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1 **DEFINITIONS**

2

3 **Table of Contents**

4

5 **PURPOSE AND INTERPRETATION OF THESE DEFINITIONS ..... 1**

6 **ALLEGATION DEFINITIONS ..... 2**

7 ABUSE ..... 2

8 Child Endangerment ..... 2

9 Chronic Abuse ..... 2

10 Dealing in Material Harmful to a Child ..... 2

11 Domestic Violence Related Child Abuse ..... 2

12 Emotional Abuse..... 2

13 Emotional Abuse, Chronic..... 2

14 Emotional Abuse, Severe..... 3

15 Fetal Exposure to Alcohol or other Harmful Substances..... 3

16 Human Trafficking- Labor..... 3

17 Human Trafficking- Sexual ..... 3

18 Pediatric Condition Falsification (formerly Munchausen Syndrome by Proxy) ..... 4

19 Physical Abuse..... 4

20 Physical Abuse, Chronic..... 4

21 Physical Abuse, Severe..... 5

22 Severe Abuse ..... 5

23 Sexual Abuse ..... 5

24 Sexual Exploitation..... 10

25 **NEGLECT ..... 11**

26 Abandonment..... 11

27 Educational Neglect ..... 11

28 Environmental Neglect ..... 11

29 Failure to Protect..... 12

30 Failure to Thrive ..... 12

31 Medical Neglect ..... 12

32 Neglect, Chronic: ..... 12

33 Neglect, Severe ..... 12

34 Non-Supervision ..... 12

35 **Physical Neglect..... 12**

36 Sibling or Child at Risk..... 13

37 **DEPENDENCY ..... 13**

38 Safe Relinquishment of a Newborn Child ..... 13

39 **DEFINITIONS ..... 14**

40 ABUSIVE HEAD TRAUMA..... 14

41 ADJUDICATION ..... 14

42 ADJUDICATION HEARING ..... 14

43 ADMINISTRATIVE HEARING ..... 14

---

44	ADMINISTRATIVE RULES/RULEMAKING.....	14
45	ADOPTIVE FAMILY .....	14
46	ADOPTIVE/FOSTER CARE FAMILY.....	14
47	ASFA .....	14
48	ALLEGED .....	14
49	ALLEGED FATHER.....	15
50	APPROPRIATENESS OF PLACEMENT.....	15
51	ARRANGED MARRIAGE.....	15
52	AAG.....	15
53	BABY DOE .....	15
54	BASIC LIFE SKILLS TRAINING .....	15
55	BCI.....	15
56	CANR .....	15
57	CAREGIVER FUNCTIONING .....	15
58	CAREGIVER SUPPORT .....	15
59	CASE CREATION .....	16
60	CHAFEE.....	16
61	CHEC.....	16
62	CHILD .....	16
63	CHILD AND FAMILY ASSESSMENT (formerly Functional Assessment) .....	16
64	CHILD AND FAMILY PARTICIPATION .....	16
65	CHILD AND FAMILY PLANNING PROCESS .....	16
66	CHILD AND FAMILY TEAM.....	17
67	CHILD AND FAMILY TEAM COORDINATION .....	17
68	CHILD AND FAMILY SERVICES DOMESTIC VIOLENCE WORKER.....	17
69	CHILD AND FAMILY SERVICES FAMILY SERVICES CASEWORKER.....	17
70	CHILD AND FAMILY SERVICES INTAKE WORKER .....	17
71	CHILD FATALITY .....	18
72	CHILD MALTREATMENT .....	18
73	CHILD PORNOGRAPHY .....	18
74	CHILD VICTIM .....	18
75	CHILD WITH SPECIAL HEALTH CARE NEEDS .....	18
76	CHILD WITH SPECIAL NEEDS.....	18
77	CHILD WITNESS TO DOMESTIC VIOLENCE .....	18
78	CHRONIC ABUSE .....	18
79	COHABITANT.....	18
80	COLLATERAL CONTACT .....	19
81	COMMUNITY DOMESTIC VIOLENCE SPECIALIST.....	19
82	CONCURRENT PERMANENCY PLANNING .....	19
83	CONFLICT OF INTEREST .....	20
84	CORRUPTION.....	20
85	CPS .....	20
86	CREDIBLE EVIDENCE.....	20
87	CUSTODIAN .....	20

---

88	CUSTODY .....	20
89	CUSTODY START DATE .....	20
90	DATE OF REMOVAL .....	20
91	DATING VIOLENCE .....	20
92	DCFS.....	20
93	DHHS.....	20
94	DHHS CUSTODY .....	20
95	DISPOSITIONAL HEARING.....	20
96	DISPOSITION OF A CPS REFERRAL .....	20
97	DISRUPTION (OF AN ADOPTION).....	21
98	DISSOLUTION (OF AN ADOPTION) .....	21
99	DOMESTIC VIOLENCE .....	21
100	DOMESTIC VIOLENCE PERPETRATOR .....	22
101	DOMESTIC VIOLENCE SERVICES .....	22
102	DOMESTIC VIOLENCE SHELTER.....	22
103	DOMESTIC VIOLENCE SURVIVOR/VICTIM .....	22
104	DNR .....	22
105	DSM.....	22
106	DSPD .....	22
107	DUI .....	22
108	EFFECTIVE RESULTS .....	22
109	EMANCIPATED MINOR.....	23
110	EMERGENCY KINSHIP PLACEMENT .....	23
111	EMOTIONAL/BEHAVIORAL WELL-BEING .....	23
112	ESTABLISHED PRIMARY CARE PROVIDER.....	23
113	ETV.....	23
114	EVIDENCE.....	23
115	F.A.C.T. ....	23
116	FACE-TO-FACE CONTACT .....	23
117	FALSE REPORT .....	23
118	FAMILY FOSTER CARE.....	23
119	FAMILY FUNCTIONING AND RESOURCEFULNESS .....	24
120	FAMILY SERVICE SPECIALIST .....	24
121	FAMILY VIOLENCE .....	24
122	FETAL ALCOHOL SPECTRUM DISORDER (FASD).....	25
123	FINALIZATION.....	25
124	FORMAL AND INFORMAL SUPPORT SYSTEMS.....	25
125	FULL DISCLOSURE.....	25
126	FULL FAITH AND CREDIT.....	25
127	GAF.....	25
128	GAL .....	25
129	GENITAL MUTILATION .....	25
130	GRAMA.....	25
131	GUARDIANSHIP OF THE PERSON .....	26

---

132	HARM.....	26
133	HCG .....	26
134	HEALTH CARE.....	26
135	HEALTH/PHYSICAL WELL-BEING .....	26
136	HEARSAY.....	26
137	HIV .....	26
138	HMO .....	26
139	HOME-TO-HOME BOOK.....	26
140	HVR .....	26
141	ICWA .....	26
142	ICWA KINSHIP/RELATIVE DEFINITION.....	27
143	IMMEDIATE PROTECTION SAFETY ASSESSMENT .....	27
144	INCEST.....	27
145	INDECENT LIBERTIES.....	27
146	INTAKE.....	27
147	IPSA .....	27
148	JUDICIAL REVIEW .....	27
149	KINSHIP.....	27
150	KINSHIP CARE .....	28
151	LEARNING DEVELOPMENT PROGRESS .....	28
152	LEARNING PROGRESS .....	28
153	LEGAL CUSTODY.....	28
154	LICENSED SOCIAL SERVICES WORKER.....	29
155	LIFE BOOK.....	29
156	LONG-TERM KINSHIP CARE.....	29
157	LONG-TERM VIEW.....	29
158	MEDICALLY FRAGILE .....	29
159	MEDICALLY NEEDY .....	29
160	MEPA .....	30
161	METHAMPHETAMINE.....	30
162	MINOR .....	30
163	MUNCHAUSEN SYNDROME BY PROXY .....	30
164	NATIVE AMERICAN CHILD .....	30
165	NATURAL PARENT.....	30
166	NEAR FATALITY .....	31
167	NOTICE OF AGENCY ACTION .....	31
168	ORSIS .....	31
169	OUT-OF-HOME CAREGIVER.....	31
170	OUT-OF-HOME CARE PROVIDER .....	31
171	PCP .....	31
172	PEER PARENT .....	31
173	PERIOD OF MINORITY .....	31
174	PERMANENCY .....	31
175	PERMANENCY HEARING.....	32

---

176	PERMANENCY PLANNING.....	32
177	PERMANENCY PLANNING OUTCOMES.....	32
178	PERPETRATOR: .....	32
179	PHYSICAL INJURY .....	32
180	PLACEMENT.....	32
181	PLACEMENT OF CHILD NOT FREE FOR ADOPTION .....	32
182	PLACEMENT SERVICES.....	32
183	PLAN IMPLEMENTATION .....	33
184	PLEA BARGAIN .....	33
185	PLEA IN ABEYANCE.....	33
186	POSITION OF SPECIAL TRUST .....	33
187	POST ADOPTION .....	33
188	PRACTICE MODEL PRINCIPLES.....	33
189	PRELIMINARY PLACEMENT WITH KIN.....	34
190	PREPONDERANCE .....	34
191	PRIORITY RESPONSE TIMES .....	34
192	PROCEDURES.....	35
193	PROSPECTS FOR PERMANENCE.....	35
194	PROTECTIVE CUSTODY .....	35
195	PROTECTIVE SERVICES COUNSELING.....	35
196	PROTECTIVE SERVICES SUPERVISION .....	35
197	PROXIMITY (IN RELATION TO CHILD PLACEMENT).....	35
198	QA.....	35
199	REASONABLE EFFORTS .....	36
200	REASSIGNMENT.....	36
201	REFERRAL .....	36
202	RELATIVE.....	36
203	RELINQUISHMENT .....	36
204	RESIDENCE.....	36
205	RESIDUAL PARENTAL RIGHTS AND DUTIES .....	36
206	RESOURCE FAMILY .....	36
207	RESPIRE CARE .....	36
208	REUNIFICATION SERVICES.....	37
209	RISK ASSESSMENT.....	37
210	SAFETY ASSESSMENT.....	37
211	SAFETY PLAN .....	37
212	SATISFACTION .....	37
213	SERIOUS HARM.....	37
214	SERIOUS PHYSICAL INJURY .....	37
215	SEXUAL INTERCOURSE .....	38
216	SEXUAL REACTIVITY .....	38
217	SIGNIFICANT RISK ASSESSMENT (also known as “YISC”).....	38
218	SSA .....	38
219	SSI.....	39

---

220	STABILITY .....	39
221	STAY .....	39
222	STD .....	39
223	SUBJECT OF THE REPORT .....	39
224	SUBSTANTIATED .....	39
225	SUCCESSFUL TRANSITIONS .....	39
226	SUPPORT PERSON.....	39
227	SUPPORTED.....	39
228	TAL.....	40
229	TANF .....	40
230	TEAM CONSULTATION .....	40
231	TEMPORARY CUSTODY .....	40
232	TLP .....	40
233	TPR .....	40
234	THREATENED HARM.....	40
235	TRACKING AND ADAPTATION .....	40
236	TRANSITION TO ADULT LIVING.....	41
237	TRANSITION TO ADULT LIVING COORDINATOR.....	41
238	TRANSITION TO ADULT LIVING PLAN (FORM OH03).....	41
239	TRANSITIONAL LIVING SOCIAL WORKER.....	41
240	UA.....	41
241	UNABLE TO COMPLETE INVESTIGATION .....	41
242	UNABLE TO LOCATE .....	42
243	UNACCOMPANIED MINORS.....	42
244	UNSUBSTANTIATED .....	42
245	UNSUPPORTED .....	42
246	VOLUNTARY CUSTODY .....	42
247	VOLUNTARY RELINQUISHMENT .....	42
248	WELL-CHILD EXAMINATION .....	42
249	WITHOUT MERIT .....	42
250	WRAP-AROUND SERVICES.....	42
251	YARN .....	43
252	YISC .....	43
253	YOUTH.....	43
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255 **PURPOSE AND INTERPRETATION OF THESE DEFINITIONS**

256 Under Utah law, Child and Family Services is responsible for providing child welfare services  
257 and protecting children from abuse, neglect, and dependency. In determining what constitutes  
258 abuse, neglect, or dependency, the definitions in Utah Code Ann. [§80-1-102](#), et. seq., the  
259 Criminal Code, Administrative Rules, and court opinions apply. These definitions are intended  
260 only for internal guidance and are not public law.

261  
262 It is intended that these definitions should be applied and interpreted according to the following  
263 principles:

- 264
- 265 A. These definitions supersede earlier definitions.
  - 266
  - 267 B. To the extent that these definitions are inconsistent with those established in public law  
268 (statutes, Administrative Rules, and court opinions), the latter controls and will be  
269 applied.

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271 **ALLEGATION DEFINITIONS**

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**ABUSE:** Non-accidental harm or threatened harm of a child or sexual exploitation or sexual abuse. [See: Utah Code Ann. [§80-1-102](#) and Administrative Rule [R512-80](#).] Abuse does not include reasonable discipline or management of a child including withholding privileges, or the use of reasonable and necessary physical restraint or force on a child in self-defense, defense of others, to protect the child, or to remove a weapon in the possession of a child. Abuse includes, but is not limited, to the following:

**Child Endangerment:** Subjecting a child to threatened harm. This also includes, but is not limited to, conduct described in:

1. Utah Code Ann. [§76-5-112](#): recklessly engaging in conduct that creates a substantial risk of death or serious bodily injury to a child, or
2. Utah Code Ann. [§76-5-112.5](#): knowing or intentionally causing or permitting a child to be exposed to, inhale, ingest, or have contact with a controlled substance, chemical substance, or drug paraphernalia (as these terms are defined in this section). “Exposed to” means the child is able to access or view an unlawfully possessed controlled substance or chemical substance, has reasonable capacity to access drug paraphernalia, or is able to smell an odor produced during or as a result of the manufacture or production of a controlled substance.

**Chronic Abuse:** Is repeated or patterned abuse. (NOTE: Chronic abuse may be identified from the first referral.) [See: Utah Code Ann. [§80-2-102](#).]

**Dealing in Material Harmful to a Child:** Distributing (providing or transferring possession), exhibiting (showing), or allowing immediate access to material harmful to a child or any other conduct constituting an offense under Utah Code Ann. [§76-10-1201 through 1206](#).

**Domestic Violence Related Child Abuse:** Domestic violence between cohabitants in the presence of a child. It may be an isolated incident or a pattern of conduct. [See: Definitions in Administrative Rule [R512-205](#).]

**Emotional Abuse:** Engaging in conduct or threatening a child with conduct that causes or can reasonably be expected to cause the child emotional harm (emotional damage that results in a serious impairment in the child's growth, development, behavior, or psychological functioning as defined in Utah Code Ann. [§80-1-102](#)). This includes, but is not limited to, demeaning or derogatory remarks that affect or can reasonably be expected to affect a child’s development of self and social competence; or threatening harm, rejecting, isolating, terrorizing, ignoring, or corrupting the child.

**Emotional Abuse, Chronic:** Engaging in conduct or threatening a child with conduct that causes or can reasonably be expected to cause the child emotional harm (emotional damage that results in a serious impairment in the child's growth, development, behavior,



315 or psychological functioning. This includes, but is not limited to, demeaning or  
316 derogatory remarks that affect or can reasonably be expected to affect a child's  
317 development of self and social competence; or threatening harm, rejecting, isolating,  
318 terrorizing, ignoring, or corrupting the child. Is repeated or patterned abuse. (NOTE:  
319 Chronic abuse may be identified from the first referral.) [*See:* Utah Code Ann. [§80-2-](#)  
320 [102.](#)]

321  
322 **Emotional Abuse, Severe:** Abuse that causes or threatens to cause serious harm to a  
323 child. Engaging in conduct or threatening a child with conduct that causes or can  
324 reasonably be expected to cause the child emotional harm (emotional damage that results  
325 in a serious impairment in the child's growth, development, behavior, or psychological  
326 functioning). This includes, but is not limited to, demeaning or derogatory remarks that  
327 affect or can reasonably be expected to affect a child's development of self and social  
328 competence; or threatening harm, rejecting, isolating, terrorizing, ignoring, or corrupting  
329 the child. Severe abuse is defined in Utah Code Ann. [§80-1-102.](#)

330  
331 **Fetal Exposure to Alcohol or other Harmful Substances:** A condition in which a  
332 newborn is adversely affected by the child's mother's substance abuse during pregnancy,  
333 has fetal alcohol syndrome or fetal alcohol spectrum disorder, or demonstrates drug or  
334 alcohol withdrawal symptoms. For the purpose of this definition, newborn withdrawal  
335 symptoms due to medications taken by the mother as legally prescribed, without  
336 indication of misuse, are expected and are not required to be reported.

337  
338 If medical personnel have concerns with the parent of the newborn child or a person  
339 responsible for the child's care demonstrating functional impairment or an inability to  
340 care for the child as a result of the parent's or person's substance abuse, this will be  
341 opened as Child Endangerment.

342  
343 **Human Trafficking- Labor:** A person commits human trafficking of a child if the actor  
344 recruits, harbors, transports, obtains, patronizes, or solicits a child for any labor obtained  
345 through force, fraud, or coercion.

346  
347 **Human Trafficking- Sexual:** A person commits human trafficking of a child if the actor  
348 recruits, harbors, transports, obtains, patronizes, or solicits a child for sexual exploitation,  
349 including all forms of commercial sexual activity, which may include conduct when the  
350 person acts under force, fraud, or coercion.

351  
352 **Dealing in Material Harmful to a Child:** Distributing (providing or transferring  
353 possession), exhibiting (showing), or allowing immediate access to material harmful to a  
354 child or any other conduct constituting an offense under Utah Code Ann. [§76-10-1201](#)  
355 [through 1206.](#) [*See:* The definition of Material Harmful to a Child.]

356  
357 **Material Harmful to a Child:** Any visual, pictorial, audio, or written representation (in  
358 whatever form, including performance) that includes pornographic or sexually explicit

359 material, including nudity, sexual conduct, sexual excitement, or sadomasochistic abuse  
360 that:

- 361 1. Taken as a whole, appeals to the prurient interest in sex of a child, and
- 362 2. Is patently offensive to prevailing standards in the adult community as a whole  
363 with respect to what is suitable material for a child, and
- 364 3. Taken as a whole does not have serious value for a child. "Serious value" includes  
365 only serious literary, artistic, political, or scientific value for a child.

366  
367 [See: The definition of Dealing in Material Harmful to a Child.]  
368

369 **Pediatric Condition Falsification (formerly Munchausen Syndrome by Proxy):** A  
370 cluster of symptoms or signs, circumstantially related, in which the parent or guardian  
371 misrepresents information and/or simulates or produces illness in a child, has knowledge  
372 about the etiology of the child’s illness but denies such knowledge, seeks multiple  
373 medical procedures, or acute symptoms and signs of the illness cease when the child is  
374 separated from the parent or guardian.  
375

376 A Pediatric Condition Falsification supported finding must be supported by the child’s  
377 primary care physician or other medical professional’s opinion. (May also be referred to  
378 as Medical Child Abuse or Factitious Disorder.)  
379

380 **Physical Abuse:** Non-accidental physical harm or threatened physical harm of a child  
381 that may or may not be visible. Unexplained physical harm to an infant, toddler,  
382 disabled, or non-verbal child. Physical abuse may also include a child who suffered  
383 physical harm during a domestic violence episode. Physical harm includes, but is not  
384 limited to, “physical injury” and/or “serious physical injury” as defined in Utah Code  
385 Ann. [§76-5-109](#) or genital mutilation as defined in Utah Code Ann. [§76-5-701](#). To  
386 support a finding of physical abuse, Child and Family Services need not show that the  
387 alleged perpetrator actually intended to harm the child; it is sufficient to show that the  
388 conduct was non-accidental and physical harm or threatened physical harm actually  
389 occurred.  
390

391 **Physical Abuse, Chronic:** Non-accidental physical harm or threatened physical harm of  
392 a child that may or may not be visible. Unexplained physical harm to an infant, toddler,  
393 disabled, or non-verbal child. Physical abuse may also include a child who suffered  
394 physical harm during a domestic violence episode. Physical harm includes, but is not  
395 limited to, “physical injury” and/or “serious physical injury” as defined in Utah Code  
396 Ann. [§76-5-109](#).

- 397 1. Physical harm need not be proven by visible evidence or physical impairment.
- 398 2. To support a finding of physical abuse, Child and Family Services need not show  
399 that the alleged perpetrator actually intended to harm the child; it is sufficient to  
400 show that the conduct was non-accidental and physical harm or threatened  
401 physical harm actually occurred.

402 3. Is repeated or patterned abuse. (NOTE: Chronic abuse may be identified from the  
403 first referral.) [See: Utah Code Ann. [§80-2-102.](#)]  
404

405 **Physical Abuse, Severe:** Abuse that causes or threatens to cause serious harm to a child.  
406 Non-accidental physical harm or threatened physical harm of a child that may or may not  
407 be visible. Unexplained physical harm to an infant, toddler, disabled, or non-verbal child.  
408 Physical abuse may also include a child who suffered physical harm during a domestic  
409 violence episode. Physical harm includes, but is not limited to, “physical injury” and/or  
410 “serious physical injury” as defined in Utah Code Ann. [§76-5-109.](#)

411 1. Physical harm need not be proven by visible evidence or physical impairment.  
412 2. To support a finding of physical abuse, Child and Family Services need not show  
413 that the alleged perpetrator actually intended to harm the child; it is sufficient to  
414 show that the conduct was non-accidental and physical harm or threatened  
415 physical harm actually occurred.

416 3. Severe abuse is defined in Utah Code Ann. [§80-1-102.](#)  
417

418 **Severe Abuse:** Abuse that causes or threatens to cause serious harm to a child. Severe  
419 type of child abuse or neglect is defined in Utah Code Ann. [§80-1-102.](#) Serious harm  
420 includes but is not limited to "serious physical injury" as defined in Utah Code Ann. [§76-](#)  
421 [5-109.](#)  
422

423 **Sexual Abuse:**

424 1. An act or attempted act of sexual intercourse, sodomy, incest, or molestation  
425 directed toward a child. [See: Utah Code Ann. [§80-1-102](#) and the definitions of  
426 these terms herein.]

427 2. Subjecting a child to participate in or threatening to subject a child to participate  
428 in a sexual relationship, regardless of whether that sexual relationship is part of a  
429 legal or cultural marriage, or forcing a child under 18 years of age into marriage  
430 or cohabitation with an adult in an intimate relationship. [See: Utah Code Ann.  
431 [§80-1-102.](#)]

432 3. Engaging in any conduct with a child that would constitute an offense under any  
433 of the following definitions (taken directly from Utah Code), regardless of  
434 whether the person who engages in the conduct is actually charged with, or  
435 convicted of, the offense:  
436

437 (a) **Title 76, chapter 5, Part 4, Sexual Offenses, including:**

438 (1) **Unlawful sexual activity with a minor [14 or 15 years old] under Section**  
439 **[76-5-401.](#)**

440 A person 18 years old or older commits unlawful sexual activity with a minor if,  
441 under circumstances not amounting to rape, in violation of Section [76-5-402](#),  
442 object rape, in violation of Section [76-5-402.2](#), forcible sodomy, in violation of  
443 Section [76-5-403](#), or aggravated sexual assault, in violation of Section [76-5-405](#),  
444 the actor:  
445

(a) has sexual intercourse with the minor;

446 (b) engages in any sexual act with the minor involving the genitals of one person  
447 and the mouth or anus of another person, regardless of the sex of either  
448 participant; or

449 (c) causes the penetration, however slight, of the genital or anal opening of the  
450 minor by any foreign object, substance, instrument, or device, including a part of  
451 the human body, with the intent to cause substantial emotional or bodily pain to  
452 any person or with the intent to arouse or gratify the sexual desire of any person,  
453 regardless of the sex of any participant.  
454

455 **Sexual abuse of a minor [14 or 15 years old] under Section [76-5-401.1](#).**

456 A person commits sexual abuse of a minor if the person is four years or more older  
457 than the minor and the person touches the anus, buttocks, or any part of the  
458 genitals of the minor, or touches the breast of a female minor, or otherwise takes  
459 indecent liberties with the minor, or causes a minor to take indecent liberties with  
460 the actor or another person, with the intent to cause substantial emotional or bodily  
461 pain to any person or with the intent to arouse or gratify the sexual desire of any  
462 person regardless of the sex of any participant. For purposes of this section  
463 "minor" is a person who is 14 years of age or older, but younger than 16 years of  
464 age, at the time the sexual activity described in this section occurred.  
465

466 **(2) Unlawful sexual contact with a 16 or 17 year old under Section [76-5-](#)**  
467 **[401.2](#).**

468 (1) For purposes of this section "minor" is a person who is 14 years of age or  
469 older, but younger than 16 years of age, at the time the sexual activity  
470 described in this section occurred.

471 (2) A person 18 years old or older commits unlawful sexual activity with a  
472 minor if, under circumstances not amounting to rape, in violation of  
473 Section [76-5-402](#), object rape, in violation of Section [76-5-402.2](#), forcible  
474 sodomy, in violation of Section [76-5-403](#), or aggravated sexual assault, in  
475 violation of Section [76-5-405](#), the actor:

476 (a) has sexual intercourse with the minor;

477 (b) engages in any sexual act with the minor involving the genitals of one  
478 person and the mouth or anus of another person, regardless of the sex of either  
479 participant; or

480 (c) causes the penetration, however slight, of the genital or anal opening of  
481 the minor by any foreign object, substance, instrument, or device, including a  
482 part of the human body, with the intent to cause substantial emotional or  
483 bodily pain to any person or with the intent to arouse or gratify the sexual  
484 desire of any person, regardless of the sex of any participant.  
485

486 **(3) Rape under Section [76-5-402](#).**

487 A person commits rape when the actor has sexual intercourse with another person  
488 without the victim's consent. This section applies whether or not the actor is  
489 married to the victim.

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**(4) Rape of a child under Section [76-5-402.1](#).**

A person commits rape of a child when the person has sexual intercourse with a child who is under the age of 14.

**(5) Object rape under Section [76-5-402.2](#).**

A person who, without the victim's consent, causes the penetration, however slight, of the genital or anal opening of another person who is 14 years of age or older, by any foreign object, substance, instrument, or device, including a part of the human body other than the mouth or genitals, with intent to cause substantial emotional or bodily pain to the victim or with the intent to arouse or gratify the sexual desire of any person, commits [this] offense.

**(6) Object rape of a child under Section [76-5-402.3](#).**

A person commits object rape of a child when the person causes the penetration or touching, however slight, of the genital or anal opening of a child who is under the age of 14 by any foreign object, substance, instrument, or device, not including a part of the human body, with intent to cause substantial emotional or bodily pain to the child or with the intent to arouse or gratify the sexual desire of any person.

**(7) Sodomy-Forcible Sodomy under Section [76-5-403](#).**

A person commits sodomy when the actor engages in any sexual act with a person who is 14 years of age or older involving the genitals of one person and mouth or anus of another person, regardless of the sex of either participant. A person commits forcible sodomy when the actor commits sodomy upon another without the other's consent.

**(8) Sodomy on a child [under 14] under Section [76-5-403.1](#).**

A person commits sodomy upon a child if the actor engages in any sexual act upon or with a child who is under the age of 14, involving the genitals or anus of the actor or the child and the mouth or anus of either person, regardless of the sex of either participant.

**(9) Forcible sexual abuse under Section [76-5-404](#).**

A person commits forcible sexual abuse if the victim is 14 years of age or older and the actor touches the anus, buttocks, or any part of the genitals of another, or touches the breast of a female, or otherwise takes indecent liberties with another, or causes another to take indecent liberties with the actor or another, with intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person, without the consent of the other, regardless of the sex of any participant.

**(10) Sexual abuse of a child [under 14] under Section [76-5-404.1](#).**

533 A person commits sexual abuse of a child if the actor touches the anus, buttocks, or  
534 genitalia of any child, the breast of a female child, or otherwise takes indecent  
535 liberties with a child, or causes a child to take indecent liberties with the actor or  
536 another with intent to cause substantial emotional or bodily pain to any person or  
537 with the intent to arouse or gratify the sexual desire of any person regardless of the  
538 sex of any participant. As used in this section, "child" means a person under the  
539 age of 14.

540

**(11) Aggravated sexual assault under Section [76-5-405](#).**

541

A person commits aggravated sexual assault if:

542

(a) in the course of a rape, object rape, forcible sodomy, or forcible sexual abuse,  
543 the actor:

544

(i) uses, or threatens the victim with the use of, a dangerous weapon as defined in  
545 Section [76-1-601](#);

546

(ii) compels, or attempts to compel, the victim to submit to rape, object rape,  
547 forcible sodomy, or forcible sexual abuse, by threat of kidnaping, death, or serious  
548 bodily injury to be inflicted imminently on any person; or

549

(iii) is aided or abetted by one or more persons;

550

(b) in the course of an attempted rape, attempted object rape, or attempted forcible  
551 sodomy, the actor:

552

(i) causes serious bodily injury to any person;

553

(ii) uses, or threatens the victim with the use of, a dangerous weapon as defined in  
554 Section [76-1-601](#);

555

(iii) attempts to compel the victim to submit to rape, object rape, or forcible  
556 sodomy, by threat of kidnaping, death, or serious bodily injury to be inflicted  
557 imminently on any person; or

558

(iv) is aided or abetted by one or more persons; or

559

(c) in the course of an attempted forcible sexual abuse, the actor:

560

(i) causes serious bodily injury to any person;

561

(ii) uses, or threatens the victim with the use of, a dangerous weapon as defined in  
562 Section [76-1-601](#);

563

(iii) attempts to compel the victim to submit to forcible sexual abuse, by threat of  
564 kidnaping, death, or serious bodily injury to be inflicted imminently on any person;  
565 or

566

(iv) is aided or abetted by one or more persons.

567

568

**(12) See also Sexual offenses against the victim without consent of victim –  
569 Circumstances under Section [76-5-406](#), Custodial sexual relations --  
570 Custodial sexual misconduct -- Definitions -- Penalties – Defenses under  
571 Section [76-5-412](#), and Custodial sexual relations or misconduct with  
572 youth receiving state services -- Definitions -- Penalties – Defenses under  
573 Section [76-5-413](#).**

574

575

576

**b. Child bigamy under Section [76-7-101.5](#).**

575

576



577 An actor 18 years of age or older is guilty of child bigamy when, knowing he or  
578 she has a wife or husband, or knowing that a person under 18 years of age has a  
579 wife or husband, the actor carries out the following with the person who is under  
580 18 years of age:

- 581 (1) purports to marry the person who is under 18 years of age; or  
582 (2) cohabits with the person who is under 18 years of age.

583

584 **c. Incest under Section [76-7-102](#).**

585 An actor is guilty of incest when the actor knowingly and intentionally:  
586 engages in conduct [described below] or provides a human egg or seminal fluid [as  
587 described below]. Conduct referred to is:

588 (1) sexual intercourse between the actor and a person the actor knows has kinship  
589 to the actor as a related person;

590 (2) the insertion or placement of the provider's seminal fluid into the vagina,  
591 cervix, or uterus of a related person by means other than sexual intercourse;

592 (3) providing or making available his seminal fluid for the purpose of insertion or  
593 placement of the fluid into the vagina, cervix, or uterus of a related person by  
594 means other than sexual intercourse;

595 (4) a woman 18 years of age or older who:

596 (A) knowingly allows the insertion of the seminal fluid of a provider into her  
597 vagina, cervix, or uterus by means other than sexual intercourse; and

598 (B) knows that the seminal fluid is that of a person with whom she has kinship as a  
599 related person; or

600 (5) providing the actor's sperm or human egg that is used to conduct in vitro  
601 fertilization, or any other means of fertilization, with the human egg or sperm of a  
602 person who is a related person.

603 This subsection does not prohibit providing a fertilized human egg if the provider  
604 of the fertilizing sperm is not a related person regarding the person providing the  
605 egg.

606

607 **d. Lewdness or sexual battery under Section [76-9-702](#).**

608 A person is guilty of lewdness if the person performs any of the following acts in a  
609 public place or under circumstances which the person should know will likely  
610 cause affront or alarm to, on, or in the presence of another who is 14 years of age  
611 or older:

612 (a) an act of sexual intercourse or sodomy;

613 (b) exposes his or her genitals, the female breast below the top of the areola, the  
614 buttocks, the anus, or the pubic area;

615 (c) masturbates; or

616 (d) any other act of lewdness.

617

618 **e. Lewdness involving a child [under 14] under Section [76-9-702.5](#);**

619 A person is guilty of lewdness involving a child if the person intentionally or  
620 knowingly does any of the following to, or in the presence of a child who is under

- 621 14 years of age:  
622 (1) performs an act of sexual intercourse or sodomy;  
623 (2) exposes his or her genitals, the female breast below the top of the areola, the  
624 buttocks, the anus, or the pubic area:  
625 (i) in a public place; or  
626 (ii) in a private place:  
627 (A) under circumstances the person should know will likely cause affront or alarm;  
628 or  
629 (B) with the intent to arouse or gratify the sexual desire of the actor or the child;  
630 (3) masturbates;  
631 (4) causes a child under the age of 14 years to expose his or her genitals, anus, or  
632 breast, if female, to the actor, with the intent to arouse or gratify the sexual desire  
633 of the actor or the child; or  
634 (5) performs any other act of lewdness.  
635

636 **f. Voyeurism under Section [76-9-702.7](#);**

- 637 (1) A person is guilty of voyeurism who intentionally uses a camcorder, motion  
638 picture camera, photographic camera of any type, or other equipment that is  
639 concealed or disguised to secretly or surreptitiously videotape, film, photograph,  
640 record, or view by electronic means an individual:  
641 (a) for the purpose of viewing any portion of the individual's body regarding which  
642 the individual has a reasonable expectation of privacy, whether or not that portion  
643 of the body is covered with clothing;  
644 (b) without the knowledge or consent of the individual; and  
645 (c) under circumstances in which the individual has a reasonable expectation of  
646 privacy.  
647 (2) Distribution or sale of any images, including in print, electronic, magnetic, or  
648 digital format, obtained under Subsection (1) by transmission, display, or  
649 dissemination.  
650 (3) A person is guilty of voyeurism who, under circumstances not amounting to a  
651 violation of Subsection (1), views or attempts to view an individual, with or  
652 without the use of any instrumentality:  
653 (a) with the intent of viewing any portion of the individual's body regarding which  
654 the individual has a reasonable expectation of privacy, whether or not that portion  
655 of the body is covered with clothing;  
656 (b) without the knowledge or consent of the individual; and  
657 (c) under circumstances in which the individual has a reasonable expectation of  
658 privacy.  
659

660 **Sexual Exploitation:** Knowingly employing, using, persuading, inducing, enticing, or  
661 coercing a child to pose in the nude for the purpose of sexual arousal of any person or to  
662 engage in any sexual or simulated sexual conduct for the purpose of photographing,  
663 filming, recording, or displaying in any way the sexual or simulated sexual conduct, or  
664 displaying, distributing, possessing, or selling material depicting a child in the nude, for



665 the purpose of sexual arousal of any person, or engaging in sexual or simulated sexual  
666 conduct. [See: Utah Code Ann. [§80-1-102](#).] Includes offenses outlined in Utah Code Ann.  
667 [§76-5b-201](#).

668  
669 Sexual Exploitation includes a child's parent or legal guardian knowingly consenting to  
670 or permitting the child to be sexually exploited as described above. [See: Utah Code Ann.  
671 [§76-5b-201](#).]  
672

673 **NEGLECT:** An action or inaction that causes harm or threatened harm such as abandonment of  
674 a child, except a safe relinquishment of a newborn child as provided in Utah Code Ann. [§80-4-](#)  
675 [502](#); lack of proper parental care by reason of the fault or habits of the parent, guardian, or  
676 custodian; failure or refusal of a parent, guardian, or custodian to provide proper or necessary  
677 subsistence, education, or medical care, or any other care necessary for the child's health, safety,  
678 morals, or well-being; a child at risk of being neglected or abused because another child in the  
679 same home is neglected or abused. [See: Utah Code Ann. [§80-1-102](#) and Administrative Rule  
680 [R512-80](#).] Neglect includes, but is not limited to, abandonment, educational neglect,  
681 environmental neglect, failure to protect, failure to thrive, medical neglect, non-supervision,  
682 physical neglect, and sibling at risk.  
683

684 **Abandonment:** Except in the case of the safe relinquishment of a newborn child  
685 pursuant to Utah Code Ann. [§80-4-502](#) [see: the definition of Safe Relinquishment of a  
686 Newborn Child], conduct by either a parent or legal guardian showing a conscious  
687 disregard for parental obligations, where that disregard leads to the destruction of the  
688 parent/child relationship. Abandonment also arises when a parent or parents:  
689 (a) Although having legal custody of the child, have surrendered physical custody of  
690 the child, and for a period of six months following the surrender have not  
691 manifested to the child or to the person having the physical custody of the child a  
692 firm intention to resume physical custody or to make arrangements for the care of  
693 the child;  
694 (b) Have failed to communicate with the child by mail, telephone, or otherwise for  
695 six months;  
696 (c) Failed to have shown the normal interest of a natural parent, without just cause; or  
697 (d) Have abandoned an infant, as described in Utah Code Ann. [§80-4-203](#).  
698

699 [See also: Utah Code Ann. [§80-4-302](#) and Administrative Rule [R512-80](#).]  
700

701 **Educational Neglect:** Failure or refusal to make a good faith effort to ensure that a child  
702 receives an appropriate education, after receiving notice that the child has been frequently  
703 absent from school without good cause or that the parent has failed to cooperate with  
704 school authorities in a reasonable manner in accordance with Utah Code Ann. [§80-1-102](#)  
705 and [§53G-6-201](#).  
706

707 **Environmental Neglect:** An environment that poses an unreasonable risk to the physical  
708 health or safety of a child. [See: Practice Guidelines [Section 200](#).]

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**Failure to Protect:** Failure to take reasonable action to remedy or prevent child abuse or neglect. Failure to protect includes the conduct of a non-abusive parent or guardian who knows the identity of the abuser or the person neglecting the child but lies, conceals, or fails to report the abuse or neglect or the alleged perpetrator's identity.

**Failure to Thrive:** A medically diagnosed condition in which the child fails to develop physically. This condition is typically indicated by inadequate weight gain.

**Medical Neglect:** Failure or refusal to provide proper medical, dental, or mental health care or to comply with the recommendations of a medical, dental, or mental health professional necessary to the child's health, safety, or well-being. The finding needs to be based on the opinion of the child's primary care physician or other licensed medical professional. Exceptions and limitations provided in Utah Code Ann. [§80-1-102](#) include:

- (a) A parent or guardian legitimately practicing religious beliefs and who, for that reason, does not provide specified medical treatment for a child, is not guilty of neglect.
- (b) A health care decision made for a child by the child's parent or guardian does not constitute neglect unless clear and convincing evidence shows that the health care decision is not reasonable and informed. Nothing may prohibit a parent or guardian from exercising the right to obtain a second health care opinion. [See: Utah Code Ann. [§80-3-304](#).]

**Neglect, Chronic:** Repeated or patterned neglect. (NOTE: Chronic neglect may be identified from the first referral.) [See: Utah Code Ann. [§80-2-102](#).]

**Neglect, Severe:** Neglect that causes or threatens to cause serious harm to a child. Serious harm includes, but is not limited to, serious physical injury as defined in Utah Code Ann. [§76-5-109](#). [See: Utah Code Ann. [§80-1-102](#).]

**Non-Supervision:** The child is subjected to accidental harm or an unreasonable risk of accidental harm due to failure to supervise the child's activities at a level consistent with the child's age and maturity. [See: Utah Code Ann. [§80-1-102](#).]

**Physical Neglect:** Failure to provide for a child's basic needs of food, clothing, shelter, or other care necessary for the child's health, safety, morals, or well-being.

**A. Unregulated Custody Transfers:**

1. A parent or guardian of a child, or an individual with whom a child has been placed for adoption, may not transfer custody of the child to another person with the intent, at the time of the transfer, to abandon the rights and responsibilities concerning the child unless it does through:

- (a) adoption or guardianship;
- (b) judicial award of custody;
- (c) placement by or through a child-placing agency;

- 753 (d) other judicial or tribal action; or  
 754 (e) safe relinquishment under Utah Code Ann. [§80-4-502](#), Safe  
 755 Relinquishment of a Newborn Child.  
 756 2. A person may not receive custody of a child, or act as an intermediary in a  
 757 transfer of custody of a child, if the person knows or reasonably should  
 758 know the transfer is with the intent, at the time of the transfer, to abandon  
 759 the rights and responsibilities concerning the child. [See Utah Code Ann.  
 760 [§78B-24-203](#), and Administrative Rules R512-80 and R512-202-2). This  
 761 does not apply to a transfer of custody of a child by a parent or guardian of  
 762 the child to:  
 763 (a) a parent of the child;  
 764 (b) a stepparent of the child;  
 765 (c) an adult who is related to the child by blood, marriage, or adoption;  
 766 (d) an adult who, at the time of the transfer, had a close relationship  
 767 with the child or the parent or guardian of the child for a  
 768 substantial period, and whom the parent or guardian reasonably  
 769 believed, at the time of the transfer, to be a fit custodian of the  
 770 child;  
 771 (e) an Indian custodian, as defined in the Indian Child Welfare Act, 25  
 772 U.S.C. Sec. 1903, of the child; or  
 773 (f) a member of the child's customary family unit recognized by the  
 774 child's indigenous group.  
 775

776 **Sibling or Child at Risk:** A child who is at risk of being abused or neglected because  
 777 another child in the same home or with the same caregiver has been or is abused or  
 778 neglected.  
 779

780 **DEPENDENCY:** The condition of a child who is homeless or without proper care through no  
 781 fault of the child's parent, guardian, or custodian. [See: Utah Code Ann. [§80-2-102](#).]  
 782 Dependency may be due to a lack of understanding by the child's parent or guardian as a result of  
 783 a lack of education or due to a mental, emotional, or physical disability. Dependency may also be  
 784 due to a parent or guardian's lack of economic resources, or the institutionalization of a parent or  
 785 guardian. [See: Administrative Rule [R512-80](#).]  
 786

787 **Safe Relinquishment of a Newborn Child:** A parent or a parent's designee may safely  
 788 relinquish a newborn child at a hospital in accordance with the requirements of Utah  
 789 Code Ann. [§80-4-502](#) and retain anonymity, as long as the newborn child has not been  
 790 subjected to abuse or neglect.  
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## DEFINITIONS

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**ABUSIVE HEAD TRAUMA:** Includes but is not limited to inflicted cranial, cerebral, and spinal injuries resulting from blunt force trauma, shaking, or a combination of forces. (Formerly known as “Shaken Baby Syndrome.”)

**ADJUDICATION:** A finding by the court, incorporated in a decree, that the facts alleged in the petition have been proved.

**ADJUDICATION HEARING:** An adjudication hearing is to be held to adjudicate the petition filed by the Attorney General on behalf of Child and Family Services. [See: Utah Code Ann. [§80-3-401](#) and [§80-3-402](#)].

**ADMINISTRATIVE HEARING:** An informal hearing in which an individual may challenge Child and Family Services' supported finding of non-severe child abuse, neglect, or dependency. The alleged perpetrator may ask the hearing officer (administrative law judge) to change the Child and Family Services finding to "unsupported" or "without merit." This hearing is also referred to as a due process hearing.

**ADMINISTRATIVE RULES/RULEMAKING:** Written regulations that inform the public of how Child and Family Services will conduct its business. An Administrative Rule has the effect of law. In general, an agency promulgates an Administrative Rule when a class of persons or outside agencies may be materially affected by the Child and Family Services' actions or decisions. An Administrative Rule may be explicitly or implicitly required by a state or federal statute or other applicable law, and it may implement or interpret a state or federal legal mandate. Administrative Rules are established by Child and Family Services and processed through the state's administrative rulemaking procedure, with the oversight by a legislative committee. Utah Code Ann. [§80-2-302](#) requires Child and Family Services to prepare a "family impact statement" whenever it adopts a new Administrative Rule.

**ADOPTIVE FAMILY:** A family who has completed Child and Family Services training for prospective adoptive parents and becomes approved by a licensed child placement agency or by Child and Family Services

**ADOPTIVE/FOSTER CARE FAMILY:** A family licensed to provide out-of-home care by the Office of Licensing and who has completed all Child and Family Services requirements for prospective adoptive parents.

**ASFA:** Acronym for Adoption and Safe Families Act. Federal legislation signed into law in 1997, which provides time limits and guidelines related to children's permanency goals.

**ALLEGED:** Asserted but not proven.

835 **ALLEGED FATHER** (formerly Putative Father): The man who claims to be or is claimed to  
836 be the biological father of a child born out of wedlock.

837  
838 **APPROPRIATENESS OF PLACEMENT:** A child's home community, the one that involves  
839 the birth family, culture, village, or neighborhood, closest to school and peer group is the least  
840 restrictive environment for a child. A child should be supported and maintained in his or her  
841 home community. If a child's life is temporarily disrupted due to resolvable safety problems in  
842 the family home or by needs that require specialized treatment for a specific and limited time in  
843 another location, the child should be restored with necessary supports as quickly as possible to  
844 his or her natural community. If a child's home and family situation does not permit the child to  
845 return home after removal for safety reason, then that child should be provided a safe,  
846 appropriate, and permanent home as quickly as possible so that natural social supports can be  
847 developed for that child in a new home, neighborhood, school, and community.

848  
849 **ARRANGED MARRIAGE:** Any marriage, legal or otherwise, that is arranged, coerced, or  
850 threatened, and which involves a child and an adult, including (but not limited to) an adult who is  
851 a member of the child's immediate or extended family.

852  
853 **AAG:** Acronym for Assistant Attorney General. The AAG is an attorney that represents Child  
854 and Family Services.

855  
856 **BABY DOE:** A medically disabled infant with life-threatening conditions for whom medically  
857 indicated treatment is withheld. (This is a federal statutory definition and *does not* apply to or  
858 mean an infant abandoned by the parent.)

859  
860 **BASIC LIFE SKILLS TRAINING:** Education that each youth age 16 and older will receive  
861 prior to leaving out-of-home care.

862  
863 **BCI:** Acronym for the Bureau of Criminal Identification.

864  
865 **CANR:** Acronym for the Child Abuse and Neglect Report.

866  
867 **CAREGIVER FUNCTIONING:** The caregivers' capacity, availability, and willingness to meet  
868 the child's basic care and developmental needs reliably on a daily basis. Expectation of adequate  
869 caregiver functioning and support apply to children living in out-of-home care with a relative,  
870 living in a foster home, and to care staff in group-living situations.

871  
872 **CAREGIVER SUPPORT:** Substitute caregivers include kinship caregivers, foster and  
873 adoptive resource families, and any persons who provide parenting, assistance, supervision, and  
874 physical care for a child or youth in a temporary place of residence. Provisions of caregiver  
875 supports and in-home services should enable the caregiver to participate in assessment of needs,  
876 selection of providers, and scheduling. To be effective and satisfactory, supports should be  
877 culturally compatible and of an intensity commensurate with the needs of the child and

878 caregiver. To be adequate, caregiver supports should be accessible when needed, dependable  
879 when used, functional for the home, and seen as support by caregivers.

880

881 **CASE CREATION:** A process through SAFE where all case types, other than CPS, can be  
882 created in another child welfare program.

883

884 **CHAFEE:** Refers to the Chafee Foster Care Independence Act 1999, which provides states with  
885 flexible funding that enables programs to be designed and conducted specifically for preparing  
886 youth to become self-sufficient upon leaving state’s custody.

887

888 **CHEC:** Acronym for Child Health Evaluation and Care, Utah's version of the federally  
889 mandated Early Periodic Screening, Diagnosis and Treatment (EPSDT) program. The program  
890 ensures that eligible children receive: 1) routine periodic health examinations, Well Child Care  
891 and, 2) needed treatment or follow-up services that are medically necessary. It also refers to the  
892 type of extensive physical assessment required, as mandated by the Medicaid Services Manual.

893

894 **CHILD:** For Child and Family Services purposes, a person under 18 years of age. [See: Utah  
895 Code Ann. [§80-2-102](#) and [§15-2-1](#).] Please note, however, that some criminal justice statutes  
896 define a child or minor differently for purposes of particular sexual offenses. [See: Utah Code  
897 Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-402.1](#), [§76-5-402.2](#), [§76-5-402.3](#), [§76-5-403](#),  
898 [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1](#).] In appropriate circumstances, those statutes may  
899 apply. [See also: The definition of Native American Child.]

900

901 **CHILD AND FAMILY ASSESSMENT (formerly Functional Assessment):** Information that  
902 is gathered from various sources as appropriate to the child’s situation that includes a  
903 combination of clinical, functional, and information assessment techniques used to determine the  
904 strengths, capabilities, needs, risks, and lifestyle preferences of the child and family. Once  
905 gathered, the information should be analyzed and synthesized to form a comprehensive “big  
906 picture view” of the child and his or her social support networks at home, at school, and in the  
907 community. Members of the Child and Family Team, working together, should synthesize their  
908 assessment knowledge to form a common big picture view that provides shared understanding of  
909 the child’s situation. This provides a common core of team intelligence for unifying efforts,  
910 planning joint strategies, sharing resources, finding what works, and achieving a good mix and  
911 match of supports and services for the child and family. Developing and maintaining a useful  
912 big picture view is a dynamic, ongoing process for the Child and Family Team.

913

914 **CHILD AND FAMILY PARTICIPATION:** The child and family’s sense of personal  
915 ownership in the plan and decision process. The child and family’s active participation in  
916 shaping and directing service arrangement that impacts their lives. Emphasis is placed on direct  
917 and ongoing involvement of key family members in all phases of service delivery: assessment,  
918 planning, selection of providers, monitoring, modifications, and evaluation.

919

920 **CHILD AND FAMILY PLANNING PROCESS:** The Child and Family Plan specifies the  
921 goals, roles, strategies, resources, and schedules for coordinated provision of assistance,



922 supports, supervision, and services for the child, caregiver, and teacher. For the child to be  
923 successful at home and school, special supports may be necessary for the primary caregiver at  
924 home and for the teacher at school. The child and family planning process is of essence here -  
925 not just the written document. The plan needs to be developed by the team based upon the big  
926 picture assessments; reflect the views and preferences of the child and family, be directed toward  
927 the achievement of strategic goals and success of the child; be coherent in design, prudent in the  
928 use of natural and professional resources; be culturally appropriate; and be modified frequently,  
929 based on changing circumstances, experience gained, and progress made. The written Child and  
930 Family Plan is the collective intentions of the Child and Family Team that simply states the path  
931 and process to be followed.

932  
933 **CHILD AND FAMILY TEAM:** The child, their family, the Child and Family Services social  
934 worker, and the out-of-home provider are primary members of a Child and Family Team. Other  
935 entities that may be included to provide additional support include representatives from  
936 education, health care, law enforcement, the GAL, the parents' attorney, the Attorney General,  
937 and other supportive individuals as designated by the family.

938  
939 **CHILD AND FAMILY TEAM COORDINATION:** The collaboration of all parties involved  
940 in the child and family's life toward a common objective. Child and Family Team members can  
941 be a teacher, therapist, tracker, GAL, daycare provider, peer parent, health care provider, and  
942 other paid service providers. Parents, family members, neighbors, and others can also be part of  
943 a Child and Family Team. Collectively, the team should have the technical and cultural  
944 competence, family knowledge, and authority to act in behalf of funders and to commit resources  
945 and ability to flexibly assemble supports and resources in response to specific needs.

946  
947 **CHILD AND FAMILY SERVICES DOMESTIC VIOLENCE WORKER:** A Child and  
948 Family Services employee who has been designated by the Child and Family Services region to  
949 specialize in domestic violence cases and who has the following qualifications: (a) expertise in  
950 the dynamics of domestic violence; (b) experience working with domestic violence perpetrators  
951 and victims; (c) a working knowledge of the child welfare system, the criminal justice system,  
952 and the court system as they relate to domestic violence; (d) familiarity with local domestic  
953 violence services and community resources; and (e) a Bachelor's Degree and Social Service  
954 Worker license.

955  
956 **CHILD AND FAMILY SERVICES FAMILY SERVICES CASEWORKER:** A person  
957 employed by or contracted with Child and Family Services to provide professional casework,  
958 case management, contract management, or direct service and contract management  
959 supervision. The person will have, at a minimum, a Bachelor's Degree, but may not have met  
960 the requirements to be a licensed worker.

961  
962 **CHILD AND FAMILY SERVICES INTAKE WORKER:** A person employed by Child and  
963 Family Services who processes referrals concerning child abuse, neglect, or dependency. Intake  
964 workers must possess solid communication, interpersonal, and assessment skills.  
965

966 **CHILD FATALITY:** A child's death.

967

968 **CHILD MALTREATMENT:** Child abuse or neglect. [See: The definitions of Abuse,  
969 Dependency, Neglect, and Sexual Abuse.]

970

971 **CHILD PORNOGRAPHY:** Any visual depiction, including any live performance, photograph,  
972 film, video, picture, or computer or computer-generated image or picture, whether made or  
973 produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

974

975 A. The production of the visual depiction involves the use of a minor engaging in sexually  
976 explicit conduct;

977

978 B. The visual depiction is of a minor engaging in sexually explicit conduct; or

979

980 C. The visual depiction has been created, adapted, or modified to appear that an identifiable  
981 minor is engaging in sexually explicit conduct.

982

983 **CHILD VICTIM:** A person under the age of 18 years, or a person under the age of 21 years  
984 and in the custody of Child and Family Services, who has been subjected to abuse, neglect, or  
985 dependency.

986

987 **CHILD WITH SPECIAL HEALTH CARE NEEDS:** A children who has or is at an increased  
988 risk of having a chronic physical, developmental, behavioral, or emotional condition and who  
989 also require health and related services of a type or amount beyond that required by children  
990 generally.

991

992 **CHILD WITH SPECIAL NEEDS:** A child who cannot or should not be returned to the home  
993 of the parents (as determined by the state), with one of the following:

994

995 A. Child 0-17 years of age with a documented physical, emotional, or mental disability, or  
996 may be at risk to develop such a condition due to the birth parents health and social  
997 history.

998

999 B. Child five years of age or older.

1000

1001 C. Member of a sibling group placed together for adoption.

1002

1003 **CHILD WITNESS TO DOMESTIC VIOLENCE:** In the physical presence of a child or is  
1004 present and may see or hear an act of domestic violence. [See: Utah Code Ann. [§76-5-114.](#)]

1005

1006 **CHRONIC ABUSE:** Repeated or patterned abuse. (NOTE: Chronic abuse may be identified  
1007 from the first referral.) [See: Utah Code Ann. [§80-2-102.](#)]

1008

1009 **COHABITANT:** An emancipated minor or a person 16 years of age or older who:



- 1010
- 1011 A. Is or was a spouse of the other party.
- 1012
- 1013 B. Is or was living as if a spouse of the other party.
- 1014
- 1015 C. Is related by blood or marriage to the other party.
- 1016
- 1017 D. Has or had one or more children in common with the other party.
- 1018
- 1019 E. Is the biological parent of the other party's unborn child.
- 1020
- 1021 F. Resides or has resided in the same residence as the other party.
- 1022

1023 The term "cohabitant" does *not* refer to:

- 1024
- 1025 A. The relationship of a natural parent, adoptive parent, or stepparent to a minor.
- 1026
- 1027 B. The relationship between natural, adoptive, step, or foster siblings who are under 18 years
- 1028 of age.
- 1029

1030 [See: Utah Code Ann. [§78B-7-102](#) and Administrative Rule [R512-205](#).]

1031

1032 **COLLATERAL CONTACT:** Any individual, other than the alleged perpetrator, who has had

1033 direct contact with or knowledge of the child or the child's family.

1034

1035 **COMMUNITY DOMESTIC VIOLENCE SPECIALIST:** A domestic violence specialist such

1036 as one who is employed by a domestic violence shelter or victim advocate program and who has

1037 the following qualifications: (a) expertise in the dynamics of domestic violence; (b) experience

1038 working with domestic violence perpetrators and victims; (c) a working knowledge of the child

1039 welfare system, the criminal justice system, and the court system as they relate to domestic

1040 violence; and (d) familiarity with local domestic violence services and community resources.

1041 [See: The definition of Child and Family Services Domestic Violence (DV) Worker.]

1042

1043 **CONCURRENT PERMANENCY PLANNING:**

- 1044 A. Planning for different permanency outcomes at the same time.
- 1045
- 1046 B. Is a means to support and expedite efforts to achieve permanence for a child within one
- 1047 year—a time frame that reflects a child's sense of the passage of time.
- 1048
- 1049 C. Offers a structured approach to moving children quickly from the uncertainty of out-of-
- 1050 home care to the stability and security of a permanent family.
- 1051
- 1052 D. Starts with the first interaction with the child or the family
- 1053

1054 **CONFLICT OF INTEREST:** A situation in which the worker or Child and Family Services  
1055 has a personal or professional relationship with a subject of the record (including the alleged  
1056 victim or the alleged perpetrator). Utah Code Ann. [§80-2-703](#) requires that an agency other than  
1057 Child and Family Services will investigate allegations of abuse, neglect, or dependency that  
1058 involve individuals, institutions, or facilities that Child and Family Services supervises, governs,  
1059 or directs.

1060  
1061 **CORRUPTION:** A situation where a child is victimized by being associated with, or involved  
1062 in, an immoral or illegal action (e.g., a parent teaching a child to shoplift; or a parent providing  
1063 the child with or allowing access to alcohol or drugs for consumption).

1064  
1065 **CPS:** Acronym for Child Protective Services.

1066  
1067 **CREDIBLE EVIDENCE:** Information that is believable and plausible. [*See:* The definition of  
1068 Evidence.]

1069  
1070 **CUSTODIAN:** A person who has legal custody of a child or a person responsible for a child's  
1071 care as defined in Utah Code Ann. [§80-1-102](#).

1072  
1073 **CUSTODY:** [*See:* The definitions of DHHS Custody, Legal Custody, Protective Custody,  
1074 Temporary Custody, and Voluntary Custody.]

1075  
1076 **CUSTODY START DATE:** Same as Date of Removal.

1077  
1078 **DATE OF REMOVAL:** The date the child was initially removed from his or her biological  
1079 home or the earliest of the protective custody date, the temporary custody date, and the  
1080 adjudicated custody dates.

1081  
1082 **DATING VIOLENCE:** Verbal, emotional, psychological, physical, or sexual abuse of one  
1083 person by another in a dating relationship. [*See:* Utah Code Ann. [§57-22-5.1](#).]

1084  
1085 **DCFS:** Acronym for the Utah Division of Child and Family Services.

1086  
1087 **DHHS:** Acronym for the Utah Department of Health & Human Services.

1088  
1089 **DHHS CUSTODY:** A relationship in which the court grants custody of a child to DHHS.

1090  
1091 **DISPOSITIONAL HEARING:** A hearing to determine the placement of the child and the  
1092 status of legal custody and guardianship, establish the primary permanency goal, and based on  
1093 the goal, whether reunification services will be provided. In addition to the primary goal, the  
1094 court will establish the concurrent permanency goal. [*See:* Utah Code Ann. [§80-3-406](#).]

1095  
1096 **DISPOSITION OF A CPS REFERRAL:** When Intake makes a determination that a referral  
1097 will be accepted or unaccepted.

1098  
1099 **DISRUPTION (OF AN ADOPTION):** Ending an adoptive placement before the adoption is  
1100 final.

1101  
1102 **DISSOLUTION (OF AN ADOPTION):** Undoing the adoption after it is final. [*See also:*  
1103 Voluntary Relinquishment.]

1104  
1105 **DOMESTIC VIOLENCE:** Utah Code Ann. [§77-36-1](#) defines domestic violence as any  
1106 criminal offense involving violence or physical harm or threat of violence or physical harm, or  
1107 any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or  
1108 physical harm, when committed by one cohabitant against another. Domestic violence also  
1109 means commission or attempt to commit any of the following offenses by one cohabitant against  
1110 another: (a) aggravated assault, as described in Utah Code Ann. [§76-5-103](#); (b) assault, as  
1111 described in Utah Code Ann. [§76-5-102](#); (c) criminal homicide, as described in Utah Code Ann.  
1112 [§76-5-201](#); (d) harassment, as described in Utah Code Ann. [§76-5-106](#); (e) electronic  
1113 communication harassment, as described in Utah Code Ann. [§76-9-201](#); (f) kidnapping, child  
1114 kidnapping, or aggravated kidnapping, as described in Utah Code Ann. [§76-5-301](#), [§76-5-301.1](#),  
1115 and [§76-5-302](#); (g) mayhem, as described in Utah Code Ann. [§76-5-105](#); (h) sexual offenses, as  
1116 described in Title 76, Chapter 5, Part 4, Sexual Offenses, and Utah Code Ann. [§76-5b-201](#); (i)  
1117 stalking, as described in Utah Code Ann. [§76-5-106.5](#); (j) unlawful detention, as described in  
1118 Utah Code Ann. [§76-5-304](#); (k) violation of a protective order or ex parte protective order, as  
1119 described in Utah Code Ann. [§76-5-108](#); (l) any offense against property described in Title 76,  
1120 Chapter 6, Part 1, Property Destruction, Part 2, Burglary and Criminal Trespass, or Part 3,  
1121 Robbery; (m) possession of a deadly weapon with intent to assault, as described in Utah Code  
1122 Ann. [§76-10-507](#); (n) discharge of a firearm from a vehicle, near a highway, or in the direction of  
1123 any person, building, or vehicle, as described in Utah Code Ann. [§76-10-508](#); (o) disorderly  
1124 conduct, as defined in Utah Code Ann. [§76-9-102](#), if a conviction of disorderly conduct is the  
1125 result of a plea agreement in which the defendant was originally charged with any of the  
1126 domestic violence offenses otherwise described in this subsection (conviction of disorderly  
1127 conduct as a domestic violence offense, in the manner described herein, does not constitute a  
1128 misdemeanor crime of domestic violence under 18 U.S.C. Section 921, and is exempt from the  
1129 provision of the federal Firearms Act, 18 U.S.C. Section 921, et seq.); or (p) child abuse as  
1130 described in Utah Code Ann. [§76-5-109.1](#). Domestic violence can take a variety of forms,  
1131 including:

- 1132
- 1133 A. Physical violence, including such aggressive behavior as hitting, pushing, choking,  
1134 scratching, pinching, restraining, slapping, pulling, hitting with weapons or objects,  
1135 shooting, stabbing, damaging property or pets, or threatening to engage in such  
1136 aggressive behavior.
  - 1137
  - 1138 B. Psychological violence, such as intense and repetitive degradation, creating isolation, or  
1139 detrimentally controlling the actions or behavior of another person through intimidation  
1140 or manipulation.
- 1141

1142 C. Sexual violence, such as sexual harassment, limiting reproductive freedom, infliction of  
1143 pain during sexual intimacy, or the use or threat of physical force to make a cohabitant  
1144 perform a sexual act.  
1145

1146 [See: [Section 600](#), Domestic Violence.]  
1147

1148 **DOMESTIC VIOLENCE PERPETRATOR:** Any adult who commits an act of domestic  
1149 violence against another cohabitant.  
1150

1151 **DOMESTIC VIOLENCE SERVICES:** Utah Code Ann. [§80-2-102](#) states domestic violence  
1152 services means: (a) temporary shelter, treatment, and related services to a person who is a victim  
1153 of abuse, as defined in Utah Code Ann. [§78B-7-102](#) and the dependent children of a person  
1154 described in subsection (12)(a)(i), as well as treatment services for a person who is alleged to  
1155 have committed, has been convicted of, or has pled guilty to an act of domestic violence as  
1156 defined in Utah Code Ann. [§77-36-1](#). Domestic violence services delivered to adult and youth  
1157 victims of family violence, domestic violence, or dating violence, and their dependents are  
1158 designed to meet the needs of victims for short-term, transitional, or long-term safety and  
1159 provide counseling, advocacy, or assistance for victims. Services are typically provided by a  
1160 licensed domestic violence shelter provider, a licensed domestic violence treatment provider, a  
1161 victim advocate, or a similar domestic violence facility or specialist.  
1162

1163 **DOMESTIC VIOLENCE SHELTER:** A program for survivors of domestic violence and their  
1164 children where survivors and their children receive refuge from their abusers in a facility whose  
1165 location is kept confidential to prevent the abuser from locating the survivor. Shelter services  
1166 available to survivors and their children may include emergency housing, help with basic living  
1167 needs, food, childcare, and other support services (i.e., support groups, referrals to community  
1168 resources).  
1169

1170 **DOMESTIC VIOLENCE SURVIVOR/VICTIM:** An adult who has been subjected to  
1171 domestic violence.  
1172

1173 **DNR:** Acronym for a Do Not Resuscitate order.  
1174

1175 **DSM:** Diagnostic and Statistical Manual of Mental Disorders.  
1176

1177 **DSPD:** Acronym for the Division of Services for People With Disabilities. The branch of Utah's  
1178 DHHS that provides support to individuals with disabilities and their families.  
1179

1180 **DUI:** Acronym for Driving Under the Influence.  
1181

1182 **EFFECTIVE RESULTS:** Services are provided to achieve specific results and benefits for the  
1183 child and family. These results should include improved functioning, achievement of outcomes  
1184 consistent with the long-term view, and improved learning. If intervention strategies and  
1185 services are not producing these results, then strategies and services should be modified over

1186 time as experience is gained about what expectations are reasonable and what interventions  
1187 actually work.

1188  
1189 **EMANCIPATED MINOR:** Under Utah Code Ann. [§15-2-1](#), a minor who marries is  
1190 automatically emancipated. A minor may also be deemed emancipated by court order. The  
1191 court looks at specific facts, including enlisting in the armed forces or leaving the parental home  
1192 and becoming self-supporting.

1193  
1194 **EMERGENCY KINSHIP PLACEMENT:** *See* Preliminary Placement with Kin.

1195  
1196 **EMOTIONAL/BEHAVIORAL WELL-BEING:** The child has social supports in the home  
1197 and school settings that provide the child with a sense of: identity that connotes feelings of  
1198 personal worth, belonging and affiliation with others in his or her support network, being capable  
1199 of participating in major life activities and decisions that affect him or her, feeling that his or her  
1200 life has meaning, purpose, and direction, and being part of his or her culture and its social  
1201 supports.

1202  
1203 **ESTABLISHED PRIMARY CARE PROVIDER:** An individual or group who has seen the  
1204 child at least once, has an established relationship with child or family, and wants to continue  
1205 having a relationship with that child.

1206  
1207 **ETV:** Acronym for Education and Training Voucher, which provides financial resources for  
1208 postsecondary education and vocational training necessary to obtain employment or to support  
1209 the individual's employment goals.

1210  
1211 **EVIDENCE:** Testimony, writings, or material objects that are offered to prove the existence or  
1212 non-existence of a fact.

1213  
1214 **F.A.C.T.:** Acronym for Families, Agencies and Communities Together. F.A.C.T. is a  
1215 committee of community service agencies that can provide a wide range of assistance to  
1216 families.

1217  
1218 **FACE-TO-FACE CONTACT:** In-person contact with a child to assess safety and any  
1219 protection needs for the child.

1220  
1221 **FALSE REPORT:** A report of abuse or neglect made to Child and Family Services by a  
1222 reporter (referent) who more likely than not knew the report was false at the time that person  
1223 submitted the report. [*See:* Utah Code Ann. [§80-2-611](#).]

1224  
1225 **FAMILY FOSTER CARE:** A living arrangement offered and supervised by Child and Family  
1226 Services for children who are under age 21 years at time of intake and are unable to receive  
1227 needed parental care in their own home but are able to participate in family and community life  
1228 without danger to themselves or others.

1229

1230 **FAMILY FUNCTIONING AND RESOURCEFULNESS:** The ability of the family to  
1231 become self-directed and to build the capacities necessary for its members to live safely and for  
1232 the family unit to function successfully with basic and special needs of all members adequately  
1233 met.

1234  
1235 **FAMILY SERVICE SPECIALIST:** Reviews cases with Child and Family Services social  
1236 workers prior to removal to determine if there is substantial cause to believe grounds for removal  
1237 exist and that services are not reasonably available to eliminate the need for removal. A Child  
1238 and Family Services CPS caseworker need not review a case with a family service specialist if,  
1239 in the Child and Family Services CPS caseworker's opinion, that process would create a delay  
1240 that may endanger the health, safety, or welfare of the child.

1241  
1242 Criteria for selection of the family service specialist is as follows:

- 1243  
1244 A. Region directors will select family service specialists from existing staff based on the  
1245 following:
- 1246 1. Be a lead worker or above.
  - 1247 2. Have at least five years of child welfare experience.
  - 1248 3. Have an LCSW with at least three years of child welfare experience.
  - 1249 4. Complete the family service specialist training.
- 1250  
1251 B. Staff selected as family service specialists will be placed on a calling tree that will be  
1252 made available to workers 24 hours per day. Regions may develop calling trees for the  
1253 entire region, local offices, counties, or any other configuration that is workable for the  
1254 region.
- 1255 1. During business hours, workers may be directed to call their own supervisor first;  
1256 however, if their supervisor is not available, the calling tree will provide other  
1257 staffing options.
  - 1258 2. During non-business hours, staff on the calling tree will not be required to carry a  
1259 pager or cell phone, but must provide a phone number where they can be reached.  
1260 Workers will call down the calling tree until they reach a family service specialist.  
1261 The family service specialist will be allowed to claim time actually worked during  
1262 non-business hours.
  - 1263 3. If a region already has a supervisor available for an on-call system, their system  
1264 will not change if the supervisor meets the criteria for a family service specialist  
1265 listed in subparagraph A above.
- 1266  
1267 C. Calling trees should be updated as needed with staff changes.

1268  
1269 **FAMILY VIOLENCE:** Any act or threatened act of violence, including any forceful detention  
1270 of an individual that results or threatens to result in physical injury and is committed by a person  
1271 against another individual (including an elderly individual) to or with whom such person is  
1272 related by blood, or is or was related by marriage or is or was otherwise legally related, or is or  
1273 was lawfully residing.



1274  
1275 **FETAL ALCOHOL SPECTRUM DISORDER (FASD):** A broader array of impairments than  
1276 are reported for children suffering from Fetal Alcohol Syndrome. In FASD children exposed to  
1277 alcohol in the womb may exhibit one or more of the following characteristics or behaviors: (a)  
1278 Inadequate growth in the womb or after birth; (b) Facial abnormalities such as small eye  
1279 openings; (c) Poor coordination; (d) Hyperactive behavior; (e) Learning disabilities (e.g., speech  
1280 and language delays); (f) Mental retardation or low IQ; (g) Poor reasoning and judgment skills;  
1281 (h) Poor impulse control; or (i) Sleep and sucking disturbances in infancy.

1282  
1283 **FINALIZATION:** A court of law has decreed that the adoption is final.

1284  
1285 **FORMAL AND INFORMAL SUPPORT SYSTEMS:** Informal support is the offerings of  
1286 friends, neighbors, churches, and community agencies that can range from volunteer reading  
1287 tutors to after school supervision, recreational activities, assisting with transportation or keeping  
1288 appointments, etc. Professional services may be donated, offered through health care plans, or  
1289 funded by government agencies. A combination of supports and services may be necessary to  
1290 assist the child, family, and teacher. Selection of basic supports should begin with information  
1291 family network supports and generic community resources available to all citizens. Specialized  
1292 and tailor made supports and services should be developed or purchased, only when necessary, to  
1293 supplement rather than supplant readily available supports and services of satisfactory nature.

1294  
1295 **FULL DISCLOSURE:** Respectful, candid discussion early and throughout the case about the  
1296 impact of out-of-home care on children, clarification of birth parents' rights and responsibilities,  
1297 supports agency will provide, permanency options, and consequences of not following through  
1298 with the case plan. This includes open, honest discussions with all parties – biological families,  
1299 relatives, foster/adoptive families, attorneys, and other service caregivers with the use of family  
1300 group decision-making/conferencing strategies to involve families in early planning.

1301  
1302 **FULL FAITH AND CREDIT:** A legal principle requiring judges to recognize and enforce  
1303 valid orders, decrees, and judgments issued by courts in other states. For example, Utah courts  
1304 recognize a protective order from another state.

1305  
1306 **GAF:** Acronym for Global Assessment of Functioning Scale.

1307  
1308 **GAL:** Acronym for Guardian ad Litem. The court may appoint a GAL to represent the best  
1309 interests of a child involved in a case before the court. Out-of-home providers are encouraged to  
1310 contact the child's GAL about any concerns that the child's needs are not being met.

1311  
1312 **GENITAL MUTILATION:** Performing or facilitating female genital mutilation as defined in  
1313 Utah Code Ann. [§76-5-701](#).

1314  
1315 **GRAMA:** Acronym for Government Records Access Management Act, a Utah statute that  
1316 allows members of the public to obtain copies of certain government records. If a person  
1317 submits a written request for a Child and Family Services record, GRAMA requires Child and

1318 Family Services to disclose the record *unless* such disclosure is prohibited by GRAMA itself  
1319 (e.g., Utah Code Ann. [§63G-2-302](#), [§63G-2-304](#) and [§63G-2-305](#)) or by another state or federal  
1320 statute (e.g., Utah Code Ann. [§80-2-1005](#)). Many of Child and Family Services' records are not  
1321 open to the public due to their classification under GRAMA or other statutes.

1322  
1323 **GUARDIANSHIP OF THE PERSON:** The guardian (caregiver or responsible adult) has the  
1324 authority to consent to the child's marriage; enlistment in the armed forces; major medical,  
1325 surgical, or psychiatric treatment; and to legal custody, if legal custody is not vested in another  
1326 person, agency, or institution. [See: Utah Code Ann. [§80-1-102](#).]

1327  
1328 **HARM:** Harm is defined in Utah Code Ann. [§80-1-102](#). Harm also includes, but is not limited  
1329 to, any injury or condition described in Utah Code Ann. [§76-5-109](#). [See also: The definition of  
1330 Threatened Harm.]

1331  
1332 **HCG:** Urine Pregnancy Test.

1333  
1334 **HEALTH CARE:** Services including medical, dental, and mental health services.

1335  
1336 **HEALTH/PHYSICAL WELL-BEING:** The child's basic physical needs for proper nutrition,  
1337 clothing, shelter, and hygiene are met on a daily basis. Preventive medical and dental care is  
1338 necessary for maintaining good health. Preventive health care should include immunizations,  
1339 dental hygiene, and screening for possible physical or developmental problems. Physical well-  
1340 being encompasses both the child's physical health status and access to timely health services.

1341  
1342 **HEARSAY:** An out-of-court statement that is offered to prove the truth of the matter. NOTE:  
1343 Utah statute, the Utah Rules of Criminal Procedure, and the Utah Rules of Evidence classify  
1344 certain types of statements as "non-hearsay" or as otherwise admissible as evidence. Hearsay  
1345 evidence is admissible at an Administrative Hearing.

1346  
1347 **HIV:** Human Immunodeficiency Virus.

1348  
1349 **HMO:** A Health Maintenance Organization.

1350  
1351 **HOME-TO-HOME BOOK:** The child's Home-to-Home Book will be maintained to preserve  
1352 vital information about the child's events and activities during the time the child spent in care  
1353 such as educational, medical, dental, and mental health. The Home-to-Home Book will be  
1354 reviewed by the worker quarterly.

1355  
1356 **HVR:** Health Visit Report, HVR-Child and Family Services Form 984.

1357  
1358 **ICWA:** Acronym for the Indian Child Welfare Act. ICWA is the federal statute that establishes  
1359 certain standards and procedures that a state non-Native American authority must follow when  
1360 removing a Native American child from a care provider and placing the child in the state's  
1361 temporary custody.



1362  
1363 **ICWA KINSHIP/RELATIVE DEFINITION:** An "extended family member" is defined by the  
1364 law or custom of the Native American child's tribe, or in the absence of such law or custom, is  
1365 any person who has reached the age of 18 years and who is the Native American child's  
1366 grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew,  
1367 first or second cousin, or stepparent. [*See*: 25 U.S.C. §1903.]  
1368

1369 **IMMEDIATE PROTECTION SAFETY ASSESSMENT:** An organized protocol of assessing  
1370 the immediate protection and safety needs of the alleged victim at the worker's initial contact.  
1371

1372 **INCEST:** Engaging in sexual intercourse with a person whom the perpetrator knows to be the  
1373 perpetrator's ancestor, descendant, brother, sister, siblings by marriage (while the marriage  
1374 exists), siblings by adoption, uncle, aunt, nephew, niece, or first cousin. The relationships cited  
1375 above include blood relationships of the whole or half blood, without regard to legitimacy;  
1376 relationships of parent and child by adoption; and relationships of stepparent and stepchild while  
1377 the marriage creating the relationship of a stepparent and stepchild exists. Incest includes  
1378 providing or making available seminal fluid or a human egg and other conduct specified in Utah  
1379 Code Ann. [§76-7-102](#) and [§80-1-102](#). [*See also*: The definitions of Sexual Abuse and Sexual  
1380 Intercourse.]  
1381

1382 **INDECENT LIBERTIES:** Touching the actor's genitals, anus, buttocks, pubic area, or female  
1383 breast against any part of the body of the victim; causing the victim to touch the actor's or  
1384 another's genitals, pubic area, anus, buttocks, or female breast; simulating or pretending to  
1385 engage in sexual intercourse with the victim, including genital-genital, oral-genital, anal-genital,  
1386 or oral-anal intercourse. [*See*: Utah Code Ann. [§76-5-416](#)).  
1387

1388 **INTAKE:** The process of receiving the initial information from a referent who is alleging an act  
1389 of abuse, neglect, or dependency against a child, researching for additional information, and  
1390 disposition of the referral including determining appropriate assignment and prioritization of an  
1391 accepted referral.  
1392

1393 **IPSA:** Acronym for an Individual Protection Safety Assessment.  
1394

1395 **JUDICIAL REVIEW:** A court review of agency actions. This review may be in Juvenile Court  
1396 and relate to Child and Family Services actions in a case under court jurisdiction. The review  
1397 may also relate to review of a final decision from and administrative law judge in an  
1398 administrative hearing.  
1399

1400 **KINSHIP:** The relationship of family members or near kin who are a fit, safe, and appropriate  
1401 placement for the alleged primary victim or siblings and is an adult who is a grandparent, great  
1402 grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, stepparent, first  
1403 cousin, stepsibling, or sibling of the child. Preference may be given to kin or a non-custodial  
1404 parent who are a fit, safe, and appropriate placement for an emergency kinship placement in  
1405 accordance with Utah Code Ann. [§80-3-302](#). Kinship placement may be an alternative to an out-

1406 of-home care placement. The child in a kinship placement may be in the custody of Child and  
1407 Family Services or in the custody of relatives. [See also: The definition of ICWA  
1408 Kinship/Relative Definition.] [See also: Utah Code Ann. [§80-3-102](#), which defines the term  
1409 "relative" to include such "extended family members" and great grandparents, great aunts, great  
1410 uncles, and stepsiblings.]

1411  
1412 **KINSHIP CARE:** The full-time care, nurturing, and protection of a child by relatives when a  
1413 court determines the child cannot be cared for safely by their parents.

1414  
1415 **LEARNING DEVELOPMENT PROGRESS** (for children under age five years): The child is  
1416 actively engaged in developmental and educational processes that enable the child to develop the  
1417 skills and functional capabilities at a rate and level consistent with his or her age and abilities.  
1418 Essential functional capabilities include: walking/mobility, talking/communicating, toileting,  
1419 following simple and more complex directions, independent/parallel/cooperative play,  
1420 independent dressing, color recognition, etc. Children who have developmental delays or  
1421 physical limitations should be receiving the necessary support to maximize their development.

1422  
1423 **LEARNING PROGRESS** (for children age five years and older): The child is a learner who is  
1424 actively engaged in developmental, educational, and/or vocational processes that are enabling  
1425 him or her to build skills and functional capacities at a rate and level consistent with his or her  
1426 age and abilities. Learning progress is concerned not only with academic progress and  
1427 achievement test scores, but also with acquisition and demonstration of functional capabilities  
1428 that include self-care, mobility, communications, literacy, self-direction, caring relationships,  
1429 community orientation, citizenship participation, employability, and independent living. The  
1430 ultimate concern is whether the child is learning and progressing at a rate that will enable him or  
1431 her to become a responsible, competent, contributing citizen upon completion of public school.

1432  
1433 **LEGAL CUSTODY:** A relationship embodying the following rights and duties:

- 1434
- 1435 A. The right to physical custody of the child.
  - 1436
  - 1437 B. The right and duty to protect, train, and discipline the child.
  - 1438
  - 1439 C. The duty to provide the child with food, clothing, shelter, education, and ordinary  
1440 medical care.
  - 1441
  - 1442 D. The right to determine where and with whom the child will live.
  - 1443
  - 1444 E. The right, in an emergency, to authorize surgery or extraordinary care.
  - 1445

1446 [See: Utah Code Ann. [§80-1-102](#).]  
1447

1448 **LICENSED SOCIAL SERVICES WORKER:** A Bachelor's Degree worker with a Social  
1449 Service Worker (SSW) license, or a Master's level (CSW, LCSW, LPC, or MFT) license.  
1450 Advanced Master's level licenses have additional clinical-based requirements.

1451  
1452 **LIFE BOOK:** A record of the child's personal history from birth, including the child's time in  
1453 out-of-home care.

1454  
1455 **LONG-TERM KINSHIP CARE:** Care provided, subsequent to the permanency hearing, to a  
1456 child by a relative who is a licensed foster parent. At the permanency hearing, the court must  
1457 identify and document, on an individual basis, a "compelling reason" that return home, adoption,  
1458 or permanent custody and guardianship with the relative is not in the best interest of the child.  
1459 The child remains in the custody of Child and Family Services and is subject to the continuing  
1460 supervision of the court.

1461  
1462 **LONG-TERM VIEW:** The long-term view is a guiding strategic vision used to set the purpose  
1463 and path of intervention and support. It is used to focus a coherent Child and Family Plan and  
1464 process. A long-term view anticipates and defines what the child must have, know, and be able  
1465 to do in order to be successful following his or her next major developmental or placement  
1466 transitions. The long-term view must answer the question of where the case is headed and why.

1467  
1468 **MEDICALLY FRAGILE:** A child who has an extraordinary, diagnosed health condition and  
1469 meets one or more of the following criteria:

- 1470  
1471 A. Chronic debilitating condition.  
1472  
1473 B. Acute condition(s) requiring three or more follow-up visits per month for three  
1474 consecutive months.  
1475  
1476 C. At risk for developing an acute condition and requiring extensive monitoring.

1477  
1478 **MEDICALLY NEEDY:** A child whose condition warrants additional treatment, therapy,  
1479 and/or excessive follow-up care (may be transitional). The child is between the ages of 0-18  
1480 years and suffers from physical and/or mental debilitation inhibiting his or her growth and  
1481 development and/or whose condition requires specialized skill by another to meet his or her daily  
1482 living activities, which include:

- 1483  
1484 A. Nutrition.  
1485  
1486 B. Sleep.  
1487  
1488 C. Elimination.  
1489  
1490 D. Ambulation.

1491

1492 E. Socialization.

1493

1494 **MEPA:** The Multi-Ethnic Placement Act that prohibits the use of a child's or a prospective  
1495 parent's race, color, or national origin to delay or deny the child's placement and by requiring  
1496 diligent efforts to expand the number of racially and ethnically diverse foster and adoptive  
1497 parents.

1498

1499 **METHAMPHETAMINE:** A potent central nervous system stimulant that can be smoked,  
1500 snorted, injected, taken orally, or used in suppository form. It increases the heart rate, blood  
1501 pressure, body temperature, and rate of breathing; it dilates the pupils; and it produces euphoria,  
1502 increased alertness, a sense of increased energy, and tremors. High doses or chronic use have  
1503 been associated with increased nervousness, irritability, and paranoia. Withdrawal from high  
1504 doses often produces severe depression. Methamphetamine is a lethal, dangerous, and  
1505 unpredictable drug. Exposure of a child to a methamphetamine laboratory is felony child  
1506 endangerment. [See: Utah Code Ann. [§76-5-112.5](#).] [See also: The definition of Physical  
1507 Abuse.]

1508

1509 **MINOR:** Except as provided in Part 7, Interstate Compact on Placement of Children:

1510

1511 A. A child; org

1512

1513 B. A person:

- 1514 1. Who is at least 18 years of age and younger than 21 years of age; and
- 1515 2. For whom Child and Family Services has been specifically ordered by the  
1516 juvenile court to provide services. Please note, however, that some criminal  
1517 justice statutes define a child or minor differently for purposes of particular sexual  
1518 offenses. [See: Utah Code Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-](#)  
1519 [402.1](#), [§76-5-402.2](#), [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-](#)  
1520 [404.1](#).] In appropriate circumstances, those statutes may apply.

1521

1522 **MUNCHAUSEN SYNDROME BY PROXY:** [See: The definition of Pediatric Condition  
1523 Falsification.]

1524

1525 **NATIVE AMERICAN CHILD:** An unmarried or married person who is under age 18 years  
1526 and is:

1527

1528 A. A member of a Native American tribe, or

1529

1530 B. Eligible for membership in a Native American tribe and is the biological child of a  
1531 member of a Native American tribe. [See: The definition of ICWA.]

1532

1533 **NATURAL PARENT:** A biological or adoptive mother; a biological or adoptive father.

1534

1535 **NEAR FATALITY:** A child who is certified by a physician to be in serious or critical condition  
1536 and has been admitted to an Intensive Care Unit as a result of an injury or illness as a direct  
1537 result of child abuse or neglect. This does not include drug exposed newborns who are admitted  
1538 to a neonatal Intensive Care Unit at the time of birth.  
1539

1540 **NOTICE OF AGENCY ACTION:** Written notification to an individual about a case finding  
1541 that identifies the individual as responsible for abuse, neglect, or dependency. The notification  
1542 specifies the findings, explains who will have access to the information on the database, and  
1543 outlines the due process procedures for challenging the findings in an Administrative Hearing.  
1544 Notice of Agency Action is also sent when foster children are removed, when benefits are  
1545 changed, etc. [See: Utah Code Ann. [§63G-4-102](#) and [§63G-4-201](#), and Administrative Rule  
1546 [R497-100](#).]  
1547

1548 **ORSIS:** Acronym for the Office of Recovery Services Information System.  
1549

1550 **OUT-OF-HOME CAREGIVER:** Foster, adoptive, and kinship parents (or other out-of-home  
1551 caregivers) who work with the agency and the primary parents to attempt, except in limited  
1552 situations, to return children to their families of origin. Also referred to as “resource families.”  
1553

1554 **OUT-OF-HOME CARE PROVIDER:** A provider who cares for children in the custody of  
1555 Child and Family Services, other than their parents or relatives (i.e., foster parents, etc.).  
1556

1557 **PCP:** Acronym for Primary Care Professional. A medical professional, or group of  
1558 professionals, who provide continuous and comprehensive health care, and maintain the health  
1559 records of an individual and/or a family. They act as the entry point to the health care system  
1560 and coordinate services provided by specialists. It excludes these caregivers in the following  
1561 settings: emergency room departments, local health departments, or urgent care centers. An  
1562 emergency department or urgent care facility is not a primary care professional.  
1563

1564 **PEER PARENT:** An out-of-home caregiver, or other specially trained individual, who engages  
1565 and teams with the child’s parents to help improve parenting, nurturing, and/or household  
1566 management skills.  
1567

1568 **PERIOD OF MINORITY:** A youth may be in out-of-home care longer than age 18 but prior to  
1569 reaching age 21, when certain conditions exist; i.e., the youth is in the process of completing  
1570 high school (by age 19); for medical or disability reasons; or if ordered by the court. “The period  
1571 of minority extends in males and females to the age of eighteen (18) years of age; but all minors  
1572 obtain their majority by marriage. It is further provided that courts in divorce actions may order  
1573 support to age 21.” [See: Utah Code Ann. [§15-2-1](#).]  
1574

1575 **PERMANENCY:** The establishment and maintenance of a permanent living situation for a  
1576 child to give the child an internal sense of family stability and belonging and a sense of self that  
1577 connects the child to his or her past, present, and future. Permanency can be achieved in a  
1578 number of ways based on the child’s circumstances; e.g.: (1) keeping or returning the child to his

1579 or her home; (2) placing the child with a relative or non-relative and supporting permanent  
1580 custody or guardianship; (3) supporting independent living; or (4) adoption.

1581  
1582 **PERMANENCY HEARING:** A permanency hearing is a hearing to determine the future status  
1583 of the child (Utah Code Ann. [§80-3-406](#) and [§80-3-409](#)). When reunification services have been  
1584 ordered, a permanency hearing will be held within 12 months of the removal of the child or  
1585 within eight months of the removal of a child under 36 months of age at the time of removal.

1586  
1587 **PERMANENCY PLANNING:** The process that is used to establish families for children that  
1588 offer continuity of relationships with nurturing parents or caretakers and the opportunity to  
1589 establish lifetime relationships.

1590  
1591 **PERMANENCY PLANNING OUTCOMES:** Child and Family Services seeks first to  
1592 preserve and support the child’s biological (primary) family, and when that is not possible, to  
1593 secure a family, adoptive or otherwise, that offers the hope of lifelong family-like relationships.  
1594 Renewing Our Commitment to Permanency for Children-NRCFPFC and CWLA—1999.

1595  
1596 **PERPETRATOR:** A person substantially responsible for causing child abuse or neglect, or a  
1597 person responsible for a child’s care who permits another to abuse or neglect a child. [*See:* Utah  
1598 Code Ann. [§76-5-109](#) and Administrative Rule [R512-80](#).]

1599  
1600 **PHYSICAL INJURY:** A non-accidental injury or condition that impairs or endangers the  
1601 physical condition of a child, including (but not limited to) the following:

- 1602
- 1603 A. A bruise or other contusion of the skin.
  - 1604
  - 1605 B. A minor laceration or abrasion.
  - 1606
  - 1607 C. Failure to thrive or malnutrition.
  - 1608
  - 1609 D. Any other condition that imperils the child’s health or welfare and which is not serious  
1610 physical injury as defined in Utah Code Ann. [§76-5-109](#).

1611  
1612 **PLACEMENT:** A child’s living arrangement while in out-of-home care, selected by a team  
1613 including the family and agency representatives, which is selected to meet the child’s needs.

1614  
1615 **PLACEMENT OF CHILD NOT FREE FOR ADOPTION:** Placement of a child with an  
1616 adoptive/foster care family pursuing adoption or when the court has not yet terminated the rights  
1617 of the birth parents or the birth parents have not yet signed a voluntary relinquishment of parental  
1618 rights. May also be known as “at-risk” or “fost-adopt.”

1619  
1620 **PLACEMENT SERVICES:** Those services offered to the family, child, and out-of-home  
1621 caregiver to work toward permanency.

1622



1623 **PLAN IMPLEMENTATION:** The provisions of the Child and Family Plan have to be  
1624 implemented via timely delivery of adequate services. Implementation involved the arrangement  
1625 of supports and delivery of services according to the Child and Family Plan. The agreed upon  
1626 strategies, supports, services, and other intervention activities are to be delivered in a timely and  
1627 competent manner, consistent with identified needs and preferences, and following the principles  
1628 of the Practice Model. Delivery of services by persons having the necessary skills, resources,  
1629 time, and opportunity to provide supports and services commensurate with the urgency and  
1630 complexity of the child’s needs and situation is essential for producing desired results. A  
1631 “smart” implementation process is interactive, offering ongoing adaptation of service  
1632 arrangements in response to frequent feedback received about changing situation, emerging  
1633 needs, and results being achieved.

1634  
1635 **PLEA BARGAIN:** An agreement in which a defendant admits to a criminal charge that is less  
1636 than the original charge without having a hearing or trial. A plea bargain does *not* affect the  
1637 finding in a child protection investigation case.

1638  
1639 **PLEA IN ABEYANCE:** An order by a court, upon motion of the prosecution and the defendant,  
1640 accepting a plea of guilty or of no-contest from the defendant but not, at that time, entering  
1641 judgment of conviction against the defendant or imposing sentence, on condition that the  
1642 defendant will comply with specific conditions as set forth in the plea in abeyance agreement.  
1643 [See: Utah Code Ann. [§77-2a-1.](#)] A defendant's plea in abeyance in a case involving the abuse,  
1644 neglect, or dependency of a child does not affect the findings of Child and Family Services in a  
1645 child protection investigation case.

1646  
1647 **POSITION OF SPECIAL TRUST:** A position occupied by a person in a position of authority  
1648 who, by reason of that position, is able to exercise undue influence over the alleged victim. Such  
1649 persons include (but are not limited to) a youth leader or recreational leader who is an adult,  
1650 adult athletic manager, adult coach, teacher, counselor, religious leader, doctor, employer, foster  
1651 parent, babysitter, adult scout leader, natural parent, stepparent, adoptive parent, legal guardian,  
1652 grandparent, aunt, uncle, or adult cohabitant of a parent. [See: Utah Code Ann. [§76-5-404.1.](#)]

1653  
1654 **POST ADOPTION:** After finalization of an adoption.

1655  
1656 **PRACTICE MODEL PRINCIPLES:** Protection - children’s safety is paramount;  
1657 Development - Children and families need consistent nurturing in a healthy environment to  
1658 achieve their developmental needs; Permanency - All children need and are entitled to enduring  
1659 relationships that provide a family stability and belonging and a sense of self that connects  
1660 children to their past, present, and future; Cultural Responsiveness - Children and families have  
1661 the right to be understood within the context of their own family rules, traditions, history, and  
1662 culture; Partnership - The entire community shares the responsibility to create an environment  
1663 that helps families raise their children to their fullest potential; Organizational Competence -  
1664 Committed, qualified, trained, and skilled staff, supported by an effectively structured  
1665 organization, helps insure positive outcomes for children and families; and Professional  
1666 Competence - Children and families need a relationship with an accepting, concerned, empathic

1667 worker who can confront difficult issues and effectively assist them in their process toward  
1668 positive change

1669  
1670 **PRELIMINARY PLACEMENT WITH KIN:** A temporary placement with kin as an  
1671 alternative to shelter. A Preliminary Placement with kin may or may not be selected as a long-  
1672 term placement for the child. After the Preliminary Placement, Child and Family Services will  
1673 make a reasonable search for a long-term placement that meets the child’s needs and challenges.

1674  
1675 **PREPONDERANCE:** Evidence that, as a whole, shows that the fact sought to be proven  
1676 (abuse, neglect, or dependency) is more probable than not.

1677  
1678 **PRIORITY RESPONSE TIMES:** The time allotted under Child and Family Services Practice  
1679 Guidelines for a Child and Family Services CPS caseworker to make face-to-face contact with a  
1680 child on an allegation of abuse, neglect, or dependency that drives the priority for the referral.  
1681 [See: Administrative Rule [R512-200-3.](#)]

1682  
1683 A. A Priority 1 response will be assigned when the child referred is in need of immediate  
1684 protection. Intake will begin to collect information immediately after the completion of  
1685 the initial contact from the referent. As soon as possible thereafter, Intake will obtain  
1686 additional information, staff the referral to determine the priority, notify law enforcement,  
1687 and assign to the Child and Family Services CPS worker. Intake will provide the Child  
1688 and Family Services CPS worker with information concerning prior investigations on  
1689 SAFE. The Child and Family Services CPS worker has as a standard of 60 minutes from  
1690 the time Intake notifies the worker to initiate efforts to make face-to-face contact with an  
1691 alleged victim. For a Priority 1R (rural) referral, a Child and Family Services CPS worker  
1692 has, as a standard, three hours to initiate efforts to make face-to-face contact if the alleged  
1693 victim is more than 40 miles from the investigator who is assigned to make the face-to-  
1694 face contact.

1695  
1696 B. A Priority 2 response will be assigned when physical evidence is at risk of being lost or  
1697 the child is at risk of further abuse, neglect, or dependency, but the child does not have  
1698 immediate protection and safety needs, as determined by the Intake checklist. Intake will  
1699 begin to collect information as soon as possible after the completion of the initial contact  
1700 from the referent. As soon as possible Intake will obtain additional information, staff the  
1701 referral to determine the priority, assign the referral to the Child and Family Services  
1702 CPS worker, and notify law enforcement. Intake will give verbal notification to the  
1703 assigned Child and Family Services CPS worker. Intake will also provide the Child and  
1704 Family Services CPS worker with information concerning prior investigations on SAFE.  
1705 The Child and Family Services CPS worker has, as a standard, 24 hours from the time  
1706 Intake notifies the worker to initiate efforts to make face-to-face contact with the alleged  
1707 victim. Notification of a Priority 2 referral received after normal working hours (8:00  
1708 a.m. through 5:00 p.m.) will occur as early as possible following morning.

1709



1710 C. A Priority 3 response will be assigned when potential for further harm to the child and the  
1711 loss of physical evidence is low. Prior to transferring the case to a Child and Family  
1712 Services CPS worker, Intake will obtain additional information, research data sources,  
1713 staff the referral as necessary, determine the priority, complete documentation including  
1714 data entry, make disposition to CPS, and notify law enforcement. Intake will also provide  
1715 the Child and Family Services CPS worker with information concerning prior  
1716 investigations on SAFE. The Child and Family Services CPS worker will make the face-  
1717 to-face contact with the alleged victim within a reasonable period of time.

1718  
1719 D. Priority 4 is no longer valid.  
1720

1721 **PROCEDURES:** Statewide mandatory guidelines or directions that explain the specific day-to-  
1722 day tasks involved in implementing Child and Family Services Practice Guidelines in accordance  
1723 with statutes, Administrative Rules, and other governing law. Procedures are usually more  
1724 detailed than either Administrative Rules or Practice Guidelines. Procedures are mandatory.  
1725

1726 **PROSPECTS FOR PERMANENCE:** Permanency, commonly identified with the meaning of  
1727 “family” or “home,” suggests not only a stable setting, but also stable caregivers and peers,  
1728 continuous supportive relationships, and some level of parental/caregiver commitment and  
1729 affection. Evidence of permanency includes resolution of guardianship, adequate provision of  
1730 necessary supports for the caregiver, and the achievement of stability in the child’s home and  
1731 school settings.  
1732

1733 **PROTECTIVE CUSTODY:** Taking a child into custody for protection by a Child and Family  
1734 Services CPS caseworker, law enforcement officer, or physician. [*See:* Utah Code Ann. [§80-2-](#)  
1735 [102](#) and [§80-3-102](#).] [*See also:* The definitions of Custody, DHHS Custody, Legal Custody,  
1736 Temporary Custody, and Voluntary Custody.]  
1737

1738 **PROTECTIVE SERVICES COUNSELING:** Voluntary services provided by Child and  
1739 Family Services to a family.  
1740

1741 **PROTECTIVE SERVICES SUPERVISION:** A legal status created by court order after an  
1742 adjudication on the grounds of abuse, neglect, or dependency in which the child is permitted to  
1743 remain in the home or is placed in a relative's home, and supervision and assistance to correct the  
1744 abuse, neglect, or dependency is provided by an agency designated by the court. [*See:* Utah  
1745 Code Ann. [§80-1-102](#).]  
1746

1747 **PROXIMITY (IN RELATION TO CHILD PLACEMENT):** “Reasonable proximity”  
1748 includes placing the child within their neighborhood so that family contact, continued school  
1749 placement, church involvement, and friendships may be maintained.  
1750

1751 **QA:** Acronym for Quality Assurance. QA is a tool used to ensure that Child and Family  
1752 Services’ Practice Guidelines are met.  
1753

1754 **REASONABLE EFFORTS:** Such reasonable efforts include an assessment of the protection  
1755 needs of a child and the consideration and implementation of protective services that could  
1756 enable a child to remain safely in the home. The term "reasonable efforts" refers to efforts to  
1757 provide services that are reasonably available (that is, services that are accessible to arrange,  
1758 refer, or provide, or that are available from other community resources).

1759  
1760 Both state and federal law require reasonable efforts to prevent removal and to return children  
1761 home where safe and appropriate. The court reviews these efforts at shelter hearings,  
1762 permanency hearings, and parental termination hearings. In certain circumstances, reasonable  
1763 efforts (reunification services) are not required. [See: Form for 24-hour multidisciplinary  
1764 meeting; Utah Code Ann. [§80-3-406.](#)]

1765  
1766 **REASSIGNMENT:** Assigning a case to a different worker.

1767  
1768 **REFERRAL:** Information provided to Child and Family Services alleging abuse, neglect, or  
1769 dependency.

1770  
1771 **RELATIVE:** An adult who is a grandparent, great grandparent, aunt, great aunt, uncle, great  
1772 uncle, brother-in-law, sister in-law, stepparent, first cousin, stepsibling, or sibling of the child.  
1773 [See: Utah Code Ann. [§80-3-102.](#)]

1774  
1775 In the case of a Native American child, "relative" also means an "extended family member" as  
1776 defined by the Indian Child Welfare Act, 25 U.S.C. §1903.

1777  
1778 **RELINQUISHMENT:** A voluntary termination of parental rights.

1779  
1780 **RESIDENCE:** A common abode that both individuals consider to be their primary domicile or  
1781 home and not simply a place that one of the individuals makes a habit of visiting.

1782  
1783 **RESIDUAL PARENTAL RIGHTS AND DUTIES:** Those rights and duties remaining with  
1784 the parent after legal custody or guardianship, or both, have been vested in another person or  
1785 agency. Residual parental rights and duties include the responsibility for support, the right to  
1786 consent to adoption, the right to determine the child's religious affiliation, and the right to  
1787 reasonable visitation unless restricted by the court. If no guardian has been appointed, "residual  
1788 parental rights and duties" also include the right to consent to marriage, to enlistment in the  
1789 armed forces, and to major medical surgical or psychiatric treatment. [See: Utah Code Ann. [§80-  
1790 1-102.](#)]

1791  
1792 **RESOURCE FAMILY:** Foster, adoptive, and kinship parents (or other out-of-home  
1793 caregivers) who work with the agency and the primary parents to attempt, except in limited  
1794 situations, to return children to their families of origin.

1795  
1796 **RESPITE CARE:** Kin or out-of-home caregivers with intermittent, time-limited relief from  
1797 care.

1798  
1799 **REUNIFICATION SERVICES:** These are reasonable services that Child and Family Services  
1800 is ordered to provide to the child and family to assist with the reunification process.  
1801 Reunification services may not extend beyond 12 months, or eight months if a child is under 36  
1802 months of age, from the date that the child was initially removed from the home. Except the  
1803 court may extend reunification services for no more than 90 days if it finds that there has been  
1804 substantial compliance with the Child and Family Plan, and that reunification is probable within  
1805 that 90-day period and that the extension is in the best interest of the child.

1806  
1807 **RISK ASSESSMENT:** An organized protocol whereby Child and Family Services or another  
1808 agency gathers information to identify the strengths and challenges and other factors of the  
1809 family members that may contribute to safety or risk issues of a child who may be an alleged  
1810 victim of abuse, neglect, or dependency. A risk assessment may also identify other contributing  
1811 factors related to the abuse, neglect, or dependency of a child.

1812  
1813 **SAFETY ASSESSMENT:** A determination of the current well-being and safety of a child  
1814 whom Child and Family Services has assessed as being at risk of maltreatment, based on factors  
1815 such as the controllability of risk influences, the immediacy of the risk of maltreatment, the  
1816 potential severity of future maltreatment, and the potential for future incidents of abuse or  
1817 neglect to the child.

1818  
1819 **SAFETY PLAN:** [*See:* CPS Practice Guidelines [Section 202.6.](#)]

1820  
1821 **SATISFACTION:** The child, parent/guardian, and substitute caregiver are satisfied with the  
1822 supports and services they are receiving. This is based upon their perspective.

1823  
1824 **SERIOUS HARM:** Includes but is not limited to “serious physical injury” as defined in Utah  
1825 Code Ann. [§76-5-109](#) and Administrative Rule [R512-80](#).

1826  
1827 **SERIOUS PHYSICAL INJURY:** A physical injury or set of injuries or condition that seriously  
1828 impairs the child’s health, or that involves physical torture or causes serious emotional harm to  
1829 the child, or that causes a fatality or involves a substantial risk of death to the child, including  
1830 (but not limited to):

- 1831  
1832 A. Fracture of any bone or bones (even if the fracture has subsequently healed),  
1833  
1834 B. Intracranial bleeding, swelling, or contusion of the brain, whether caused by blows or  
1835 shaking, or by causing the child’s head to impact with an object or surface (Abusive Head  
1836 Trauma),  
1837  
1838 C. Any burn, including burns inflicted by hot water, or those caused by placing a hot object  
1839 on the skin or body of the child,  
1840

- 1841 D. Any injury caused by use of a deadly or dangerous weapon as defined by Utah Code  
1842 Ann. [§76-1-601](#),  
1843  
1844 E. Any combination of two or more physical injuries inflicted by the same person, either at  
1845 the same time or on different occasions,  
1846  
1847 F. Any damage to internal organs of the body,  
1848  
1849 G. Any conduct toward a child that results in severe emotional harm, severe developmental  
1850 delay or intellectual disability, or severe impairment of the child's ability to function,  
1851  
1852 H. Any injury that creates a permanent disfigurement or protracted loss or impairment of the  
1853 function of a bodily member, limb, or organ,  
1854  
1855 I. Any impediment of the breathing or the circulation of blood by application of pressure to  
1856 the neck, throat, or chest, or by the obstruction of the nose or mouth, that is likely to  
1857 produce a loss of consciousness.  
1858  
1859 J. Any conduct that results in starvation, failure to thrive, or malnutrition that jeopardizes  
1860 the child's life, or  
1861  
1862 K. Any bodily injury, substantial bodily injury, or serious bodily injury suffered by a child if  
1863 the injury resulted from the actor knowingly or intentionally causing the child to suffer  
1864 from exposure to, ingestion of, inhalation of, or contact with a controlled substance,  
1865 chemical substance, or drug paraphernalia, as those terms are defined in Utah Code Ann.  
1866 [§76-5-112.5](#).

1867  
1868 [See: Utah Code Ann. [§76-5-109](#) and [§76-5-112.5](#).]  
1869

1870 **SEXUAL INTERCOURSE:** Penetration, however slight, of the vagina by the penis, or  
1871 intercourse involving genital contact between individuals other than penetration of the vagina by  
1872 the penis, including (but not limited to) the use of fingers (digital) or the use of any object.  
1873

1874 **SEXUAL REACTIVITY:** When a child engages in sexual behaviors that are beyond normal  
1875 sexual exploration and curiosity for the child's developmental age. The child may have been a  
1876 victim of sexual abuse himself or herself.  
1877

1878 **SIGNIFICANT RISK ASSESSMENT (also known as "YISC"):** An assessment made to  
1879 determine if a person who is under the age of 18 at the time of the alleged act is a risk to other  
1880 children and whether or not that minor's name should be placed on the Licensing Information  
1881 System.  
1882

1883 **SSA:** The entitlement program from Social Security for death benefits.  
1884

1885 **SSI:** The entitlement insurance administration program from Social Security for individuals with  
1886 disabilities.

1887  
1888 **STABILITY:** Stability is when a child has established enduring caring relationships with key  
1889 adults and has consistency of settings and routines. Optimal stability exists when the child  
1890 enjoys a positive and enduring relationship with parents/caregivers, key adult supporters, and  
1891 peers in home and school settings. A child removed from his or her family should be living in a  
1892 safe, appropriate, and permanent home within 12 months of removal with only one interim  
1893 placement.

1894  
1895 **STAY:** As used in the Administrative Hearing process, to postpone an Administrative Hearing  
1896 pending an adjudication of the same issues in juvenile court or district court.

1897  
1898 **STD:** Acronym for Sexually Transmitted Diseases.

1899  
1900 **SUBJECT OF THE REPORT:** Any person identified in a child abuse, neglect, or dependency  
1901 report in accordance with reporting requirements, including (but not limited to) a child, parent,  
1902 guardian, or other person responsible for a child's care. The subject may include the alleged  
1903 perpetrator. [See: Utah Code Ann. [§80-1-102.](#)]

1904  
1905 **SUBSTANTIATED:** A judicial finding based on a preponderance of the evidence that abuse or  
1906 neglect occurred. If more than one allegation is made or identified during the course of an  
1907 investigation, any "supported" allegation determined to meet the criteria for substantiation  
1908 requires a court finding to become "substantiated." All findings of "substantiated" entered after  
1909 May 6, 2002 are maintained by the juvenile court and the Child and Family Services  
1910 management information system (MIS).[ See: Utah Code Ann. [§80-2-102.](#)]

1911  
1912 **SUCCESSFUL TRANSITIONS:** Special coordination and efforts across service settings and  
1913 providers is essential to prevent breakdowns in services and to prevent any adverse effects of  
1914 changes that occur through the child's life as they experience change in learning situations and  
1915 living environments. Special arrangements or accommodations may be required for success in a  
1916 return setting or new setting. Follow along monitoring may be required for an adjustment  
1917 period.

1918  
1919 **SUPPORT PERSON:** A person 18 years of age or older of the child's choice, who is readily  
1920 available and who can be present during the investigative interview. The support person may  
1921 include (but is not limited to) a school teacher or administrator, guidance counselor, or child care  
1922 provider, but the support person may not be the person who is alleged to be, or potentially may  
1923 be, the alleged perpetrator. [See: Utah Code Ann. [§80-2-704.](#)]

1924  
1925 **SUPPORTED:** A finding, based on the information available to the caseworker at the end of the  
1926 investigation, that there is a reasonable basis to conclude that abuse, neglect, or dependency  
1927 occurred, and that the identified perpetrator is substantially responsible. The perpetrator may be  
1928 unknown. [See: Utah Code Ann. [§80-2-102](#) and [§80-2-707.](#)]

1929

1930 **TAL:** Acronym for Transition to Adult Living.

1931

1932 **TANF** (formerly known as AFDC): Acronym for Temporary Aide to Needy Families, a federal  
1933 program created by the Welfare Reform Act. TANF is the means through which an eligible  
1934 adult obtains financial support from the federal government when there are children residing in  
1935 the home. TANF links with child welfare because of poverty and needs of children that may  
1936 exist after termination of a money grant. These needs may increase the child's needs for child  
1937 welfare services.

1938

1939 **TEAM CONSULTATION:** A group of caseworkers, supervisors, community professionals,  
1940 and partners who review the facts and circumstances of a case and assist in making decisions for  
1941 the safety and care of a child who is the subject of a Child and Family Services case.

1942

1943 **TEMPORARY CUSTODY:** Custody of a child with Child and Family Services from the date  
1944 of the shelter hearing until disposition. [See: Utah Code Ann. [§80-1-102.](#)] [See also: The  
1945 definitions of Custody, DHHS Custody, Legal Custody, Protective Custody, and Voluntary  
1946 Custody.]

1947

1948 **TLP:** Acronym for Transitional Living Payment, a payment code within SAFE enabling Child  
1949 and Family Services TAL coordinators to make payment to youth up to age 21 years, who have  
1950 exited state's custody (either in out-of-home care or transitional living placement). Payments  
1951 may be made to the youth or to other providers for expenses related to daily living. These  
1952 include (but are not limited to) rent, utilities, transportation costs, food, clothing, personal care  
1953 items, etc. It does not include tuition payments.

1954

1955 **TPR:** Acronym for Termination of Parental Rights. TPR is when all rights that a parent or  
1956 parents may have to a child are terminated in court. When it is determined to not be in the  
1957 child's best interest to be reunified with his or her parents and voluntary relinquishment and  
1958 compelling reasons not to terminate are not an option, Child and Family Services will explore  
1959 with legal counsel the termination of parental rights. Also known as permanent deprivation of  
1960 parental rights.

1961

1962 **THREATENED HARM:** Actions, inactions, or credible verbal threats, indicating that the child  
1963 is at an unreasonable risk of harm or neglect. [See: Utah Code Ann. [§80-2-102.](#)]

1964

1965 **TRACKING AND ADAPTATION:** Tracking and adaptation provide the “learning” and  
1966 “change” processes that make the service process effective for the child and family. An ongoing  
1967 examination process should be used to track service implementation, check progress, identify  
1968 emergent needs and problems, and modify services in a timely manner. The Child and Family  
1969 Plan should be modified when objectives are met, strategies are determined to be ineffective,  
1970 new preferences or dissatisfaction with existing strategies and services are expressed, and/or new  
1971 circumstances arise. Members of the Child and Family Team should apply the knowledge



1972 gained through ongoing assessments, monitoring, and periodic evaluations to adapt strategies,  
1973 supports, and services.

1974  
1975 **TRANSITION TO ADULT LIVING:** A program for youth ages 14 to 18 years that aids youth  
1976 in the development of skills needed for successful adult life. Services in this program include  
1977 coursework, home study, community involvement, and/or placement. Transition to Adult Living  
1978 was formerly known as the “Independent Living Program.”

1979  
1980 **TRANSITION TO ADULT LIVING COORDINATOR:** Each region of the state will have a  
1981 coordinator/coordinators of services responsible for oversight of TAL services provided in that  
1982 region. At a minimum, the employee will possess a Bachelor’s Degree with a Social Service  
1983 Social worker (SSW) license and one year of experience working with youth ages 14 to 18 years  
1984 in an out-of-home care or like setting.

1985  
1986 **TRANSITION TO ADULT LIVING PLAN (FORM OH03):** A written plan, which is  
1987 required for each youth age 14 years and older, must be completed 45 days after the youth’s 14th  
1988 birthday and is attached to the already existing service plan. The plan must take into account the  
1989 youth’s unique needs and strengths and will complement the existing service plan by addressing  
1990 those skills needed for the youth to exit the state’s care.

1991  
1992 **TRANSITIONAL LIVING SOCIAL WORKER:** An employee hired by Child and Family  
1993 Services to provide TAL services to youth. At a minimum, the employee will possess a  
1994 Bachelor’s Degree with a Social Service Social worker (SSW) license, and six months  
1995 experience working with youth ages 12 to 18 years in out-of-home care or a like setting.

1996  
1997 **UA:** Urinalysis.

1998  
1999 **UNABLE TO COMPLETE INVESTIGATION:** A CPS case finding when the following  
2000 situation(s) are present:

- 2001
- 2002 A. When the child and/or family move outside the state and a request for courtesy work is  
2003 requested and declined and there is insufficient information to make a finding. [See:  
2004 Practice Guidelines [Section 210.1A.](#)]
  - 2005
  - 2006 B. When the child and/or family move outside the state after the face-to-face contact is made  
2007 with the child and there is insufficient information to make a finding because the  
2008 whereabouts of the child and/or family are unknown. [See: Practice Guidelines [Section](#)  
2009 [210.1B.](#)]
  - 2010
  - 2011 C. When the child and/or family move within the state, the face-to-face with the child was  
2012 made but there is insufficient information to make a finding and the whereabouts of the  
2013 child and/or family are unknown. [See: Practice Guidelines [Section 210.1C.](#)]
  - 2014

2015 **UNABLE TO LOCATE:** A CPS case finding indicating that even though the Child and Family  
2016 Services CPS caseworker has followed the steps outlined in Child and Family Services practice  
2017 guideline and has made reasonable efforts, the Child and Family Services CPS caseworker has  
2018 been unable to make face-to-face contact with the alleged victims to investigate an allegation of  
2019 abuse, neglect, or dependency and to make a determination of whether the allegation should be  
2020 classified as supported, non-supported, or without merit.

2021  
2022 **UNACCOMPANIED MINORS:** Children in the United States who are from other countries  
2023 and whose families are either temporarily or permanently unavailable due to economic hardship,  
2024 political circumstances, or abandonment.

2025  
2026 **UNSUBSTANTIATED:** A judicial finding that there is insufficient evidence to determine that  
2027 abuse, neglect, or dependency occurred.

2028  
2029 **UNSUPPORTED:** A finding based on the information available to the worker at the end of the  
2030 investigation that there was insufficient information to conclude that abuse, neglect, or  
2031 dependency occurred. However, a finding of unsupported means also that the worker did not  
2032 conclude that the allegation was without merit.

2033  
2034 **VOLUNTARY CUSTODY:** A formal agreement in which a legal guardian or custodian grants  
2035 custody of a child to Child and Family Services for placement in a licensed home or facility for a  
2036 limited period of time.

2037  
2038 **VOLUNTARY RELINQUISHMENT:** Consent by a parent to termination of their parental  
2039 rights. A relinquishment must be signed and affirmed before a judge or an officer authorized to  
2040 accept relinquishments. Only the juvenile court is authorized to take relinquishments with regard  
2041 to a child under court jurisdiction.

2042  
2043 **WELL-CHILD EXAMINATION:** A physical examination by a licensed health care  
2044 professional to determine the health status of a child. A child need not present with a specific  
2045 health concern to receive a well-child examination.

2046  
2047 **WITHOUT MERIT:** A finding at the completion of the investigation by Child and Family  
2048 Services, or a judicial finding, that the alleged abuse, neglect, or dependency did not occur, or  
2049 that the alleged perpetrator was not responsible. [*Compare:* The definitions of Supported and  
2050 Unsupported.]

2051  
2052 **WRAP-AROUND SERVICES:** Wrap-around services are used to assist a child and family with  
2053 the reunification process and in meeting their needs. Wrap-around services may include (but are  
2054 not limited to) peer parenting, child care, home health aide services, parenting education, respite  
2055 care, transportation services for visitation, vocational or educational assistance, mental health  
2056 and/or substance abuse assessment and treatment, and housing referral and assistance.

2057

2058 **YARN:** Acronym for Young Adult Resource Network, which provides time limited services for  
2059 youth if they are no longer in care and are not yet 21 years of age, and the youth:

2060

2061 A. Ages out of out-of-home care, or

2062

2063 B. While in out-of-home care, after the age of 14 years, the youth received at least 12  
2064 consecutive months of TAL services and the court terminated reunification.

2065

2066 This assistance can be provided through support, financial aid, or Basic Life Skills Classes and  
2067 may include housing, counseling, employment education, and other appropriate supports and  
2068 services to complement a youth's efforts to achieve self-sufficiency.

2069

2070 **YISC:** See the definition for Significant Risk Assessment.

2071

2072 **YOUTH:** For Child and Family Services purposes, a person over the age of 14 years, a minor.  
2073 [See: Utah Code Ann. [§80-2-102](#) and [§15-2-1.](#)] Please note, however, that some criminal justice  
2074 statutes define a child or minor differently for purposes of particular sexual offenses. [See, e.g.:  
2075 Utah Code Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-402](#), [§76-5-402.1](#), [§76-5-402.2](#),  
2076 [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1.](#)] In appropriate  
2077 circumstances, those statutes may apply. [See also: The definition of Native American Child.]

2078