
1	DEFINITIONS	
2		
3	Table of Contents	
4		
5	PURPOSE AND INTERPRETATION OF THESE DEFINITIONS	1
6		
7	ALLEGATION DEFINITIONS	2
8	ABUSE	2
9	Child Endangerment	2
10	Chronic Abuse	2
11	Dealing in Material Harmful to a Child.....	2
12	Domestic Violence Related Child Abuse	2
13	Emotional Abuse.....	2
14	Emotional Abuse, Chronic.....	2
15	Emotional Abuse, Severe.....	3
16	Fetal Exposure to Alcohol or other Harmful Substances.....	3
17	Human Trafficking- Labor.....	3
18	Human Trafficking- Sexual	3
19	Pediatric Condition Falsification (formerly Munchausen Syndrome by Proxy)	4
20	Physical Abuse.....	4
21	Physical Abuse, Chronic.....	4
22	Physical Abuse, Severe.....	4
23	Severe Abuse	5
24	Sexual Abuse	5
25	Sexual Exploitation.....	10
26	NEGLECT	11
27	Abandonment.....	11
28	Educational Neglect.....	11
29	Environmental Neglect	11
30	Failure to Protect.....	11
31	Failure to Thrive	12
32	Medical Neglect.....	12
33	Neglect, Chronic:	12
34	Neglect, Severe	12
35	Non-Supervision	12
36	Physical Neglect.....	12
37	Sibling or Child at Risk.....	12
38	DEPENDENCY	12
39	Safe Relinquishment of a Newborn Child	13
40		
41	DEFINITIONS	14
42	ABUSIVE HEAD TRAUMA.....	14
43	ADJUDICATION.....	14

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

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

132	GRAMA.....	25
133	GUARDIANSHIP OF THE PERSON	26
134	HARM.....	26
135	HCG	26
136	HEALTH CARE.....	26
137	HEALTH/PHYSICAL WELL-BEING	26
138	HEARSAY	26
139	HIV	26
140	HMO	26
141	HOME-TO-HOME BOOK.....	26
142	HVR	26
143	ICWA.....	26
144	ICWA KINSHIP/RELATIVE DEFINITION.....	27
145	IMMEDIATE PROTECTION SAFETY ASSESSMENT	27
146	INCEST.....	27
147	INDECENT LIBERTIES.....	27
148	INTAKE.....	27
149	IPSA	27
150	JUDICIAL REVIEW	27
151	KINSHIP	27
152	KINSHIP CARE	28
153	LEARNING DEVELOPMENT PROGRESS	28
154	LEARNING PROGRESS.....	28
155	LEGAL CUSTODY.....	28
156	LICENSED SOCIAL SERVICES WORKER.....	29
157	LIFE BOOK.....	29
158	LONG-TERM KINSHIP CARE.....	29
159	LONG-TERM VIEW.....	29
160	MEDICALLY FRAGILE	29
161	MEDICALLY NEEDY	29
162	MEPA	30
163	METHAMPHETAMINE.....	30
164	MINOR	30
165	MUNCHAUSEN SYNDROME BY PROXY	30
166	NATIVE AMERICAN CHILD	30
167	NATURAL PARENT.....	30
168	NEAR FATALITY	31
169	NOTICE OF AGENCY ACTION	31
170	ORSIS	31
171	OUT-OF-HOME CAREGIVER.....	31
172	OUT-OF-HOME CARE PROVIDER	31
173	PCP	31
174	PEER PARENT	31
175	PERIOD OF MINORITY	31

176	PERMANENCY	31
177	PERMANENCY HEARING	32
178	PERMANENCY PLANNING.....	32
179	PERMANENCY PLANNING OUTCOMES.....	32
180	PERPETRATOR:	32
181	PHYSICAL INJURY	32
182	PLACEMENT.....	32
183	PLACEMENT OF CHILD NOT FREE FOR ADOPTION	32
184	PLACEMENT SERVICES.....	32
185	PLAN IMPLEMENTATION	33
186	PLEA BARGAIN	33
187	PLEA IN ABEYANCE.....	33
188	POSITION OF SPECIAL TRUST	33
189	POST ADOPTION	33
190	PRACTICE MODEL PRINCIPLES.....	33
191	PRELIMINARY PLACEMENT WITH KIN.....	34
192	PREPONDERANCE	34
193	PRIORITY RESPONSE TIMES	34
194	PROCEDURES.....	35
195	PROSPECTS FOR PERMANENCE.....	35
196	PROTECTIVE CUSTODY	35
197	PROTECTIVE SERVICES COUNSELING.....	35
198	PROTECTIVE SERVICES SUPERVISION	35
199	PROXIMITY (IN RELATION TO CHILD PLACEMENT).....	35
200	QA.....	35
201	REASONABLE EFFORTS	36
202	REASSIGNMENT	36
203	REFERRAL	36
204	RELATIVE	36
205	RELINQUISHMENT	36
206	RESIDENCE.....	36
207	RESIDUAL PARENTAL RIGHTS AND DUTIES	36
208	RESOURCE FAMILY	36
209	RESPIRE CARE	36
210	REUNIFICATION SERVICES.....	37
211	RISK ASSESSMENT.....	37
212	SAFETY ASSESSMENT	37
213	SAFETY PLAN	37
214	SATISFACTION	37
215	SERIOUS HARM.....	37
216	SERIOUS PHYSICAL INJURY	37
217	SEXUAL INTERCOURSE	38
218	SEXUAL REACTIVITY	38
219	SIGNIFICANT RISK ASSESSMENT (also known as “YISC”).....	38

220	SSA	38
221	SSI.....	39
222	STABILITY	39
223	STAY	39
224	STD.....	39
225	SUBJECT OF THE REPORT	39
226	SUBSTANTIATED	39
227	SUCCESSFUL TRANSITIONS	39
228	SUPPORT PERSON.....	39
229	SUPPORTED.....	39
230	TAL.....	40
231	TANF	40
232	TEAM CONSULTATION	40
233	TEMPORARY CUSTODY	40
234	TLP	40
235	TPR	40
236	THREATENED HARM	40
237	TRACKING AND ADAPTATION	40
238	TRANSITION TO ADULT LIVING.....	41
239	TRANSITION TO ADULT LIVING COORDINATOR.....	41
240	TRANSITION TO ADULT LIVING PLAN (FORM OH03).....	41
241	TRANSITIONAL LIVING SOCIAL WORKER.....	41
242	UA.....	41
243	UDHS.....	41
244	UDOH.....	41
245	UNABLE TO COMPLETE INVESTIGATION	41
246	UNABLE TO LOCATE	42
247	UNACCOMPANIED MINORS.....	42
248	UNSUBSTANTIATED	42
249	UNSUPPORTED.....	42
250	VOLUNTARY CUSTODY	42
251	VOLUNTARY RELINQUISHMENT	42
252	WELL-CHILD EXAMINATION	42
253	WITHOUT MERIT	42
254	WRAP-AROUND SERVICES.....	42
255	YARN	43
256	YISC	43
257	YOUTH.....	43
258		
259		

260 **PURPOSE AND INTERPRETATION OF THESE DEFINITIONS**

261 Under Utah law, Child and Family Services is responsible for providing child welfare services
262 and protecting children from abuse, neglect, and dependency. In determining what constitutes
263 abuse, neglect, or dependency, the definitions in Utah Code Ann. [§62A-4a-101](#), et. seq., [§78A-6-](#)
264 [105](#), et. seq., the Criminal Code, these Administrative Rules, and court opinions apply. These
265 definitions are intended only for internal guidance and are not public law.

266
267 It is intended that these definitions should be applied and interpreted according to the following
268 principles:

- 269
270 A. These definitions supersede earlier definitions.
271
272 B. To the extent that these definitions are inconsistent with those established in public law
273 (statutes, Administrative Rules, and court opinions), the latter controls and will be
274 applied.
275

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.

Emotional Abuse, Chronic: Engaging in conduct or threatening a child with conduct that causes or can reasonably be expected to cause the child emotional harm. 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

319 threatening harm, rejecting, isolating, terrorizing, ignoring, or corrupting the child. Is
320 repeated or patterned abuse. (NOTE: Chronic abuse may be identified from the first
321 referral.) [See: Utah Code Ann. [§62A-4a-101](#).]
322

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

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

340
341 **Human Trafficking- Labor:** A person commits human trafficking of a child if the actor
342 recruits, harbors, transports, obtains, patronizes, or solicits a child for ~~[foreed]~~any labor
343 ~~obtained through force, fraud, or coercion.~~

344
345 **Human Trafficking- Sexual:** A person commits human trafficking of a child if the actor
346 recruits, harbors, transports, obtains, patronizes, or solicits a child for sexual exploitation,
347 ~~including all forms of commercial sexual activity, which may include conduct when the~~
348 ~~person acts under force, fraud, or coercion.~~

349
350 **Dealing in Material Harmful to a Child:** Distributing (providing or transferring
351 possession), exhibiting (showing), or allowing immediate access to material harmful to a
352 child or any other conduct constituting an offense under Utah Code Ann. [§76-10-1201](#)
353 [through 1206](#). [See: The definition of Material Harmful to a Child.]
354

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

- 359 1. Taken as a whole, appeals to the prurient interest in sex of a child, and
360 2. Is patently offensive to prevailing standards in the adult community as a whole
361 with respect to what is suitable material for a child, and

- 362 3. Taken as a whole does not have serious value for a child. "Serious value" includes
363 only serious literary, artistic, political, or scientific value for a child.
364

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

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

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

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

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

- 395 1. Physical harm need not be proven by visible evidence or physical impairment.
396 2. To support a finding of physical abuse, Child and Family Services need not show
397 that the alleged perpetrator actually intended to harm the child; it is sufficient to
398 show that the conduct was non-accidental and physical harm or threatened
399 physical harm actually occurred.
400 3. Is repeated or patterned abuse. (NOTE: Chronic abuse may be identified from the
401 first referral.) [See: Utah Code Ann. [§62A-4a-101](#).]
402

403 **Physical Abuse, Severe:** Abuse that causes or threatens to cause serious harm to a child.
404 Non-accidental physical harm or threatened physical harm of a child that may or may not
405 be visible. Unexplained physical harm to an infant, toddler, disabled, or non-verbal child.

406 Physical abuse may also include a child who suffered physical harm during a domestic
407 violence episode. Physical harm includes, but is not limited to, “physical injury” and/or
408 “serious physical injury” as defined in Utah Code Ann. [§76-5-109](#).

- 409 1. Physical harm need not be proven by visible evidence or physical impairment.
- 410 2. To support a finding of physical abuse, Child and Family Services need not show
411 that the alleged perpetrator actually intended to harm the child; it is sufficient to
412 show that the conduct was non-accidental and physical harm or threatened
413 physical harm actually occurred.
- 414 3. Severe abuse is defined in Utah Code Ann. [§78A-6-105](#).

415
416 **Severe Abuse:** Abuse that causes or threatens to cause serious harm to a child. Severe
417 abuse is defined in Utah Code Ann. [§78A-6-105](#). Serious harm includes but is not
418 limited to "serious physical injury" as defined in Utah Code Ann. [§76-5-109](#). Severe type
419 of child abuse or neglect is defined in Utah Code Ann. [§62A-4a-1002](#).

420
421 **Sexual Abuse:**

- 422 1. An act or attempted act of sexual intercourse, sodomy, incest, or molestation
423 directed toward a child. [See: Utah Code Ann. [§78A-6-105](#) and the definitions of
424 these terms herein.]
- 425 2. Subjecting a child to participate in or threatening to subject a child to participate
426 in a sexual relationship, regardless of whether that sexual relationship is part of a
427 legal or cultural marriage, or forcing a child under 18 years of age into marriage
428 or cohabitation with an adult in an intimate relationship. [See: Utah Code Ann.
429 [§78A-6-105](#).]
- 430 3. Engaging in any conduct with a child that would constitute an offense under any
431 of the following definitions (taken directly from Utah Code), regardless of
432 whether the person who engages in the conduct is actually charged with, or
433 convicted of, the offense:

434
435 **(a) Title 76, chapter 5, Part 4, Sexual Offenses, including:**

436 **(1) Unlawful sexual activity with a minor [14 or 15 years old] under Section**
437 **[76-5-401](#).**

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

- 439 (a) has sexual intercourse with the minor;
- 440 (b) engages in any sexual act with the minor involving the genitals of one person
441 and the mouth or anus of another person, regardless of the sex of either participant;
442 or
- 443 (c) causes the penetration, however slight, of the genital or anal opening of the
444 minor by any foreign object, substance, instrument, or device, including a part of
445 the human body, with the intent to cause substantial emotional or bodily pain to
446 any person or with the intent to arouse or gratify the sexual desire of any person,
447 regardless of the sex of any participant. For purposes of this section "minor" is a
448 person who is 14 years of age or older, but younger than 16 years of age, at the
449 time the sexual activity described in this section occurred.

450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493

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

A person commits sexual abuse of a minor if the person is four years or more older than the minor and the person touches the anus, buttocks, or any part of the genitals of the minor, or touches the breast of a female minor, or otherwise takes indecent liberties with the minor, or causes a minor to take indecent liberties with the actor or another person, with the 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 regardless of the sex of any participant. For purposes of this section "minor" is a person who is 14 years of age or older, but younger than 16 years of age, at the time the sexual activity described in this section occurred.

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

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

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

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

“Sexual conduct” refers to when the person:

- (a) has sexual intercourse with the minor;
- (b) engages in any sexual act with the minor involving the genitals of one person and the mouth or anus of another person, regardless of the sex of either participant;
- (c) causes the penetration, however slight, of the genital or anal opening of the minor by any foreign object, substance, instrument, or device, including a part of the human body, with the 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, regardless of the sex of any participant; or
- (d) touches the anus, buttocks, or any part of the genitals of the minor, or touches the breast of a female minor, or otherwise takes indecent liberties with the minor, or causes a minor to take indecent liberties with the actor or another person, with the 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 regardless of the sex of any participant.

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

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

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

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

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

496
497 **(6) Object rape under Section [76-5-402.2](#).**

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

504
505 **(7) Object rape of a child under Section [76-5-402.3](#).**

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

511
512 **(8) Sodomy-Forcible Sodomy under Section [76-5-403](#).**

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

518
519 **(9) Sodomy on a child [under 14] under Section [76-5-403.1](#).**

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

524
525 **(10) Forcible sexual abuse under Section [76-5-404](#).**

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

533
534 **(11) Sexual abuse of a child [under 14] under Section [76-5-404.1](#).**

535 A person commits sexual abuse of a child if the actor touches the anus, buttocks, or
536 genitalia of any child, the breast of a female child, or otherwise takes indecent
537 liberties with a child, or causes a child to take indecent liberties with the actor or

538 another with intent to cause substantial emotional or bodily pain to any person or
539 with the intent to arouse or gratify the sexual desire of any person regardless of the
540 sex of any participant. As used in this section, "child" means a person under the
541 age of 14.

542
543 **(12) Aggravated sexual assault under Section [76-5-405](#).**

544 A person commits aggravated sexual assault if:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

577
578 **b. Child bigamy under Section [76-7-101.5](#).**

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

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

585
586 **c. Incest under Section [76-7-102](#).**

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

- 590 (1) sexual intercourse between the actor and a person the actor knows has kinship
591 to the actor as a related person;
- 592 (2) the insertion or placement of the provider's seminal fluid into the vagina,
593 cervix, or uterus of a related person by means other than sexual intercourse;
- 594 (3) providing or making available his seminal fluid for the purpose of insertion or
595 placement of the fluid into the vagina, cervix, or uterus of a related person by
596 means other than sexual intercourse;
- 597 (4) a woman 18 years of age or older who:
- 598 (A) knowingly allows the insertion of the seminal fluid of a provider into her
599 vagina, cervix, or uterus by means other than sexual intercourse; and
- 600 (B) knows that the seminal fluid is that of a person with whom she has kinship as a
601 related person; or
- 602 (5) providing the actor's sperm or human egg that is used to conduct in vitro
603 fertilization, or any other means of fertilization, with the human egg or sperm of a
604 person who is a related person.

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

608
609 **d. Lewdness or sexual battery under Section [76-9-702](#).**

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

- 614 (a) an act of sexual intercourse or sodomy;
- 615 (b) exposes his or her genitals, the female breast below the top of the areola, the
616 buttocks, the anus, or the pubic area;
- 617 (c) masturbates; or
- 618 (d) any other act of lewdness.

619
620 **e. Lewdness involving a child [under 14] under Section [76-9-702.5](#);**

621 A person is guilty of lewdness involving a child if the person intentionally or
622 knowingly does any of the following to, or in the presence of a child who is under
623 14 years of age:

- 624 (1) performs an act of sexual intercourse or sodomy;
- 625 (2) exposes his or her genitals, the female breast below the top of the areola, the

- 626 buttocks, the anus, or the pubic area:
627 (i) in a public place; or
628 (ii) in a private place:
629 (A) under circumstances the person should know will likely cause affront or alarm;
630 or
631 (B) with the intent to arouse or gratify the sexual desire of the actor or the child;
632 (3) masturbates;
633 (4) causes a child under the age of 14 years to expose his or her genitals, anus, or
634 breast, if female, to the actor, with the intent to arouse or gratify the sexual desire
635 of the actor or the child; or
636 (5) performs any other act of lewdness.
637

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

- 639 (1) A person is guilty of voyeurism who intentionally uses a camcorder, motion
640 picture camera, photographic camera of any type, or other equipment that is
641 concealed or disguised to secretly or surreptitiously videotape, film, photograph,
642 record, or view by electronic means an individual:
643 (a) for the purpose of viewing any portion of the individual's body regarding which
644 the individual has a reasonable expectation of privacy, whether or not that portion
645 of the body is covered with clothing;
646 (b) without the knowledge or consent of the individual; and
647 (c) under circumstances in which the individual has a reasonable expectation of
648 privacy.
649 (2) Distribution or sale of any images, including in print, electronic, magnetic, or
650 digital format, obtained under Subsection (1) by transmission, display, or
651 dissemination.
652 (3) A person is guilty of voyeurism who, under circumstances not amounting to a
653 violation of Subsection (1), views or attempts to view an individual, with or
654 without the use of any instrumentality:
655 (a) with the intent of viewing any portion of the individual's body regarding which
656 the individual has a reasonable expectation of privacy, whether or not that portion
657 of the body is covered with clothing;
658 (b) without the knowledge or consent of the individual; and
659 (c) under circumstances in which the individual has a reasonable expectation of
660 privacy.
661

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

670
671 Sexual Exploitation includes a child's parent or legal guardian knowingly consenting to
672 or permitting the child to be sexually exploited as described above. [See: Utah Code Ann.
673 [§76-5b-1.](#)]
674

675 **NEGLECT:** An action or inaction that causes harm or threatened harm such as abandonment of
676 a child, except a safe relinquishment of a newborn child as provided in Utah Code Ann. [§62A-](#)
677 [4a-802](#); lack of proper parental care by reason of the fault or habits of the parent, guardian, or
678 custodian; failure or refusal of a parent, guardian, or custodian to provide proper or necessary
679 subsistence, education, or medical care, or any other care necessary for the child's health, safety,
680 morals, or well-being; a child at risk of being neglected or abused because another child in the
681 same home is neglected or abused. [See: Utah Code Ann. [§78A-6-105](#) and Administrative Rule
682 [R512-80.](#)] Neglect includes, but is not limited to, abandonment, educational neglect,
683 environmental neglect, failure to protect, failure to thrive, medical neglect, non-supervision,
684 physical neglect, and sibling at risk.
685

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

- 691 (a) Although having legal custody of the child, have surrendered physical custody of
692 the child, and for a period of six months following the surrender have not
693 manifested to the child or to the person having the physical custody of the child a
694 firm intention to resume physical custody or to make arrangements for the care of
695 the child;
696 (b) Have failed to communicate with the child by mail, telephone, or otherwise for
697 six months;
698 (c) Failed to have shown the normal interest of a natural parent, without just cause; or
699 (d) Have abandoned an infant, as described in Utah Code Ann. [§78A-6-316.](#)

700
701 [See also: Utah Code Ann. [§78A-6-508](#) and Administrative Rule [R512-80.](#)]
702

703 **Educational Neglect:** Failure or refusal to make a good faith effort to ensure that a child
704 receives an appropriate education, after receiving notice that the child has been frequently
705 absent from school without good cause or that the parent has failed to cooperate with
706 school authorities in a reasonable manner in accordance with Utah Code Ann. [§78A-6-](#)
707 [105](#) and [§78A-6-319.](#)
708

709 **Environmental Neglect:** An environment that poses an unreasonable risk to the physical
710 health or safety of a child. [See: Practice Guidelines [Section 200.](#)]
711

712 **Failure to Protect:** Failure to take reasonable action to remedy or prevent child abuse or
713 neglect. Failure to protect includes the conduct of a non-abusive parent or guardian who

714 knows the identity of the abuser or the person neglecting the child but lies, conceals, or
715 fails to report the abuse or neglect or the alleged perpetrator's identity.

716
717 **Failure to Thrive:** A medically diagnosed condition in which the child fails to develop
718 physically. This condition is typically indicated by inadequate weight gain.

719
720 **Medical Neglect:** Failure or refusal to provide proper medical, dental, or mental health
721 care or to comply with the recommendations of a medical, dental, or mental health
722 professional necessary to the child's health, safety, or well-being. Exceptions and
723 limitations provided in Utah Code Ann. [§78A-6-105](#) include:

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

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

732
733 **Neglect, Chronic:** Repeated or patterned neglect. (NOTE: Chronic neglect may be
734 identified from the first referral.) [See: Utah Code Ann. [§62A-4a-101](#).]

735
736 **Neglect, Severe:** Neglect that causes or threatens to cause serious harm to a child.
737 Serious harm includes, but is not limited to, serious physical injury as defined in Utah
738 Code Ann. [§76-5-109](#). [See: Utah Code Ann. [§78A-6-105](#).]

739
740 **Non-Supervision:** The child is subjected to accidental harm or an unreasonable risk of
741 accidental harm due to failure to supervise the child's activities at a level consistent with
742 the child's age and maturity. [See: Utah Code Ann. [§78A-6-105](#).]

743
744 **Physical Neglect:** Failure to provide for a child's basic needs of food, clothing, shelter,
745 or other care necessary for the child's health, safety, morals, or well-being.

746
747 **Sibling or Child at Risk:** A child who is at risk of being abused or neglected because
748 another child in the same home or with the same caregiver has been or is abused or
749 neglected.

750
751 **DEPENDENCY:** The condition of a child who is homeless or without proper care through no
752 fault of the child's parent, guardian, or custodian. [See: Utah Code Ann. [§62A-4a-101](#).]
753 Dependency may be due to a lack of understanding by the child's parent or guardian as a result of
754 a lack of education or due to a mental, emotional, or physical disability. Dependency may also be
755 due to a parent or guardian's lack of economic resources, or the institutionalization of a parent or
756 guardian. [See: Administrative Rule [R512-80](#).]

757

758 **Safe Relinquishment of a Newborn Child:** A parent or a parent's designee may safely
759 relinquish a newborn child at a hospital in accordance with the requirements of Utah
760 Code Ann. [§62a-4a-802](#) and retain anonymity, as long as the newborn child has not been
761 subjected to abuse or neglect.
762
763

764 **DEFINITIONS**

765

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

769

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

772

773 **ADJUDICATION HEARING:** An adjudication hearing is to be held to adjudicate the petition
774 filed by the Attorney General on behalf of Child and Family Services. [See: Utah Code Ann.
775 [§78A-6-309](#) and [§78A-6-311](#)].

776

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

782

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

793

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

797

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

801

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

805

806 **ALLEGED:** Asserted but not proven.

- 807
808 **ALLEGED FATHER** (formerly Putative Father): The man who claims to be or is claimed to
809 be the biological father of a child born out of wedlock.
810
- 811 **APPROPRIATENESS OF PLACEMENT:** A child's home community, the one that involves
812 the birth family, culture, village, or neighborhood, closest to school and peer group is the least
813 restrictive environment for a child. A child should be supported and maintained in his or her
814 home community. If a child's life is temporarily disrupted due to resolvable safety problems in
815 the family home or by needs that require specialized treatment for a specific and limited time in
816 another location, the child should be restored with necessary supports as quickly as possible to
817 his or her natural community. If a child's home and family situation does not permit the child to
818 return home after removal for safety reason, then that child should be provided a safe,
819 appropriate, and permanent home as quickly as possible so that natural social supports can be
820 developed for that child in a new home, neighborhood, school, and community.
821
- 822 **ARRANGED MARRIAGE:** Any marriage, legal or otherwise, that is arranged, coerced, or
823 threatened, and which involves a child and an adult, including (but not limited to) an adult who is
824 a member of the child's immediate or extended family.
825
- 826 **AAG:** Acronym for Assistant Attorney General. The AAG is an attorney that represents Child
827 and Family Services.
828
- 829 **BABY DOE:** A medically disabled infant with life-threatening conditions for whom medically
830 indicated treatment is withheld. (This is a federal statutory definition and *does not* apply to or
831 mean an infant abandoned by the parent.)
832
- 833 **BASIC LIFE SKILLS TRAINING:** Education that each youth age 16 and older will receive
834 prior to leaving out-of-home care.
835
- 836 **BCI:** Acronym for the Bureau of Criminal Identification.
837
- 838 **CANR:** Acronym for the Child Abuse and Neglect Report.
839
- 840 **CAREGIVER FUNCTIONING:** The caregivers' capacity, availability, and willingness to meet
841 the child's basic care and developmental needs reliably on a daily basis. Expectation of adequate
842 caregiver functioning and support apply to children living in out-of-home care with a relative,
843 living in a foster home, and to care staff in group-living situations.
844
- 845 **CAREGIVER SUPPORT:** Substitute caregivers include kinship caregivers, foster and
846 adoptive resource families, and any persons who provide parenting, assistance, supervision, and
847 physical care for a child or youth in a temporary place of residence. Provisions of caregiver
848 supports and in-home services should enable the caregiver to participate in assessment of needs,
849 selection of providers, and scheduling. To be effective and satisfactory, supports should be
850 culturally compatible and of an intensity commensurate with the needs of the child and

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

853
854 **CASE CREATION:** A process through SAFE where all case types, other than CPS, can be
855 created in another child welfare program.

856
857 **CHAFEE:** Refers to the Chafee Foster Care Independence Act 1999, which provides states with
858 flexible funding that enables programs to be designed and conducted specifically for preparing
859 youth to become self-sufficient upon leaving state's custody.

860
861 **CHEC:** Acronym for Child Health Evaluation and Care, Utah's version of the federally
862 mandated Early Periodic Screening, Diagnosis and Treatment (EPSDT) program. The program
863 ensures that eligible children receive: 1) routine periodic health examinations, Well Child Care
864 and, 2) needed treatment or follow-up services that are medically necessary. It also refers to the
865 type of extensive physical assessment required, as mandated by the Medicaid Services Manual.

866
867 **CHILD:** For Child and Family Services purposes, a person under 18 years of age. [See: Utah
868 Code Ann. [§62A-4a-101](#) and [§15-2-1](#).] Please note, however, that some criminal justice statutes
869 define a child or minor differently for purposes of particular sexual offenses. [See: Utah Code
870 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](#),
871 [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1](#).] In appropriate circumstances, those statutes may
872 apply. [See also: The definition of Native American Child.]

873
874 **CHILD AND FAMILY ASSESSMENT (formerly Functional Assessment):** Information that
875 is gathered from various sources as appropriate to the child's situation that includes a
876 combination of clinical, functional, and information assessment techniques used to determine the
877 strengths, capabilities, needs, risks, and lifestyle preferences of the child and family. Once
878 gathered, the information should be analyzed and synthesized to form a comprehensive "big
879 picture view" of the child and his or her social support networks at home, at school, and in the
880 community. Members of the Child and Family Team, working together, should synthesize their
881 assessment knowledge to form a common big picture view that provides shared understanding of
882 the child's situation. This provides a common core of team intelligence for unifying efforts,
883 planning joint strategies, sharing resources, finding what works, and achieving a good mix and
884 match of supports and services for the child and family. Developing and maintaining a useful
885 big picture view is a dynamic, ongoing process for the Child and Family Team.

886
887 **CHILD AND FAMILY PARTICIPATION:** The child and family's sense of personal
888 ownership in the plan and decision process. The child and family's active participation in
889 shaping and directing service arrangement that impacts their lives. Emphasis is placed on direct
890 and ongoing involvement of key family members in all phases of service delivery: assessment,
891 planning, selection of providers, monitoring, modifications, and evaluation.

892
893 **CHILD AND FAMILY PLANNING PROCESS:** The Child and Family Plan specifies the
894 goals, roles, strategies, resources, and schedules for coordinated provision of assistance,

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

905
906 **CHILD AND FAMILY TEAM:** The child, their family, the Child and Family Services social
907 worker, and the out-of-home provider are primary members of a Child and Family Team. Other
908 entities that may be included to provide additional support include representatives from
909 education, health care, law enforcement, the GAL, the parents' attorney, the Attorney General,
910 and other supportive individuals as designated by the family.

911
912 **CHILD AND FAMILY TEAM COORDINATION:** The collaboration of all parties involved
913 in the child and family's life toward a common objective. Child and Family Team members can
914 be a teacher, therapist, tracker, GAL, daycare provider, peer parent, health care provider, and
915 other paid service providers. Parents, family members, neighbors, and others can also be part of
916 a Child and Family Team. Collectively, the team should have the technical and cultural
917 competence, family knowledge, and authority to act in behalf of funders and to commit resources
918 and ability to flexibly assemble supports and resources in response to specific needs.

919
920 **CHILD AND FAMILY SERVICES DOMESTIC VIOLENCE WORKER:** A Child and
921 Family Services employee who has been designated by the Child and Family Services region to
922 specialize in domestic violence cases and who has the following qualifications: (a) expertise in
923 the dynamics of domestic violence; (b) experience working with domestic violence perpetrators
924 and victims; (c) a working knowledge of the child welfare system, the criminal justice system,
925 and the court system as they relate to domestic violence; (d) familiarity with local domestic
926 violence services and community resources; and (e) a Bachelor's Degree and Social Service
927 Worker license.

928
929 **CHILD AND FAMILY SERVICES FAMILY SERVICES CASEWORKER:** A person
930 employed by or contracted with Child and Family Services to provide professional casework,
931 case management, contract management, or direct service and contract management
932 supervision. The person will have, at a minimum, a Bachelor's Degree, but may not have met
933 the requirements to be a licensed worker.

934
935 **CHILD AND FAMILY SERVICES INTAKE WORKER:** A person employed by Child and
936 Family Services who processes referrals concerning child abuse, neglect, or dependency. Intake
937 workers must possess solid communication, interpersonal, and assessment skills.

938

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

940

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

943

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

947

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

950

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

952

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

955

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

959

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

964

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

967

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

971

972 B. Child five years of age or older.

973

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

975

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

978

979 **CHRONIC ABUSE:** Repeated or patterned abuse. (NOTE: Chronic abuse may be identified
980 from the first referral.) [See: Utah Code Ann. [§62A-4a-101](#).]

981

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

- 983
984 A. Is or was a spouse of the other party.
985
986 B. Is or was living as if a spouse of the other party.
987
988 C. Is related by blood or marriage to the other party.
989
990 D. Has or had one or more children in common with the other party.
991
992 E. Is the biological parent of the other party's unborn child.
993
994 F. Resides or has resided in the same residence as the other party.
995

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

- 997
998 A. The relationship of a natural parent, adoptive parent, or stepparent to a minor.
999
1000 B. The relationship between natural, adoptive, step, or foster siblings who are under 18 years
1001 of age.
1002

1003 [See: Utah Code Ann. [§78B-7-102](#) and Administrative Rule [R512-205](#).]
1004

1005 **COLLATERAL CONTACT:** Any individual, other than the alleged perpetrator, who has had
1006 direct contact with or knowledge of the child or the child's family.
1007

1008 **COMMUNITY DOMESTIC VIOLENCE SPECIALIST:** A domestic violence specialist such
1009 as one who is employed by a domestic violence shelter or victim advocate program and who has
1010 the following qualifications: (a) expertise in the dynamics of domestic violence; (b) experience
1011 working with domestic violence perpetrators and victims; (c) a working knowledge of the child
1012 welfare system, the criminal justice system, and the court system as they relate to domestic
1013 violence; and (d) familiarity with local domestic violence services and community resources.
1014 [See: The definition of Child and Family Services Domestic Violence (DV) Worker.]
1015

1016 **CONCURRENT PERMANENCY PLANNING:**

- 1017 A. Planning for different permanency outcomes at the same time.
1018
1019 B. Is a means to support and expedite efforts to achieve permanence for a child within one
1020 year—a time frame that reflects a child's sense of the passage of time.
1021
1022 C. Offers a structured approach to moving children quickly from the uncertainty of out-of-
1023 home care to the stability and security of a permanent family.
1024
1025 D. Starts with the first interaction with the child or the family
1026

1027 **CONFLICT OF INTEREST:** A situation in which the worker or Child and Family Services
1028 has a personal or professional relationship with a subject of the record (including the alleged
1029 victim or the alleged perpetrator). Utah Code Ann. [§62A-4a-409](#) requires that an agency other
1030 than Child and Family Services will investigate allegations of abuse, neglect, or dependency that
1031 involve individuals, institutions, or facilities that Child and Family Services supervises, governs,
1032 or directs.

1033
1034 **CORRUPTION:** A situation where a child is victimized by being associated with, or involved
1035 in, an immoral or illegal action (e.g., a parent teaching a child to shoplift; or a parent providing
1036 the child with or allowing access to alcohol or drugs for consumption).

1037
1038 **CPS:** Acronym for Child Protective Services.

1039
1040 **CREDIBLE EVIDENCE:** Information that is believable and plausible. [See: The definition of
1041 Evidence.]

1042
1043 **CUSTODIAN:** A person who has legal custody of a child or a person responsible for a child's
1044 care as defined in Utah Code Ann. [§62A-4a-402](#).

1045
1046 **CUSTODY:** [See: The definitions of DHS Custody, Legal Custody, Protective Custody,
1047 Temporary Custody, and Voluntary Custody.]

1048
1049 **CUSTODY START DATE:** Same as Date of Removal.

1050
1051 **DATE OF REMOVAL:** The date the child was initially removed from his or her biological
1052 home or the earliest of the protective custody date, the temporary custody date, and the
1053 adjudicated custody dates.

1054
1055 **DATING VIOLENCE:** Verbal, emotional, psychological, physical, or sexual abuse of one
1056 person by another in a dating relationship. [See: Utah Code Ann. [§57-22-5.1](#).]

1057
1058 **DCFS:** Acronym for the Division of Child and Family Services.

1059
1060 **DHS:** Acronym for the Department of Human Services.

1061
1062 **DHS CUSTODY:** A relationship in which the court grants custody of a child to DHS.

1063
1064 **DISPOSITIONAL HEARING:** A hearing to determine the placement of the child and the
1065 status of legal custody and guardianship, establish the primary permanency goal, and based on
1066 the goal, whether reunification services will be provided. In addition to the primary goal, the
1067 court will establish the concurrent permanency goal. [See: Utah Code Ann. [§78A-6-312](#).]

1068
1069 **DISPOSITION OF A CPS REFERRAL:** When Intake makes a determination that a referral
1070 will be accepted or unaccepted.

1071
1072 **DISRUPTION (OF AN ADOPTION):** Ending an adoptive placement before the adoption is
1073 final.

1074
1075 **DISSOLUTION (OF AN ADOPTION):** Undoing the adoption after it is final. [*See also:*
1076 Voluntary Relinquishment.]

1077
1078 **DOMESTIC VIOLENCE:** Utah Code Ann. [§77-36-1](#) defines domestic violence as any
1079 criminal offense involving violence or physical harm or threat of violence or physical harm, or
1080 any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or
1081 physical harm, when committed by one cohabitant against another. Domestic violence also
1082 means commission or attempt to commit any of the following offenses by one cohabitant against
1083 another: (a) aggravated assault, as described in Utah Code Ann. [§76-5-103](#); (b) assault, as
1084 described in Utah Code Ann. [§76-5-102](#); (c) criminal homicide, as described in Utah Code Ann.
1085 [§76-5-201](#); (d) harassment, as described in Utah Code Ann. [§76-5-106](#); (e) electronic
1086 communication harassment, as described in Utah Code Ann. [§76-9-201](#); (f) kidnapping, child
1087 kidnapping, or aggravated kidnapping, as described in Utah Code Ann. [§76-5-301](#), [§76-5-301.1](#),
1088 and [§76-5-302](#); (g) mayhem, as described in Utah Code Ann. [§76-5-105](#); (h) sexual offenses, as
1089 described in Title 76, Chapter 5, Part 4, Sexual Offenses, and Utah Code Ann. [§76-5b-201](#); (i)
1090 stalking, as described in Utah Code Ann. [§76-5-106.5](#); (j) unlawful detention, as described in
1091 Utah Code Ann. [§76-5-304](#); (k) violation of a protective order or ex parte protective order, as
1092 described in Utah Code Ann. [§76-5-108](#); (l) any offense against property described in Title 76,
1093 Chapter 6, Part 1, Property Destruction, Part 2, Burglary and Criminal Trespass, or Part 3,
1094 Robbery; (m) possession of a deadly weapon with intent to assault, as described in Utah Code
1095 Ann. [§76-10-507](#); (n) discharge of a firearm from a vehicle, near a highway, or in the direction of
1096 any person, building, or vehicle, as described in Utah Code Ann. [§76-10-508](#); (o) disorderly
1097 conduct, as defined in Utah Code Ann. [§76-9-102](#), if a conviction of disorderly conduct is the
1098 result of a plea agreement in which the defendant was originally charged with any of the
1099 domestic violence offenses otherwise described in this subsection (conviction of disorderly
1100 conduct as a domestic violence offense, in the manner described herein, does not constitute a
1101 misdemeanor crime of domestic violence under 18 U.S.C. Section 921, and is exempt from the
1102 provision of the federal Firearms Act, 18 U.S.C. Section 921, et seq.); or (p) child abuse as
1103 described in Utah Code Ann. [§76-5-109.1](#). Domestic violence can take a variety of forms,
1104 including:

- 1105
- 1106 A. Physical violence, including such aggressive behavior as hitting, pushing, choking,
1107 scratching, pinching, restraining, slapping, pulling, hitting with weapons or objects,
1108 shooting, stabbing, damaging property or pets, or threatening to engage in such
1109 aggressive behavior.
 - 1110
 - 1111 B. Psychological violence, such as intense and repetitive degradation, creating isolation, or
1112 detrimentally controlling the actions or behavior of another person through intimidation
1113 or manipulation.
- 1114

1115 C. Sexual violence, such as sexual harassment, limiting reproductive freedom, infliction of
1116 pain during sexual intimacy, or the use or threat of physical force to make a cohabitant
1117 perform a sexual act.
1118

1119 [See: [Section 600](#), Domestic Violence.]
1120

1121 **DOMESTIC VIOLENCE PERPETRATOR:** Any adult who commits an act of domestic
1122 violence against another cohabitant.
1123

1124 **DOMESTIC VIOLENCE SERVICES:** Utah Code Ann. [§62A-4a-101](#) states domestic
1125 violence services means: (a) temporary shelter, treatment, and related services to a person who is
1126 a victim of abuse, as defined in Utah Code Ann. [§78B-7-102](#) and the dependent children of a
1127 person described in subsection (12)(a)(i), as well as treatment services for a person who is
1128 alleged to have committed, has been convicted of, or has pled guilty to an act of domestic
1129 violence as defined in Utah Code Ann. [§77-36-1](#). Domestic violence services delivered to adult
1130 and youth victims of family violence, domestic violence, or dating violence, and their dependents
1131 are designed to meet the needs of victims for short-term, transitional, or long-term safety and
1132 provide counseling, advocacy, or assistance for victims. Services are typically provided by a
1133 licensed domestic violence shelter provider, a licensed domestic violence treatment provider, a
1134 victim advocate, or a similar domestic violence facility or specialist.
1135

1136 **DOMESTIC VIOLENCE SHELTER:** A program for survivors of domestic violence and their
1137 children where survivors and their children receive refuge from their abusers in a facility whose
1138 location is kept confidential to prevent the abuser from locating the survivor. Shelter services
1139 available to survivors and their children may include emergency housing, help with basic living
1140 needs, food, childcare, and other support services (i.e., support groups, referrals to community
1141 resources).
1142

1143 **DOMESTIC VIOLENCE SURVIVOR/VICTIM:** An adult who has been subjected to
1144 domestic violence.
1145

1146 **DNR:** Acronym for a Do Not Resuscitate order.
1147

1148 **DSM:** Diagnostic and Statistical Manual of Mental Disorders.
1149

1150 **DSPD:** Acronym for the Division of Services for People With Disabilities. The branch of Utah's
1151 DHS that provides support to individuals with disabilities and their families.
1152

1153 **DUI:** Acronym for Driving Under the Influence.
1154

1155 **EFFECTIVE RESULTS:** Services are provided to achieve specific results and benefits for the
1156 child and family. These results should include improved functioning, achievement of outcomes
1157 consistent with the long-term view, and improved learning. If intervention strategies and
1158 services are not producing these results, then strategies and services should be modified over

1159 time as experience is gained about what expectations are reasonable and what interventions
1160 actually work.

1161
1162 **EMANCIPATED MINOR:** Under Utah Code Ann. [§15-2-1](#), a minor who marries is
1163 automatically emancipated. A minor may also be deemed emancipated by court order. The
1164 court looks at specific facts, including enlisting in the armed forces or leaving the parental home
1165 and becoming self-supporting.

1166
1167 **EMERGENCY KINSHIP PLACEMENT:** *See* Preliminary Placement with Kin.

1168
1169 **EMOTIONAL/BEHAVIORAL WELL-BEING:** The child has social supports in the home
1170 and school settings that provide the child with a sense of: identity that connotes feelings of
1171 personal worth, belonging and affiliation with others in his or her support network, being capable
1172 of participating in major life activities and decisions that affect him or her, feeling that his or her
1173 life has meaning, purpose, and direction, and being part of his or her culture and its social
1174 supports.

1175
1176 **ESTABLISHED PRIMARY CARE PROVIDER:** An individual or group who has seen the
1177 child at least once, has an established relationship with child or family, and wants to continue
1178 having a relationship with that child.

1179
1180 **ETV:** Acronym for Education and Training Voucher, which provides financial resources for
1181 postsecondary education and vocational training necessary to obtain employment or to support
1182 the individual's employment goals.

1183
1184 **EVIDENCE:** Testimony, writings, or material objects that are offered to prove the existence or
1185 non-existence of a fact.

1186
1187 **F.A.C.T.:** Acronym for Families, Agencies and Communities Together. F.A.C.T. is a
1188 committee of community service agencies that can provide a wide range of assistance to
1189 families.

1190
1191 **FACE-TO-FACE CONTACT:** In-person contact with a child to assess safety and any
1192 protection needs for the child.

1193
1194 **FALSE REPORT:** A report of abuse or neglect made to Child and Family Services by a
1195 reporter (referent) who more likely than not knew the report was false at the time that person
1196 submitted the report. [*See:* Utah Code Ann. [§62A-4a-1007](#).]

1197
1198 **FAMILY FOSTER CARE:** A living arrangement offered and supervised by Child and Family
1199 Services for children who are under age 21 years at time of intake and are unable to receive
1200 needed parental care in their own home but are able to participate in family and community life
1201 without danger to themselves or others.

1202

1203 **FAMILY FUNCTIONING AND RESOURCEFULNESS:** The ability of the family to
1204 become self-directed and to build the capacities necessary for its members to live safely and for
1205 the family unit to function successfully with basic and special needs of all members adequately
1206 met.

1207
1208 **FAMILY SERVICE SPECIALIST:** Reviews cases with Child and Family Services social
1209 workers prior to removal to determine if there is substantial cause to believe grounds for removal
1210 exist and that services are not reasonably available to eliminate the need for removal. A Child
1211 and Family Services CPS caseworker need not review a case with a family service specialist if,
1212 in the Child and Family Services CPS caseworker's opinion, that process would create a delay
1213 that may endanger the health, safety, or welfare of the child.

1214
1215 Criteria for selection of the family service specialist is as follows:
1216

- 1217 A. Region directors will select family service specialists from existing staff based on the
1218 following:
- 1219 1. Be a lead worker or above.
 - 1220 2. Have at least five years of child welfare experience.
 - 1221 3. Have an LCSW with at least three years of child welfare experience.
 - 1222 4. Complete the family service specialist training.
- 1223
- 1224 B. Staff selected as family service specialists will be placed on a calling tree that will be
1225 made available to workers 24 hours per day. Regions may develop calling trees for the
1226 entire region, local offices, counties, or any other configuration that is workable for the
1227 region.
- 1228 1. During business hours, workers may be directed to call their own supervisor first;
1229 however, if their supervisor is not available, the calling tree will provide other
1230 staffing options.
 - 1231 2. During non-business hours, staff on the calling tree will not be required to carry a
1232 pager or cell phone, but must provide a phone number where they can be reached.
1233 Workers will call down the calling tree until they reach a family service specialist.
1234 The family service specialist will be allowed to claim time actually worked during
1235 non-business hours.
 - 1236 3. If a region already has a supervisor available for an on-call system, their system
1237 will not change if the supervisor meets the criteria for a family service specialist
1238 listed in subparagraph A above.
- 1239
- 1240 C. Calling trees should be updated as needed with staff changes.

1241
1242 **FAMILY VIOLENCE:** Any act or threatened act of violence, including any forceful detention
1243 of an individual that results or threatens to result in physical injury and is committed by a person
1244 against another individual (including an elderly individual) to or with whom such person is
1245 related by blood, or is or was related by marriage or is or was otherwise legally related, or is or
1246 was lawfully residing.

1247
1248 **FETAL ALCOHOL SPECTRUM DISORDER (FASD):** A broader array of impairments than
1249 are reported for children suffering from Fetal Alcohol Syndrome. In FASD children exposed to
1250 alcohol in the womb may exhibit one or more of the following characteristics or behaviors: (a)
1251 Inadequate growth in the womb or after birth; (b) Facial abnormalities such as small eye
1252 openings; (c) Poor coordination; (d) Hyperactive behavior; (e) Learning disabilities (e.g., speech
1253 and language delays); (f) Mental retardation or low IQ; (g) Poor reasoning and judgment skills;
1254 (h) Poor impulse control; or (i) Sleep and sucking disturbances in infancy.

1255
1256 **FINALIZATION:** A court of law has decreed that the adoption is final.

1257
1258 **FORMAL AND INFORMAL SUPPORT SYSTEMS:** Informal support is the offerings of
1259 friends, neighbors, churches, and community agencies that can range from volunteer reading
1260 tutors to after school supervision, recreational activities, assisting with transportation or keeping
1261 appointments, etc. Professional services may be donated, offered through health care plans, or
1262 funded by government agencies. A combination of supports and services may be necessary to
1263 assist the child, family, and teacher. Selection of basic supports should begin with information
1264 family network supports and generic community resources available to all citizens. Specialized
1265 and tailor made supports and services should be developed or purchased, only when necessary, to
1266 supplement rather than supplant readily available supports and services of satisfactory nature.

1267
1268 **FULL DISCLOSURE:** Respectful, candid discussion early and throughout the case about the
1269 impact of out-of-home care on children, clarification of birth parents' rights and responsibilities,
1270 supports agency will provide, permanency options, and consequences of not following through
1271 with the case plan. This includes open, honest discussions with all parties – biological families,
1272 relatives, foster/adoptive families, attorneys, and other service caregivers with the use of family
1273 group decision-making/conferencing strategies to involve families in early planning.

1274
1275 **FULL FAITH AND CREDIT:** A legal principle requiring judges to recognize and enforce
1276 valid orders, decrees, and judgments issued by courts in other states. For example, Utah courts
1277 recognize a protective order from another state.

1278
1279 **GAF:** Acronym for Global Assessment of Functioning Scale.

1280
1281 **GAL:** Acronym for Guardian ad Litem. The court may appoint a GAL to represent the best
1282 interests of a child involved in a case before the court. Out-of-home providers are encouraged to
1283 contact the child's GAL about any concerns that the child's needs are not being met.

1284
1285 **GENITAL MUTILATION:** Performing or facilitating female genital mutilation as defined in
1286 Utah Code Ann. [§76-5-701](#).

1287
1288 **GRAMA:** Acronym for Government Records Access Management Act, a Utah statute that
1289 allows members of the public to obtain copies of certain government records. If a person
1290 submits a written request for a Child and Family Services record, GRAMA requires Child and

1291 Family Services to disclose the record *unless* such disclosure is prohibited by GRAMA itself
1292 (e.g., Utah Code Ann. [§63G-2-302](#), [§63G-2-304](#) and [§63G-2-305](#)) or by another state or federal
1293 statute (e.g., Utah Code Ann. [§62A-4a-412](#)). Many of Child and Family Services' records are
1294 not open to the public due to their classification under GRAMA or other statutes.

1295
1296 **GUARDIANSHIP OF THE PERSON:** The guardian (caregiver or responsible adult) has the
1297 authority to consent to the child's marriage; enlistment in the armed forces; major medical,
1298 surgical, or psychiatric treatment; and to legal custody, if legal custody is not vested in another
1299 person, agency, or institution. [See: Utah Code Ann. [§78A-6-105](#).]

1300
1301 **HARM:** Harm is defined in Utah Code Ann. [§78A-6-105](#). Harm also includes, but is not limited
1302 to, any injury or condition described in Utah Code Ann. [§76-5-109](#). [See also: The definition of
1303 Threatened Harm.]

1304
1305 **HCG:** Urine Pregnancy Test.

1306
1307 **HEALTH CARE:** Services including medical, dental, and mental health services.

1308
1309 **HEALTH/PHYSICAL WELL-BEING:** The child's basic physical needs for proper nutrition,
1310 clothing, shelter, and hygiene are met on a daily basis. Preventive medical and dental care is
1311 necessary for maintaining good health. Preventive health care should include immunizations,
1312 dental hygiene, and screening for possible physical or developmental problems. Physical well-
1313 being encompasses both the child's physical health status and access to timely health services.

1314
1315 **HEARSAY:** An out-of-court statement that is offered to prove the truth of the matter. NOTE:
1316 Utah statute, the Utah Rules of Criminal Procedure, and the Utah Rules of Evidence classify
1317 certain types of statements as "non-hearsay" or as otherwise admissible as evidence. Hearsay
1318 evidence is admissible at an Administrative Hearing.

1319
1320 **HIV:** Human Immunodeficiency Virus.

1321
1322 **HMO:** A Health Maintenance Organization.

1323
1324 **HOME-TO-HOME BOOK:** The child's Home-to-Home Book will be maintained to
1325 preserve vital information about the child's events and activities during the time the
1326 child spent in care such as educational, medical, dental, and mental health. The Home-
1327 to-Home Book will be reviewed by the worker quarterly.

1328
1329 **HVR:** Health Visit Report, HVR-Child and Family Services Form 984.

1330
1331 **ICWA:** Acronym for the Indian Child Welfare Act. ICWA is the federal statute that establishes
1332 certain standards and procedures that a state non-Native American authority must follow when

1333 removing a Native American child from a care provider and placing the child in the state's
1334 temporary custody.

1335
1336 **ICWA KINSHIP/RELATIVE DEFINITION:** An "extended family member" is defined by the
1337 law or custom of the Native American child's tribe, or in the absence of such law or custom, is
1338 any person who has reached the age of 18 years and who is the Native American child's
1339 grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew,
1340 first or second cousin, or stepparent. [See: 25 U.S.C. §1903.]

1341
1342 **IMMEDIATE PROTECTION SAFETY ASSESSMENT:** An organized protocol of assessing
1343 the immediate protection and safety needs of the alleged victim at the worker's initial contact.
1344

1345 **INCEST:** Engaging in sexual intercourse with a person whom the perpetrator knows to be the
1346 perpetrator's ancestor, descendant, brother, sister, siblings by marriage (while the marriage
1347 exists), siblings by adoption, uncle, aunt, nephew, niece, or first cousin. The relationships cited
1348 above include blood relationships of the whole or half blood, without regard to legitimacy;
1349 relationships of parent and child by adoption; and relationships of stepparent and stepchild while
1350 the marriage creating the relationship of a stepparent and stepchild exists. Incest includes
1351 providing or making available seminal fluid or a human egg and other conduct specified in Utah
1352 Code Ann. [§76-7-102](#) and [§78A-6-105](#). [See also: The definitions of Sexual Abuse and Sexual
1353 Intercourse.]

1354
1355 **INDECENT LIBERTIES:** Touching the actor's genitals, anus, buttocks, pubic area, or female
1356 breast against any part of the body of the victim; causing the victim to touch the actor's or
1357 another's genitals, pubic area, anus, buttocks, or female breast; simulating or pretending to
1358 engage in sexual intercourse with the victim, including genital-genital, oral-genital, anal-genital,
1359 or oral-anal intercourse. [See: Utah Code Ann. [§76-5-416](#)].

1360
1361 **INTAKE:** The process of receiving the initial information from a referent who is alleging an act
1362 of abuse, neglect, or dependency against a child, researching for additional information, and
1363 disposition of the referral including determining appropriate assignment and prioritization of an
1364 accepted referral.

1365
1366 **IPSA:** Acronym for an Individual Protection Safety Assessment.
1367

1368 **JUDICIAL REVIEW:** A court review of agency actions. This review may be in Juvenile Court
1369 and relate to Child and Family Services actions in a case under court jurisdiction. The review
1370 may also relate to review of a final decision from and administrative law judge in an
1371 administrative hearing.

1372
1373 **KINSHIP:** The relationship of family members or near kin who are a fit, safe, and appropriate
1374 placement for the alleged primary victim or siblings and is an adult who is a grandparent, great
1375 grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, stepparent, first
1376 cousin, stepsibling, or sibling of the child. Preference may be given to kin or a non-custodial

1377 parent who are a fit, safe, and appropriate placement for an emergency kinship placement in
1378 accordance with Utah Code Ann. [§78A-6-307](#). Kinship placement may be an alternative to an
1379 out-of-home care placement. The child in a kinship placement may be in the custody of Child
1380 and Family Services or in the custody of relatives. [See also: The definition of ICWA
1381 Kinship/Relative Definition.] [See also: Utah Code Ann. [§78A-6-307](#), which defines the term
1382 "relative" to include such "extended family members" and great grandparents, great aunts, great
1383 uncles, and stepsiblings.]

1384
1385 **KINSHIP CARE:** The full-time care, nurturing, and protection of a child by relatives when a
1386 court determines the child cannot be cared for safely by their parents.

1387
1388 **LEARNING DEVELOPMENT PROGRESS** (for children under age five years): The child is
1389 actively engaged in developmental and educational processes that enable the child to develop the
1390 skills and functional capabilities at a rate and level consistent with his or her age and abilities.
1391 Essential functional capabilities include: walking/mobility, talking/communicating, toileting,
1392 following simple and more complex directions, independent/parallel/cooperative play,
1393 independent dressing, color recognition, etc. Children who have developmental delays or
1394 physical limitations should be receiving the necessary support to maximize their development.

1395
1396 **LEARNING PROGRESS** (for children age five years and older): The child is a learner who is
1397 actively engaged in developmental, educational, and/or vocational processes that are enabling
1398 him or her to build skills and functional capacities at a rate and level consistent with his or her
1399 age and abilities. Learning progress is concerned not only with academic progress and
1400 achievement test scores, but also with acquisition and demonstration of functional capabilities
1401 that include self-care, mobility, communications, literacy, self-direction, caring relationships,
1402 community orientation, citizenship participation, employability, and independent living. The
1403 ultimate concern is whether the child is learning and progressing at a rate that will enable him or
1404 her to become a responsible, competent, contributing citizen upon completion of public school.

1405
1406 **LEGAL CUSTODY:** A relationship embodying the following rights and duties:

- 1407
1408 A. The right to physical custody of the child.
1409
1410 B. The right and duty to protect, train, and discipline the child.
1411
1412 C. The duty to provide the child with food, clothing, shelter, education, and ordinary
1413 medical care.
1414
1415 D. The right to determine where and with whom the child will live.
1416
1417 E. The right, in an emergency, to authorize surgery or extraordinary care.

1418
1419 [See: Utah Code Ann. [§78A-6-105](#).]
1420

1421 **LICENSED SOCIAL SERVICES WORKER:** A Bachelor's Degree worker with a Social
1422 Service Worker (SSW) license, or a Master's level (CSW, LCSW, LPC, or MFT) license.
1423 Advanced Master's level licenses have additional clinical-based requirements.

1424
1425 **LIFE BOOK:** A record of the child's personal history from birth, including the child's time in
1426 out-of-home care.

1427
1428 **LONG-TERM KINSHIP CARE:** Care provided, subsequent to the permanency hearing, to a
1429 child by a relative who is a licensed foster parent. At the permanency hearing, the court must
1430 identify and document, on an individual basis, a "compelling reason" that return home, adoption,
1431 or permanent custody and guardianship with the relative is not in the best interest of the child.
1432 The child remains in the custody of Child and Family Services and is subject to the continuing
1433 supervision of the court.

1434
1435 **LONG-TERM VIEW:** The long-term view is a guiding strategic vision used to set the purpose
1436 and path of intervention and support. It is used to focus a coherent Child and Family Plan and
1437 process. A long-term view anticipates and defines what the child must have, know, and be able
1438 to do in order to be successful following his or her next major developmental or placement
1439 transitions. The long-term view must answer the question of where the case is headed and why.

1440
1441 **MEDICALLY FRAGILE:** A child who has an extraordinary, diagnosed health condition and
1442 meets one or more of the following criteria:

- 1443
1444 A. Chronic debilitating condition.
1445
1446 B. Acute condition(s) requiring three or more follow-up visits per month for three
1447 consecutive months.
1448
1449 C. At risk for developing an acute condition and requiring extensive monitoring.

1450
1451 **MEDICALLY NEEDED:** A child whose condition warrants additional treatment, therapy,
1452 and/or excessive follow-up care (may be transitional). The child is between the ages of 0-18
1453 years and suffers from physical and/or mental debilitation inhibiting his or her growth and
1454 development and/or whose condition requires specialized skill by another to meet his or her daily
1455 living activities, which include:

- 1456
1457 A. Nutrition.
1458
1459 B. Sleep.
1460
1461 C. Elimination.
1462
1463 D. Ambulation.

1464

1465 E. Socialization.

1466

1467 **MEPA:** The Multi-Ethnic Placement Act that prohibits the use of a child's or a prospective
1468 parent's race, color, or national origin to delay or deny the child's placement and by requiring
1469 diligent efforts to expand the number of racially and ethnically diverse foster and adoptive
1470 parents.

1471

1472 **METHAMPHETAMINE:** A potent central nervous system stimulant that can be smoked,
1473 snorted, injected, taken orally, or used in suppository form. It increases the heart rate, blood
1474 pressure, body temperature, and rate of breathing; it dilates the pupils; and it produces euphoria,
1475 increased alertness, a sense of increased energy, and tremors. High doses or chronic use have
1476 been associated with increased nervousness, irritability, and paranoia. Withdrawal from high
1477 doses often produces severe depression. Methamphetamine is a lethal, dangerous, and
1478 unpredictable drug. Exposure of a child to a methamphetamine laboratory is felony child
1479 endangerment. [See: Utah Code Ann. [§76-5-112.5](#).] [See also: The definition of Physical
1480 Abuse.]

1481

1482 **MINOR:** Except as provided in Part 7, Interstate Compact on Placement of Children:

1483

1484 A. A child; or

1485

1486 B. A person:

- 1487 1. Who is at least 18 years of age and younger than 21 years of age; and
- 1488 2. For whom Child and Family Services has been specifically ordered by the
1489 juvenile court to provide services. Please note, however, that some criminal
1490 justice statutes define a child or minor differently for purposes of particular sexual
1491 offenses. [See: Utah Code Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-
1492 402.1](#), [§76-5-402.2](#), [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-
1493 404.1](#).] In appropriate circumstances, those statutes may apply.

1494

1495 **MUNCHAUSEN SYNDROME BY PROXY:** [See: The definition of Pediatric Condition
1496 Falsification.]

1497

1498 **NATIVE AMERICAN CHILD:** An unmarried or married person who is under age 18 years
1499 and is:

1500

1501 A. A member of a Native American tribe, or

1502

1503 B. Eligible for membership in a Native American tribe and is the biological child of a
1504 member of a Native American tribe. [See: The definition of ICWA.]

1505

1506 **NATURAL PARENT:** A biological or adoptive mother; a biological or adoptive father.

1507

1508 **NEAR FATALITY:** A child who is certified by a physician to be in serious or critical condition
1509 and has been admitted to an Intensive Care Unit as a result of an injury or illness as a direct
1510 result of child abuse or neglect. This does not include drug exposed newborns who are admitted
1511 to a neonatal Intensive Care Unit at the time of birth.

1512
1513 **NOTICE OF AGENCY ACTION:** Written notification to an individual about a case finding
1514 that identifies the individual as responsible for abuse, neglect, or dependency. The notification
1515 specifies the findings, explains who will have access to the information on the database, and
1516 outlines the due process procedures for challenging the findings in an Administrative Hearing.
1517 Notice of Agency Action is also sent when foster children are removed, when benefits are
1518 changed, etc. [See: Utah Code Ann. [§63G-4-102](#) and [§63G-4-201](#), and Administrative Rule
1519 [R497-100](#).]

1520
1521 **ORSIS:** Acronym for the Office of Recovery Services Information System.

1522
1523 **OUT-OF-HOME CAREGIVER:** Foster, adoptive, and kinship parents (or other out-of-home
1524 caregivers) who work with the agency and the primary parents to attempt, except in limited
1525 situations, to return children to their families of origin. Also referred to as “resource families.”

1526
1527 **OUT-OF-HOME CARE PROVIDER:** A provider who cares for children in the custody of
1528 Child and Family Services, other than their parents or relatives (i.e., foster parents, etc.).

1529
1530 **PCP:** Acronym for Primary Care Professional. A medical professional, or group of
1531 professionals, who provide continuous and comprehensive health care, and maintain the health
1532 records of an individual and/or a family. They act as the entry point to the health care system
1533 and coordinate services provided by specialists. It excludes these caregivers in the following
1534 settings: emergency room departments, local health departments, or urgent care centers. An
1535 emergency department or urgent care facility is not a primary care professional.

1536
1537 **PEER PARENT:** An out-of-home caregiver, or other specially trained individual, who engages
1538 and teams with the child’s parents to help improve parenting, nurturing, and/or household
1539 management skills.

1540
1541 **PERIOD OF MINORITY:** A youth may be in out-of-home care longer than age 18 but prior to
1542 reaching age 21, when certain conditions exist; i.e., the youth is in the process of completing
1543 high school (by age 19); for medical or disability reasons; or if ordered by the court. “The period
1544 of minority extends in males and females to the age of eighteen (18) years of age; but all minors
1545 obtain their majority by marriage. It is further provided that courts in divorce actions may order
1546 support to age 21.” [See: Utah Code Ann. [§15-2-1](#).]

1547
1548 **PERMANENCY:** The establishment and maintenance of a permanent living situation for a
1549 child to give the child an internal sense of family stability and belonging and a sense of self that
1550 connects the child to his or her past, present, and future. Permanency can be achieved in a
1551 number of ways based on the child’s circumstances; e.g.: (1) keeping or returning the child to his

1552 or her home; (2) placing the child with a relative or non-relative and supporting permanent
1553 custody or guardianship; (3) supporting independent living; or (4) adoption.

1554
1555 **PERMANENCY HEARING:** A permanency hearing is a hearing to determine the future status
1556 of the child (Utah Code Ann. [§78A-6-312](#) and [§78A-6-314](#)). When reunification services have
1557 been ordered, a permanency hearing will be held within 12 months of the removal of the child or
1558 within eight months of the removal of a child under 36 months of age at the time of removal.

1559
1560 **PERMANENCY PLANNING:** The process that is used to establish families for children that
1561 offer continuity of relationships with nurturing parents or caretakers and the opportunity to
1562 establish lifetime relationships.

1563
1564 **PERMANENCY PLANNING OUTCOMES:** Child and Family Services seeks first to
1565 preserve and support the child's biological (primary) family, and when that is not possible, to
1566 secure a family, adoptive or otherwise, that offers the hope of lifelong family-like relationships.
1567 Renewing Our Commitment to Permanency for Children-NRCFPFC and CWLA—1999.

1568
1569 **PERPETRATOR:** A person substantially responsible for causing child abuse or neglect, or a
1570 person responsible for a child's care who permits another to abuse or neglect a child. [See: Utah
1571 Code Ann. [§76-5-109](#) and Administrative Rule [R512-80](#).]

1572
1573 **PHYSICAL INJURY:** A non-accidental injury or condition that impairs or endangers the
1574 physical condition of a child, including (but not limited to) the following:

- 1575
1576 A. A bruise or other contusion of the skin.
1577
1578 B. A minor laceration or abrasion.
1579
1580 C. Failure to thrive or malnutrition.
1581
1582 D. Any other condition that imperils the child's health or welfare and which is not serious
1583 physical injury as defined in Utah Code Ann. [§76-5-109](#).

1584
1585 **PLACEMENT:** A child's living arrangement while in out-of-home care, selected by a team
1586 including the family and agency representatives, which is selected to meet the child's needs.

1587
1588 **PLACEMENT OF CHILD NOT FREE FOR ADOPTION:** Placement of a child with an
1589 adoptive/foster care family pursuing adoption or when the court has not yet terminated the rights
1590 of the birth parents or the birth parents have not yet signed a voluntary relinquishment of parental
1591 rights. May also be known as "at-risk" or "fost-adopt."

1592
1593 **PLACEMENT SERVICES:** Those services offered to the family, child, and out-of-home
1594 caregiver to work toward permanency.

- 1595
1596 **PLAN IMPLEMENTATION:** The provisions of the Child and Family Plan have to be
1597 implemented via timely delivery of adequate services. Implementation involved the arrangement
1598 of supports and delivery of services according to the Child and Family Plan. The agreed upon
1599 strategies, supports, services, and other intervention activities are to be delivered in a timely and
1600 competent manner, consistent with identified needs and preferences, and following the principles
1601 of the Practice Model. Delivery of services by persons having the necessary skills, resources,
1602 time, and opportunity to provide supports and services commensurate with the urgency and
1603 complexity of the child's needs and situation is essential for producing desired results. A
1604 "smart" implementation process is interactive, offering ongoing adaptation of service
1605 arrangements in response to frequent feedback received about changing situation, emerging
1606 needs, and results being achieved.
1607
- 1608 **PLEA BARGAIN:** An agreement in which a defendant admits to a criminal charge that is less
1609 than the original charge without having a hearing or trial. A plea bargain does *not* affect the
1610 finding in a child protection investigation case.
1611
- 1612 **PLEA IN ABEYANCE:** An order by a court, upon motion of the prosecution and the defendant,
1613 accepting a plea of guilty or of no-contest from the defendant but not, at that time, entering
1614 judgment of conviction against the defendant or imposing sentence, on condition that the
1615 defendant will comply with specific conditions as set forth in the plea in abeyance agreement.
1616 [See: Utah Code Ann. [§77-2a-1.](#)] A defendant's plea in abeyance in a case involving the abuse,
1617 neglect, or dependency of a child does not affect the findings of Child and Family Services in a
1618 child protection investigation case.
1619
- 1620 **POSITION OF SPECIAL TRUST:** A position occupied by a person in a position of authority
1621 who, by reason of that position, is able to exercise undue influence over the alleged victim. Such
1622 persons include (but are not limited to) a youth leader or recreational leader who is an adult,
1623 adult athletic manager, adult coach, teacher, counselor, religious leader, doctor, employer, foster
1624 parent, babysitter, adult scout leader, natural parent, stepparent, adoptive parent, legal guardian,
1625 grandparent, aunt, uncle, or adult cohabitant of a parent. [See: Utah Code Ann. [§76-5-404.1.](#)]
1626
- 1627 **POST ADOPTION:** After finalization of an adoption.
1628
- 1629 **PRACTICE MODEL PRINCIPLES:** Protection - children's safety is paramount;
1630 Development - Children and families need consistent nurturing in a healthy environment to
1631 achieve their developmental needs; Permanency - All children need and are entitled to enduring
1632 relationships that provide a family stability and belonging and a sense of self that connects
1633 children to their past, present, and future; Cultural Responsiveness - Children and families have
1634 the right to be understood within the context of their own family rules, traditions, history, and
1635 culture; Partnership - The entire community shares the responsibility to create an environment
1636 that helps families raise their children to their fullest potential; Organizational Competence -
1637 Committed, qualified, trained, and skilled staff, supported by an effectively structured
1638 organization, helps insure positive outcomes for children and families; and Professional

1639 Competence - Children and families need a relationship with an accepting, concerned, empathic
1640 worker who can confront difficult issues and effectively assist them in their process toward
1641 positive change
1642

1643 **PRELIMINARY PLACEMENT WITH KIN:** A temporary placement with kin as an
1644 alternative to shelter. A Preliminary Placement with kin may or may not be selected as a long-
1645 term placement for the child. After the Preliminary Placement, Child and Family Services will
1646 make a reasonable search for a long-term placement that meets the child's needs and challenges.
1647

1648 **PREPONDERANCE:** Evidence that, as a whole, shows that the fact sought to be proven
1649 (abuse, neglect, or dependency) is more probable than not.
1650

1651 **PRIORITY RESPONSE TIMES:** The time allotted under Child and Family Services Practice
1652 Guidelines for a Child and Family Services CPS caseworker to make face-to-face contact with a
1653 child on an allegation of abuse, neglect, or dependency that drives the priority for the referral.
1654 [See: Administrative Rule [R512-200-3.](#)]
1655

1656 A. A Priority 1 response will be assigned when the child referred is in need of immediate
1657 protection. Intake will begin to collect information immediately after the completion of
1658 the initial contact from the referent. As soon as possible thereafter, Intake will obtain
1659 additional information, staff the referral to determine the priority, notify law enforcement,
1660 and assign to the Child and Family Services CPS worker. Intake will provide the Child
1661 and Family Services CPS worker with information concerning prior investigations on
1662 SAFE. The Child and Family Services CPS worker has as a standard of 60 minutes from
1663 the time Intake notifies the worker to initiate efforts to make face-to-face contact with an
1664 alleged victim. For a Priority 1R (rural) referral, a Child and Family Services CPS worker
1665 has, as a standard, three hours to initiate efforts to make face-to-face contact if the alleged
1666 victim is more than 40 miles from the investigator who is assigned to make the face-to-
1667 face contact.
1668

1669 B. A Priority 2 response will be assigned when physical evidence is at risk of being lost or
1670 the child is at risk of further abuse, neglect, or dependency, but the child does not have
1671 immediate protection and safety needs, as determined by the Intake checklist. Intake will
1672 begin to collect information as soon as possible after the completion of the initial contact
1673 from the referent. As soon as possible Intake will obtain additional information, staff the
1674 referral to determine the priority, assign the referral to the Child and Family Services
1675 CPS worker, and notify law enforcement. Intake will give verbal notification to the
1676 assigned Child and Family Services CPS worker. Intake will also provide the Child and
1677 Family Services CPS worker with information concerning prior investigations on SAFE.
1678 The Child and Family Services CPS worker has, as a standard, 24 hours from the time
1679 Intake notifies the worker to initiate efforts to make face-to-face contact with the alleged
1680 victim. Notification of a Priority 2 referral received after normal working hours (8:00
1681 a.m. through 5:00 p.m.) will occur as early as possible following morning.
1682

1683 C. A Priority 3 response will be assigned when potential for further harm to the child and the
1684 loss of physical evidence is low. Prior to transferring the case to a Child and Family
1685 Services CPS worker, Intake will obtain additional information, research data sources,
1686 staff the referral as necessary, determine the priority, complete documentation including
1687 data entry, make disposition to CPS, and notify law enforcement. Intake will also provide
1688 the Child and Family Services CPS worker with information concerning prior
1689 investigations on SAFE. The Child and Family Services CPS worker will make the face-
1690 to-face contact with the alleged victim within a reasonable period of time.

1691
1692 D. Priority 4 is no longer valid.

1693
1694 **PROCEDURES:** Statewide mandatory guidelines or directions that explain the specific day-to-
1695 day tasks involved in implementing Child and Family Services Practice Guidelines in accordance
1696 with statutes, Administrative Rules, and other governing law. Procedures are usually more
1697 detailed than either Administrative Rules or Practice Guidelines. Procedures are mandatory.

1698
1699 **PROSPECTS FOR PERMANENCE:** Permanency, commonly identified with the meaning of
1700 “family” or “home,” suggests not only a stable setting, but also stable caregivers and peers,
1701 continuous supportive relationships, and some level of parental/caregiver commitment and
1702 affection. Evidence of permanency includes resolution of guardianship, adequate provision of
1703 necessary supports for the caregiver, and the achievement of stability in the child’s home and
1704 school settings.

1705
1706 **PROTECTIVE CUSTODY:** Taking a child into custody for protection by a Child and Family
1707 Services CPS caseworker, law enforcement officer, or physician. [See: Utah Code Ann. [§62A-
1708 4a-101](#), [§62A-4a-407](#), and [§78A-6-301](#).] [See also: The definitions of Custody, DHS Custody,
1709 Legal Custody, Temporary Custody, and Voluntary Custody.]

1710
1711 **PROTECTIVE SERVICES COUNSELING:** Voluntary services provided by Child and
1712 Family Services to a family.

1713
1714 **PROTECTIVE SERVICES SUPERVISION:** A legal status created by court order after an
1715 adjudication on the grounds of abuse, neglect, or dependency in which the child is permitted to
1716 remain in the home or is placed in a relative's home, and supervision and assistance to correct the
1717 abuse, neglect, or dependency is provided by an agency designated by the court. [See: Utah
1718 Code Ann. [§78A-6-105](#).]

1719
1720 **PROXIMITY (IN RELATION TO CHILD PLACEMENT):** “Reasonable proximity”
1721 includes placing the child within their neighborhood so that family contact, continued school
1722 placement, church involvement, and friendships may be maintained.

1723
1724 **QA:** Acronym for Quality Assurance. QA is a tool used to ensure that Child and Family
1725 Services’ Practice Guidelines are met.

1726

1727 **REASONABLE EFFORTS:** Such reasonable efforts include an assessment of the protection
1728 needs of a child and the consideration and implementation of protective services that could
1729 enable a child to remain safely in the home. The term "reasonable efforts" refers to efforts to
1730 provide services that are reasonably available (that is, services that are accessible to arrange,
1731 refer, or provide, or that are available from other community resources).

1732
1733 Both state and federal law require reasonable efforts to prevent removal and to return children
1734 home where safe and appropriate. The court reviews these efforts at shelter hearings,
1735 permanency hearings, and parental termination hearings. In certain circumstances, reasonable
1736 efforts (reunification services) are not required. [See: Form for 24-hour multidisciplinary
1737 meeting; Utah Code Ann. [§78A-6-312.](#)]

1738
1739 **REASSIGNMENT:** Assigning a case to a different worker.

1740
1741 **REFERRAL:** Information provided to Child and Family Services alleging abuse, neglect, or
1742 dependency.

1743
1744 **RELATIVE:** An adult who is a grandparent, great grandparent, aunt, great aunt, uncle, great
1745 uncle, brother-in-law, sister in-law, stepparent, first cousin, stepsibling, or sibling of the child.
1746 [See: Utah Code Ann. [§78A-6-307.](#)]

1747
1748 In the case of a Native American child, "relative" also means an "extended family member" as
1749 defined by the Indian Child Welfare Act, 25 U.S.C. §1903.

1750
1751 **RELINQUISHMENT:** A voluntary termination of parental rights.

1752
1753 **RESIDENCE:** A common abode that both individuals consider to be their primary domicile or
1754 home and not simply a place that one of the individuals makes a habit of visiting.

1755
1756 **RESIDUAL PARENTAL RIGHTS AND DUTIES:** Those rights and duties remaining with
1757 the parent after legal custody or guardianship, or both, have been vested in another person or
1758 agency. Residual parental rights and duties include the responsibility for support, the right to
1759 consent to adoption, the right to determine the child's religious affiliation, and the right to
1760 reasonable visitation unless restricted by the court. If no guardian has been appointed, "residual
1761 parental rights and duties" also include the right to consent to marriage, to enlistment in the
1762 armed forces, and to major medical surgical or psychiatric treatment. [See: Utah Code Ann.
1763 [§78A-6-106.](#)]

1764
1765 **RESOURCE FAMILY:** Foster, adoptive, and kinship parents (or other out-of-home
1766 caregivers) who work with the agency and the primary parents to attempt, except in limited
1767 situations, to return children to their families of origin.

1768
1769 **RESPIRE CARE:** Kin or out-of-home caregivers with intermittent, time-limited relief from
1770 care.

- 1771
1772 **REUNIFICATION SERVICES:** These are reasonable services that Child and Family Services
1773 is ordered to provide to the child and family to assist with the reunification process.
1774 Reunification services may not extend beyond 12 months, or eight months if a child is under 36
1775 months of age, from the date that the child was initially removed from the home. Except the
1776 court may extend reunification services for no more than 90 days if it finds that there has been
1777 substantial compliance with the Child and Family Plan, and that reunification is probable within
1778 that 90-day period and that the extension is in the best interest of the child.
1779
- 1780 **RISK ASSESSMENT:** An organized protocol whereby Child and Family Services or another
1781 agency gathers information to identify the strengths and challenges and other factors of the
1782 family members that may contribute to safety or risk issues of a child who may be an alleged
1783 victim of abuse, neglect, or dependency. A risk assessment may also identify other contributing
1784 factors related to the abuse, neglect, or dependency of a child.
1785
- 1786 **SAFETY ASSESSMENT:** A determination of the current well-being and safety of a child
1787 whom Child and Family Services has assessed as being at risk of maltreatment, based on factors
1788 such as the controllability of risk influences, the immediacy of the risk of maltreatment, the
1789 potential severity of future maltreatment, and the potential for future incidents of abuse or
1790 neglect to the child.
1791
- 1792 **SAFETY PLAN:** [See: CPS Practice Guidelines [Section 204.5](#).]
1793
- 1794 **SATISFACTION:** The child, parent/guardian, and substitute caregiver are satisfied with the
1795 supports and services they are receiving. This is based upon their perspective.
1796
- 1797 **SERIOUS HARM:** Includes but is not limited to “serious physical injury” as defined in Utah
1798 Code Ann. [§76-5-109](#) and Administrative Rule [R512-80](#).
1799
- 1800 **SERIOUS PHYSICAL INJURY:** A physical injury or set of injuries or condition that seriously
1801 impairs the child’s health, or that involves physical torture or causes serious emotional harm to
1802 the child, or that causes a fatality or involves a substantial risk of death to the child, including
1803 (but not limited to):
1804
- 1805 A. Fracture of any bone or bones (even if the fracture has subsequently healed),
1806
 - 1807 B. Intracranial bleeding, swelling, or contusion of the brain, whether caused by blows or
1808 shaking, or by causing the child’s head to impact with an object or surface (Abusive Head
1809 Trauma),
1810
 - 1811 C. Any burn, including burns inflicted by hot water, or those caused by placing a hot object
1812 on the skin or body of the child,
1813

- 1814 D. Any injury caused by use of a deadly or dangerous weapon as defined by Utah Code
1815 Ann. [§76-1-601](#),
1816
- 1817 E. Any combination of two or more physical injuries inflicted by the same person, either at
1818 the same time or on different occasions,
1819
- 1820 F. Any damage to internal organs of the body,
1821
- 1822 G. Any conduct toward a child that results in severe emotional harm, severe developmental
1823 delay or intellectual disability, or severe impairment of the child's ability to function,
1824
- 1825 H. Any injury that creates a permanent disfigurement or protracted loss or impairment of the
1826 function of a bodily member, limb, or organ,
1827
- 1828 I. Any impediment of the breathing or the circulation of blood by application of pressure
1829 to the neck, throat, or chest, or by the obstruction of the nose or mouth, that is likely to
1830 produce a loss of consciousness.
1831
- 1832 J. Any conduct that results in starvation, failure to thrive, or malnutrition that jeopardizes
1833 the child's life, or
1834
- 1835 K. Any bodily injury, substantial bodily injury, or serious bodily injury suffered by a child if
1836 the injury resulted from the actor knowingly or intentionally causing the child to suffer
1837 from exposure to, ingestion of, inhalation of, or contact with a controlled substance,
1838 chemical substance, or drug paraphernalia, as those terms are defined in Utah Code Ann.
1839 [§76-5-112.5](#).
1840
- 1841 [See: Utah Code Ann. [§76-5-109](#) and [§76-5-112.5](#).]
1842
- 1843 **SEXUAL INTERCOURSE:** Penetration, however slight, of the vagina by the penis, or
1844 intercourse involving genital contact between individuals other than penetration of the vagina by
1845 the penis, including (but not limited to) the use of fingers (digital) or the use of any object.
1846
- 1847 **SEXUAL REACTIVITY:** When a child engages in sexual behaviors that are beyond normal
1848 sexual exploration and curiosity for the child's developmental age. The child may have been a
1849 victim of sexual abuse himself or herself.
1850
- 1851 **SIGNIFICANT RISK ASSESSMENT (also known as "YISC"):** An assessment made to
1852 determine if a person who is under the age of 18 at the time of the alleged act is a risk to other
1853 children and whether or not that minor's name should be placed on the Licensing Information
1854 System.
1855
- 1856 **SSA:** The entitlement program from Social Security for death benefits.

1857
1858 **SSI:** The entitlement insurance administration program from Social Security for individuals with
1859 disabilities.

1860
1861 **STABILITY:** Stability is when a child has established enduring caring relationships with key
1862 adults and has consistency of settings and routines. Optimal stability exists when the child
1863 enjoys a positive and enduring relationship with parents/caregivers, key adult supporters, and
1864 peers in home and school settings. A child removed from his or her family should be living in a
1865 safe, appropriate, and permanent home within 12 months of removal with only one interim
1866 placement.

1867
1868 **STAY:** As used in the Administrative Hearing process, to postpone an Administrative Hearing
1869 pending an adjudication of the same issues in juvenile court or district court.

1870
1871 **STD:** Acronym for Sexually Transmitted Diseases.

1872
1873 **SUBJECT OF THE REPORT:** Any person identified in a child abuse, neglect, or dependency
1874 report in accordance with reporting requirements, including (but not limited to) a child, parent,
1875 guardian, or other person responsible for a child's care. The subject may include the alleged
1876 perpetrator. [See: Utah Code Ann. [§62A-4a-402.](#)]

1877
1878 **SUBSTANTIATED:** A judicial finding based on a preponderance of the evidence that abuse or
1879 neglect occurred. If more than one allegation is made or identified during the course of an
1880 investigation, any "supported" allegation determined to meet the criteria for substantiation
1881 requires a court finding to become "substantiated." All findings of "substantiated" entered after
1882 May 6, 2002 are maintained by the juvenile court and the Child and Family Services
1883 management information system (MIS).[See: Utah Code Ann. [§62A-4a-101.](#)]

1884
1885 **SUCCESSFUL TRANSITIONS:** Special coordination and efforts across service settings and
1886 providers is essential to prevent breakdowns in services and to prevent any adverse effects of
1887 changes that occur through the child's life as they experience change in learning situations and
1888 living environments. Special arrangements or accommodations may be required for success in a
1889 return setting or new setting. Follow along monitoring may be required for an adjustment
1890 period.

1891
1892 **SUPPORT PERSON:** A person 18 years of age or older of the child's choice, who is readily
1893 available and who can be present during the investigative interview. The support person may
1894 include (but is not limited to) a school teacher or administrator, guidance counselor, or child care
1895 provider, but the support person may not be the person who is alleged to be, or potentially may
1896 be, the alleged perpetrator. [See: Utah Code Ann. [§62A-4a-409.](#)]

1897
1898 **SUPPORTED:** A finding, based on the information available to the caseworker at the end of the
1899 investigation, that there is a reasonable basis to conclude that abuse, neglect, or dependency

1900 occurred, and that the identified perpetrator is substantially responsible. The perpetrator may be
1901 unknown. [See: Utah Code Ann. [§62A-4a-101](#) and [§62A-4a-1009](#).]
1902

1903 **TAL:** Acronym for Transition to Adult Living.
1904

1905 **TANF** (formerly known as AFDC): Acronym for Temporary Aide to Needy Families, a federal
1906 program created by the Welfare Reform Act. TANF is the means through which an eligible
1907 adult obtains financial support from the federal government when there are children residing in
1908 the home. TANF links with child welfare because of poverty and needs of children that may
1909 exist after termination of a money grant. These needs may increase the child's needs for child
1910 welfare services.
1911

1912 **TEAM CONSULTATION:** A group of caseworkers, supervisors, community professionals,
1913 and partners who review the facts and circumstances of a case and assist in making decisions for
1914 the safety and care of a child who is the subject of a Child and Family Services case.
1915

1916 **TEMPORARY CUSTODY:** Custody of a child with Child and Family Services from the date
1917 of the shelter hearing until disposition. [See: Utah Code Ann. [§62A-4a-101](#) and [§78A-6-105](#).]
1918 [See also: The definitions of Custody, DHS Custody, Legal Custody, Protective Custody, and
1919 Voluntary Custody.]
1920

1921 **TLP:** Acronym for Transitional Living Payment, a payment code within SAFE enabling Child
1922 and Family Services TAL coordinators to make payment to youth up to age 21 years, who have
1923 exited state's custody (either in out-of-home care or transitional living placement). Payments
1924 may be made to the youth or to other providers for expenses related to daily living. These
1925 include (but are not limited to) rent, utilities, transportation costs, food, clothing, personal care
1926 items, etc. It does not include tuition payments.
1927

1928 **TPR:** Acronym for Termination of Parental Rights. TPR is when all rights that a parent or
1929 parents may have to a child are terminated in court. When it is determined to not be in the
1930 child's best interest to be reunified with his or her parents and voluntary relinquishment and
1931 compelling reasons not to terminate are not an option, Child and Family Services will explore
1932 with legal counsel the termination of parental rights. Also known as permanent deprivation of
1933 parental rights.
1934

1935 **THREATENED HARM:** Actions, inactions, or credible verbal threats, indicating that the child
1936 is at an unreasonable risk of harm or neglect. [See: Utah Code Ann. [§62A-4a-101](#).]
1937

1938 **TRACKING AND ADAPTATION:** Tracking and adaptation provide the "learning" and
1939 "change" processes that make the service process effective for the child and family. An ongoing
1940 examination process should be used to track service implementation, check progress, identify
1941 emergent needs and problems, and modify services in a timely manner. The Child and Family
1942 Plan should be modified when objectives are met, strategies are determined to be ineffective,
1943 new preferences or dissatisfaction with existing strategies and services are expressed, and/or new

1944 circumstances arise. Members of the Child and Family Team should apply the knowledge
1945 gained through ongoing assessments, monitoring, and periodic evaluations to adapt strategies,
1946 supports, and services.

1947
1948 **TRANSITION TO ADULT LIVING:** A program for youth ages 14 to 18 years that aids youth
1949 in the development of skills needed for successful adult life. Services in this program include
1950 coursework, home study, community involvement, and/or placement. Transition to Adult Living
1951 was formerly known as the “Independent Living Program.”

1952
1953 **TRANSITION TO ADULT LIVING COORDINATOR:** Each region of the state will have a
1954 coordinator/coordinators of services responsible for oversight of TAL services provided in that
1955 region. At a minimum, the employee will possess a Bachelor’s Degree with a Social Service
1956 Social worker (SSW) license and one year of experience working with youth ages 14 to 18 years
1957 in an out-of-home care or like setting.

1958
1959 **TRANSITION TO ADULT LIVING PLAN (FORM OH03):** A written plan, which is
1960 required for each youth age 14 years and older, must be completed 45 days after the youth’s 14th
1961 birthday and is attached to the already existing service plan. The plan must take into account the
1962 youth’s unique needs and strengths and will complement the existing service plan by addressing
1963 those skills needed for the youth to exit the state’s care.

1964
1965 **TRANSITIONAL LIVING SOCIAL WORKER:** An employee hired by Child and Family
1966 Services to provide TAL services to youth. At a minimum, the employee will possess a
1967 Bachelor’s Degree with a Social Service Social worker (SSW) license, and six months
1968 experience working with youth ages 12 to 18 years in out-of-home care or a like setting.

1969
1970 **UA:** Urinalysis.

1971
1972 **UDHS:** Utah Department of Human Services.

1973
1974 **UDOH:** Utah Department of Health.

1975
1976 **UNABLE TO COMPLETE INVESTIGATION:** A CPS case finding when the following
1977 situation(s) are present:

- 1978
1979 A. When the child and/or family move outside the state and a request for courtesy work is
1980 requested and declined and there is insufficient information to make a finding. [See:
1981 Practice Guidelines [Section 210.1A.](#)]
1982
1983 B. When the child and/or family move outside the state after the face-to-face contact is made
1984 with the child and there is insufficient information to make a finding because the
1985 whereabouts of the child and/or family are unknown. [See: Practice Guidelines [Section](#)
1986 [210.1B.](#)]
1987

- 1988 C. When the child and/or family move within the state, the face-to-face with the child was
1989 made but there is insufficient information to make a finding and the whereabouts of the
1990 child and/or family are unknown. [See: Practice Guidelines [Section 210.1C.](#)]
1991
- 1992 **UNABLE TO LOCATE:** A CPS case finding indicating that even though the Child and Family
1993 Services CPS caseworker has followed the steps outlined in Child and Family Services practice
1994 guideline and has made reasonable efforts, the Child and Family Services CPS caseworker has
1995 been unable to make face-to-face contact with the alleged victims to investigate an allegation of
1996 abuse, neglect, or dependency and to make a determination of whether the allegation should be
1997 classified as supported, non-supported, or without merit.
1998
- 1999 **UNACCOMPANIED MINORS:** Children in the United States who are from other countries
2000 and whose families are either temporarily or permanently unavailable due to economic hardship,
2001 political circumstances, or abandonment.
2002
- 2003 **UNSUBSTANTIATED:** A judicial finding that there is insufficient evidence to determine that
2004 abuse, neglect, or dependency occurred.
2005
- 2006 **UNSUPPORTED:** A finding based on the information available to the worker at the end of the
2007 investigation that there was insufficient information to conclude that abuse, neglect, or
2008 dependency occurred. However, a finding of unsupported means also that the worker did not
2009 conclude that the allegation was without merit.
2010
- 2011 **VOLUNTARY CUSTODY:** A formal agreement in which a legal guardian or custodian grants
2012 custody of a child to Child and Family Services for placement in a licensed home or facility for a
2013 limited period of time.
2014
- 2015 **VOLUNTARY RELINQUISHMENT:** Consent by a parent to termination of their parental
2016 rights. A relinquishment must be signed and affirmed before a judge or an officer authorized to
2017 accept relinquishments. Only the juvenile court is authorized to take relinquishments with regard
2018 to a child under court jurisdiction.
2019
- 2020 **WELL-CHILD EXAMINATION:** A physical examination by a licensed health care
2021 professional to determine the health status of a child. A child need not present with a specific
2022 health concern to receive a well-child examination.
2023
- 2024 **WITHOUT MERIT:** A finding at the completion of the investigation by Child and Family
2025 Services, or a judicial finding, that the alleged abuse, neglect, or dependency did not occur, or
2026 that the alleged perpetrator was not responsible. [Compare: The definitions of Supported and
2027 Unsupported.]
2028
- 2029 **WRAP-AROUND SERVICES:** Wrap-around services are used to assist a child and family with
2030 the reunification process and in meeting their needs. Wrap-around services may include (but are
2031 not limited to) peer parenting, child care, home health aide services, parenting education, respite

2032 care, transportation services for visitation, vocational or educational assistance, mental health
2033 and/or substance abuse assessment and treatment, and housing referral and assistance.

2034
2035 **YARN:** Acronym for Young Adult Resource Network, which provides time limited services for
2036 youth if they are no longer in care and are not yet 21 years of age, and the youth:

- 2037
2038 A. Ages out of out-of-home care, or
2039
2040 B. While in out-of-home care, after the age of 14 years, the youth received at least 12
2041 consecutive months of TAL services and the court terminated reunification.

2042
2043 This assistance can be provided through support, financial aid, or Basic Life Skills Classes and
2044 may include housing, counseling, employment education, and other appropriate supports and
2045 services to complement a youth's efforts to achieve self-sufficiency.

2046
2047 **YISC:** See the definition for Significant Risk Assessment.

2048
2049 **YOUTH:** For Child and Family Services purposes, a person over the age of 14 years, a minor.
2050 [See: Utah Code Ann. [§62A-4a-101](#) and [§15-2-1](#).] Please note, however, that some criminal
2051 justice statutes define a child or minor differently for purposes of particular sexual offenses.
2052 [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-](#)
2053 [5-402.2](#), [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1](#).] In appropriate
2054 circumstances, those statutes may apply. [See also: The definition of Native American Child.]
2055