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254 **PURPOSE AND INTERPRETATION OF THESE DEFINITIONS**

255 Under Utah law, Child and Family Services is responsible for providing child welfare services and
256 protecting children from abuse, neglect, and dependency. In determining what constitutes
257 abuse, neglect, or dependency, the definitions in Utah Code Ann. [§62A-4a-101](#), et. seq., [§78A-](#)
258 [6-105](#), et. seq., the Criminal Code, these Administrative Rules, and court opinions apply. These
259 definitions are intended only for internal guidance and are not public law.

260
261 It is intended that these definitions should be applied and interpreted according to the
262 following principles:

- 263
- 264 A. These definitions supersede earlier definitions.
 - 265
 - 266 B. To the extent that these definitions are inconsistent with those established in public law
267 (statutes, Administrative Rules, and court opinions), the latter controls and will be
268 applied.

269

ALLEGATION DEFINITIONS

ABUSE: Non-accidental harm or threatened harm of a child or sexual exploitation or sexual abuse. [See: Utah Code Ann. [§78A-6-105](#) 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. [§62A-4a-101](#).]

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. 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.

310 **Emotional Abuse, Chronic:** Engaging in conduct or threatening a child with conduct that
311 causes or can reasonably be expected to cause the child emotional harm. This includes,
312 but is not limited to, demeaning or derogatory remarks that affect or can reasonably be
313 expected to affect a child's development of self and social competence; or threatening
314 harm, rejecting, isolating, terrorizing, ignoring, or corrupting the child. Is repeated or
315 patterned abuse. (NOTE: Chronic abuse may be identified from the first referral.) [See:
316 Utah Code Ann. [§62A-4a-101](#).]
317

318 **Emotional Abuse, Severe:** Abuse that causes or threatens to cause serious harm to a
319 child. Engaging in conduct or threatening a child with conduct that causes or can
320 reasonably be expected to cause the child emotional harm. This includes, but is not
321 limited to, demeaning or derogatory remarks that affect or can reasonably be expected
322 to affect a child's development of self and social competence; or threatening harm,
323 rejecting, isolating, terrorizing, ignoring, or corrupting the child. Severe abuse is defined
324 in Utah Code Ann. [§78A-6-105](#).
325

326 **Fetal Exposure to Alcohol or other Harmful Substances:** A condition in which a child has
327 been exposed to or is dependent upon harmful substances as a result of the mother's
328 use of illegal substances or abuse of prescribed medications during pregnancy, or the
329 child has fetal alcohol spectrum disorder .
330

331 **Dealing in Material Harmful to a Child:** Distributing (providing or transferring
332 possession), exhibiting (showing), or allowing immediate access to material harmful to a
333 child or any other conduct constituting an offense under Utah Code Ann. [§76-10-1201](#)
334 [through 1206](#). [See: The definition of Material Harmful to a Child.]
335

336 **Material Harmful to a Child:** Any visual, pictorial, audio, or written representation (in
337 whatever form, including performance) that includes pornographic or sexually explicit
338 material, including nudity, sexual conduct, sexual excitement, or sadomasochistic abuse
339 that:

- 340 1. Taken as a whole, appeals to the prurient interest in sex of a child, and
- 341 2. Is patently offensive to prevailing standards in the adult community as a whole
342 with respect to what is suitable material for a child, and
- 343 3. Taken as a whole does not have serious value for a child. "Serious value" includes
344 only serious literary, artistic, political, or scientific value for a child.
345

346 [See: The definition of Dealing in Material Harmful to a Child.]
347

348 **Pediatric Condition Falsification (formerly Munchausen Syndrome by Proxy):** A cluster
349 of symptoms or signs, circumstantially related, in which the parent or guardian
350 misrepresents information and/or simulates or produces illness in a child, has

351 knowledge about the etiology of the child's illness but denies such knowledge, seeks
352 multiple medical procedures, or acute symptoms and signs of the illness cease when the
353 child is separated from the parent or guardian.

354
355 A Pediatric Condition Falsification supported finding must be supported by the child's
356 primary care physician or other medical professional's opinion. (May also be referred to
357 as Medical Child Abuse or Factitious Disorder.)

358
359 **Physical Abuse:** Non-accidental physical harm or threatened physical harm of a child
360 that may or may not be visible. Unexplained physical harm to an infant, toddler,
361 disabled, or non-verbal child. Physical abuse may also include a child who suffered
362 physical harm during a domestic violence episode. Physical harm includes, but is not
363 limited to, "physical injury" and/or "serious physical injury" as defined in Utah Code
364 Ann. [§76-5-109](#). To support a finding of physical abuse, Child and Family Services need
365 not show that the alleged perpetrator actually intended to harm the child; it is sufficient
366 to show that the conduct was non-accidental and physical harm or threatened physical
367 harm actually occurred.

368
369 **Physical Abuse, Chronic:** Non-accidental physical harm or threatened physical harm of a
370 child that may or may not be visible. Unexplained physical harm to an infant, toddler,
371 disabled, or non-verbal child. Physical abuse may also include a child who suffered
372 physical harm during a domestic violence episode. Physical harm includes, but is not
373 limited to, "physical injury" and/or "serious physical injury" as defined in Utah Code
374 Ann. [§76-5-109](#).

- 375 1. Physical harm need not be proven by visible evidence or physical impairment.
376 2. To support a finding of physical abuse, Child and Family Services need not show
377 that the alleged perpetrator actually intended to harm the child; it is sufficient to
378 show that the conduct was non-accidental and physical harm or threatened
379 physical harm actually occurred.
380 3. Is repeated or patterned abuse. (NOTE: Chronic abuse may be identified from
381 the first referral.) [See: Utah Code Ann. [§62A-4a-101](#).]

382
383 **Physical Abuse, Severe:** Abuse that causes or threatens to cause serious harm to a
384 child. Non-accidental physical harm or threatened physical harm of a child that may or
385 may not be visible. Unexplained physical harm to an infant, toddler, disabled, or non-
386 verbal child. Physical abuse may also include a child who suffered physical harm during a
387 domestic violence episode. Physical harm includes, but is not limited to, "physical
388 injury" and/or "serious physical injury" as defined in Utah Code Ann. [§76-5-109](#).

- 389 1. Physical harm need not be proven by visible evidence or physical impairment.
390 2. To support a finding of physical abuse, Child and Family Services need not show
391 that the alleged perpetrator actually intended to harm the child; it is sufficient to

392 show that the conduct was non-accidental and physical harm or threatened
393 physical harm actually occurred.

394 3. Severe abuse is defined in Utah Code Ann. [§78A-6-105](#).

395

396 **Severe Abuse:** Abuse that causes or threatens to cause serious harm to a child. Severe
397 abuse is defined in Utah Code Ann. [§78A-6-105](#). Serious harm includes but is not limited
398 to "serious physical injury" as defined in Utah Code Ann. [§76-5-109](#).

399

400 **Sexual Abuse:**

401 1. An act or attempted act of sexual intercourse, sodomy, incest, or molestation
402 directed toward a child. [See: Utah Code Ann. [§78A-6-105](#) and the definitions of
403 these terms herein.]

404 **2. Subjecting a child to participate in or threatening to subject a child to participate**
405 **in a sexual relationship, regardless of whether that sexual relationship is part of a**
406 **legal or cultural marriage. [See: Utah Code Ann. [§78A-6-105](#).]**

407 **3.~~[2.]~~** Engaging in any conduct with a child that would constitute an offense under any
408 of the following definitions (taken directly from Utah Code), regardless of
409 whether the person who engages in the conduct is actually charged with, or
410 convicted of, the offense:

411

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

413 **(1) Unlawful sexual activity with a minor [14 or 15 years old] under Section [76-](#)**
414 **[5-401](#).**

415 A person commits unlawful sexual activity with a minor if the actor:

416 (a) has sexual intercourse with the minor;

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

420 (c) causes the penetration, however slight, of the genital or anal opening of the
421 minor by any foreign object, substance, instrument, or device, including a part of
422 the human body, with the intent to cause substantial emotional or bodily pain to
423 any person or with the intent to arouse or gratify the sexual desire of any person,
424 regardless of the sex of any participant. For purposes of this section "minor" is a
425 person who is 14 years of age or older, but younger than 16 years of age, at the
426 time the sexual activity described in this section occurred.

427

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

429 A person commits sexual abuse of a minor if the person is seven years or more
430 older than the minor and the person touches the anus, buttocks, or any part of
431 the genitals of the minor, or touches the breast of a female minor, or otherwise
432 takes indecent liberties with the minor, or causes a minor to take indecent

433 liberties with the actor or another person, with the intent to cause substantial
434 emotional or bodily pain to any person or with the intent to arouse or gratify the
435 sexual desire of any person regardless of the sex of any participant. For purposes
436 of this section "minor" is a person who is 14 years of age or older, but younger
437 than 16 years of age, at the time the sexual activity described in this section
438 occurred.

439
440 **(3) Unlawful sexual contact with a 16 or 17 year old under Section [76-5-401.2](#).**

441 A person commits unlawful sexual conduct with a minor if a person who is:

442 (1) Seven or more years older but less than 10 years older than the
443 minor at the time of the sexual conduct engages in any conduct listed below and
444 the person knew or reasonably should have known the age of the minor: or

445 (2) Ten or more years older than the minor at the time of the sexual
446 conduct and engages in any conduct listed below.

447 "Sexual conduct" refers to when the person:

448 (a) has sexual intercourse with the minor;

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

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

457 (d) touches the anus, buttocks, or any part of the genitals of the minor, or
458 touches the breast of a female minor, or otherwise takes indecent liberties with
459 the minor, or causes a minor to take indecent liberties with the actor or another
460 person, with the intent to cause substantial emotional or bodily pain to any
461 person or with the intent to arouse or gratify the sexual desire of any person
462 regardless of the sex of any participant.

463 As used in this section, "minor" means a person who is 16 years of age or older,
464 but younger than 18 years of age, at the time the sexual conduct occurred.

465
466 **(4) Rape under Section [76-5-402](#).**

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

470
471 **(5) Rape of a child under Section [76-5-401.2](#).**

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

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(6) 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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

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

514 A person commits sexual abuse of a child if the actor touches the anus, buttocks,
515 or genitalia of any child, the breast of a female child, or otherwise takes indecent
516 liberties with a child, or causes a child to take indecent liberties with the actor or
517 another with intent to cause substantial emotional or bodily pain to any person or
518 with the intent to arouse or gratify the sexual desire of any person regardless of
519 the sex of any participant. As used in this section, "child" means a person under
520 the age of 14.

521
522 **(12) Aggravated sexual assault under Section [76-5-405](#).**

523 A person commits aggravated sexual assault if:

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

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

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

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

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

534 (i) causes serious bodily injury to any person;

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

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

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

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

542 (i) causes serious bodily injury to any person;

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

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

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

549
550 **(13) See also Sexual offenses against the victim without consent of victim –**
551 **Circumstances under Section [76-5-406](#), Custodial sexual relations --**
552 **Custodial sexual misconduct -- Definitions -- Penalties – Defenses under**
553 **Section [76-5-412](#), and Custodial sexual relations or misconduct with youth**
554 **receiving state services -- Definitions -- Penalties – Defenses under Section**

555 **76-5-413.**

556

557 **b. Child bigamy under Section 76-7-101.5.**

558 An actor 18 years of age or older is guilty of child bigamy when, knowing he or
559 she has a wife or husband, or knowing that a person under 18 years of age has a
560 wife or husband, the actor carries out the following with the person who is under
561 18 years of age:

562 (1) purports to marry the person who is under 18 years of age; or

563 (2) cohabits with the person who is under 18 years of age.

564

565 **c. Incest under Section 76-7-102.**

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

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

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

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

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

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

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

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

584 This subsection does not prohibit providing a fertilized human egg if the provider
585 of the fertilizing sperm is not a related person regarding the person providing the
586 egg.

587

588 **d. Lewdness or sexual battery under Section 76-9-702.**

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

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

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

- 596 (c) masturbates; or
597 (d) any other act of lewdness.

598

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

600 A person is guilty of lewdness involving a child if the person intentionally or
601 knowingly does any of the following to, or in the presence of a child who is under
602 14 years of age:

603 (1) performs an act of sexual intercourse or sodomy;

604 (2) exposes his or her genitals, the female breast below the top of the areola, the
605 buttocks, the anus, or the pubic area:

606 (i) in a public place; or

607 (ii) in a private place:

608 (A) under circumstances the person should know will likely cause affront or alarm;
609 or

610 (B) with the intent to arouse or gratify the sexual desire of the actor or the child;

611 (3) masturbates;

612 (4) causes a child under the age of 14 years to expose his or her genitals, anus, or
613 breast, if female, to the actor, with the intent to arouse or gratify the sexual
614 desire of the actor or the child; or

615 (5) performs any other act of lewdness.

616

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

618 (1) A person is guilty of voyeurism who intentionally uses a camcorder, motion
619 picture camera, photographic camera of any type, or other equipment that is
620 concealed or disguised to secretly or surreptitiously videotape, film, photograph,
621 record, or view by electronic means an individual:

622 (a) for the purpose of viewing any portion of the individual's body regarding
623 which the individual has a reasonable expectation of privacy, whether or not that
624 portion of the body is covered with clothing;

625 (b) without the knowledge or consent of the individual; and

626 (c) under circumstances in which the individual has a reasonable expectation of
627 privacy.

628 (2) Distribution or sale of any images, including in print, electronic, magnetic, or
629 digital format, obtained under Subsection (1) by transmission, display, or
630 dissemination.

631 (3) A person is guilty of voyeurism who, under circumstances not amounting to a
632 violation of Subsection (1), views or attempts to view an individual, with or
633 without the use of any instrumentality:

634 (a) with the intent of viewing any portion of the individual's body regarding which
635 the individual has a reasonable expectation of privacy, whether or not that
636 portion of the body is covered with clothing;

637 (b) without the knowledge or consent of the individual; and
638 (c) under circumstances in which the individual has a reasonable expectation of
639 privacy.

640 Or

641 3. Forcing a child under 18 years of age into marriage or cohabitation with an adult in an
642 intimate relationship.

643

644 **Sexual Exploitation:** Knowingly employing, using, persuading, inducing, enticing, or
645 coercing a child to pose in the nude for the purpose of sexual arousal of any person or
646 to engage in any sexual or simulated sexual conduct for the purpose of photographing,
647 filming, recording, or displaying in any way the sexual or simulated sexual conduct, or
648 displaying, distributing, possessing, or selling material depicting a child in the nude, for
649 the purpose of sexual arousal of any person, or engaging in sexual or simulated sexual
650 conduct. [See: Utah Code Ann. [§78A-6-105](#).] Includes offenses outlined in Utah Code
651 Ann. [§76-5b-201](#).

652

653 Sexual Exploitation includes a child's parent or legal guardian knowingly consenting to or
654 permitting the child to be sexually exploited as described above. [See: Utah Code Ann.
655 [§76-5b-1](#).]

656

657 **NEGLECT:** An action or inaction that causes abandonment of a child, except a safe
658 relinquishment of a newborn child as provided in Utah Code Ann. [§62A-4a-802](#); lack of proper
659 parental care by reason of the fault or habits of the parent, guardian, or custodian; failure or
660 refusal of a parent, guardian, or custodian to provide proper or necessary subsistence,
661 education, or medical care, or any other care necessary for the child's health, safety, morals, or
662 well-being; a child at risk of being neglected or abused because another child in the same home
663 is neglected or abused. [See: Utah Code Ann. [§78A-6-105](#) and Administrative Rule [R512-80](#).]

664 Neglect includes, but is not limited to, abandonment, educational neglect, environmental
665 neglect, failure to protect, failure to thrive, medical neglect, non-supervision, physical neglect,
666 and sibling at risk.

667

668 **Abandonment:** Except in the case of the safe relinquishment of a newborn child
669 pursuant to Utah Code Ann. [§62A-4a-802](#) [see: The definition of Safe Relinquishment of
670 a Newborn Child], conduct by either a parent or legal guardian showing a conscious
671 disregard for parental obligations, where that disregard leads to the destruction of the
672 parent/child relationship. Abandonment also arises when a parent or parents:

673 (a) Although having legal custody of the child, have surrendered physical custody of
674 the child, and for a period of six months following the surrender have not
675 manifested to the child or to the person having the physical custody of the child
676 a firm intention to resume physical custody or to make arrangements for the
677 care of the child;

- 678 (b) Have failed to communicate with the child by mail, telephone, or otherwise for
679 six months;
680 (c) Failed to have shown the normal interest of a natural parent, without just cause;
681 or
682 (d) Have abandoned an infant, as described in Utah Code Ann. [§78A-6-316](#).

683

684 [See also: Utah Code Ann. [§78A-6-508](#) and Administrative Rule [R512-80](#).]
685

686 **Educational Neglect:** Failure or refusal to make a good faith effort to ensure that a child
687 receives an appropriate education, after receiving notice that the child has been
688 frequently absent from school without good cause or that the parent has failed to
689 cooperate with school authorities in a reasonable manner in accordance with Utah Code
690 Ann. [§78A-6-105](#) and [§78A-6-319](#).

691

692 **Environmental Neglect:** An environment that poses an unreasonable risk to the physical
693 health or safety of a child. [See: Practice Guidelines [Section 200](#).]
694

695

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

700

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

703

704 **Medical Neglect:** Failure or refusal to provide proper medical, dental, or mental health
705 care or to comply with the recommendations of a medical, dental, or mental health
706 professional necessary to the child's health, safety, or well-being. Exceptions and
707 limitations provided in Utah Code Ann. [§78A-6-105](#) include:

708 (a) A parent or guardian legitimately practicing religious beliefs and who, for that
709 reason, does not provide specified medical treatment for a child, is not guilty of
neglect.

710 (b) A health care decision made for a child by the child's parent or guardian does not
711 constitute neglect unless clear and convincing evidence shows that the health
712 care decision is not reasonable and informed. Nothing may prohibit a parent or
713 guardian from exercising the right to obtain a second health care opinion. [See:
714 Utah Code Ann. [§78A-6-301.5](#).]
715

716

717 **Neglect, Chronic:** Repeated or patterned neglect. (NOTE: Chronic neglect may be
718 identified from the first referral.) [See: Utah Code Ann. [§62A-4a-101](#).]

719 **Neglect, Severe:** Neglect that causes or threatens to cause serious harm to a child.
720 Serious harm includes, but is not limited to, serious physical injury as defined in Utah
721 Code Ann. [§76-5-109](#). [See: Utah Code Ann. [§78A-6-105](#).]
722

723 **Non-Supervision:** The child is subjected to accidental harm or an unreasonable risk of
724 accidental harm due to failure to supervise the child's activities at a level consistent with
725 the child's age and maturity. [See: Utah Code Ann. [§78A-6-105](#).]
726

727 **Physical Neglect:** Failure to provide for a child's basic needs of food, clothing, shelter, or
728 other care necessary for the child's health, safety, morals, or well-being.
729

730 **Sibling or Child at Risk:** A child who is at risk of being abused or neglected because
731 another child in the same home or with the same caregiver has been or is abused or
732 neglected.
733

734 **DEPENDENCY:** The condition of a child who is homeless or without proper care through no fault
735 of the child's parent, guardian, or custodian. [See: Utah Code Ann. [§62A-4a-101](#).] Dependency
736 may be due to a lack of understanding by the child's parent or guardian as a result of a lack of
737 education or due to a mental, emotional, or physical disability. Dependency may also be due to
738 a parent or guardian's lack of economic resources, or the institutionalization of a parent or
739 guardian. [See: Administrative Rule [R512-80](#).]
740

741 **Safe Relinquishment of a Newborn Child:** A parent or a parent's designee may safely
742 relinquish a newborn child at a hospital in accordance with the requirements of Utah
743 Code Ann. [§62a-4a-802](#) and retain anonymity, as long as the newborn child has not
744 been subjected to abuse or neglect.
745
746

747 **DEFINITIONS**

748

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

752

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

755

756 **ADJUDICATION HEARING:** An adjudication hearing is to be held to adjudicate the petition filed
757 by the Attorney General on behalf of Child and Family Services. [See: Utah Code Ann. [§78A-6-](#)
758 [309](#) and [§78A-6-311](#)].

759

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

765

766 **ADMINISTRATIVE RULES/RULEMAKING:** Written regulations that inform the public of how
767 Child and Family Services will conduct its business. An Administrative Rule has the effect of law.
768 In general, an agency promulgates an Administrative Rule when a class of persons or outside
769 agencies may be materially affected by the Child and Family Services' actions or decisions. An
770 Administrative Rule may be explicitly or implicitly required by a state or federal statute or other
771 applicable law, and it may implement or interpret a state or federal legal mandate.
772 Administrative Rules are established by Child and Family Services and processed through the
773 state's administrative rulemaking procedure, with the oversight by a legislative committee.
774 Utah Code Ann. [§62A-4a-119](#) requires Child and Family Services to prepare a "family impact
775 statement" whenever it adopts a new Administrative Rule.

776

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

780

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

784

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

788
789 **ALLEGED:** Asserted but not proven.
790

791 **ALLEGED FATHER** (formerly Putative Father): The man who claims to be or is claimed to be the
792 biological father of a child born out of wedlock.
793

794 **APPROPRIATENESS OF PLACEMENT:** A child's home community, the one that involves the birth
795 family, culture, village, or neighborhood, closest to school and peer group is the least restrictive
796 environment for a child. A child should be supported and maintained in his or her home
797 community. If a child's life is temporarily disrupted due to resolvable safety problems in the
798 family home or by needs that require specialized treatment for a specific and limited time in
799 another location, the child should be restored with necessary supports as quickly as possible to
800 his or her natural community. If a child's home and family situation does not permit the child
801 to return home after removal for safety reason, then that child should be provided a safe,
802 appropriate, and permanent home as quickly as possible so that natural social supports can be
803 developed for that child in a new home, neighborhood, school, and community.
804

805 **ARRANGED MARRIAGE:** Any marriage, legal or otherwise, that is arranged, coerced, or
806 threatened, and which involves a child and an adult, including (but not limited to) an adult who
807 is a member of the child's immediate or extended family.
808

809 **AAG:** Acronym for Assistant Attorney General. The AAG is an attorney that represents Child
810 and Family Services.
811

812 **BABY DOE:** A medically disabled infant with life-threatening conditions for whom medically
813 indicated treatment is withheld. (This is a federal statutory definition and *does not* apply to or
814 mean an infant abandoned by the parent.)
815

816 **BASIC LIFE SKILLS TRAINING:** Education that each youth age 16 and older will receive prior to
817 leaving out-of-home care.
818

819 **BCI:** Acronym for the Bureau of Criminal Identification.
820

821 **CANR:** Acronym for the Child Abuse and Neglect Report.
822

823 **CAREGIVER FUNCTIONING:** The caregivers' capacity, availability, and willingness to meet the
824 child's basic care and developmental needs reliably on a daily basis. Expectation of adequate

825 caregiver functioning and support apply to children living in out-of-home care with a relative,
826 living in a foster home, and to care staff in group-living situations.

827

828 **CAREGIVER SUPPORT:** Substitute caregivers include kinship caregivers, foster and adoptive
829 resource families, and any persons who provide parenting, assistance, supervision, and physical
830 care for a child or youth in a temporary place of residence. Provisions of caregiver supports and
831 in-home services should enable the caregiver to participate in assessment of needs, selection of
832 providers, and scheduling. To be effective and satisfactory, supports should be culturally
833 compatible and of an intensity commensurate with the needs of the child and caregiver. To be
834 adequate, caregiver supports should be accessible when needed, dependable when used,
835 functional for the home, and seen as support by caregivers.

836

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

839

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

843

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

849

850 **CHILD:** For Child and Family Services purposes, a person under 18 years of age. [See: Utah Code
851 Ann. [§62A-4a-101](#) and [§15-2-1](#).] Please note, however, that some criminal justice statutes
852 define a child or minor differently for purposes of particular sexual offenses. [See: Utah Code
853 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](#),
854 [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1](#).] In appropriate circumstances, those statutes may
855 apply. [See also: The definition of Native American Child.]

856

857 **CHILD AND FAMILY ASSESSMENT (formerly Functional Assessment):** Information that is
858 gathered from various sources as appropriate to the child's situation that includes a
859 combination of clinical, functional, and information assessment techniques used to determine
860 the strengths, capabilities, needs, risks, and lifestyle preferences of the child and family. Once
861 gathered, the information should be analyzed and synthesized to form a comprehensive "big
862 picture view" of the child and his or her social support networks at home, at school, and in the
863 community. Members of the Child and Family Team, working together, should synthesize their
864 assessment knowledge to form a common big picture view that provides shared understanding
865 of the child's situation. This provides a common core of team intelligence for unifying efforts,

866 planning joint strategies, sharing resources, finding what works, and achieving a good mix and
867 match of supports and services for the child and family. Developing and maintaining a useful
868 big picture view is a dynamic, ongoing process for the Child and Family Team.

869

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

875

876 **CHILD AND FAMILY PLANNING PROCESS:** The Child and Family Plan specifies the goals, roles,
877 strategies, resources, and schedules for coordinated provision of assistance, supports,
878 supervision, and services for the child, caregiver, and teacher. For the child to be successful at
879 home and school, special supports may be necessary for the primary caregiver at home and for
880 the teacher at school. The child and family planning process is of essence here - not just the
881 written document. The plan needs to be developed by the team based upon the big picture
882 assessments; reflect the views and preferences of the child and family, be directed toward the
883 achievement of strategic goals and success of the child; be coherent in design, prudent in the
884 use of natural and professional resources; be culturally appropriate; and be modified
885 frequently, based on changing circumstances, experience gained, and progress made. The
886 written Child and Family Plan is the collective intentions of the Child and Family Team that
887 simply states the path and process to be followed.

888

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

894

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

902

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

910
911 **CHILD AND FAMILY SERVICES FAMILY SERVICES CASEWORKER:** A person employed by or
912 contracted with Child and Family Services to provide professional casework, case
913 management, contract management, or direct service and contract management supervision.
914 The person will have, at a minimum, a Bachelor's Degree, but may not have met the
915 requirements to be a licensed worker.

916
917 **CHILD AND FAMILY SERVICES INTAKE WORKER:** A person employed by Child and Family
918 Services who processes referrals concerning child abuse, neglect, or dependency. Intake
919 workers must possess solid communication, interpersonal, and assessment skills.

920
921 **CHILD FATALITY:** A child's death.

922
923 **CHILD MALTREATMENT:** Child abuse or neglect. [See: The definitions of Abuse, Dependency,
924 Neglect, and Sexual Abuse.]

925
926 **CHILD VICTIM:** A person under the age of 18 years, or a person under the age of 21 years and
927 in the custody of Child and Family Services, who has been subjected to abuse, neglect, or
928 dependency.

929
930 **CHILD WITH SPECIAL HEALTH CARE NEEDS:** A children who has or is at an increased risk of
931 having a chronic physical, developmental, behavioral, or emotional condition and who also
932 require health and related services of a type or amount beyond that required by children
933 generally.

934
935 **CHILD WITH SPECIAL NEEDS:** A child who cannot or should not be returned to the home of the
936 parents (as determined by the state), with one of the following:

937
938 A. Child 0-17 years of age with a documented physical, emotional, or mental disability, or
939 may be at risk to develop such a condition due to the birth parents health and social
940 history.

941
942 B. Child five years of age or older.

943

944 C. Member of a sibling group placed together for adoption.
945

946 **CHILD WITNESS TO DOMESTIC VIOLENCE:** In the physical presence of a child or is present and
947 may see or hear an act of domestic violence. [See: Utah Code Ann. [§76-5-109.1.](#)]
948

949 **COHABITANT:** An emancipated minor or a person 16 years of age or older who:
950

951 A. Is or was a spouse of the other party.
952

953 B. Is or was living as if a spouse of the other party.
954

955 C. Is related by blood or marriage to the other party.
956

957 D. Has or had one or more children in common with the other party.
958

959 E. Is the biological parent of the other party's unborn child.
960

961 F. Resides or has resided in the same residence as the other party.
962

963 The term "cohabitant" does *not* refer to:
964

965 A. The relationship of a natural parent, adoptive parent, or stepparent to a minor.
966

967 B. The relationship between natural, adoptive, step, or foster siblings who are under 18
968 years of age.
969

970 [See: Utah Code Ann. [§78B-7-102](#) and Administrative Rule [R512-205.](#)]
971

972 **COLLATERAL CONTACT:** Any individual, other than the alleged perpetrator, who has had direct
973 contact with or knowledge of the child or the child's family.
974

975 **COMMUNITY DOMESTIC VIOLENCE SPECIALIST:** A domestic violence specialist such as one who
976 is employed by a domestic violence shelter or victim advocate program and who has the
977 following qualifications: (a) expertise in the dynamics of domestic violence; (b) experience
978 working with domestic violence perpetrators and victims; (c) a working knowledge of the child
979 welfare system, the criminal justice system, and the court system as they relate to domestic
980 violence; and (d) familiarity with local domestic violence services and community resources.
981 [See: The definition of Child and Family Services Domestic Violence (DV) Worker.]
982

983 **CONCURRENT PERMANENCY PLANNING:**

984 A. Planning for different permanency outcomes at the same time.

985
986 B. Is a means to support and expedite efforts to achieve permanence for a child within one
987 year—a time frame that reflects a child’s sense of the passage of time.
988

989 C. Offers a structured approach to moving children quickly from the uncertainty of out-of-
990 home care to the stability and security of a permanent family.
991

992 D. Starts with the first interaction with the child or the family
993

994 **CONFLICT OF INTEREST:** A situation in which the worker or Child and Family Services has a
995 personal or professional relationship with a subject of the record (including the alleged victim
996 or the alleged perpetrator). Utah Code Ann. [§62A-4a-409](#) requires that an agency other than
997 Child and Family Services will investigate allegations of abuse, neglect, or dependency that
998 involve individuals, institutions, or facilities that Child and Family Services supervises, governs,
999 or directs.
1000

1001 **CORRUPTION:** A situation where a child is victimized by being associated with, or involved in,
1002 an immoral or illegal action (e.g., a parent teaching a child to shoplift; or a parent providing the
1003 child with or allowing access to alcohol or drugs for consumption).
1004

1005 **CPS:** Acronym for Child Protective Services.
1006

1007 **CREDIBLE EVIDENCE:** Information that is believable and plausible. [See: The definition of
1008 Evidence.]
1009

1010 **CUSTODIAN:** A person who has legal custody of a child or a person responsible for a child’s care
1011 as defined in Utah Code Ann. [§62A-4a-402](#).
1012

1013 **CUSTODY:** [See: The definitions of DHS Custody, Legal Custody, Protective Custody, Temporary
1014 Custody, and Voluntary Custody.]
1015

1016 **CUSTODY START DATE:** Same as Date of Removal.
1017

1018 **DATE OF REMOVAL:** The date the child was initially removed from his or her biological home or
1019 the earliest of the protective custody date, the temporary custody date, and the adjudicated
1020 custody dates.
1021

1022 **DATING VIOLENCE:** Verbal, emotional, psychological, physical, or sexual abuse of one person by
1023 another in a dating relationship. [See: Utah Code Ann. [§57-22-5.1](#).]
1024

1025 **DCFS:** Acronym for the Division of Child and Family Services.

- 1026
- 1027 **DHS:** Acronym for the Department of Human Services.
- 1028
- 1029 **DHS CUSTODY:** A relationship in which the court grants custody of a child to DHS.
- 1030
- 1031 **DISPOSITIONAL HEARING:** A hearing to determine the placement of the child and the status of
- 1032 legal custody and guardianship, establish the primary permanency goal, and based on the goal,
- 1033 whether reunification services will be provided. In addition to the primary goal, the court will
- 1034 establish the concurrent permanency goal. [See: Utah Code Ann. [§78A-6-312.](#)]
- 1035
- 1036 **DISPOSITION OF A CPS REFERRAL:** When Intake makes a determination that a referral will be
- 1037 accepted or unaccepted.
- 1038
- 1039 **DISRUPTION (OF AN ADOPTION):** Ending an adoptive placement before the adoption is final.
- 1040
- 1041 **DISSOLUTION (OF AN ADOPTION):** Undoing the adoption after it is final. [See also: Voluntary
- 1042 Relinquishment.]
- 1043
- 1044 **DOMESTIC VIOLENCE:** Utah Code Ann. [§77-36-1](#) defines domestic violence as any criminal
- 1045 offense involving violence or physical harm or threat of violence or physical harm, or any
- 1046 attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical
- 1047 harm, when committed by one cohabitant against another. Domestic violence also means
- 1048 commission or attempt to commit any of the following offenses by one cohabitant against
- 1049 another: (a) aggravated assault, as described in Utah Code Ann. [§76-5-103](#); (b) assault, as
- 1050 described in Utah Code Ann. [§76-5-102](#); (c) criminal homicide, as described in Utah Code Ann.
- 1051 [§76-5-201](#); (d) harassment, as described in Utah Code Ann. [§76-5-106](#); (e) electronic
- 1052 communication harassment, as described in Utah Code Ann. [§76-9-201](#); (f) kidnapping, child
- 1053 kidnapping, or aggravated kidnapping, as described in Utah Code Ann. [§76-5-301](#), [§76-5-301.1](#),
- 1054 and [§76-5-302](#); (g) mayhem, as described in Utah Code Ann. [§76-5-105](#); (h) sexual offenses, as
- 1055 described in Title 76, Chapter 5, Part 4, Sexual Offenses, and Utah Code Ann. [§76-5b-201](#); (i)
- 1056 stalking, as described in Utah Code Ann. [§76-5-106.5](#); (j) unlawful detention, as described in
- 1057 Utah Code Ann. [§76-5-304](#); (k) violation of a protective order or ex parte protective order, as
- 1058 described in Utah Code Ann. [§76-5-108](#); (l) any offense against property described in Title 76,
- 1059 Chapter 6, Part 1, Property Destruction, Part 2, Burglary and Criminal Trespass, or Part 3,
- 1060 Robbery; (m) possession of a deadly weapon with intent to assault, as described in Utah Code
- 1061 Ann. [§76-10-507](#); (n) discharge of a firearm from a vehicle, near a highway, or in the direction of
- 1062 any person, building, or vehicle, as described in Utah Code Ann. [§76-10-508](#); (o) disorderly
- 1063 conduct, as defined in Utah Code Ann. [§76-9-102](#), if a conviction of disorderly conduct is the
- 1064 result of a plea agreement in which the defendant was originally charged with any of the
- 1065 domestic violence offenses otherwise described in this subsection (conviction of disorderly
- 1066 conduct as a domestic violence offense, in the manner described herein, does not constitute a

1067 misdemeanor crime of domestic violence under 18 U.S.C. Section 921, and is exempt from the
1068 provision of the federal Firearms Act, 18 U.S.C. Section 921, et seq.); or (p) child abuse as
1069 described in Utah Code Ann. [§76-5-109.1](#). Domestic violence can take a variety of forms,
1070 including:

- 1071
- 1072 A. Physical violence, including such aggressive behavior as hitting, pushing, choking,
1073 scratching, pinching, restraining, slapping, pulling, hitting with weapons or objects,
1074 shooting, stabbing, damaging property or pets, or threatening to engage in such
1075 aggressive behavior.
 - 1076
 - 1077 B. Psychological violence, such as intense and repetitive degradation, creating isolation, or
1078 detrimentally controlling the actions or behavior of another person through intimidation
1079 or manipulation.
 - 1080
 - 1081 C. Sexual violence, such as sexual harassment, limiting reproductive freedom, infliction of
1082 pain during sexual intimacy, or the use or threat of physical force to make a cohabitant
1083 perform a sexual act.

1084
1085 [See: [Section 600](#), Domestic Violence.]

1086
1087 **DOMESTIC VIOLENCE PERPETRATOR:** Any adult who commits an act of domestic violence
1088 against another cohabitant.

1089
1090 **DOMESTIC VIOLENCE SERVICES:** Utah Code Ann. [§62A-4a-101](#) states domestic violence
1091 services means: (a) temporary shelter, treatment, and related services to a person who is a
1092 victim of abuse, as defined in Utah Code Ann. [§78B-7-102](#) and the dependent children of a
1093 person described in subsection (12)(a)(i), as well as treatment services for a person who is
1094 alleged to have committed, has been convicted of, or has pled guilty to an act of domestic
1095 violence as defined in Utah Code Ann. [§77-36-1](#). Domestic violence services delivered to adult
1096 and youth victims of family violence, domestic violence, or dating violence, and their
1097 dependents are designed to meet the needs of victims for short-term, transitional, or long-term
1098 safety and provide counseling, advocacy, or assistance for victims. Services are typically
1099 provided by a licensed domestic violence shelter provider, a licensed domestic violence
1100 treatment provider, a victim advocate, or a similar domestic violence facility or specialist.

1101
1102 **DOMESTIC VIOLENCE SHELTER:** A program for survivors of domestic violence and their children
1103 where survivors and their children receive refuge from their abusers in a facility whose location
1104 is kept confidential to prevent the abuser from locating the survivor. Shelter services available
1105 to survivors and their children may include emergency housing, help with basic living needs,
1106 food, childcare, and other support services (i.e., support groups, referrals to community
1107 resources).

- 1108
- 1109 **DOMESTIC VIOLENCE SURVIVOR/VICTIM:** An adult who has been subjected to domestic
- 1110 violence.
- 1111
- 1112 **DNR:** Acronym for a Do Not Resuscitate order.
- 1113
- 1114 **DSM:** Diagnostic and Statistical Manual of Mental Disorders.
- 1115
- 1116 **DSPD:** Acronym for the Division of Services for People With Disabilities. The branch of Utah's
- 1117 DHS that provides support to individuals with disabilities and their families.
- 1118
- 1119 **DUI:** Acronym for Driving Under the Influence.
- 1120
- 1121 **EFFECTIVE RESULTS:** Services are provided to achieve specific results and benefits for the child
- 1122 and family. These results should include improved functioning, achievement of outcomes
- 1123 consistent with the long-term view, and improved learning. If intervention strategies and
- 1124 services are not producing these results, then strategies and services should be modified over
- 1125 time as experience is gained about what expectations are reasonable and what interventions
- 1126 actually work.
- 1127
- 1128 **EMANCIPATED MINOR:** Under Utah Code Ann. [§15-2-1](#), a minor who marries is automatically
- 1129 emancipated. A minor may also be deemed emancipated by court order. The court looks at
- 1130 specific facts, including enlisting in the armed forces or leaving the parental home and
- 1131 becoming self-supporting.
- 1132
- 1133 **EMERGENCY KINSHIP PLACEMENT:** See Preliminary Placement with Kin.
- 1134
- 1135 **EMOTIONAL/BEHAVIORAL WELL-BEING:** The child has social supports in the home and school
- 1136 settings that provide the child with a sense of: identity that connotes feelings of personal
- 1137 worth, belonging and affiliation with others in his or her support network, being capable of
- 1138 participating in major life activities and decisions that affect him or her, feeling that his or her
- 1139 life has meaning, purpose, and direction, and being part of his or her culture and its social
- 1140 supports.
- 1141
- 1142 **ESTABLISHED PRIMARY CARE PROVIDER:** An individual or group who has seen the child at
- 1143 least once, has an established relationship with child or family, and wants to continue having a
- 1144 relationship with that child.
- 1145
- 1146 **ETV:** Acronym for Education and Training Voucher, which provides financial resources for
- 1147 postsecondary education and vocational training necessary to obtain employment or to support
- 1148 the individual's employment goals.

- 1149
1150 **EVIDENCE:** Testimony, writings, or material objects that are offered to prove the existence or
1151 non-existence of a fact.
1152
1153 **F.A.C.T.:** Acronym for Families, Agencies and Communities Together. F.A.C.T. is a committee of
1154 community service agencies that can provide a wide range of assistance to families.
1155
1156 **FACE-TO-FACE CONTACT:** In-person contact with a child to assess safety and any protection
1157 needs for the child.
1158
1159 **FALSE REPORT:** A report of abuse or neglect made to Child and Family Services by a reporter
1160 (referent) who more likely than not knew the report was false at the time that person
1161 submitted the report. [See: Utah Code Ann. [§62A-4a-1007.](#)]
1162
1163 **FAMILY FOSTER CARE:** A living arrangement offered and supervised by Child and Family
1164 Services for children who are under age 21 years at time of intake and are unable to receive
1165 needed parental care in their own home but are able to participate in family and community
1166 life without danger to themselves or others.
1167
1168 **FAMILY FUNCTIONING AND RESOURCEFULNESS:** The ability of the family to become self-
1169 directed and to build the capacities necessary for its members to live safely and for the family
1170 unit to function successfully with basic and special needs of all members adequately met.
1171
1172 **FAMILY SERVICE SPECIALIST:** Reviews cases with Child and Family Services social workers prior
1173 to removal to determine if there is substantial cause to believe grounds for removal exist and
1174 that services are not reasonably available to eliminate the need for removal. A Child and Family
1175 Services CPS caseworker need not review a case with a family service specialist if, in the Child
1176 and Family Services CPS caseworker's opinion, that process would create a delay that may
1177 endanger the health, safety, or welfare of the child.
1178
1179 Criteria for selection of the family service specialist is as follows:
1180
1181 A. Region directors will select family service specialists from existing staff based on the
1182 following:
1183 1. Be a lead worker or above.
1184 2. Have at least five years of child welfare experience.
1185 3. Have an LCSW with at least three years of child welfare experience.
1186 4. Complete the family service specialist training.
1187
1188 B. Staff selected as family service specialists will be placed on a calling tree that will be
1189 made available to workers 24 hours per day. Regions may develop calling trees for the

- 1190 entire region, local offices, counties, or any other configuration that is workable for the
1191 region.
- 1192 1. During business hours, workers may be directed to call their own supervisor first;
1193 however, if their supervisor is not available, the calling tree will provide other
1194 staffing options.
- 1195 2. During non-business hours, staff on the calling tree will not be required to carry
1196 a pager or cell phone, but must provide a phone number where they can be
1197 reached. Workers will call down the calling tree until they reach a family service
1198 specialist. The family service specialist will be allowed to claim time actually
1199 worked during non-business hours.
- 1200 3. If a region already has a supervisor available for an on-call system, their system
1201 will not change if the supervisor meets the criteria for a family service specialist
1202 listed in subparagraph A above.
- 1203
- 1204 C. Calling trees should be updated as needed with staff changes.
- 1205

1206 **FAMILY VIOLENCE:** Any act or threatened act of violence, including any forceful detention of an
1207 individual that results or threatens to result in physical injury and is committed by a person
1208 against another individual (including an elderly individual) to or with whom such person is
1209 related by blood, or is or was related by marriage or is or was otherwise legally related, or is or
1210 was lawfully residing.

1211

1212 **FETAL ALCOHOL SPECTRUM DISORDER (FASD):** A broader array of impairments than are
1213 reported for children suffering from Fetal Alcohol Syndrome. In FASD children exposed to
1214 alcohol in the womb may exhibit one or more of the following characteristics or behaviors: (a)
1215 Inadequate growth in the womb or after birth; (b) Facial abnormalities such as small eye
1216 openings; (c) Poor coordination; (d) Hyperactive behavior; (e) Learning disabilities (e.g., speech
1217 and language delays); (f) Mental retardation or low IQ; (g) Poor reasoning and judgment skills;
1218 (h) Poor impulse control; or (i) Sleep and sucking disturbances in infancy.

1219

1220 **FINALIZATION:** A court of law has decreed that the adoption is final.

1221

1222 **FORMAL AND INFORMAL SUPPORT SYSTEMS:** Informal support is the offerings of friends,
1223 neighbors, churches, and community agencies that can range from volunteer reading tutors to
1224 after school supervision, recreational activities, assisting with transportation or keeping
1225 appointments, etc. Professional services may be donated, offered through health care plans, or
1226 funded by government agencies. A combination of supports and services may be necessary to
1227 assist the child, family, and teacher. Selection of basic supports should begin with information
1228 family network supports and generic community resources available to all citizens. Specialized
1229 and tailor made supports and services should be developed or purchased, only when necessary,

1230 to supplement rather than supplant readily available supports and services of satisfactory
1231 nature.

1232
1233 **FULL DISCLOSURE:** Respectful, candid discussion early and throughout the case about the
1234 impact of out-of-home care on children, clarification of birth parents' rights and responsibilities,
1235 supports agency will provide, permanency options, and consequences of not following through
1236 with the case plan. This includes open, honest discussions with all parties – biological families,
1237 relatives, foster/adoptive families, attorneys, and other service caregivers with the use of family
1238 group decision-making/conferencing strategies to involve families in early planning.

1239
1240 **FULL FAITH AND CREDIT:** A legal principle requiring judges to recognize and enforce valid
1241 orders, decrees, and judgments issued by courts in other states. For example, Utah courts
1242 recognize a protective order from another state.

1243
1244 **GAF:** Acronym for Global Assessment of Functioning Scale.

1245
1246 **GAL:** Acronym for Guardian ad Litem. The court may appoint a GAL to represent the best
1247 interests of a child involved in a case before the court. Out-of-home providers are encouraged
1248 to contact the child's GAL about any concerns that the child's needs are not being met.

1249
1250 **GRAMA:** Acronym for Government Records Access Management Act, a Utah statute that allows
1251 members of the public to obtain copies of certain government records. If a person submits a
1252 written request for a Child and Family Services record, GRAMA requires Child and Family
1253 Services to disclose the record *unless* such disclosure is prohibited by GRAMA itself (e.g., Utah
1254 Code Ann. [§63G-2-302](#), [§63G-2-304](#) and [§63G-2-305](#)) or by another state or federal statute
1255 (e.g., Utah Code Ann. [§62A-4a-412](#)). Many of Child and Family Services' records are not open to
1256 the public due to their classification under GRAMA or other statutes.

1257
1258 **GUARDIANSHIP OF THE PERSON:** The guardian (caregiver or responsible adult) has the
1259 authority to consent to the child's marriage; enlistment in the armed forces; major medical,
1260 surgical, or psychiatric treatment; and to legal custody, if legal custody is not vested in another
1261 person, agency, or institution. [See: Utah Code Ann. [§78A-6-105](#).]

1262
1263 **HARM:** Harm is defined in Utah Code Ann. [§78A-6-105](#). Harm also includes, but is not limited
1264 to, any injury or condition described in Utah Code Ann. [§76-5-109](#). [See also: The definition of
1265 Threatened Harm.]

1266
1267 **HCG:** Urine Pregnancy Test.

1268
1269 **HEALTH CARE:** Services including medical, dental, and mental health services.

1270

1271 **HEALTH/PHYSICAL WELL-BEING:** The child's basic physical needs for proper nutrition, clothing,
1272 shelter, and hygiene are met on a daily basis. Preventive medical and dental care is necessary
1273 for maintaining good health. Preventive health care should include immunizations, dental
1274 hygiene, and screening for possible physical or developmental problems. Physical well-being
1275 encompasses both the child's physical health status and access to timely health services.
1276

1277 **HEARSAY:** An out-of-court statement that is offered to prove the truth of the matter. NOTE:
1278 Utah statute, the Utah Rules of Criminal Procedure, and the Utah Rules of Evidence classify
1279 certain types of statements as "non-hearsay" or as otherwise admissible as evidence. Hearsay
1280 evidence is admissible at an Administrative Hearing.
1281

1282 **HIV:** Human Immunodeficiency Virus.
1283

1284 **HMO:** A Health Maintenance Organization.
1285

1286 **HOME-TO-HOME BOOK:** The child's Home-to-Home Book will be maintained to preserve
1287 vital information about the child's events and activities during the time the child spent
1288 in care such as educational, medical, dental, and mental health. The Home-to-Home
1289 Book will be reviewed by the worker quarterly.
1290

1291 **HVR:** Health Visit Report, HVR-Child and Family Services Form 984.
1292

1293 **ICWA:** Acronym for the Indian Child Welfare Act. ICWA is the federal statute that establishes
1294 certain standards and procedures that a state non-Native American authority must follow when
1295 removing a Native American child from a care provider and placing the child in the state's
1296 temporary custody.
1297

1298 **ICWA KINSHIP/RELATIVE DEFINITION:** An "extended family member" is defined by the law or
1299 custom of the Native American child's tribe, or in the absence of such law or custom, is any
1300 person who has reached the age of 18 years and who is the Native American child's
1301 grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew,
1302 first or second cousin, or stepparent. [See: 25 U.S.C. §1903.]
1303

1304 **IMMEDIATE PROTECTION SAFETY ASSESSMENT:** An organized protocol of assessing the
1305 immediate protection and safety needs of the alleged victim at the worker's initial contact.
1306

1307 **INCEST:** Engaging in sexual intercourse with a person whom the perpetrator knows to be the
1308 perpetrator's ancestor, descendant, brother, sister, **siblings by marriage (while the marriage**
1309 **exists), siblings by adoption,** uncle, aunt, nephew, niece, or first cousin. The relationships cited
1310 above include blood relationships of the whole or half blood, without regard to legitimacy;
1311 relationships of parent and child by adoption; and relationships of stepparent and stepchild

1312 while the marriage creating the relationship of a stepparent and stepchild exists. Incest includes
1313 providing or making available seminal fluid or a human egg and other conduct specified in Utah
1314 Code Ann. [§76-7-102](#) and [§78A-6-105](#). [See also: The definitions of Sexual Abuse and Sexual
1315 Intercourse.]

1316
1317 **INDECENT LIBERTIES:** Touching the actor's genitals, anus, buttocks, pubic area, or female
1318 breast against any part of the body of the victim; causing the victim to touch the actor's or
1319 another's genitals, pubic area, anus, buttocks, or female breast; simulating or pretending to
1320 engage in sexual intercourse with the victim, including genital-genital, oral-genital, anal-genital,
1321 or oral-anal intercourse. [See: Utah Code Ann. §76-5-416).

1322 [Engaging in conduct with a child with the intent to arouse or gratify the sexual desire of any
1323 person or with the intent to cause substantial emotional or bodily pain to any person under
1324 circumstances of similar gravity to touching the child's anus, buttocks, any part of the genitals,
1325 or the breast of a female child. Indecent liberties does not require touching as long as the
1326 conduct is of a similar gravity.]

1327
1328 **INTAKE:** The process of receiving the initial information from a referent who is alleging an act of
1329 abuse, neglect, or dependency against a child, researching for additional information, and
1330 disposition of the referral including determining appropriate assignment and prioritization of an
1331 accepted referral.

1332
1333 **IPSA:** Acronym for an Individual Protection Safety Assessment.

1334
1335 **JUDICIAL REVIEW:** A court review of agency actions. This review may be in Juvenile Court and
1336 relate to Child and Family Services actions in a case under court jurisdiction. The review may
1337 also relate to review of a final decision from and administrative law judge in an administrative
1338 hearing.

1339
1340 **KINSHIP:** The relationship of family members or near kin who are a fit, safe, and appropriate
1341 placement for the alleged primary victim or siblings and is an adult who is a grandparent, great
1342 grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, stepparent, first
1343 cousin, stepsibling, or sibling of the child. Preference may be given to kin or a non-custodial
1344 parent who are a fit, safe, and appropriate placement for an emergency kinship placement in
1345 accordance with Utah Code Ann. [§78A-6-307](#). Kinship placement may be an alternative to an
1346 out-of-home care placement. The child in a kinship placement may be in the custody of Child
1347 and Family Services or in the custody of relatives. [See also: The definition of ICWA
1348 Kinship/Relative Definition.] [See also: Utah Code Ann. [§78A-6-307](#), which defines the term
1349 "relative" to include such "extended family members" and great grandparents, great aunts,
1350 great uncles, and stepsiblings.]

1351

1352 **KINSHIP CARE:** The full-time care, nurturing, and protection of a child by relatives when a court
1353 determines the child cannot be cared for safely by their parents.

1354
1355 **LEARNING DEVELOPMENT PROGRESS** (for children under age five years): The child is actively
1356 engaged in developmental and educational processes that enable the child to develop the skills
1357 and functional capabilities at a rate and level consistent with his or her age and abilities.
1358 Essential functional capabilities include: walking/mobility, talking/communicating, toileting,
1359 following simple and more complex directions, independent/parallel/cooperative play,
1360 independent dressing, color recognition, etc. Children who have developmental delays or
1361 physical limitations should be receiving the necessary support to maximize their development.

1362
1363 **LEARNING PROGRESS** (for children age five years and older): The child is a learner who is
1364 actively engaged in developmental, educational, and/or vocational processes that are enabling
1365 him or her to build skills and functional capacities at a rate and level consistent with his or her
1366 age and abilities. Learning progress is concerned not only with academic progress and
1367 achievement test scores, but also with acquisition and demonstration of functional capabilities
1368 that include self-care, mobility, communications, literacy, self-direction, caring relationships,
1369 community orientation, citizenship participation, employability, and independent living. The
1370 ultimate concern is whether the child is learning and progressing at a rate that will enable him
1371 or her to become a responsible, competent, contributing citizen upon completion of public
1372 school.

1373
1374 **LEGAL CUSTODY:** A relationship embodying the following rights and duties:

- 1375
1376 A. The right to physical custody of the child.
1377
1378 B. The right and duty to protect, train, and discipline the child.
1379
1380 C. The duty to provide the child with food, clothing, shelter, education, and ordinary
1381 medical care.
1382
1383 D. The right to determine where and with whom the child will live.
1384
1385 E. The right, in an emergency, to authorize surgery or extraordinary care.

1386
1387 [See: Utah Code Ann. [§78A-6-105.](#)]
1388

1389 **LICENSED SOCIAL SERVICES WORKER:** A Bachelor's Degree worker with a Social Service Worker
1390 (SSW) license, or a Master's level (CSW, LCSW, LPC, or MFT) license. Advanced Master's level
1391 licenses have additional clinical-based requirements.

1392

1393 **LIFE BOOK:** A record of the child's personal history from birth, including the child's time in out-
1394 of-home care.

1395
1396 **LONG-TERM KINSHIP CARE:** Care provided, subsequent to the permanency hearing, to a child
1397 by a relative who is a licensed foster parent. At the permanency hearing, the court must
1398 identify and document, on an individual basis, a "compelling reason" that return home,
1399 adoption, or permanent custody and guardianship with the relative is not in the best interest of
1400 the child. The child remains in the custody of Child and Family Services and is subject to the
1401 continuing supervision of the court.

1402
1403 **LONG-TERM VIEW:** The long-term view is a guiding strategic vision used to set the purpose and
1404 path of intervention and support. It is used to focus a coherent Child and Family Plan and
1405 process. A long-term view anticipates and defines what the child must have, know, and be able
1406 to do in order to be successful following his or her next major developmental or placement
1407 transitions. The long-term view must answer the question of where the case is headed and
1408 why.

1409
1410 **MEDICALLY FRAGILE:** A child who has an extraordinary, diagnosed health condition and meets
1411 one or more of the following criteria:

- 1412
1413 A. Chronic debilitating condition.
1414
1415 B. Acute condition(s) requiring three or more follow-up visits per month for three
1416 consecutive months.
1417
1418 C. At risk for developing an acute condition and requiring extensive monitoring.

1419
1420 **MEDICALLY NEEDY:** A child whose condition warrants additional treatment, therapy, and/or
1421 excessive follow-up care (may be transitional). The child is between the ages of 0-18 years and
1422 suffers from physical and/or mental debilitation inhibiting his or her growth and development
1423 and/or whose condition requires specialized skill by another to meet his or her daily living
1424 activities, which include:

- 1425
1426 A. Nutrition.
1427
1428 B. Sleep.
1429
1430 C. Elimination.
1431
1432 D. Ambulation.

1433

1434 E. Socialization.

1435

1436 **MEPA:** The Multi-Ethnic Placement Act that prohibits the use of a child's or a prospective
1437 parent's race, color, or national origin to delay or deny the child's placement and by requiring
1438 diligent efforts to expand the number of racially and ethnically diverse foster and adoptive
1439 parents.

1440

1441 **METHAMPHETAMINE:** A potent central nervous system stimulant that can be smoked, snorted,
1442 injected, taken orally, or used in suppository form. It increases the heart rate, blood pressure,
1443 body temperature, and rate of breathing; it dilates the pupils; and it produces euphoria,
1444 increased alertness, a sense of increased energy, and tremors. High doses or chronic use have
1445 been associated with increased nervousness, irritability, and paranoia. Withdrawal from high
1446 doses often produces severe depression. Methamphetamine is a lethal, dangerous, and
1447 unpredictable drug. Exposure of a child to a methamphetamine laboratory is felony child
1448 endangerment. [See: Utah Code Ann. [§76-5-112.5](#).] [See also: The definition of Physical Abuse.]

1449

1450 **MINOR:** Except as provided in Part 7, Interstate Compact on Placement of Children:

1451

1452 A. A child; or

1453

1454 B. A person:

- 1455 1. Who is at least 18 years of age and younger than 21 years of age; and
- 1456 2. For whom Child and Family Services has been specifically ordered by the juvenile
1457 court to provide services. Please note, however, that some criminal justice
1458 statutes define a child or minor differently for purposes of particular sexual
1459 offenses. [See: Utah Code Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-](#)
1460 [402.1](#), [§76-5-402.2](#), [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-](#)
1461 [404.1](#).] In appropriate circumstances, those statutes may apply.

1462

1463 **MUNCHAUSEN SYNDROME BY PROXY:** [See: The definition of Pediatric Condition Falsification.]

1464

1465 **NATIVE AMERICAN CHILD:** An unmarried or married person who is under age 18 years and is:

1466

1467 A. A member of a Native American tribe, or

1468

1469 B. Eligible for membership in a Native American tribe and is the biological child of a
1470 member of a Native American tribe. [See: The definition of ICWA.]

1471

1472 **NATURAL PARENT:** A biological or adoptive mother; a biological or adoptive father.

1473

1474 **NEAR FATALITY:** A child who is certified by a physician to be in serious or critical condition and
1475 has been admitted to an Intensive Care Unit as a result of an injury or illness as a direct result of
1476 child abuse or neglect. This does not include drug exposed newborns who are admitted to a
1477 neonatal Intensive Care Unit at the time of birth.

1478
1479 **NOTICE OF AGENCY ACTION:** Written notification to an individual about a case finding that
1480 identifies the individual as responsible for abuse, neglect, or dependency. The notification
1481 specifies the findings, explains who will have access to the information on the database, and
1482 outlines the due process procedures for challenging the findings in an Administrative Hearing.
1483 Notice of Agency Action is also sent when foster children are removed, when benefits are
1484 changed, etc. [See: Utah Code Ann. [§63G-4-102](#) and [§63G-4-201](#), and Administrative Rule [R497-](#)
1485 [100.](#)]

1486
1487 **ORSIS:** Acronym for the Office of Recovery Services Information System.

1488
1489 **OUT-OF-HOME CAREGIVER:** Foster, adoptive, and kinship parents (or other out-of-home
1490 caregivers) who work with the agency and the primary parents to attempt, except in limited
1491 situations, to return children to their families of origin. Also referred to as “resource families.”

1492
1493 **OUT-OF-HOME CARE PROVIDER:** A provider who cares for children in the custody of Child and
1494 Family Services, other than their parents or relatives (i.e., foster parents, etc.).

1495
1496 **PCP:** Acronym for Primary Care Professional. A medical professional, or group of professionals,
1497 who provide continuous and comprehensive health care, and maintain the health records of an
1498 individual and/or a family. They act as the entry point to the health care system and coordinate
1499 services provided by specialists. It excludes these caregivers in the following settings:
1500 emergency room departments, local health departments, or urgent care centers. An
1501 emergency department or urgent care facility is not a primary care professional.

1502
1503 **PEER PARENT:** An out-of-home caregiver, or other specially trained individual, who engages
1504 and teams with the child’s parents to help improve parenting, nurturing, and/or household
1505 management skills.

1506
1507 **PERIOD OF MINORITY:** A youth may be in out-of-home care longer than age 18 but prior to
1508 reaching age 21, when certain conditions exist; i.e., the youth is in the process of completing
1509 high school (by age 19); for medical or disability reasons; or if ordered by the court. “The
1510 period of minority extends in males and females to the age of eighteen (18) years of age; but all
1511 minors obtain their majority by marriage. It is further provided that courts in divorce actions
1512 may order support to age 21.” [See: Utah Code Ann. [§15-2-1.](#)]

1513

1514 **PERMANENCY:** The establishment and maintenance of a permanent living situation for a child
1515 to give the child an internal sense of family stability and belonging and a sense of self that
1516 connects the child to his or her past, present, and future. Permanency can be achieved in a
1517 number of ways based on the child's circumstances; e.g.: (1) keeping or returning the child to
1518 his or her home; (2) placing the child with a relative or non-relative and supporting permanent
1519 custody or guardianship; (3) supporting independent living; or (4) adoption.

1520
1521 **PERMANENCY HEARING:** A permanency hearing is a hearing to determine the future status of
1522 the child (Utah Code Ann. [§78A-6-312](#) and [§78A-6-314](#)). When reunification services have been
1523 ordered, a permanency hearing will be held within 12 months of the removal of the child or
1524 within eight months of the removal of a child under 36 months of age at the time of removal.

1525
1526 **PERMANENCY PLANNING:** The process that is used to establish families for children that offer
1527 continuity of relationships with nurturing parents or caretakers and the opportunity to establish
1528 lifetime relationships.

1529
1530 **PERMANENCY PLANNING OUTCOMES:** Child and Family Services seeks first to preserve and
1531 support the child's biological (primary) family, and when that is not possible, to secure a family,
1532 adoptive or otherwise, that offers the hope of lifelong family-like relationships. Renewing Our
1533 Commitment to Permanency for Children-NRCFPFC and CWLA—1999.

1534
1535 **PERPETRATOR:** A person substantially responsible for causing child abuse or neglect, or a
1536 person responsible for a child's care who permits another to abuse or neglect a child. [See:
1537 Utah Code Ann. [§76-5-109](#) and Administrative Rule [R512-80](#).]

1538
1539 **PHYSICAL INJURY:** A non-accidental injury or condition that impairs or endangers the physical
1540 condition of a child, including (but not limited to) the following:

- 1541
1542 A. A bruise or other contusion of the skin.
1543
1544 B. A minor laceration or abrasion.
1545
1546 C. Failure to thrive or malnutrition.
1547
1548 D. Any other condition that imperils the child's health or welfare and which is not serious
1549 physical injury as defined in Utah Code Ann. [§76-5-109](#).

1550
1551 **PLACEMENT:** A child's living arrangement while in out-of-home care, selected by a team
1552 including the family and agency representatives, which is selected to meet the child's needs.
1553

1554 **PLACEMENT OF CHILD NOT FREE FOR ADOPTION:** Placement of a child with an adoptive/foster
1555 care family pursuing adoption or when the court has not yet terminated the rights of the birth
1556 parents or the birth parents have not yet signed a voluntary relinquishment of parental rights.
1557 May also be known as “at-risk” or “fost-adopt.”
1558

1559 **PLACEMENT SERVICES:** Those services offered to the family, child, and out-of-home caregiver
1560 to work toward permanency.
1561

1562 **PLAN IMPLEMENTATION:** The provisions of the Child and Family Plan have to be implemented
1563 via timely delivery of adequate services. Implementation involved the arrangement of supports
1564 and delivery of services according to the Child and Family Plan. The agreed upon strategies,
1565 supports, services, and other intervention activities are to be delivered in a timely and
1566 competent manner, consistent with identified needs and preferences, and following the
1567 principles of the Practice Model. Delivery of services by persons having the necessary skills,
1568 resources, time, and opportunity to provide supports and services commensurate with the
1569 urgency and complexity of the child’s needs and situation is essential for producing desired
1570 results. A “smart” implementation process is interactive, offering ongoing adaptation of service
1571 arrangements in response to frequent feedback received about changing situation, emerging
1572 needs, and results being achieved.
1573

1574 **PLEA BARGAIN:** An agreement in which a defendant admits to a criminal charge that is less
1575 than the original charge without having a hearing or trial. A plea bargain does *not* affect the
1576 finding in a child protection investigation case.
1577

1578 **PLEA IN ABEYANCE:** An order by a court, upon motion of the prosecution and the defendant,
1579 accepting a plea of guilty or of no-contest from the defendant but not, at that time, entering
1580 judgment of conviction against the defendant or imposing sentence, on condition that the
1581 defendant will comply with specific conditions as set forth in the plea in abeyance agreement.
1582 [See: Utah Code Ann. [§77-2a-1](#).] A defendant's plea in abeyance in a case involving the abuse,
1583 neglect, or dependency of a child does not affect the findings of Child and Family Services in a
1584 child protection investigation case.
1585

1586 **POSITION OF SPECIAL TRUST:** A position occupied by a person in a position of authority who, by
1587 reason of that position, is able to exercise undue influence over the alleged victim. Such
1588 persons include (but are not limited to) a youth leader or recreational leader who is an adult,
1589 adult athletic manager, adult coach, teacher, counselor, religious leader, doctor, employer,
1590 foster parent, babysitter, adult scout leader, natural parent, stepparent, adoptive parent, legal
1591 guardian, grandparent, aunt, uncle, or adult cohabitant of a parent. [See: Utah Code Ann. [§76-
1592 5-404.1](#).]
1593

1594 **POST ADOPTION:** After finalization of an adoption.

1595
1596 **PRACTICE MODEL PRINCIPLES:** Protection - children's safety is paramount; Development -
1597 Children and families need consistent nurturing in a healthy environment to achieve their
1598 developmental needs; Permanency - All children need and are entitled to enduring
1599 relationships that provide a family stability and belonging and a sense of self that connects
1600 children to their past, present, and future; Cultural Responsiveness - Children and families have
1601 the right to be understood within the context of their own family rules, traditions, history, and
1602 culture; Partnership - The entire community shares the responsibility to create an environment
1603 that helps families raise their children to their fullest potential; Organizational Competence -
1604 Committed, qualified, trained, and skilled staff, supported by an effectively structured
1605 organization, helps insure positive outcomes for children and families; and Professional
1606 Competence - Children and families need a relationship with an accepting, concerned, empathic
1607 worker who can confront difficult issues and effectively assist them in their process toward
1608 positive change

1609
1610 **PRELIMINARY PLACEMENT WITH KIN:** A temporary placement with kin as an alternative to
1611 shelter. A Preliminary Placement with kin may or may not be selected as a long-term
1612 placement for the child. After the Preliminary Placement, Child and Family Services will make a
1613 reasonable search for a long-term placement that meets the child's needs and challenges.

1614
1615 **PREPONDERANCE:** Evidence that, as a whole, shows that the fact sought to be proven (abuse,
1616 neglect, or dependency) is more probable than not.

1617
1618 **PRIORITY RESPONSE TIMES:** The time allotted under Child and Family Services Practice
1619 Guidelines for a Child and Family Services CPS caseworker to make face-to-face contact with a
1620 child on an allegation of abuse, neglect, or dependency that drives the priority for the referral.
1621 [See: Administrative Rule [R512-200-3](#).]

1622
1623 A. A Priority 1 response will be assigned when the child referred is in need of immediate
1624 protection. Intake will begin to collect information immediately after the completion of
1625 the initial contact from the referent. As soon as possible thereafter, Intake will obtain
1626 additional information, staff the referral to determine the priority, notify law
1627 enforcement, and assign to the Child and Family Services CPS worker. Intake will provide
1628 the Child and Family Services CPS worker with information concerning prior
1629 investigations on SAFE. The Child and Family Services CPS worker has as a standard of 60
1630 minutes from the time Intake notifies the worker to initiate efforts to make face-to-face
1631 contact with an alleged victim. For a Priority 1R (rural) referral, a Child and Family
1632 Services CPS worker has, as a standard, three hours to initiate efforts to make face-to-
1633 face contact if the alleged victim is more than 40 miles from the investigator who is
1634 assigned to make the face-to-face contact.

1635

- 1636 B. A Priority 2 response will be assigned when physical evidence is at risk of being lost or
1637 the child is at risk of further abuse, neglect, or dependency, but the child does not have
1638 immediate protection and safety needs, as determined by the Intake checklist. Intake
1639 will begin to collect information as soon as possible after the completion of the initial
1640 contact from the referent. As soon as possible Intake will obtain additional information,
1641 staff the referral to determine the priority, assign the referral to the Child and Family
1642 Services CPS worker, and notify law enforcement. Intake will give verbal notification to
1643 the assigned Child and Family Services CPS worker. Intake will also provide the Child and
1644 Family Services CPS worker with information concerning prior investigations on SAFE.
1645 The Child and Family Services CPS worker has, as a standard, 24 hours from the time
1646 Intake notifies the worker to initiate efforts to make face-to-face contact with the
1647 alleged victim. Notification of a Priority 2 referral received after normal working hours
1648 (8:00 a.m. through 5:00 p.m.) will occur as early as possible following morning.
1649
- 1650 C. A Priority 3 response will be assigned when potential for further harm to the child and
1651 the loss of physical evidence is low. Prior to transferring the case to a Child and Family
1652 Services CPS worker, Intake will obtain additional information, research data sources,
1653 staff the referral as necessary, determine the priority, complete documentation
1654 including data entry, make disposition to CPS, and notify law enforcement. Intake will
1655 also provide the Child and Family Services CPS worker with information concerning prior
1656 investigations on SAFE. The Child and Family Services CPS worker will make the face-to-
1657 face contact with the alleged victim within a reasonable period of time.
1658
- 1659 D. Priority 4 is no longer valid.
1660

1661 **PROCEDURES:** Statewide mandatory guidelines or directions that explain the specific day-to-
1662 day tasks involved in implementing Child and Family Services Practice Guidelines in accordance
1663 with statutes, Administrative Rules, and other governing law. Procedures are usually more
1664 detailed than either Administrative Rules or Practice Guidelines. Procedures are mandatory.
1665

1666 **PROSPECTS FOR PERMANENCE:** Permanency, commonly identified with the meaning of
1667 “family” or “home,” suggests not only a stable setting, but also stable caregivers and peers,
1668 continuous supportive relationships, and some level of parental/caregiver commitment and
1669 affection. Evidence of permanency includes resolution of guardianship, adequate provision of
1670 necessary supports for the caregiver, and the achievement of stability in the child’s home and
1671 school settings.
1672

1673 **PROTECTIVE CUSTODY:** Taking a child into custody for protection by a Child and Family Services
1674 CPS caseworker, law enforcement officer, or physician. [See: Utah Code Ann. [§62A-4a-101](#),
1675 [§62A-4a-407](#), and [§78A-6-301](#).] [See also: The definitions of Custody, DHS Custody, Legal
1676 Custody, Temporary Custody, and Voluntary Custody.]

1677
1678 **PROTECTIVE SERVICES COUNSELING:** Voluntary services provided by Child and Family Services
1679 to a family.

1680
1681 **PROTECTIVE SERVICES SUPERVISION:** A legal status created by court order after an
1682 adjudication on the grounds of abuse, neglect, or dependency in which the child is permitted to
1683 remain in the home or is placed in a relative's home, and supervision and assistance to correct
1684 the abuse, neglect, or dependency is provided by an agency designated by the court. [See:
1685 Utah Code Ann. [§78A-6-105.](#)]

1686
1687 **PROXIMITY (IN RELATION TO CHILD PLACEMENT):** "Reasonable proximity" includes placing the
1688 child within their neighborhood so that family contact, continued school placement, church
1689 involvement, and friendships may be maintained.

1690
1691 **QA:** Acronym for Quality Assurance. QA is a tool used to ensure that Child and Family Services'
1692 Practice Guidelines are met.

1693
1694 **REASONABLE EFFORTS:** Such reasonable efforts include an assessment of the protection needs
1695 of a child and the consideration and implementation of protective services that could enable a
1696 child to remain safely in the home. The term "reasonable efforts" refers to efforts to provide
1697 services that are reasonably available (that is, services that are accessible to arrange, refer, or
1698 provide, or that are available from other community resources).

1699
1700 Both state and federal law require reasonable efforts to prevent removal and to return children
1701 home where safe and appropriate. The court reviews these efforts at shelter hearings,
1702 permanency hearings, and parental termination hearings. In certain circumstances, reasonable
1703 efforts (reunification services) are not required. [See: Form for 24-hour multidisciplinary
1704 meeting; Utah Code Ann. [§78A-6-312.](#)]

1705
1706 **REASSIGNMENT:** Assigning a case to a different worker.

1707
1708 **REFERRAL:** Information provided to Child and Family Services alleging abuse, neglect, or
1709 dependency.

1710
1711 **RELATIVE:** An adult who is a grandparent, great grandparent, aunt, great aunt, uncle, great
1712 uncle, brother-in-law, sister in-law, stepparent, first cousin, stepsibling, or sibling of the child.
1713 [See: Utah Code Ann. [§78A-6-307.](#)]

1714
1715 In the case of a Native American child, "relative" also means an "extended family member" as
1716 defined by the Indian Child Welfare Act, 25 U.S.C. §1903.

1717

1718 **RELINQUISHMENT:** A voluntary termination of parental rights.
1719

1720 **RESIDENCE:** A common abode that both individuals consider to be their primary domicile or
1721 home and not simply a place that one of the individuals makes a habit of visiting.
1722

1723 **RESIDUAL PARENTAL RIGHTS AND DUTIES:** Those rights and duties remaining with the parent
1724 after legal custody or guardianship, or both, have been vested in another person or agency.
1725 Residual parental rights and duties include the responsibility for support, the right to consent to
1726 adoption, the right to determine the child's religious affiliation, and the right to reasonable
1727 visitation unless restricted by the court. If no guardian has been appointed, "residual parental
1728 rights and duties" also include the right to consent to marriage, to enlistment in the armed
1729 forces, and to major medical surgical or psychiatric treatment. [See: Utah Code Ann. [§78A-6-](#)
1730 [106.](#)]
1731

1732 **RESOURCE FAMILY:** Foster, adoptive, and kinship parents (or other out-of-home caregivers)
1733 who work with the agency and the primary parents to attempt, except in limited situations, to
1734 return children to their families of origin.
1735

1736 **RESPITE CARE:** Kin or out-of-home caregivers with intermittent, time-limited relief from care.
1737

1738 **REUNIFICATION SERVICES:** These are reasonable services that Child and Family Services is
1739 ordered to provide to the child and family to assist with the reunification process. Reunification
1740 services may not extend beyond 12 months, or eight months if a child is under 36 months of
1741 age, from the date that the child was initially removed from the home. Except the court may
1742 extend reunification services for no more than 90 days if it finds that there has been substantial
1743 compliance with the Child and Family Plan, and that reunification is probable within that 90-day
1744 period and that the extension is in the best interest of the child.
1745

1746 **RISK ASSESSMENT:** An organized protocol whereby Child and Family Services or another agency
1747 gathers information to identify the strengths and challenges and other factors of the family
1748 members that may contribute to safety or risk issues of a child who may be an alleged victim of
1749 abuse, neglect, or dependency. A risk assessment may also identify other contributing factors
1750 related to the abuse, neglect, or dependency of a child.
1751

1752 **SAFETY ASSESSMENT:** A determination of the current well-being and safety of a child whom
1753 Child and Family Services has assessed as being at risk of maltreatment, based on factors such
1754 as the controllability of risk influences, the immediacy of the risk of maltreatment, the potential
1755 severity of future maltreatment, and the potential for future incidents of abuse or neglect to
1756 the child.
1757

1758 **SAFETY PLAN:** [See: CPS Practice Guidelines [Section 204.5.](#)]

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

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

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

- A. Fracture of any bone or bones (even if the fracture has subsequently healed),
- B. Intracranial bleeding, swelling, or contusion of the brain, whether caused by blows or shaking, or by causing the child’s head to impact with an object or surface (Abusive Head Trauma),
- C. Any burn, including burns inflicted by hot water, or those caused by placing a hot object on the skin or body of the child,
- D. Any injury caused by use of a deadly or dangerous weapon as defined by Utah Code Ann. [§76-1-601](#),
- E. Any combination of two or more physical injuries inflicted by the same person, either at the same time or on different occasions,
- F. Any damage to internal organs of the body,
- G. Any conduct toward a child that results in severe emotional harm, severe developmental delay or intellectual disability, or severe impairment of the child’s ability to function,
- H. Any injury that creates a permanent disfigurement or protracted loss or impairment of the function of a bodily member, limb, or organ,
- I. Any impediment of the breathing or the circulation of blood by application of pressure to the neck, throat, or chest, or by the obstruction of the nose or mouth, that is likely to produce a loss of consciousness.

1799 J. Any conduct that results in starvation, failure to thrive, or malnutrition that jeopardizes
1800 the child's life, or

1801
1802 K. Any bodily injury, substantial bodily injury, or serious bodily injury suffered by a child if
1803 the injury resulted from the actor knowingly or intentionally causing the child to suffer
1804 from exposure to, ingestion of, inhalation of, or contact with a controlled substance,
1805 chemical substance, or drug paraphernalia, as those terms are defined in Utah Code
1806 Ann. [§76-5-112.5](#).

1807
1808 [See: Utah Code Ann. [§76-5-109](#) and [§76-5-112.5](#).]
1809

1810 **SEXUAL INTERCOURSE:** Penetration, however slight, of the vagina by the penis, or intercourse
1811 involving genital contact between individuals other than penetration of the vagina by the penis,
1812 including (but not limited to) the use of fingers (digital) or the use of any object.

1813
1814 **SEXUAL REACTIVITY:** When a child engages in sexual behaviors that are beyond normal sexual
1815 exploration and curiosity for the child's developmental age. The child may have been a victim
1816 of sexual abuse himself or herself.

1817
1818 **SIGNIFICANT RISK ASSESSMENT (also known as "YISC"):** An assessment made to determine if a
1819 person who is under the age of 18 at the time of the alleged act is a risk to other children and
1820 whether or not that minor's name should be placed on the Licensing Information System.

1821
1822 **SSA:** The entitlement program from Social Security for death benefits.

1823
1824 **SSI:** The entitlement insurance administration program from Social Security for individuals with
1825 disabilities.

1826
1827 **STABILITY:** Stability is when a child has established enduring caring relationships with key
1828 adults and has consistency of settings and routines. Optimal stability exists when the child
1829 enjoys a positive and enduring relationship with parents/caregivers, key adult supporters, and
1830 peers in home and school settings. A child removed from his or her family should be living in a
1831 safe, appropriate, and permanent home within 12 months of removal with only one interim
1832 placement.

1833
1834 **STAY:** As used in the Administrative Hearing process, to postpone an Administrative Hearing
1835 pending an adjudication of the same issues in juvenile court or district court.

1836
1837 **STD:** Acronym for Sexually Transmitted Diseases.
1838

1839 **SUBJECT OF THE REPORT:** Any person identified in a child abuse, neglect, or dependency report
1840 in accordance with reporting requirements, including (but not limited to) a child, parent,
1841 guardian, or other person responsible for a child's care. The subject may include the alleged
1842 perpetrator. [See: Utah Code Ann. [§62A-4a-402.](#)]
1843

1844 **SUBSTANTIATED:** A judicial finding based on a preponderance of the evidence that abuse or
1845 neglect occurred. If more than one allegation is made or identified during the course of an
1846 investigation, any "supported" allegation determined to meet the criteria for substantiation
1847 requires a court finding to become "substantiated." All findings of "substantiated" entered
1848 after May 6, 2002 are maintained by the juvenile court and the Child and Family Services
1849 management information system (MIS).[See: Utah Code Ann. [§62A-4a-101.](#)]
1850

1851 **SUCCESSFUL TRANSITIONS:** Special coordination and efforts across service settings and
1852 providers is essential to prevent breakdowns in services and to prevent any adverse effects of
1853 changes that occur through the child's life as they experience change in learning situations and
1854 living environments. Special arrangements or accommodations may be required for success in
1855 a return setting or new setting. Follow along monitoring may be required for an adjustment
1856 period.
1857

1858 **SUPPORT PERSON:** A person 18 years of age or older of the child's choice, who is readily
1859 available and who can be present during the investigative interview. The support person may
1860 include (but is not limited to) a school teacher or administrator, guidance counselor, or child
1861 care provider, but the support person may not be the person who is alleged to be, or
1862 potentially may be, the alleged perpetrator. [See: Utah Code Ann. [§62A-4a-409.](#)]
1863

1864 **SUPPORTED:** A finding, based on the information available to the caseworker at the end of the
1865 investigation, that there is a reasonable basis to conclude that abuse, neglect, or dependency
1866 occurred, and that the identified perpetrator is substantially responsible. The perpetrator may
1867 be unknown. [See: Utah Code Ann. [§62A-4a-101](#) and [§62A-4a-1009.](#)]
1868

1869 **TAL:** Acronym for Transition to Adult Living.
1870

1871 **TANF** (formerly known as AFDC): Acronym for Temporary Aide to Needy Families, a federal
1872 program created by the Welfare Reform Act. TANF is the means through which an eligible adult
1873 obtains financial support from the federal government when there are children residing in the
1874 home. TANF links with child welfare because of poverty and needs of children that may exist
1875 after termination of a money grant. These needs may increase the child's needs for child
1876 welfare services.
1877

1878 **TEAM CONSULTATION:** A group of caseworkers, supervisors, community professionals, and
1879 partners who review the facts and circumstances of a case and assist in making decisions for
1880 the safety and care of a child who is the subject of a Child and Family Services case.

1881
1882 **TEMPORARY CUSTODY:** Custody of a child with Child and Family Services from the date of the
1883 shelter hearing until disposition. [See: Utah Code Ann. [§62A-4a-101](#) and [§78A-6-105](#).] [See
1884 *also*: The definitions of Custody, DHS Custody, Legal Custody, Protective Custody, and Voluntary
1885 Custody.]

1886
1887 **TLP:** Acronym for Transitional Living Payment, a payment code within SAFE enabling Child and
1888 Family Services TAL coordinators to make payment to youth up to age 21 years, who have
1889 exited state's custody (either in out-of-home care or transitional living placement). Payments
1890 may be made to the youth or to other providers for expenses related to daily living. These
1891 include (but are not limited to) rent, utilities, transportation costs, food, clothing, personal care
1892 items, etc. It does not include tuition payments.

1893
1894 **TPR:** Acronym for Termination of Parental Rights. TPR is when all rights that a parent or
1895 parents may have to a child are terminated in court. When it is determined to not be in the
1896 child's best interest to be reunified with his or her parents and voluntary relinquishment and
1897 compelling reasons not to terminate are not an option, Child and Family Services will explore
1898 with legal counsel the termination of parental rights. Also known as permanent deprivation of
1899 parental rights.

1900
1901 **THREATENED HARM:** Any conduct that subjects a child to unreasonable risk of harm or any
1902 condition or situation likely to cause harm to a child. [See: The definition of Harm.] [See *also*:
1903 Administrative Rule [R512-80](#).]

1904
1905 **TRACKING AND ADAPTATION:** Tracking and adaptation provide the "learning" and "change"
1906 processes that make the service process effective for the child and family. An ongoing
1907 examination process should be used to track service implementation, check progress, identify
1908 emergent needs and problems, and modify services in a timely manner. The Child and Family
1909 Plan should be modified when objectives are met, strategies are determined to be ineffective,
1910 new preferences or dissatisfaction with existing strategies and services are expressed, and/or
1911 new circumstances arise. Members of the Child and Family Team should apply the knowledge
1912 gained through ongoing assessments, monitoring, and periodic evaluations to adapt strategies,
1913 supports, and services.

1914
1915 **TRANSITION TO ADULT LIVING:** A program for youth ages 14 to 18 years that aids youth in the
1916 development of skills needed for successful adult life. Services in this program include
1917 coursework, home study, community involvement, and/or placement. Transition to Adult
1918 Living was formerly known as the "Independent Living Program."

1919

1920 **TRANSITION TO ADULT LIVING COORDINATOR:** Each region of the state will have a
1921 coordinator/coordinators of services responsible for oversight of TAL services provided in that
1922 region. At a minimum, the employee will possess a Bachelor's Degree with a Social Service
1923 Social worker (SSW) license and one year of experience working with youth ages 14 to 18 years
1924 in an out-of-home care or like setting.

1925

1926 **TRANSITION TO ADULT LIVING PLAN (FORM OH03):** A written plan, which is required for each
1927 youth age 14 years and older, must be completed 45 days after the youth's 14th birthday and is
1928 attached to the already existing service plan. The plan must take into account the youth's
1929 unique needs and strengths and will complement the existing service plan by addressing those
1930 skills needed for the youth to exit the state's care.

1931

1932 **TRANSITIONAL LIVING SOCIAL WORKER:** An employee hired by Child and Family Services to
1933 provide TAL services to youth. At a minimum, the employee will possess a Bachelor's Degree
1934 with a Social Service Social worker (SSW) license, and six months experience working with
1935 youth ages 12 to 18 years in out-of-home care or a like setting.

1936

1937 **UA:** Urinalysis.

1938

1939 **UDHS:** Utah Department of Human Services.

1940

1941 **UDOH:** Utah Department of Health.

1942

1943 **UNABLE TO COMPLETE INVESTIGATION:** A CPS case finding when the following situation(s) are
1944 present:

1945

1946 A. When the child and/or family move outside the state and a request for courtesy work is
1947 requested and declined and there is insufficient information to make a finding. [See:
1948 Practice Guidelines [Section 210.1A.](#)]

1949

1950 B. When the child and/or family move outside the state after the face-to-face contact is
1951 made with the child and there is insufficient information to make a finding because the
1952 whereabouts of the child and/or family are unknown. [See: Practice Guidelines [Section](#)
1953 [210.1B.](#)]

1954

1955 C. When the child and/or family move within the state, the face-to-face with the child was
1956 made but there is insufficient information to make a finding and the whereabouts of the
1957 child and/or family are unknown. [See: Practice Guidelines [Section 210.1C.](#)]

1958

- 1959 **UNABLE TO LOCATE:** A CPS case finding indicating that even though the Child and Family
1960 Services CPS caseworker has followed the steps outlined in Child and Family Services practice
1961 guideline and has made reasonable efforts, the Child and Family Services CPS caseworker has
1962 been unable to make face-to-face contact with the alleged victims to investigate an allegation
1963 of abuse, neglect, or dependency and to make a determination of whether the allegation
1964 should be classified as supported, non-supported, or without merit.
1965
- 1966 **UNACCOMPANIED MINORS:** Children in the United States who are from other countries and
1967 whose families are either temporarily or permanently unavailable due to economic hardship,
1968 political circumstances, or abandonment.
1969
- 1970 **UNSUBSTANTIATED:** A judicial finding that there is insufficient evidence to determine that
1971 abuse, neglect, or dependency occurred.
1972
- 1973 **UNSUPPORTED:** A finding based on the information available to the worker at the end of the
1974 investigation that there was insufficient information to conclude that abuse, neglect, or
1975 dependency occurred. However, a finding of unsupported means also that the worker did not
1976 conclude that the allegation was without merit.
1977
- 1978 **VOLUNTARY CUSTODY:** A formal agreement in which a legal guardian or custodian grants
1979 custody of a child to Child and Family Services for placement in a licensed home or facility for a
1980 limited period of time.
1981
- 1982 **VOLUNTARY RELINQUISHMENT:** Consent by a parent to termination of their parental rights. A
1983 relinquishment must be signed and affirmed before a judge or an officer authorized to accept
1984 relinquishments. Only the juvenile court is authorized to take relinquishments with regard to a
1985 child under court jurisdiction.
1986
- 1987 **WELL-CHILD EXAMINATION:** A physical examination by a licensed health care professional to
1988 determine the health status of a child. A child need not present with a specific health concern
1989 to receive a well-child examination.
1990
- 1991 **WITHOUT MERIT:** A finding at the completion of the investigation by Child and Family Services,
1992 or a judicial finding, that the alleged abuse, neglect, or dependency did not occur, or that the
1993 alleged perpetrator was not responsible. [*Compare:* The definitions of Supported and
1994 Unsupported.]
1995
- 1996 **WRAP-AROUND SERVICES:** Wrap-around services are used to assist a child and family with the
1997 reunification process and in meeting their needs. Wrap-around services may include (but are
1998 not limited to) peer parenting, child care, home health aide services, parenting education,

1999 respite care, transportation services for visitation, vocational or educational assistance, mental
2000 health and/or substance abuse assessment and treatment, and housing referral and assistance.

2001

2002 **YARN:** Acronym for Young Adult Resource Network, which provides time limited services for
2003 youth if they are no longer in care and are not yet 21 years of age, and the youth:

2004

2005 A. Ages out of out-of-home care, or

2006

2007 B. While in out-of-home care, after the age of 14 years, the youth received at least 12
2008 consecutive months of TAL services and the court terminated reunification.

2009

2010 This assistance can be provided through support, financial aid, or Basic Life Skills Classes and
2011 may include housing, counseling, employment education, and other appropriate supports and
2012 services to complement a youth's efforts to achieve self-sufficiency.

2013

2014 **YISC:** See the definition for Significant Risk Assessment.

2015

2016 **YOUTH:** For Child and Family Services purposes, a person over the age of 14 years, a minor.
2017 [See: Utah Code Ann. [§62A-4a-101](#) and [§15-2-1](#).] Please note, however, that some criminal
2018 justice statutes define a child or minor differently for purposes of particular sexual offenses.

2019 [See, e.g.: Utah Code Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-402](#), [§76-5-402.1](#), [§76-5-](#)
2020 [402.2](#), [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1](#).] In appropriate
2021 circumstances, those statutes may apply. [See also: The definition of Native American Child.]
2022