

## Expanded Executive Summary: Children's Right to Healthy Brain Development Working Group Meeting #1

**Attendees:** Adam Benforado, Silvia Bunge, Carlos Cardenas-Iniguez, Sklyer Devontae Castillo-Wilson, Jade Davis, Lishaun Francis, Arianna Gard, Sandra Gallardo, Jennie Grammer, Evan Holloway, Laura Jana, Jacob Leos-Urbel, Larry Levine, Bruce McCandliss, Emily Murphy, Kassy Poles, Ethan Roy, Jonathan Todres, Sonya Troller-Renfree, Jevon Wilkes

### Overview

The inaugural meeting of the Children's Right to Healthy Brain Development Working Group was held on June 20-21, 2024, at UC Law SF in San Francisco. This two-year project aims to explore the concept of an affirmative state-level right to healthy brain development for children. The multi-disciplinary group, comprising experts from law, neuroscience, education, advocacy, and policy, engaged in discussions to set the groundwork for future collaborations and potential policy recommendations.

### *Key Discussions*

#### 1. Brain Health and Child Development -

The group grappled with defining brain health and its relationship to overall child development. They discussed the World Health Organization's definition of brain health but did not fully adopt it. The concept of toxic stress emerged as a key factor in brain development, with the group agreeing on its negative impacts on children's brain and physiological systems.

A significant debate arose around focusing on "brain health" versus "whole-child development." While brain health was seen as interconnected with all aspects of child development, concerns were raised about potential medicalization and whether this focus would resonate with youth. The group emphasized the importance of addressing structural inequality and institutional racism, recognizing their profound impacts on brain health and child development.

#### 2. Current State of Children's Rights –

The group examined the historical context of children's rights in the U.S., noting a shift from collective responsibility for child well-being to a more parent-centered approach over the 20th century. They reviewed existing rights and their enforcement in California, finding that while many rights exist on paper, their implementation and data collection often fall short.

### 3. Potential Approaches -

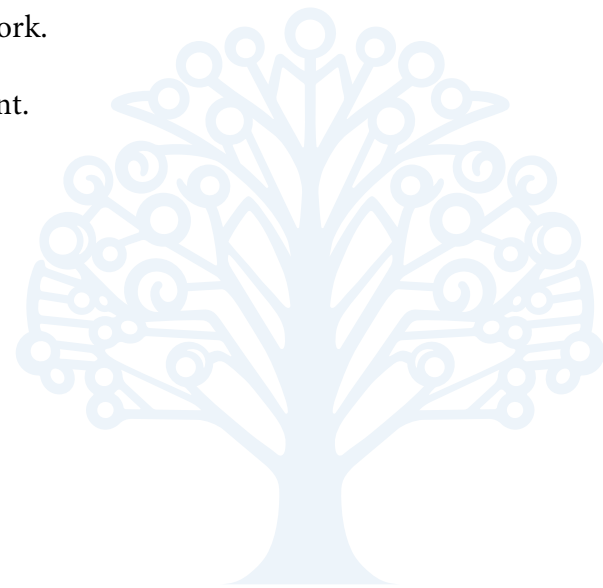
The group considered three main approaches for advancing children's rights:

- a) **Leading with law:** This could involve expanding existing rights, enforcing them through litigation, or conceptualizing novel rights. The group discussed the potential of impact litigation but also noted its risks and limitations. They explored the idea of mandating child impact assessments in policymaking.
- b) **Leading with science:** This approach would use strong scientific evidence, particularly in areas like toxic stress and critical developmental periods, to build new rights claims. The group discussed how brain science could be used to advocate for specific rights, such as clean drinking water.
- c) **A law-science feedback loop:** This hybrid approach would involve ongoing collaboration between legal and scientific experts, with each field informing the other's work. This could include strategically coordinating research and advocacy efforts across disciplines.

### 4. Challenges and Considerations -

The group identified several challenges in advancing children's rights:

- ❖ Enforcement of existing rights and inadequate data collection make it difficult to assess the current state of children's rights.
- ❖ The political viability of new rights, especially given past failures to establish broader children's rights in California.
- ❖ Balancing a focus on brain health with whole-child development, considering potential risks of essentialization or medicalization.
- ❖ The need to integrate youth perspectives meaningfully into the work.
- ❖ Addressing structural racism and its impacts on child development.



## **Next Steps**

1. **Process Framework:** The group will decide which approach to adopt: law-led, science-led, or a hybrid model.
2. **Subgroups:** Create specialized subgroups to focus on specific projects and research areas, allowing for more targeted work.
3. **Publication Strategy:** Develop a coordinated publication strategy across disciplines to reach diverse audiences and foster public discourse about children's rights to healthy development.
4. **Partnerships:** Build relationships with other organizations and experts, including economists, privacy experts, and disability rights advocates, to expand the group's expertise and reach.
5. **Youth Integration:** Develop methods to meaningfully integrate youth perspectives into the work, ensuring that the group's efforts resonate with and benefit the very population they aim to serve.
6. **Resource Library:** Continue building a comprehensive resource library to support ongoing research and collaboration.

## **Conclusion**

The Working Group concluded with a commitment to ongoing collaboration in support of children's rights. While consensus was not reached on all issues, the group agreed on the importance of investing in, protecting, and empowering children. Future meetings will build on this foundation, working towards concrete policy recommendations and advocacy strategies to advance the right to healthy brain development for all children.

