to exclude the submission of reports where the child is subject to an immediate risk of abuse, neglect, exploitation or is in imminent danger of severe harm or death. The safety assessment questions will be designed to redirect the reporter to call the county child abuse hotline to make a telephone report of allegations indicating immediate risk or imminent danger to a child. Attachment B provides previously developed safety questions used by another county, which were developed in partnership with the CDSS. If a county chooses to change the wording to these questions, the changes will need to be submitted to CDSS for approval. The reporting system must also include appropriate security protocols to protect the confidentiality of the reports.

As explained in [ACL Number 17-40](#), prior to the implementation of the Online Reporting Program, the CWS agency must hire an independent evaluator to monitor the implementation of the program. The evaluator should come from a third-party organization to alleviate any possible bias or conflict of interest in the monitoring of the program. The evaluator is responsible for determining the effectiveness and validity in assessing safety and the overall quality of service of the program for the duration of the program. A county that chooses to participate may choose to collaborate, share costs, and use the same evaluator as other counties. The evaluation report on the outcome measures specified in the ACL must be submitted to CDSS on a quarterly basis. If

multiple counties choose to use the same evaluator, the report must illustrate each county's individual outcomes.

## **OUTCOME MEASURES**

The CDSS, in partnership with the County Welfare Director's Association and the participating county that administered the pilot program, developed several outcome measures to be monitored by the evaluator, as outlined in [ACL Number 17-40](#). The outcome measures should assist with determining the overall improvement and efficiency in call volume to the Child Abuse Hotline for nonemergent referrals. The measures must include, but are not limited to, the following:

- The number of reports provided by telephone and any increase or decrease in the usage of telephone reports.
- The number of reports provided through the internet-based reporting system and any increase or decrease in usage of the system.
- Any increase or decrease in the number of emergency or non-emergency telephone reports.
- Any increase or decrease in the overall number of emergency or non-emergency reports (both telephone and online).
- Timely response between the receipt of the online report and the initial in-person contact of the Emergency Response social worker.
- Number of reports made online that were partially and fully completed.
- Number of subsequent referrals received for the same child(ren).
- Number of online reports that required a ten-day response versus those that were evaluated out.
- Number of online reports that could not be completed due to an immediate response being required.

The CWS agency shall provide these outcome measures to CDSS on a quarterly basis, to be scheduled at the time each county who has opted into developing the Online Reporting Program is ready to start operating the online system. The CDSS will monitor the outcomes and the resulting evaluations to ensure that safety requirements of children are being met. Counties that choose to participate in the program shall, within two years of the county's implementation, provide information to the Assembly Committee on Human Services and the Senate Committee on Human Services pertaining to the effectiveness of the program based on the outcome measures developed. The CDSS may end the program at any time on a county-by-county basis if its oversight reveals the program is compromising the safety of children.

## **MANDATED REPORTERS**

Any allegation of child abuse or neglect requires immediate reporting and prompt resolution. Mandated reporters that submit a report via the online program must submit their online report immediately or as soon as is practically possible whenever they have knowledge of or observe a child whom they know or reasonably suspect has been the victim of abuse or neglect ([PC Section 11166](#)). The mandated reporter is required to complete all required fields, including identity and contact information of the mandated reporter. The mandated reporter must also complete all standardized safety assessment qualifying questions to ensure the report does not indicate the child is subject to immediate risk, danger, or severe harm (Attachment B). If any of the standardized safety qualifying questions are marked “yes,” the system must stop the reporter from continuing and instruct them to immediately call the county CWS hotline. For more information, please refer to the guidance and directives in [ACL Number 17-40](#).

In a county where the program is active, a mandated reporter may use the internet-based reporting tool in lieu of the required initial telephone report required by [PC Section 11166 \(a\)](#). A mandated reporter submitting an internet-based report shall as soon as practically possible, cooperate with the agency on any requests for additional information if needed to investigate the report, subject to applicable confidentiality requirements. In a county where the program is active, a mandated reporter who submits the initial report through the internet-based reporting tool in lieu of the required initial telephone report is no longer required to submit the written follow-up report [SS 8572 \(Suspected Child Abuse Report Form\)](#).

## **DEVELOPMENT INTO THE STATEWIDE COMPREHENSIVE CHILD WELFARE INFORMATION SYSTEM**

With the ongoing development of the new statewide comprehensive child welfare information system within CDSS, it may be possible to build an online reporting component into this statewide system for reporting of child abuse, neglect or exploitation. Each county that opts in to developing an online reporting program shall decommission its system for internet-based reporting of child abuse and neglect, as outlined in [PC Section 11166.02\(c\)](#), when the CDSS notifies counties that internet-based reporting of child abuse and neglect is available and functional within the statewide comprehensive child welfare information system.

## **DIRECTIONS FOR OPTING IN TO THE ONLINE PILOT PROGRAM**

Attachment A is a County Interest Notification form. Counties who choose to participate in the Online Reporting Program must complete and submit Attachment A to CDSS by **September 3, 2021**, to the address below:

All County Letter No. 21-71  
Page Five

California Department of Social Services  
Attention: Child Welfare Policy and Program Development Bureau  
744 P Street, MS 8-11-87  
Sacramento, CA 95814

If you have any questions or need additional guidance regarding the information in this letter, contact the Child Welfare Program and Development Bureau at (916) 651-6160 or at [childprotection@dss.ca.gov](mailto:childprotection@dss.ca.gov).

Sincerely,

ANGIE SCHWARTZ  
Deputy Director  
Children and Family Services Division

Attachments A and B

c: Child Welfare Directors Association

**COUNTY INTEREST NOTIFICATION FORM**

Online Mandated Reporting Program (Assembly Bill 1929)

By signing below, \_\_\_\_\_ County is stating its interest in voluntarily participating in the Online Mandated Reporting Program. This letter serves as a notice of interest to the California Department of Social Services (CDSS). By signing below, \_\_\_\_\_ County acknowledges that it has read the All County Letter (ACL) No. 21-71, pertaining to the Online Mandated Reporting Program updates and understands the general requirements of participating and will comply with all requirements of the program.

\_\_\_\_\_  
**Authorized County Representative's Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Authorized County Representative's Printed Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**E-mail address of Authorized County Representative**

(\_\_\_\_)\_\_\_\_\_  
**Phone Number**

***Please submit the completed form to:***

Child Welfare Policy and Program Development Bureau  
California Department of Social Services  
744 P Street M.S. 8-11-87  
Sacramento, CA 95814  
E-mail: [childprotection@dss.ca.gov](mailto:childprotection@dss.ca.gov)

Please submit this letter on or before **September 3, 2021**.

**SAFETY QUALIFYING QUESTIONS**

1. Does the child require immediate medical or mental health evaluation or care?
2. Is the caregiver's behavior alleged to be cruel, bizarre, dangerous, or threatening to the child's immediate medical/emotional health or safety?
3. Is the child under 2 year of age (or developmental equivalent)?
4. Is the child exhibiting behavior that threatens the health or safety of the child or others AND the caregiver is unable to unwilling to seek appropriate help or will not control the child's behaviors?
5. Are the child's physical living conditions immediately hazardous to the child's health or safety OR is the child currently unsupervised and in need of supervision?
6. Does the child have a non-accidental or suspicious physical injury? (Do not include very minor injuries, i.e.: mild redness or swelling, minor welts/scratches/abrasions, or brief and minor pain)
7. Is there current sexual abuse or exploitation as evidenced by disclosure, credible witness statements, or medical evidence?
8. Is there a non-perpetrating adult in the home who is aware of the abuse and has failed to protect the child OR is the child fearful of going home?
9. Is there a current concern that domestic violence will impact the safety of the child within the next 5 days?
10. Does the alleged perpetrator have access to the child or other children outside of the home and is the perpetrator's access to the child(ren) an immediate concern?
11. Does the alleged perpetrator have access to other children outside of the home?
12. Any known American Indian ancestry? If yes; please provide the following information:
  - a. Name of Tribe:
  - b. Is the child ICWA eligible?