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256 **PURPOSE AND INTERPRETATION OF THESE DEFINITIONS**

257 Under Utah law, Child and Family Services is responsible for providing child welfare services and
258 protecting children from abuse, neglect, and dependency. In determining what constitutes
259 abuse, neglect, or dependency, the definitions in Utah Code Ann. [§62A-4a-101](#), et. seq., [§78A-](#)
260 [6-105](#), et. seq., the Criminal Code, these Administrative Rules, and court opinions apply. These
261 definitions are intended only for internal guidance and are not public law.

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

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

271

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.

312 **Emotional Abuse, Chronic:** Engaging in conduct or threatening a child with conduct that
313 causes or can reasonably be expected to cause the child emotional harm. This includes,
314 but is not limited to, demeaning or derogatory remarks that affect or can reasonably be
315 expected to affect a child's development of self and social competence; or threatening
316 harm, rejecting, isolating, terrorizing, ignoring, or corrupting the child. Is repeated or
317 patterned abuse. (NOTE: Chronic abuse may be identified from the first referral.) [See:
318 Utah Code Ann. [§62A-4a-101](#).]
319

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

328 **Fetal Exposure to Alcohol or other Harmful Substances:** A condition in which a child has
329 been exposed to or is dependent upon harmful substances as a result of the mother's
330 use of illegal substances or abuse of prescribed medications during pregnancy, or the
331 child has fetal alcohol spectrum disorder .
332

333 **Human Trafficking- Labor:** A person commits human trafficking of a child if the actor
334 recruits, harbors, transports, obtains, patronizes, or solicits a child for forced labor.
335

336 **Human Trafficking- Sexual:** A person commits human trafficking of a child if the actor
337 recruits, harbors, transports, obtains, patronizes, or solicits a child for sexual
338 exploitation.
339

340 **Dealing in Material Harmful to a Child:** Distributing (providing or transferring
341 possession), exhibiting (showing), or allowing immediate access to material harmful to a
342 child or any other conduct constituting an offense under Utah Code Ann. [§76-10-1201](#)
343 [through 1206](#). [See: The definition of Material Harmful to a Child.]
344

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

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

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

354

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

356

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

363

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

367

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

377

378 **Physical Abuse, Chronic:** Non-accidental physical harm or threatened physical harm of a
379 child 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](#).

384

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

389

- 390 3. Is repeated or patterned abuse. (NOTE: Chronic abuse may be identified from
391 the first referral.) [See: Utah Code Ann. [§62A-4a-101](#).]

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

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

404
405 **Severe Abuse:** Abuse that causes or threatens to cause serious harm to a child. Severe
406 abuse is defined in Utah Code Ann. [§78A-6-105](#). Serious harm includes but is not limited
407 to "serious physical injury" as defined in Utah Code Ann. [§76-5-109](#).

408
409 **Sexual Abuse:**

- 410 1. An act or attempted act of sexual intercourse, sodomy, incest, or molestation
411 directed toward a child. [See: Utah Code Ann. [§78A-6-105](#) and the definitions of
412 these terms herein.]
- 413 2. Subjecting a child to participate in or threatening to subject a child to participate
414 in a sexual relationship, regardless of whether that sexual relationship is part of a
415 legal or cultural marriage, **or forcing a child under 18 years of age into marriage**
416 **or cohabitation with an adult in an intimate relationship**. [See: Utah Code Ann.
417 [§78A-6-105](#).]
- 418 3. Engaging in any conduct with a child that would constitute an offense under any
419 of the following definitions (taken directly from Utah Code), regardless of
420 whether the person who engages in the conduct is actually charged with, or
421 convicted of, the offense:

422
423 **(a) Title 76, chapter 5, Part 4, Sexual Offenses, including:**

424 **(1) Unlawful sexual activity with a minor [14 or 15 years old] under Section [76-](#)**
425 **[5-401](#).**

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

- 427 (a) has sexual intercourse with the minor;
- 428 (b) engages in any sexual act with the minor involving the genitals of one person
429 and the mouth or anus of another person, regardless of the sex of either
430 participant; or
- 431 (c) causes the penetration, however slight, of the genital or anal opening of the
432 minor by any foreign object, substance, instrument, or device, including a part of

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

438
439 **(2) Sexual abuse of a minor [14 or 15 years old] under Section [76-5-401.1](#).**

440 A person commits sexual abuse of a minor if the person is seven years or more
441 older than the minor and the person touches the anus, buttocks, or any part of
442 the genitals of the minor, or touches the breast of a female minor, or otherwise
443 takes indecent liberties with the minor, or causes a minor to take indecent
444 liberties with the actor or another person, with the intent to cause substantial
445 emotional or bodily pain to any person or with the intent to arouse or gratify the
446 sexual desire of any person regardless of the sex of any participant. For purposes
447 of this section "minor" is a person who is 14 years of age or older, but younger
448 than 16 years of age, at the time the sexual activity described in this section
449 occurred.

450
451 **(3) Unlawful sexual contact with a 16 or 17 year old under Section [76-5-401.2](#).**

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

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

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

458 "Sexual conduct" refers to when the person:

459 (a) has sexual intercourse with the minor;

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

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

468 (d) touches the anus, buttocks, or any part of the genitals of the minor, or
469 touches the breast of a female minor, or otherwise takes indecent liberties with
470 the minor, or causes a minor to take indecent liberties with the actor or another
471 person, with the intent to cause substantial emotional or bodily pain to any
472 person or with the intent to arouse or gratify the sexual desire of any person
473 regardless of the sex of any participant.

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

476
477 **(4) Rape under Section [76-5-402](#).**

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

481
482 **(5) Rape of a child under Section [76-5-401.2](#).**

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

485
486 **(6) Object rape under Section [76-5-402.2](#).**

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

493
494 **(7) Object rape of a child under Section [76-5-402.3](#).**

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

501
502 **(8) Sodomy-Forcible Sodomy under Section [76-5-403](#).**

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

508
509 **(9) Sodomy on a child [under 14] under Section [76-5-403.1](#).**

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

514

515 **(10) Forcible sexual abuse under Section [76-5-404](#).**
516 A person commits forcible sexual abuse if the victim is 14 years of age or older
517 and the actor touches the anus, buttocks, or any part of the genitals of another,
518 or touches the breast of a female, or otherwise takes indecent liberties with
519 another, or causes another to take indecent liberties with the actor or another,
520 with intent to cause substantial emotional or bodily pain to any person or with
521 the intent to arouse or gratify the sexual desire of any person, without the
522 consent of the other, regardless of the sex of any participant.

523
524 **(11) Sexual abuse of a child [under 14] under Section [76-5-404.1](#).**
525 A person commits sexual abuse of a child if the actor touches the anus, buttocks,
526 or genitalia of any child, the breast of a female child, or otherwise takes indecent
527 liberties with a child, or causes a child to take indecent liberties with the actor or
528 another with intent to cause substantial emotional or bodily pain to any person or
529 with the intent to arouse or gratify the sexual desire of any person regardless of
530 the sex of any participant. As used in this section, "child" means a person under
531 the age of 14.

532
533 **(12) Aggravated sexual assault under Section [76-5-405](#).**
534 A person commits aggravated sexual assault if:
535 (a) in the course of a rape, object rape, forcible sodomy, or forcible sexual abuse,
536 the actor:
537 (i) uses, or threatens the victim with the use of, a dangerous weapon as defined in
538 Section [76-1-601](#);
539 (ii) compels, or attempts to compel, the victim to submit to rape, object rape,
540 forcible sodomy, or forcible sexual abuse, by threat of kidnaping, death, or
541 serious bodily injury to be inflicted imminently on any person; or
542 (iii) is aided or abetted by one or more persons;
543 (b) in the course of an attempted rape, attempted object rape, or attempted
544 forcible sodomy, the actor:
545 (i) causes serious bodily injury to any person;
546 (ii) uses, or threatens the victim with the use of, a dangerous weapon as defined
547 in Section [76-1-601](#);
548 (iii) attempts to compel the victim to submit to rape, object rape, or forcible
549 sodomy, by threat of kidnaping, death, or serious bodily injury to be inflicted
550 imminently on any person; or
551 (iv) is aided or abetted by one or more persons; or
552 (c) in the course of an attempted forcible sexual abuse, the actor:
553 (i) causes serious bodily injury to any person;
554 (ii) uses, or threatens the victim with the use of, a dangerous weapon as defined
555 in Section [76-1-601](#);

556 (iii) attempts to compel the victim to submit to forcible sexual abuse, by threat of
557 kidnaping, death, or serious bodily injury to be inflicted imminently on any
558 person; or
559 (iv) is aided or abetted by one or more persons.

560
561 **(13) See also Sexual offenses against the victim without consent of victim –**
562 **Circumstances under Section [76-5-406](#), Custodial sexual relations --**
563 **Custodial sexual misconduct -- Definitions -- Penalties – Defenses under**
564 **Section [76-5-412](#), and Custodial sexual relations or misconduct with youth**
565 **receiving state services -- Definitions -- Penalties – Defenses under Section**
566 **[76-5-413](#).**

567
568 **b. Child bigamy under Section [76-7-101.5](#).**
569 An actor 18 years of age or older is guilty of child bigamy when, knowing he or
570 she has a wife or husband, or knowing that a person under 18 years of age has a
571 wife or husband, the actor carries out the following with the person who is under
572 18 years of age:
573 (1) purports to marry the person who is under 18 years of age; or
574 (2) cohabits with the person who is under 18 years of age.

575
576 **c. Incest under Section [76-7-102](#).**
577 An actor is guilty of incest when the actor knowingly and intentionally:
578 engages in conduct [described below] or provides a human egg or seminal fluid
579 [as described below]. Conduct referred to is:
580 (1) sexual intercourse between the actor and a person the actor knows has
581 kinship to the actor as a related person;
582 (2) the insertion or placement of the provider's seminal fluid into the vagina,
583 cervix, or uterus of a related person by means other than sexual intercourse;
584 (3) providing or making available his seminal fluid for the purpose of insertion or
585 placement of the fluid into the vagina, cervix, or uterus of a related person by
586 means other than sexual intercourse;
587 (4) a woman 18 years of age or older who:
588 (A) knowingly allows the insertion of the seminal fluid of a provider into her
589 vagina, cervix, or uterus by means other than sexual intercourse; and
590 (B) knows that the seminal fluid is that of a person with whom she has kinship as
591 a related person; or
592 (5) providing the actor's sperm or human egg that is used to conduct in vitro
593 fertilization, or any other means of fertilization, with the human egg or sperm of a
594 person who is a related person.
595 This subsection does not prohibit providing a fertilized human egg if the provider

596 of the fertilizing sperm is not a related person regarding the person providing the
597 egg.

598

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

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

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

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

607 (c) masturbates; or

608 (d) any other act of lewdness.

609

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

611 A person is guilty of lewdness involving a child if the person intentionally or
612 knowingly does any of the following to, or in the presence of a child who is under
613 14 years of age:

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

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

617 (i) in a public place; or

618 (ii) in a private place:

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

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

622 (3) masturbates;

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

625 desire of the actor or the child; or

626 (5) performs any other act of lewdness.

627

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

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

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

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

- 637 (c) under circumstances in which the individual has a reasonable expectation of
638 privacy.
- 639 (2) Distribution or sale of any images, including in print, electronic, magnetic, or
640 digital format, obtained under Subsection (1) by transmission, display, or
641 dissemination.
- 642 (3) A person is guilty of voyeurism who, under circumstances not amounting to a
643 violation of Subsection (1), views or attempts to view an individual, with or
644 without the use of any instrumentality:
- 645 (a) with the intent of viewing any portion of the individual's body regarding which
646 the individual has a reasonable expectation of privacy, whether or not that
647 portion of the body is covered with clothing;
- 648 (b) without the knowledge or consent of the individual; and
- 649 (c) under circumstances in which the individual has a reasonable expectation of
650 privacy.

651 [Or

652 ~~3. Forcing a child under 18 years of age into marriage or cohabitation with an adult in an~~
653 ~~intimate relationship.]~~

654

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

663

664 Sexual Exploitation includes a child's parent or legal guardian knowingly consenting to or
665 permitting the child to be sexually exploited as described above. [See: Utah Code Ann.
666 [§76-5b-1](#).]

667

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

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

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

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

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

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

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

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

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

- 718 (a) A parent or guardian legitimately practicing religious beliefs and who, for that
719 reason, does not provide specified medical treatment for a child, is not guilty of
720 neglect.
- 721 (b) A health care decision made for a child by the child's parent or guardian does not
722 constitute neglect unless clear and convincing evidence shows that the health
723 care decision is not reasonable and informed. Nothing may prohibit a parent or
724 guardian from exercising the right to obtain a second health care opinion. [See:
725 Utah Code Ann. [§78A-6-301.5](#).]
726

727 **Neglect, Chronic:** Repeated or patterned neglect. (NOTE: Chronic neglect may be
728 identified from the first referral.) [See: Utah Code Ann. [§62A-4a-101](#).]
729

730 **Neglect, Severe:** Neglect that causes or threatens to cause serious harm to a child.
731 Serious harm includes, but is not limited to, serious physical injury as defined in Utah
732 Code Ann. [§76-5-109](#). [See: Utah Code Ann. [§78A-6-105](#).]
733

734 **Non-Supervision:** The child is subjected to accidental harm or an unreasonable risk of
735 accidental harm due to failure to supervise the child's activities at a level consistent with
736 the child's age and maturity. [See: Utah Code Ann. [§78A-6-105](#).]
737

738 **Physical Neglect:** Failure to provide for a child's basic needs of food, clothing, shelter, or
739 other care necessary for the child's health, safety, morals, or well-being.
740

741 **Sibling or Child at Risk:** A child who is at risk of being abused or neglected because
742 another child in the same home or with the same caregiver has been or is abused or
743 neglected.
744

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

752 **Safe Relinquishment of a Newborn Child:** A parent or a parent's designee may safely
753 relinquish a newborn child at a hospital in accordance with the requirements of Utah
754 Code Ann. [§62a-4a-802](#) and retain anonymity, as long as the newborn child has not
755 been subjected to abuse or neglect.
756
757

758 **DEFINITIONS**

759

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

763

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

766

767 **ADJUDICATION HEARING:** An adjudication hearing is to be held to adjudicate the petition filed
768 by the Attorney General on behalf of Child and Family Services. [See: Utah Code Ann. [§78A-6-](#)
769 [309](#) and [§78A-6-311](#)].

770

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

776

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

787

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

791

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

795

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

799
800 **ALLEGED:** Asserted but not proven.

801
802 **ALLEGED FATHER** (formerly Putative Father): The man who claims to be or is claimed to be the
803 biological father of a child born out of wedlock.

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

815
816 **ARRANGED MARRIAGE:** Any marriage, legal or otherwise, that is arranged, coerced, or
817 threatened, and which involves a child and an adult, including (but not limited to) an adult who
818 is a member of the child's immediate or extended family.

819
820 **AAG:** Acronym for Assistant Attorney General. The AAG is an attorney that represents Child
821 and Family Services.

822
823 **BABY DOE:** A medically disabled infant with life-threatening conditions for whom medically
824 indicated treatment is withheld. (This is a federal statutory definition and *does not* apply to or
825 mean an infant abandoned by the parent.)

826
827 **BASIC LIFE SKILLS TRAINING:** Education that each youth age 16 and older will receive prior to
828 leaving out-of-home care.

829
830 **BCI:** Acronym for the Bureau of Criminal Identification.

831
832 **CANR:** Acronym for the Child Abuse and Neglect Report.

833
834 **CAREGIVER FUNCTIONING:** The caregivers' capacity, availability, and willingness to meet the
835 child's basic care and developmental needs reliably on a daily basis. Expectation of adequate

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

838
839 **CAREGIVER SUPPORT:** Substitute caregivers include kinship caregivers, foster and adoptive
840 resource families, and any persons who provide parenting, assistance, supervision, and physical
841 care for a child or youth in a temporary place of residence. Provisions of caregiver supports and
842 in-home services should enable the caregiver to participate in assessment of needs, selection of
843 providers, and scheduling. To be effective and satisfactory, supports should be culturally
844 compatible and of an intensity commensurate with the needs of the child and caregiver. To be
845 adequate, caregiver supports should be accessible when needed, dependable when used,
846 functional for the home, and seen as support by caregivers.

847
848 **CASE CREATION:** A process through SAFE where all case types, other than CPS, can be created
849 in another child welfare program.

850
851 **CHAFEE:** Refers to the Chafee Foster Care Independence Act 1999, which provides states with
852 flexible funding that enables programs to be designed and conducted specifically for preparing
853 youth to become self-sufficient upon leaving state's custody.

854
855 **CHEC:** Acronym for Child Health Evaluation and Care, Utah's version of the federally mandated
856 Early Periodic Screening, Diagnosis and Treatment (EPSDT) program. The program ensures that
857 eligible children receive: 1) routine periodic health examinations, Well Child Care and, 2)
858 needed treatment or follow-up services that are medically necessary. It also refers to the type
859 of extensive physical assessment required, as mandated by the Medicaid Services Manual.

860
861 **CHILD:** For Child and Family Services purposes, a person under 18 years of age. [See: Utah Code
862 Ann. [§62A-4a-101](#) and [§15-2-1](#).] Please note, however, that some criminal justice statutes
863 define a child or minor differently for purposes of particular sexual offenses. [See: Utah Code
864 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](#),
865 [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1](#).] In appropriate circumstances, those statutes may
866 apply. [See also: The definition of Native American Child.]

867
868 **CHILD AND FAMILY ASSESSMENT (formerly Functional Assessment):** Information that is
869 gathered from various sources as appropriate to the child's situation that includes a
870 combination of clinical, functional, and information assessment techniques used to determine
871 the strengths, capabilities, needs, risks, and lifestyle preferences of the child and family. Once
872 gathered, the information should be analyzed and synthesized to form a comprehensive "big
873 picture view" of the child and his or her social support networks at home, at school, and in the
874 community. Members of the Child and Family Team, working together, should synthesize their
875 assessment knowledge to form a common big picture view that provides shared understanding
876 of the child's situation. This provides a common core of team intelligence for unifying efforts,

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

880

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

886

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

899

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

905

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

913

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

921
922 **CHILD AND FAMILY SERVICES FAMILY SERVICES CASEWORKER:** A person employed by or
923 contracted with Child and Family Services to provide professional casework, case
924 management, contract management, or direct service and contract management supervision.
925 The person will have, at a minimum, a Bachelor's Degree, but may not have met the
926 requirements to be a licensed worker.

927
928 **CHILD AND FAMILY SERVICES INTAKE WORKER:** A person employed by Child and Family
929 Services who processes referrals concerning child abuse, neglect, or dependency. Intake
930 workers must possess solid communication, interpersonal, and assessment skills.

931
932 **CHILD FATALITY:** A child's death.

933
934 **CHILD MALTREATMENT:** Child abuse or neglect. [See: The definitions of Abuse, Dependency,
935 Neglect, and Sexual Abuse.]

936
937 **CHILD VICTIM:** A person under the age of 18 years, or a person under the age of 21 years and
938 in the custody of Child and Family Services, who has been subjected to abuse, neglect, or
939 dependency.

940
941 **CHILD WITH SPECIAL HEALTH CARE NEEDS:** A children who has or is at an increased risk of
942 having a chronic physical, developmental, behavioral, or emotional condition and who also
943 require health and related services of a type or amount beyond that required by children
944 generally.

945
946 **CHILD WITH SPECIAL NEEDS:** A child who cannot or should not be returned to the home of the
947 parents (as determined by the state), with one of the following:

948
949 A. Child 0-17 years of age with a documented physical, emotional, or mental disability, or
950 may be at risk to develop such a condition due to the birth parents health and social
951 history.

952
953 B. Child five years of age or older.

954

955 C. Member of a sibling group placed together for adoption.
956

957 **CHILD WITNESS TO DOMESTIC VIOLENCE:** In the physical presence of a child or is present and
958 may see or hear an act of domestic violence. [See: Utah Code Ann. [§76-5-109.1.](#)]
959

960 **COHABITANT:** An emancipated minor or a person 16 years of age or older who:
961

962 A. Is or was a spouse of the other party.
963

964 B. Is or was living as if a spouse of the other party.
965

966 C. Is related by blood or marriage to the other party.
967

968 D. Has or had one or more children in common with the other party.
969

970 E. Is the biological parent of the other party's unborn child.
971

972 F. Resides or has resided in the same residence as the other party.
973

974 The term "cohabitant" does *not* refer to:
975

976 A. The relationship of a natural parent, adoptive parent, or stepparent to a minor.
977

978 B. The relationship between natural, adoptive, step, or foster siblings who are under 18
979 years of age.
980

981 [See: Utah Code Ann. [§78B-7-102](#) and Administrative Rule [R512-205.](#)]
982

983 **COLLATERAL CONTACT:** Any individual, other than the alleged perpetrator, who has had direct
984 contact with or knowledge of the child or the child's family.
985

986 **COMMUNITY DOMESTIC VIOLENCE SPECIALIST:** A domestic violence specialist such as one who
987 is employed by a domestic violence shelter or victim advocate program and who has the
988 following qualifications: (a) expertise in the dynamics of domestic violence; (b) experience
989 working with domestic violence perpetrators and victims; (c) a working knowledge of the child
990 welfare system, the criminal justice system, and the court system as they relate to domestic
991 violence; and (d) familiarity with local domestic violence services and community resources.
992 [See: The definition of Child and Family Services Domestic Violence (DV) Worker.]
993

994 **CONCURRENT PERMANENCY PLANNING:**

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

- 996
997 B. Is a means to support and expedite efforts to achieve permanence for a child within one
998 year—a time frame that reflects a child’s sense of the passage of time.
999
1000 C. Offers a structured approach to moving children quickly from the uncertainty of out-of-
1001 home care to the stability and security of a permanent family.
1002
1003 D. Starts with the first interaction with the child or the family
1004

1005 **CONFLICT OF INTEREST:** A situation in which the worker or Child and Family Services has a
1006 personal or professional relationship with a subject of the record (including the alleged victim
1007 or the alleged perpetrator). Utah Code Ann. [§62A-4a-409](#) requires that an agency other than
1008 Child and Family Services will investigate allegations of abuse, neglect, or dependency that
1009 involve individuals, institutions, or facilities that Child and Family Services supervises, governs,
1010 or directs.
1011

1012 **CORRUPTION:** A situation where a child is victimized by being associated with, or involved in,
1013 an immoral or illegal action (e.g., a parent teaching a child to shoplift; or a parent providing the
1014 child with or allowing access to alcohol or drugs for consumption).
1015

1016 **CPS:** Acronym for Child Protective Services.
1017

1018 **CREDIBLE EVIDENCE:** Information that is believable and plausible. [See: The definition of
1019 Evidence.]
1020

1021 **CUSTODIAN:** A person who has legal custody of a child or a person responsible for a child’s care
1022 as defined in Utah Code Ann. [§62A-4a-402](#).
1023

1024 **CUSTODY:** [See: The definitions of DHS Custody, Legal Custody, Protective Custody, Temporary
1025 Custody, and Voluntary Custody.]
1026

1027 **CUSTODY START DATE:** Same as Date of Removal.
1028

1029 **DATE OF REMOVAL:** The date the child was initially removed from his or her biological home or
1030 the earliest of the protective custody date, the temporary custody date, and the adjudicated
1031 custody dates.
1032

1033 **DATING VIOLENCE:** Verbal, emotional, psychological, physical, or sexual abuse of one person by
1034 another in a dating relationship. [See: Utah Code Ann. [§57-22-5.1](#).]
1035

1036 **DCFS:** Acronym for the Division of Child and Family Services.

1037

1038 **DHS:** Acronym for the Department of Human Services.

1039

1040 **DHS CUSTODY:** A relationship in which the court grants custody of a child to DHS.

1041

1042 **DISPOSITIONAL HEARING:** A hearing to determine the placement of the child and the status of
1043 legal custody and guardianship, establish the primary permanency goal, and based on the goal,
1044 whether reunification services will be provided. In addition to the primary goal, the court will
1045 establish the concurrent permanency goal. [See: Utah Code Ann. [§78A-6-312.](#)]

1046

1047 **DISPOSITION OF A CPS REFERRAL:** When Intake makes a determination that a referral will be
1048 accepted or unaccepted.

1049

1050 **DISRUPTION (OF AN ADOPTION):** Ending an adoptive placement before the adoption is final.

1051

1052 **DISSOLUTION (OF AN ADOPTION):** Undoing the adoption after it is final. [See also: Voluntary
1053 Relinquishment.]

1054

1055 **DOMESTIC VIOLENCE:** Utah Code Ann. [§77-36-1](#) defines domestic violence as any criminal
1056 offense involving violence or physical harm or threat of violence or physical harm, or any
1057 attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical
1058 harm, when committed by one cohabitant against another. Domestic violence also means
1059 commission or attempt to commit any of the following offenses by one cohabitant against
1060 another: (a) aggravated assault, as described in Utah Code Ann. [§76-5-103](#); (b) assault, as
1061 described in Utah Code Ann. [§76-5-102](#); (c) criminal homicide, as described in Utah Code Ann.
1062 [§76-5-201](#); (d) harassment, as described in Utah Code Ann. [§76-5-106](#); (e) electronic
1063 communication harassment, as described in Utah Code Ann. [§76-9-201](#); (f) kidnapping, child
1064 kidnapping, or aggravated kidnapping, as described in Utah Code Ann. [§76-5-301](#), [§76-5-301.1](#),
1065 and [§76-5-302](#); (g) mayhem, as described in Utah Code Ann. [§76-5-105](#); (h) sexual offenses, as
1066 described in Title 76, Chapter 5, Part 4, Sexual Offenses, and Utah Code Ann. [§76-5b-201](#); (i)
1067 stalking, as described in Utah Code Ann. [§76-5-106.5](#); (j) unlawful detention, as described in
1068 Utah Code Ann. [§76-5-304](#); (k) violation of a protective order or ex parte protective order, as
1069 described in Utah Code Ann. [§76-5-108](#); (l) any offense against property described in Title 76,
1070 Chapter 6, Part 1, Property Destruction, Part 2, Burglary and Criminal Trespass, or Part 3,
1071 Robbery; (m) possession of a deadly weapon with intent to assault, as described in Utah Code
1072 Ann. [§76-10-507](#); (n) discharge of a firearm from a vehicle, near a highway, or in the direction of
1073 any person, building, or vehicle, as described in Utah Code Ann. [§76-10-508](#); (o) disorderly
1074 conduct, as defined in Utah Code Ann. [§76-9-102](#), if a conviction of disorderly conduct is the
1075 result of a plea agreement in which the defendant was originally charged with any of the
1076 domestic violence offenses otherwise described in this subsection (conviction of disorderly
1077 conduct as a domestic violence offense, in the manner described herein, does not constitute a

1078 misdemeanor crime of domestic violence under 18 U.S.C. Section 921, and is exempt from the
1079 provision of the federal Firearms Act, 18 U.S.C. Section 921, et seq.); or (p) child abuse as
1080 described in Utah Code Ann. [§76-5-109.1](#). Domestic violence can take a variety of forms,
1081 including:

1082

1083 A. Physical violence, including such aggressive behavior as hitting, pushing, choking,
1084 scratching, pinching, restraining, slapping, pulling, hitting with weapons or objects,
1085 shooting, stabbing, damaging property or pets, or threatening to engage in such
1086 aggressive behavior.

1087

1088 B. Psychological violence, such as intense and repetitive degradation, creating isolation, or
1089 detrimentally controlling the actions or behavior of another person through intimidation
1090 or manipulation.

1091

1092 C. Sexual violence, such as sexual harassment, limiting reproductive freedom, infliction of
1093 pain during sexual intimacy, or the use or threat of physical force to make a cohabitant
1094 perform a sexual act.

1095

1096 [See: [Section 600](#), Domestic Violence.]

1097

1098 **DOMESTIC VIOLENCE PERPETRATOR:** Any adult who commits an act of domestic violence
1099 against another cohabitant.

1100

1101 **DOMESTIC VIOLENCE SERVICES:** Utah Code Ann. [§62A-4a-101](#) states domestic violence
1102 services means: (a) temporary shelter, treatment, and related services to a person who is a
1103 victim of abuse, as defined in Utah Code Ann. [§78B-7-102](#) and the dependent children of a
1104 person described in subsection (12)(a)(i), as well as treatment services for a person who is
1105 alleged to have committed, has been convicted of, or has pled guilty to an act of domestic
1106 violence as defined in Utah Code Ann. [§77-36-1](#). Domestic violence services delivered to adult
1107 and youth victims of family violence, domestic violence, or dating violence, and their
1108 dependents are designed to meet the needs of victims for short-term, transitional, or long-term
1109 safety and provide counseling, advocacy, or assistance for victims. Services are typically
1110 provided by a licensed domestic violence shelter provider, a licensed domestic violence
1111 treatment provider, a victim advocate, or a similar domestic violence facility or specialist.

1112

1113 **DOMESTIC VIOLENCE SHELTER:** A program for survivors of domestic violence and their children
1114 where survivors and their children receive refuge from their abusers in a facility whose location
1115 is kept confidential to prevent the abuser from locating the survivor. Shelter services available
1116 to survivors and their children may include emergency housing, help with basic living needs,
1117 food, childcare, and other support services (i.e., support groups, referrals to community
1118 resources).

- 1119
- 1120 **DOMESTIC VIOLENCE SURVIVOR/VICTIM:** An adult who has been subjected to domestic
- 1121 violence.
- 1122
- 1123 **DNR:** Acronym for a Do Not Resuscitate order.
- 1124
- 1125 **DSM:** Diagnostic and Statistical Manual of Mental Disorders.
- 1126
- 1127 **DSPD:** Acronym for the Division of Services for People With Disabilities. The branch of Utah's
- 1128 DHS that provides support to individuals with disabilities and their families.
- 1129
- 1130 **DUI:** Acronym for Driving Under the Influence.
- 1131
- 1132 **EFFECTIVE RESULTS:** Services are provided to achieve specific results and benefits for the child
- 1133 and family. These results should include improved functioning, achievement of outcomes
- 1134 consistent with the long-term view, and improved learning. If intervention strategies and
- 1135 services are not producing these results, then strategies and services should be modified over
- 1136 time as experience is gained about what expectations are reasonable and what interventions
- 1137 actually work.
- 1138
- 1139 **EMANCIPATED MINOR:** Under Utah Code Ann. [§15-2-1](#), a minor who marries is automatically
- 1140 emancipated. A minor may also be deemed emancipated by court order. The court looks at
- 1141 specific facts, including enlisting in the armed forces or leaving the parental home and
- 1142 becoming self-supporting.
- 1143
- 1144 **EMERGENCY KINSHIP PLACEMENT:** See Preliminary Placement with Kin.
- 1145
- 1146 **EMOTIONAL/BEHAVIORAL WELL-BEING:** The child has social supports in the home and school
- 1147 settings that provide the child with a sense of: identity that connotes feelings of personal
- 1148 worth, belonging and affiliation with others in his or her support network, being capable of
- 1149 participating in major life activities and decisions that affect him or her, feeling that his or her
- 1150 life has meaning, purpose, and direction, and being part of his or her culture and its social
- 1151 supports.
- 1152
- 1153 **ESTABLISHED PRIMARY CARE PROVIDER:** An individual or group who has seen the child at
- 1154 least once, has an established relationship with child or family, and wants to continue having a
- 1155 relationship with that child.
- 1156
- 1157 **ETV:** Acronym for Education and Training Voucher, which provides financial resources for
- 1158 postsecondary education and vocational training necessary to obtain employment or to support
- 1159 the individual's employment goals.

1160

1161 **EVIDENCE:** Testimony, writings, or material objects that are offered to prove the existence or
1162 non-existence of a fact.

1163

1164 **F.A.C.T.:** Acronym for Families, Agencies and Communities Together. F.A.C.T. is a committee of
1165 community service agencies that can provide a wide range of assistance to families.

1166

1167 **FACE-TO-FACE CONTACT:** In-person contact with a child to assess safety and any protection
1168 needs for the child.

1169

1170 **FALSE REPORT:** A report of abuse or neglect made to Child and Family Services by a reporter
1171 (referent) who more likely than not knew the report was false at the time that person
1172 submitted the report. [See: Utah Code Ann. [§62A-4a-1007.](#)]

1173

1174 **FAMILY FOSTER CARE:** A living arrangement offered and supervised by Child and Family
1175 Services for children who are under age 21 years at time of intake and are unable to receive
1176 needed parental care in their own home but are able to participate in family and community
1177 life without danger to themselves or others.

1178

1179 **FAMILY FUNCTIONING AND RESOURCEFULNESS:** The ability of the family to become self-
1180 directed and to build the capacities necessary for its members to live safely and for the family
1181 unit to function successfully with basic and special needs of all members adequately met.

1182

1183 **FAMILY SERVICE SPECIALIST:** Reviews cases with Child and Family Services social workers prior
1184 to removal to determine if there is substantial cause to believe grounds for removal exist and
1185 that services are not reasonably available to eliminate the need for removal. A Child and Family
1186 Services CPS caseworker need not review a case with a family service specialist if, in the Child
1187 and Family Services CPS caseworker's opinion, that process would create a delay that may
1188 endanger the health, safety, or welfare of the child.

1189

1190 Criteria for selection of the family service specialist is as follows:

1191

1192 A. Region directors will select family service specialists from existing staff based on the
1193 following:

1194

1. Be a lead worker or above.

1195

2. Have at least five years of child welfare experience.

1196

3. Have an LCSW with at least three years of child welfare experience.

1197

4. Complete the family service specialist training.

1198

1199 B. Staff selected as family service specialists will be placed on a calling tree that will be

1200

made available to workers 24 hours per day. Regions may develop calling trees for the

- 1201 entire region, local offices, counties, or any other configuration that is workable for the
1202 region.
- 1203 1. During business hours, workers may be directed to call their own supervisor first;
1204 however, if their supervisor is not available, the calling tree will provide other
1205 staffing options.
- 1206 2. During non-business hours, staff on the calling tree will not be required to carry
1207 a pager or cell phone, but must provide a phone number where they can be
1208 reached. Workers will call down the calling tree until they reach a family service
1209 specialist. The family service specialist will be allowed to claim time actually
1210 worked during non-business hours.
- 1211 3. If a region already has a supervisor available for an on-call system, their system
1212 will not change if the supervisor meets the criteria for a family service specialist
1213 listed in subparagraph A above.
- 1214
- 1215 C. Calling trees should be updated as needed with staff changes.
- 1216

1217 **FAMILY VIOLENCE:** Any act or threatened act of violence, including any forceful detention of an
1218 individual that results or threatens to result in physical injury and is committed by a person
1219 against another individual (including an elderly individual) to or with whom such person is
1220 related by blood, or is or was related by marriage or is or was otherwise legally related, or is or
1221 was lawfully residing.

1222

1223 **FETAL ALCOHOL SPECTRUM DISORDER (FASD):** A broader array of impairments than are
1224 reported for children suffering from Fetal Alcohol Syndrome. In FASD children exposed to
1225 alcohol in the womb may exhibit one or more of the following characteristics or behaviors: (a)
1226 Inadequate growth in the womb or after birth; (b) Facial abnormalities such as small eye
1227 openings; (c) Poor coordination; (d) Hyperactive behavior; (e) Learning disabilities (e.g., speech
1228 and language delays); (f) Mental retardation or low IQ; (g) Poor reasoning and judgment skills;
1229 (h) Poor impulse control; or (i) Sleep and sucking disturbances in infancy.

1230

1231 **FINALIZATION:** A court of law has decreed that the adoption is final.

1232

1233 **FORMAL AND INFORMAL SUPPORT SYSTEMS:** Informal support is the offerings of friends,
1234 neighbors, churches, and community agencies that can range from volunteer reading tutors to
1235 after school supervision, recreational activities, assisting with transportation or keeping
1236 appointments, etc. Professional services may be donated, offered through health care plans, or
1237 funded by government agencies. A combination of supports and services may be necessary to
1238 assist the child, family, and teacher. Selection of basic supports should begin with information
1239 family network supports and generic community resources available to all citizens. Specialized
1240 and tailor made supports and services should be developed or purchased, only when necessary,

1241 to supplement rather than supplant readily available supports and services of satisfactory
1242 nature.

1243
1244 **FULL DISCLOSURE:** Respectful, candid discussion early and throughout the case about the
1245 impact of out-of-home care on children, clarification of birth parents' rights and responsibilities,
1246 supports agency will provide, permanency options, and consequences of not following through
1247 with the case plan. This includes open, honest discussions with all parties – biological families,
1248 relatives, foster/adoptive families, attorneys, and other service caregivers with the use of family
1249 group decision-making/conferencing strategies to involve families in early planning.

1250
1251 **FULL FAITH AND CREDIT:** A legal principle requiring judges to recognize and enforce valid
1252 orders, decrees, and judgments issued by courts in other states. For example, Utah courts
1253 recognize a protective order from another state.

1254
1255 **GAF:** Acronym for Global Assessment of Functioning Scale.

1256
1257 **GAL:** Acronym for Guardian ad Litem. The court may appoint a GAL to represent the best
1258 interests of a child involved in a case before the court. Out-of-home providers are encouraged
1259 to contact the child's GAL about any concerns that the child's needs are not being met.

1260
1261 **GRAMA:** Acronym for Government Records Access Management Act, a Utah statute that allows
1262 members of the public to obtain copies of certain government records. If a person submits a
1263 written request for a Child and Family Services record, GRAMA requires Child and Family
1264 Services to disclose the record *unless* such disclosure is prohibited by GRAMA itself (e.g., Utah
1265 Code Ann. [§63G-2-302](#), [§63G-2-304](#) and [§63G-2-305](#)) or by another state or federal statute
1266 (e.g., Utah Code Ann. [§62A-4a-412](#)). Many of Child and Family Services' records are not open to
1267 the public due to their classification under GRAMA or other statutes.

1268
1269 **GUARDIANSHIP OF THE PERSON:** The guardian (caregiver or responsible adult) has the
1270 authority to consent to the child's marriage; enlistment in the armed forces; major medical,
1271 surgical, or psychiatric treatment; and to legal custody, if legal custody is not vested in another
1272 person, agency, or institution. [See: Utah Code Ann. [§78A-6-105](#).]

1273
1274 **HARM:** Harm is defined in Utah Code Ann. [§78A-6-105](#). Harm also includes, but is not limited
1275 to, any injury or condition described in Utah Code Ann. [§76-5-109](#). [See also: The definition of
1276 Threatened Harm.]

1277
1278 **HCG:** Urine Pregnancy Test.

1279
1280 **HEALTH CARE:** Services including medical, dental, and mental health services.

1281

1282 **HEALTH/PHYSICAL WELL-BEING:** The child's basic physical needs for proper nutrition, clothing,
1283 shelter, and hygiene are met on a daily basis. Preventive medical and dental care is necessary
1284 for maintaining good health. Preventive health care should include immunizations, dental
1285 hygiene, and screening for possible physical or developmental problems. Physical well-being
1286 encompasses both the child's physical health status and access to timely health services.

1287
1288 **HEARSAY:** An out-of-court statement that is offered to prove the truth of the matter. **NOTE:**
1289 Utah statute, the Utah Rules of Criminal Procedure, and the Utah Rules of Evidence classify
1290 certain types of statements as "non-hearsay" or as otherwise admissible as evidence. Hearsay
1291 evidence is admissible at an Administrative Hearing.

1292
1293 **HIV:** Human Immunodeficiency Virus.

1294
1295 **HMO:** A Health Maintenance Organization.

1296
1297 **HOME-TO-HOME BOOK:** The child's Home-to-Home Book will be maintained to preserve
1298 vital information about the child's events and activities during the time the child spent
1299 in care such as educational, medical, dental, and mental health. The Home-to-Home
1300 Book will be reviewed by the worker quarterly.

1301
1302 **HVR:** Health Visit Report, HVR-Child and Family Services Form 984.

1303
1304 **ICWA:** Acronym for the Indian Child Welfare Act. ICWA is the federal statute that establishes
1305 certain standards and procedures that a state non-Native American authority must follow when
1306 removing a Native American child from a care provider and placing the child in the state's
1307 temporary custody.

1308
1309 **ICWA KINSHIP/RELATIVE DEFINITION:** An "extended family member" is defined by the law or
1310 custom of the Native American child's tribe, or in the absence of such law or custom, is any
1311 person who has reached the age of 18 years and who is the Native American child's
1312 grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew,
1313 first or second cousin, or stepparent. [See: 25 U.S.C. §1903.]

1314
1315 **IMMEDIATE PROTECTION SAFETY ASSESSMENT:** An organized protocol of assessing the
1316 immediate protection and safety needs of the alleged victim at the worker's initial contact.

1317
1318 **INCEST:** Engaging in sexual intercourse with a person whom the perpetrator knows to be the
1319 perpetrator's ancestor, descendant, brother, sister, siblings by marriage (while the marriage
1320 exists), siblings by adoption, uncle, aunt, nephew, niece, or first cousin. The relationships cited
1321 above include blood relationships of the whole or half blood, without regard to legitimacy;
1322 relationships of parent and child by adoption; and relationships of stepparent and stepchild

1323 while the marriage creating the relationship of a stepparent and stepchild exists. Incest includes
1324 providing or making available seminal fluid or a human egg and other conduct specified in Utah
1325 Code Ann. [§76-7-102](#) and [§78A-6-105](#). [See also: The definitions of Sexual Abuse and Sexual
1326 Intercourse.]

1327
1328 **INDECENT LIBERTIES:** Touching the actor's genitals, anus, buttocks, pubic area, or female
1329 breast against any part of the body of the victim; causing the victim to touch the actor's or
1330 another's genitals, pubic area, anus, buttocks, or female breast; simulating or pretending to
1331 engage in sexual intercourse with the victim, including genital-genital, oral-genital, anal-genital,
1332 or oral-anal intercourse. [See: Utah Code Ann. [§76-5-416](#)].

1333
1334 **INTAKE:** The process of receiving the initial information from a referent who is alleging an act of
1335 abuse, neglect, or dependency against a child, researching for additional information, and
1336 disposition of the referral including determining appropriate assignment and prioritization of an
1337 accepted referral.

1338
1339 **IPSA:** Acronym for an Individual Protection Safety Assessment.

1340
1341 **JUDICIAL REVIEW:** A court review of agency actions. This review may be in Juvenile Court and
1342 relate to Child and Family Services actions in a case under court jurisdiction. The review may
1343 also relate to review of a final decision from and administrative law judge in an administrative
1344 hearing.

1345
1346 **KINSHIP:** The relationship of family members or near kin who are a fit, safe, and appropriate
1347 placement for the alleged primary victim or siblings and is an adult who is a grandparent, great
1348 grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, stepparent, first
1349 cousin, stepsibling, or sibling of the child. Preference may be given to kin or a non-custodial
1350 parent who are a fit, safe, and appropriate placement for an emergency kinship placement in
1351 accordance with Utah Code Ann. [§78A-6-307](#). Kinship placement may be an alternative to an
1352 out-of-home care placement. The child in a kinship placement may be in the custody of Child
1353 and Family Services or in the custody of relatives. [See also: The definition of ICWA
1354 Kinship/Relative Definition.] [See also: Utah Code Ann. [§78A-6-307](#), which defines the term
1355 "relative" to include such "extended family members" and great grandparents, great aunts,
1356 great uncles, and stepsiblings.]

1357
1358 **KINSHIP CARE:** The full-time care, nurturing, and protection of a child by relatives when a court
1359 determines the child cannot be cared for safely by their parents.

1360
1361 **LEARNING DEVELOPMENT PROGRESS** (for children under age five years): The child is actively
1362 engaged in developmental and educational processes that enable the child to develop the skills
1363 and functional capabilities at a rate and level consistent with his or her age and abilities.

1364 Essential functional capabilities include: walking/mobility, talking/communicating, toileting,
1365 following simple and more complex directions, independent/parallel/cooperative play,
1366 independent dressing, color recognition, etc. Children who have developmental delays or
1367 physical limitations should be receiving the necessary support to maximize their development.
1368

1369 **LEARNING PROGRESS** (for children age five years and older): The child is a learner who is
1370 actively engaged in developmental, educational, and/or vocational processes that are enabling
1371 him or her to build skills and functional capacities at a rate and level consistent with his or her
1372 age and abilities. Learning progress is concerned not only with academic progress and
1373 achievement test scores, but also with acquisition and demonstration of functional capabilities
1374 that include self-care, mobility, communications, literacy, self-direction, caring relationships,
1375 community orientation, citizenship participation, employability, and independent living. The
1376 ultimate concern is whether the child is learning and progressing at a rate that will enable him
1377 or her to become a responsible, competent, contributing citizen upon completion of public
1378 school.
1379

1380 **LEGAL CUSTODY:** A relationship embodying the following rights and duties:

- 1381
- 1382 A. The right to physical custody of the child.
 - 1383
 - 1384 B. The right and duty to protect, train, and discipline the child.
 - 1385
 - 1386 C. The duty to provide the child with food, clothing, shelter, education, and ordinary
1387 medical care.
 - 1388
 - 1389 D. The right to determine where and with whom the child will live.
 - 1390
 - 1391 E. The right, in an emergency, to authorize surgery or extraordinary care.
 - 1392

1393 [See: Utah Code Ann. [§78A-6-105.](#)]
1394

1395 **LICENSED SOCIAL SERVICES WORKER:** A Bachelor's Degree worker with a Social Service Worker
1396 (SSW) license, or a Master's level (CSW, LCSW, LPC, or MFT) license. Advanced Master's level
1397 licenses have additional clinical-based requirements.
1398

1399 **LIFE BOOK:** A record of the child's personal history from birth, including the child's time in out-
1400 of-home care.
1401

1402 **LONG-TERM KINSHIP CARE:** Care provided, subsequent to the permanency hearing, to a child
1403 by a relative who is a licensed foster parent. At the permanency hearing, the court must
1404 identify and document, on an individual basis, a "compelling reason" that return home,

1405 adoption, or permanent custody and guardianship with the relative is not in the best interest of
1406 the child. The child remains in the custody of Child and Family Services and is subject to the
1407 continuing supervision of the court.

1408
1409 **LONG-TERM VIEW:** The long-term view is a guiding strategic vision used to set the purpose and
1410 path of intervention and support. It is used to focus a coherent Child and Family Plan and
1411 process. A long-term view anticipates and defines what the child must have, know, and be able
1412 to do in order to be successful following his or her next major developmental or placement
1413 transitions. The long-term view must answer the question of where the case is headed and
1414 why.

1415
1416 **MEDICALLY FRAGILE:** A child who has an extraordinary, diagnosed health condition and meets
1417 one or more of the following criteria:

- 1418
1419 A. Chronic debilitating condition.
1420
1421 B. Acute condition(s) requiring three or more follow-up visits per month for three
1422 consecutive months.
1423
1424 C. At risk for developing an acute condition and requiring extensive monitoring.

1425
1426 **MEDICALLY NEEDY:** A child whose condition warrants additional treatment, therapy, and/or
1427 excessive follow-up care (may be transitional). The child is between the ages of 0-18 years and
1428 suffers from physical and/or mental debilitation inhibiting his or her growth and development
1429 and/or whose condition requires specialized skill by another to meet his or her daily living
1430 activities, which include:

- 1431
1432 A. Nutrition.
1433
1434 B. Sleep.
1435
1436 C. Elimination.
1437
1438 D. Ambulation.
1439
1440 E. Socialization.

1441
1442 **MEPA:** The Multi-Ethnic Placement Act that prohibits the use of a child's or a prospective
1443 parent's race, color, or national origin to delay or deny the child's placement and by requiring
1444 diligent efforts to expand the number of racially and ethnically diverse foster and adoptive
1445 parents.

1446

1447 **METHAMPHETAMINE:** A potent central nervous system stimulant that can be smoked, snorted,
1448 injected, taken orally, or used in suppository form. It increases the heart rate, blood pressure,
1449 body temperature, and rate of breathing; it dilates the pupils; and it produces euphoria,
1450 increased alertness, a sense of increased energy, and tremors. High doses or chronic use have
1451 been associated with increased nervousness, irritability, and paranoia. Withdrawal from high
1452 doses often produces severe depression. Methamphetamine is a lethal, dangerous, and
1453 unpredictable drug. Exposure of a child to a methamphetamine laboratory is felony child
1454 endangerment. [See: Utah Code Ann. [§76-5-112.5](#).] [See also: The definition of Physical Abuse.]
1455

1456

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

1457

A. A child; or

1459

B. A person:

1461

1. Who is at least 18 years of age and younger than 21 years of age; and

1462

2. For whom Child and Family Services has been specifically ordered by the juvenile
1463 court to provide services. Please note, however, that some criminal justice
1464 statutes define a child or minor differently for purposes of particular sexual
1465 offenses. [See: Utah Code Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-
1466 402.1](#), [§76-5-402.2](#), [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-
1467 404.1](#).] In appropriate circumstances, those statutes may apply.
1468

1468

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

1470

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

1472

A. A member of a Native American tribe, or

1474

B. Eligible for membership in a Native American tribe and is the biological child of a
1475 member of a Native American tribe. [See: The definition of ICWA.]
1476

1477

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

1479

NEAR FATALITY: A child who is certified by a physician to be in serious or critical condition and
1480 has been admitted to an Intensive Care Unit as a result of an injury or illness as a direct result of
1481 child abuse or neglect. This does not include drug exposed newborns who are admitted to a
1482 neonatal Intensive Care Unit at the time of birth.
1483

1484

NOTICE OF AGENCY ACTION: Written notification to an individual about a case finding that
1485 identifies the individual as responsible for abuse, neglect, or dependency. The notification
1486

1487 specifies the findings, explains who will have access to the information on the database, and
1488 outlines the due process procedures for challenging the findings in an Administrative Hearing.
1489 Notice of Agency Action is also sent when foster children are removed, when benefits are
1490 changed, etc. [See: Utah Code Ann. [§63G-4-102](#) and [§63G-4-201](#), and Administrative Rule [R497-](#)
1491 [100](#).]

1492
1493 **ORSIS:** Acronym for the Office of Recovery Services Information System.

1494
1495 **OUT-OF-HOME CAREGIVER:** Foster, adoptive, and kinship parents (or other out-of-home
1496 caregivers) who work with the agency and the primary parents to attempt, except in limited
1497 situations, to return children to their families of origin. Also referred to as “resource families.”

1498
1499 **OUT-OF-HOME CARE PROVIDER:** A provider who cares for children in the custody of Child and
1500 Family Services, other than their parents or relatives (i.e., foster parents, etc.).

1501
1502 **PCP:** Acronym for Primary Care Professional. A medical professional, or group of professionals,
1503 who provide continuous and comprehensive health care, and maintain the health records of an
1504 individual and/or a family. They act as the entry point to the health care system and coordinate
1505 services provided by specialists. It excludes these caregivers in the following settings:
1506 emergency room departments, local health departments, or urgent care centers. An
1507 emergency department or urgent care facility is not a primary care professional.

1508
1509 **PEER PARENT:** An out-of-home caregiver, or other specially trained individual, who engages
1510 and teams with the child’s parents to help improve parenting, nurturing, and/or household
1511 management skills.

1512
1513 **PERIOD OF MINORITY:** A youth may be in out-of-home care longer than age 18 but prior to
1514 reaching age 21, when certain conditions exist; i.e., the youth is in the process of completing
1515 high school (by age 19); for medical or disability reasons; or if ordered by the court. “The
1516 period of minority extends in males and females to the age of eighteen (18) years of age; but all
1517 minors obtain their majority by marriage. It is further provided that courts in divorce actions
1518 may order support to age 21.” [See: Utah Code Ann. [§15-2-1](#).]

1519
1520 **PERMANENCY:** The establishment and maintenance of a permanent living situation for a child
1521 to give the child an internal sense of family stability and belonging and a sense of self that
1522 connects the child to his or her past, present, and future. Permanency can be achieved in a
1523 number of ways based on the child’s circumstances; e.g.: (1) keeping or returning the child to
1524 his or her home; (2) placing the child with a relative or non-relative and supporting permanent
1525 custody or guardianship; (3) supporting independent living; or (4) adoption.

1526

1527 **PERMANENCY HEARING:** A permanency hearing is a hearing to determine the future status of
1528 the child (Utah Code Ann. [§78A-6-312](#) and [§78A-6-314](#)). When reunification services have been
1529 ordered, a permanency hearing will be held within 12 months of the removal of the child or
1530 within eight months of the removal of a child under 36 months of age at the time of removal.

1531
1532 **PERMANENCY PLANNING:** The process that is used to establish families for children that offer
1533 continuity of relationships with nurturing parents or caretakers and the opportunity to establish
1534 lifetime relationships.

1535
1536 **PERMANENCY PLANNING OUTCOMES:** Child and Family Services seeks first to preserve and
1537 support the child's biological (primary) family, and when that is not possible, to secure a family,
1538 adoptive or otherwise, that offers the hope of lifelong family-like relationships. Renewing Our
1539 Commitment to Permanency for Children-NRCFPFC and CWLA—1999.

1540
1541 **PERPETRATOR:** A person substantially responsible for causing child abuse or neglect, or a
1542 person responsible for a child's care who permits another to abuse or neglect a child. [See:
1543 Utah Code Ann. [§76-5-109](#) and Administrative Rule [R512-80](#).]

1544
1545 **PHYSICAL INJURY:** A non-accidental injury or condition that impairs or endangers the physical
1546 condition of a child, including (but not limited to) the following:

- 1547
- 1548 A. A bruise or other contusion of the skin.
 - 1549
 - 1550 B. A minor laceration or abrasion.
 - 1551
 - 1552 C. Failure to thrive or malnutrition.
 - 1553
 - 1554 D. Any other condition that imperils the child's health or welfare and which is not serious
1555 physical injury as defined in Utah Code Ann. [§76-5-109](#).
 - 1556

1557 **PLACEMENT:** A child's living arrangement while in out-of-home care, selected by a team
1558 including the family and agency representatives, which is selected to meet the child's needs.

1559
1560 **PLACEMENT OF CHILD NOT FREE FOR ADOPTION:** Placement of a child with an adoptive/foster
1561 care family pursuing adoption or when the court has not yet terminated the rights of the birth
1562 parents or the birth parents have not yet signed a voluntary relinquishment of parental rights.
1563 May also be known as "at-risk" or "fost-adopt."

1564
1565 **PLACEMENT SERVICES:** Those services offered to the family, child, and out-of-home caregiver
1566 to work toward permanency.

1567

1568 **PLAN IMPLEMENTATION:** The provisions of the Child and Family Plan have to be implemented
1569 via timely delivery of adequate services. Implementation involved the arrangement of supports
1570 and delivery of services according to the Child and Family Plan. The agreed upon strategies,
1571 supports, services, and other intervention activities are to be delivered in a timely and
1572 competent manner, consistent with identified needs and preferences, and following the
1573 principles of the Practice Model. Delivery of services by persons having the necessary skills,
1574 resources, time, and opportunity to provide supports and services commensurate with the
1575 urgency and complexity of the child's needs and situation is essential for producing desired
1576 results. A "smart" implementation process is interactive, offering ongoing adaptation of service
1577 arrangements in response to frequent feedback received about changing situation, emerging
1578 needs, and results being achieved.

1579
1580 **PLEA BARGAIN:** An agreement in which a defendant admits to a criminal charge that is less
1581 than the original charge without having a hearing or trial. A plea bargain does *not* affect the
1582 finding in a child protection investigation case.

1583
1584 **PLEA IN ABEYANCE:** An order by a court, upon motion of the prosecution and the defendant,
1585 accepting a plea of guilty or of no-contest from the defendant but not, at that time, entering
1586 judgment of conviction against the defendant or imposing sentence, on condition that the
1587 defendant will comply with specific conditions as set forth in the plea in abeyance agreement.
1588 [See: Utah Code Ann. [§77-2a-1](#).] A defendant's plea in abeyance in a case involving the abuse,
1589 neglect, or dependency of a child does not affect the findings of Child and Family Services in a
1590 child protection investigation case.

1591
1592 **POSITION OF SPECIAL TRUST:** A position occupied by a person in a position of authority who, by
1593 reason of that position, is able to exercise undue influence over the alleged victim. Such
1594 persons include (but are not limited to) a youth leader or recreational leader who is an adult,
1595 adult athletic manager, adult coach, teacher, counselor, religious leader, doctor, employer,
1596 foster parent, babysitter, adult scout leader, natural parent, stepparent, adoptive parent, legal
1597 guardian, grandparent, aunt, uncle, or adult cohabitant of a parent. [See: Utah Code Ann. [§76-
1598 5-404.1](#).]

1599
1600 **POST ADOPTION:** After finalization of an adoption.

1601
1602 **PRACTICE MODEL PRINCIPLES:** Protection - children's safety is paramount; Development -
1603 Children and families need consistent nurturing in a healthy environment to achieve their
1604 developmental needs; Permanency - All children need and are entitled to enduring
1605 relationships that provide a family stability and belonging and a sense of self that connects
1606 children to their past, present, and future; Cultural Responsiveness - Children and families have
1607 the right to be understood within the context of their own family rules, traditions, history, and
1608 culture; Partnership - The entire community shares the responsibility to create an environment

1609 that helps families raise their children to their fullest potential; Organizational Competence -
1610 Committed, qualified, trained, and skilled staff, supported by an effectively structured
1611 organization, helps insure positive outcomes for children and families; and Professional
1612 Competence - Children and families need a relationship with an accepting, concerned, empathic
1613 worker who can confront difficult issues and effectively assist them in their process toward
1614 positive change

1615

1616 **PRELIMINARY PLACEMENT WITH KIN:** A temporary placement with kin as an alternative to
1617 shelter. A Preliminary Placement with kin may or may not be selected as a long-term
1618 placement for the child. After the Preliminary Placement, Child and Family Services will make a
1619 reasonable search for a long-term placement that meets the child's needs and challenges.

1620

1621 **PREPONDERANCE:** Evidence that, as a whole, shows that the fact sought to be proven (abuse,
1622 neglect, or dependency) is more probable than not.

1623

1624 **PRIORITY RESPONSE TIMES:** The time allotted under Child and Family Services Practice
1625 Guidelines for a Child and Family Services CPS caseworker to make face-to-face contact with a
1626 child on an allegation of abuse, neglect, or dependency that drives the priority for the referral.
1627 [See: Administrative Rule [R512-200-3](#).]

1628

1629 A. A Priority 1 response will be assigned when the child referred is in need of immediate
1630 protection. Intake will begin to collect information immediately after the completion of
1631 the initial contact from the referent. As soon as possible thereafter, Intake will obtain
1632 additional information, staff the referral to determine the priority, notify law
1633 enforcement, and assign to the Child and Family Services CPS worker. Intake will provide
1634 the Child and Family Services CPS worker with information concerning prior
1635 investigations on SAFE. The Child and Family Services CPS worker has as a standard of 60
1636 minutes from the time Intake notifies the worker to initiate efforts to make face-to-face
1637 contact with an alleged victim. For a Priority 1R (rural) referral, a Child and Family
1638 Services CPS worker has, as a standard, three hours to initiate efforts to make face-to-
1639 face contact if the alleged victim is more than 40 miles from the investigator who is
1640 assigned to make the face-to-face contact.

1641

1642 B. A Priority 2 response will be assigned when physical evidence is at risk of being lost or
1643 the child is at risk of further abuse, neglect, or dependency, but the child does not have
1644 immediate protection and safety needs, as determined by the Intake checklist. Intake
1645 will begin to collect information as soon as possible after the completion of the initial
1646 contact from the referent. As soon as possible Intake will obtain additional information,
1647 staff the referral to determine the priority, assign the referral to the Child and Family
1648 Services CPS worker, and notify law enforcement. Intake will give verbal notification to
1649 the assigned Child and Family Services CPS worker. Intake will also provide the Child and

1650 Family Services CPS worker with information concerning prior investigations on SAFE.
1651 The Child and Family Services CPS worker has, as a standard, 24 hours from the time
1652 Intake notifies the worker to initiate efforts to make face-to-face contact with the
1653 alleged victim. Notification of a Priority 2 referral received after normal working hours
1654 (8:00 a.m. through 5:00 p.m.) will occur as early as possible following morning.
1655

1656 C. A Priority 3 response will be assigned when potential for further harm to the child and
1657 the loss of physical evidence is low. Prior to transferring the case to a Child and Family
1658 Services CPS worker, Intake will obtain additional information, research data sources,
1659 staff the referral as necessary, determine the priority, complete documentation
1660 including data entry, make disposition to CPS, and notify law enforcement. Intake will
1661 also provide the Child and Family Services CPS worker with information concerning prior
1662 investigations on SAFE. The Child and Family Services CPS worker will make the face-to-
1663 face contact with the alleged victim within a reasonable period of time.
1664

1665 D. Priority 4 is no longer valid.
1666

1667 **PROCEDURES:** Statewide mandatory guidelines or directions that explain the specific day-to-
1668 day tasks involved in implementing Child and Family Services Practice Guidelines in accordance
1669 with statutes, Administrative Rules, and other governing law. Procedures are usually more
1670 detailed than either Administrative Rules or Practice Guidelines. Procedures are mandatory.
1671

1672 **PROSPECTS FOR PERMANENCE:** Permanency, commonly identified with the meaning of
1673 “family” or “home,” suggests not only a stable setting, but also stable caregivers and peers,
1674 continuous supportive relationships, and some level of parental/caregiver commitment and
1675 affection. Evidence of permanency includes resolution of guardianship, adequate provision of
1676 necessary supports for the caregiver, and the achievement of stability in the child’s home and
1677 school settings.
1678

1679 **PROTECTIVE CUSTODY:** Taking a child into custody for protection by a Child and Family Services
1680 CPS caseworker, law enforcement officer, or physician. [See: Utah Code Ann. [§62A-4a-101](#),
1681 [§62A-4a-407](#), and [§78A-6-301](#).] [See also: The definitions of Custody, DHS Custody, Legal
1682 Custody, Temporary Custody, and Voluntary Custody.]
1683

1684 **PROTECTIVE SERVICES COUNSELING:** Voluntary services provided by Child and Family Services
1685 to a family.
1686

1687 **PROTECTIVE SERVICES SUPERVISION:** A legal status created by court order after an
1688 adjudication on the grounds of abuse, neglect, or dependency in which the child is permitted to
1689 remain in the home or is placed in a relative's home, and supervision and assistance to correct

1690 the abuse, neglect, or dependency is provided by an agency designated by the court. [See:
1691 Utah Code Ann. [§78A-6-105](#).]

1692
1693 **PROXIMITY (IN RELATION TO CHILD PLACEMENT):** "Reasonable proximity" includes placing the
1694 child within their neighborhood so that family contact, continued school placement, church
1695 involvement, and friendships may be maintained.

1696
1697 **QA:** Acronym for Quality Assurance. QA is a tool used to ensure that Child and Family Services'
1698 Practice Guidelines are met.

1699
1700 **REASONABLE EFFORTS:** Such reasonable efforts include an assessment of the protection needs
1701 of a child and the consideration and implementation of protective services that could enable a
1702 child to remain safely in the home. The term "reasonable efforts" refers to efforts to provide
1703 services that are reasonably available (that is, services that are accessible to arrange, refer, or
1704 provide, or that are available from other community resources).

1705
1706 Both state and federal law require reasonable efforts to prevent removal and to return children
1707 home where safe and appropriate. The court reviews these efforts at shelter hearings,
1708 permanency hearings, and parental termination hearings. In certain circumstances, reasonable
1709 efforts (reunification services) are not required. [See: Form for 24-hour multidisciplinary
1710 meeting; Utah Code Ann. [§78A-6-312](#).]

1711
1712 **REASSIGNMENT:** Assigning a case to a different worker.

1713
1714 **REFERRAL:** Information provided to Child and Family Services alleging abuse, neglect, or
1715 dependency.

1716
1717 **RELATIVE:** An adult who is a grandparent, great grandparent, aunt, great aunt, uncle, great
1718 uncle, brother-in-law, sister in-law, stepparent, first cousin, stepsibling, or sibling of the child.
1719 [See: Utah Code Ann. [§78A-6-307](#).]

1720
1721 In the case of a Native American child, "relative" also means an "extended family member" as
1722 defined by the Indian Child Welfare Act, 25 U.S.C. §1903.

1723
1724 **RELINQUISHMENT:** A voluntary termination of parental rights.

1725
1726 **RESIDENCE:** A common abode that both individuals consider to be their primary domicile or
1727 home and not simply a place that one of the individuals makes a habit of visiting.

1728
1729 **RESIDUAL PARENTAL RIGHTS AND DUTIES:** Those rights and duties remaining with the parent
1730 after legal custody or guardianship, or both, have been vested in another person or agency.

1731 Residual parental rights and duties include the responsibility for support, the right to consent to
1732 adoption, the right to determine the child's religious affiliation, and the right to reasonable
1733 visitation unless restricted by the court. If no guardian has been appointed, "residual parental
1734 rights and duties" also include the right to consent to marriage, to enlistment in the armed
1735 forces, and to major medical surgical or psychiatric treatment. [See: Utah Code Ann. [§78A-6-](#)
1736 [106.](#)]

1737

1738 **RESOURCE FAMILY:** Foster, adoptive, and kinship parents (or other out-of-home caregivers)
1739 who work with the agency and the primary parents to attempt, except in limited situations, to
1740 return children to their families of origin.

1741

1742 **RESPITE CARE:** Kin or out-of-home caregivers with intermittent, time-limited relief from care.

1743

1744 **REUNIFICATION SERVICES:** These are reasonable services that Child and Family Services is
1745 ordered to provide to the child and family to assist with the reunification process. Reunification
1746 services may not extend beyond 12 months, or eight months if a child is under 36 months of
1747 age, from the date that the child was initially removed from the home. Except the court may
1748 extend reunification services for no more than 90 days if it finds that there has been substantial
1749 compliance with the Child and Family Plan, and that reunification is probable within that 90-day
1750 period and that the extension is in the best interest of the child.

1751

1752 **RISK ASSESSMENT:** An organized protocol whereby Child and Family Services or another agency
1753 gathers information to identify the strengths and challenges and other factors of the family
1754 members that may contribute to safety or risk issues of a child who may be an alleged victim of
1755 abuse, neglect, or dependency. A risk assessment may also identify other contributing factors
1756 related to the abuse, neglect, or dependency of a child.

1757

1758 **SAFETY ASSESSMENT:** A determination of the current well-being and safety of a child whom
1759 Child and Family Services has assessed as being at risk of maltreatment, based on factors such
1760 as the controllability of risk influences, the immediacy of the risk of maltreatment, the potential
1761 severity of future maltreatment, and the potential for future incidents of abuse or neglect to
1762 the child.

1763

1764 **SAFETY PLAN:** [See: CPS Practice Guidelines [Section 204.5.](#)]

1765

1766 **SATISFACTION:** The child, parent/guardian, and substitute caregiver are satisfied with the
1767 supports and services they are receiving. This is based upon their perspective.

1768

1769 **SERIOUS HARM:** Includes but is not limited to "serious physical injury" as defined in Utah Code
1770 Ann. [§76-5-109](#) and Administrative Rule [R512-80.](#)

1771

1772 **SERIOUS PHYSICAL INJURY:** A physical injury or set of injuries or condition that seriously
1773 impairs the child's health, or that involves physical torture or causes serious emotional harm to
1774 the child, or that causes a fatality or involves a substantial risk of death to the child, including
1775 (but not limited to):

1776

1777 A. Fracture of any bone or bones (even if the fracture has subsequently healed),

1778

1779 B. Intracranial bleeding, swelling, or contusion of the brain, whether caused by blows or
1780 shaking, or by causing the child's head to impact with an object or surface (Abusive
1781 Head Trauma),

1782

1783 C. Any burn, including burns inflicted by hot water, or those caused by placing a hot object
1784 on the skin or body of the child,

1785

1786 D. Any injury caused by use of a deadly or dangerous weapon as defined by Utah Code
1787 Ann. [§76-1-601](#),

1788

1789 E. Any combination of two or more physical injuries inflicted by the same person, either at
1790 the same time or on different occasions,

1791

1792 F. Any damage to internal organs of the body,

1793

1794 G. Any conduct toward a child that results in severe emotional harm, severe
1795 developmental delay or intellectual disability, or severe impairment of the child's ability
1796 to function,

1797

1798 H. Any injury that creates a permanent disfigurement or protracted loss or impairment of
1799 the function of a bodily member, limb, or organ,

1800

1801 I. Any impediment of the breathing or the circulation of blood by application of pressure
1802 to the neck, throat, or chest, or by the obstruction of the nose or mouth, that is likely to
1803 produce a loss of consciousness.

1804

1805 J. Any conduct that results in starvation, failure to thrive, or malnutrition that jeopardizes
1806 the child's life, or

1807

1808 K. Any bodily injury, substantial bodily injury, or serious bodily injury suffered by a child if
1809 the injury resulted from the actor knowingly or intentionally causing the child to suffer
1810 from exposure to, ingestion of, inhalation of, or contact with a controlled substance,
1811 chemical substance, or drug paraphernalia, as those terms are defined in Utah Code
1812 Ann. [§76-5-112.5](#).

1813

1814 [See: Utah Code Ann. [§76-5-109](#) and [§76-5-112.5](#).]

1815

1816 **SEXUAL INTERCOURSE:** Penetration, however slight, of the vagina by the penis, or intercourse
1817 involving genital contact between individuals other than penetration of the vagina by the penis,
1818 including (but not limited to) the use of fingers (digital) or the use of any object.

1819

1820 **SEXUAL REACTIVITY:** When a child engages in sexual behaviors that are beyond normal sexual
1821 exploration and curiosity for the child's developmental age. The child may have been a victim
1822 of sexual abuse himself or herself.

1823

1824 **SIGNIFICANT RISK ASSESSMENT (also known as "YISC"):** An assessment made to determine if a
1825 person who is under the age of 18 at the time of the alleged act is a risk to other children and
1826 whether or not that minor's name should be placed on the Licensing Information System.

1827

1828 **SSA:** The entitlement program from Social Security for death benefits.

1829

1830 **SSI:** The entitlement insurance administration program from Social Security for individuals with
1831 disabilities.

1832

1833 **STABILITY:** Stability is when a child has established enduring caring relationships with key
1834 adults and has consistency of settings and routines. Optimal stability exists when the child
1835 enjoys a positive and enduring relationship with parents/caregivers, key adult supporters, and
1836 peers in home and school settings. A child removed from his or her family should be living in a
1837 safe, appropriate, and permanent home within 12 months of removal with only one interim
1838 placement.

1839

1840 **STAY:** As used in the Administrative Hearing process, to postpone an Administrative Hearing
1841 pending an adjudication of the same issues in juvenile court or district court.

1842

1843 **STD:** Acronym for Sexually Transmitted Diseases.

1844

1845 **SUBJECT OF THE REPORT:** Any person identified in a child abuse, neglect, or dependency report
1846 in accordance with reporting requirements, including (but not limited to) a child, parent,
1847 guardian, or other person responsible for a child's care. The subject may include the alleged
1848 perpetrator. [See: Utah Code Ann. [§62A-4a-402](#).]

1849

1850 **SUBSTANTIATED:** A judicial finding based on a preponderance of the evidence that abuse or
1851 neglect occurred. If more than one allegation is made or identified during the course of an
1852 investigation, any "supported" allegation determined to meet the criteria for substantiation
1853 requires a court finding to become "substantiated." All findings of "substantiated" entered

1854 after May 6, 2002 are maintained by the juvenile court and the Child and Family Services
1855 management information system (MIS).[See: Utah Code Ann. [§62A-4a-101.](#))

1856
1857 **SUCCESSFUL TRANSITIONS:** Special coordination and efforts across service settings and
1858 providers is essential to prevent breakdowns in services and to prevent any adverse effects of
1859 changes that occur through the child's life as they experience change in learning situations and
1860 living environments. Special arrangements or accommodations may be required for success in
1861 a return setting or new setting. Follow along monitoring may be required for an adjustment
1862 period.

1863
1864 **SUPPORT PERSON:** A person 18 years of age or older of the child's choice, who is readily
1865 available and who can be present during the investigative interview. The support person may
1866 include (but is not limited to) a school teacher or administrator, guidance counselor, or child
1867 care provider, but the support person may not be the person who is alleged to be, or
1868 potentially may be, the alleged perpetrator. [See: Utah Code Ann. [§62A-4a-409.](#)]

1869
1870 **SUPPORTED:** A finding, based on the information available to the caseworker at the end of the
1871 investigation, that there is a reasonable basis to conclude that abuse, neglect, or dependency
1872 occurred, and that the identified perpetrator is substantially responsible. The perpetrator may
1873 be unknown. [See: Utah Code Ann. [§62A-4a-101](#) and [§62A-4a-1009.](#)]

1874
1875 **TAL:** Acronym for Transition to Adult Living.

1876
1877 **TANF** (formerly known as AFDC): Acronym for Temporary Aide to Needy Families, a federal
1878 program created by the Welfare Reform Act. TANF is the means through which an eligible adult
1879 obtains financial support from the federal government when there are children residing in the
1880 home. TANF links with child welfare because of poverty and needs of children that may exist
1881 after termination of a money grant. These needs may increase the child's needs for child
1882 welfare services.

1883
1884 **TEAM CONSULTATION:** A group of caseworkers, supervisors, community professionals, and
1885 partners who review the facts and circumstances of a case and assist in making decisions for
1886 the safety and care of a child who is the subject of a Child and Family Services case.

1887
1888 **TEMPORARY CUSTODY:** Custody of a child with Child and Family Services from the date of the
1889 shelter hearing until disposition. [See: Utah Code Ann. [§62A-4a-101](#) and [§78A-6-105.](#)] [See
1890 *also:* The definitions of Custody, DHS Custody, Legal Custody, Protective Custody, and Voluntary
1891 Custody.]

1892
1893 **TLP:** Acronym for Transitional Living Payment, a payment code within SAFE enabling Child and
1894 Family Services TAL coordinators to make payment to youth up to age 21 years, who have

1895 exited state's custody (either in out-of-home care or transitional living placement). Payments
1896 may be made to the youth or to other providers for expenses related to daily living. These
1897 include (but are not limited to) rent, utilities, transportation costs, food, clothing, personal care
1898 items, etc. It does not include tuition payments.

1899
1900 **TPR:** Acronym for Termination of Parental Rights. TPR is when all rights that a parent or
1901 parents may have to a child are terminated in court. When it is determined to not be in the
1902 child's best interest to be reunified with his or her parents and voluntary relinquishment and
1903 compelling reasons not to terminate are not an option, Child and Family Services will explore
1904 with legal counsel the termination of parental rights. Also known as permanent deprivation of
1905 parental rights.

1906
1907 **THREATENED HARM:** Any conduct that subjects a child to unreasonable risk of harm or any
1908 condition or situation likely to cause harm to a child. [See: The definition of Harm.] [See also:
1909 Administrative Rule [R512-80](#).]

1910
1911 **TRACKING AND ADAPTATION:** Tracking and adaptation provide the "learning" and "change"
1912 processes that make the service process effective for the child and family. An ongoing
1913 examination process should be used to track service implementation, check progress, identify
1914 emergent needs and problems, and modify services in a timely manner. The Child and Family
1915 Plan should be modified when objectives are met, strategies are determined to be ineffective,
1916 new preferences or dissatisfaction with existing strategies and services are expressed, and/or
1917 new circumstances arise. Members of the Child and Family Team should apply the knowledge
1918 gained through ongoing assessments, monitoring, and periodic evaluations to adapt strategies,
1919 supports, and services.

1920
1921 **TRANSITION TO ADULT LIVING:** A program for youth ages 14 to 18 years that aids youth in the
1922 development of skills needed for successful adult life. Services in this program include
1923 coursework, home study, community involvement, and/or placement. Transition to Adult
1924 Living was formerly known as the "Independent Living Program."

1925
1926 **TRANSITION TO ADULT LIVING COORDINATOR:** Each region of the state will have a
1927 coordinator/coordinators of services responsible for oversight of TAL services provided in that
1928 region. At a minimum, the employee will possess a Bachelor's Degree with a Social Service
1929 Social worker (SSW) license and one year of experience working with youth ages 14 to 18 years
1930 in an out-of-home care or like setting.

1931
1932 **TRANSITION TO ADULT LIVING PLAN (FORM OH03):** A written plan, which is required for each
1933 youth age 14 years and older, must be completed 45 days after the youth's 14th birthday and is
1934 attached to the already existing service plan. The plan must take into account the youth's

1935 unique needs and strengths and will complement the existing service plan by addressing those
1936 skills needed for the youth to exit the state's care.

1937

1938 **TRANSITIONAL LIVING SOCIAL WORKER:** An employee hired by Child and Family Services to
1939 provide TAL services to youth. At a minimum, the employee will possess a Bachelor's Degree
1940 with a Social Service Social worker (SSW) license, and six months experience working with
1941 youth ages 12 to 18 years in out-of-home care or a like setting.

1942

1943 **UA:** Urinalysis.

1944

1945 **UDHS:** Utah Department of Human Services.

1946

1947 **UDOH:** Utah Department of Health.

1948

1949 **UNABLE TO COMPLETE INVESTIGATION:** A CPS case finding when the following situation(s) are
1950 present:

1951

1952 A. When the child and/or family move outside the state and a request for courtesy work is
1953 requested and declined and there is insufficient information to make a finding. [See:
1954 Practice Guidelines [Section 210.1A.](#)]

1955

1956 B. When the child and/or family move outside the state after the face-to-face contact is
1957 made with the child and there is insufficient information to make a finding because the
1958 whereabouts of the child and/or family are unknown. [See: Practice Guidelines [Section](#)
1959 [210.1B.](#)]

1960

1961 C. When the child and/or family move within the state, the face-to-face with the child was
1962 made but there is insufficient information to make a finding and the whereabouts of the
1963 child and/or family are unknown. [See: Practice Guidelines [Section 210.1C.](#)]

1964

1965 **UNABLE TO LOCATE:** A CPS case finding indicating that even though the Child and Family
1966 Services CPS caseworker has followed the steps outlined in Child and Family Services practice
1967 guideline and has made reasonable efforts, the Child and Family Services CPS caseworker has
1968 been unable to make face-to-face contact with the alleged victims to investigate an allegation
1969 of abuse, neglect, or dependency and to make a determination of whether the allegation
1970 should be classified as supported, non-supported, or without merit.

1971

1972 **UNACCOMPANIED MINORS:** Children in the United States who are from other countries and
1973 whose families are either temporarily or permanently unavailable due to economic hardship,
1974 political circumstances, or abandonment.

1975

- 1976 **UNSUBSTANTIATED:** A judicial finding that there is insufficient evidence to determine that
1977 abuse, neglect, or dependency occurred.
1978
- 1979 **UNSUPPORTED:** A finding based on the information available to the worker at the end of the
1980 investigation that there was insufficient information to conclude that abuse, neglect, or
1981 dependency occurred. However, a finding of unsupported means also that the worker did not
1982 conclude that the allegation was without merit.
1983
- 1984 **VOLUNTARY CUSTODY:** A formal agreement in which a legal guardian or custodian grants
1985 custody of a child to Child and Family Services for placement in a licensed home or facility for a
1986 limited period of time.
1987
- 1988 **VOLUNTARY RELINQUISHMENT:** Consent by a parent to termination of their parental rights. A
1989 relinquishment must be signed and affirmed before a judge or an officer authorized to accept
1990 relinquishments. Only the juvenile court is authorized to take relinquishments with regard to a
1991 child under court jurisdiction.
1992
- 1993 **WELL-CHILD EXAMINATION:** A physical examination by a licensed health care professional to
1994 determine the health status of a child. A child need not present with a specific health concern
1995 to receive a well-child examination.
1996
- 1997 **WITHOUT MERIT:** A finding at the completion of the investigation by Child and Family Services,
1998 or a judicial finding, that the alleged abuse, neglect, or dependency did not occur, or that the
1999 alleged perpetrator was not responsible. [*Compare:* The definitions of Supported and
2000 Unsupported.]
2001
- 2002 **WRAP-AROUND SERVICES:** Wrap-around services are used to assist a child and family with the
2003 reunification process and in meeting their needs. Wrap-around services may include (but are
2004 not limited to) peer parenting, child care, home health aide services, parenting education,
2005 respite care, transportation services for visitation, vocational or educational assistance, mental
2006 health and/or substance abuse assessment and treatment, and housing referral and assistance.
2007
- 2008 **YARN:** Acronym for Young Adult Resource Network, which provides time limited services for
2009 youth if they are no longer in care and are not yet 21 years of age, and the youth:
2010
- 2011 A. Ages out of out-of-home care, or
2012
2013 B. While in out-of-home care, after the age of 14 years, the youth received at least 12
2014 consecutive months of TAL services and the court terminated reunification.
2015

2016 This assistance can be provided through support, financial aid, or Basic Life Skills Classes and
2017 may include housing, counseling, employment education, and other appropriate supports and
2018 services to complement a youth's efforts to achieve self-sufficiency.

2019
2020 **YISC:** See the definition for Significant Risk Assessment.

2021
2022 **YOUTH:** For Child and Family Services purposes, a person over the age of 14 years, a minor.
2023 [See: Utah Code Ann. [§62A-4a-101](#) and [§15-2-1](#).] Please note, however, that some criminal
2024 justice statutes define a child or minor differently for purposes of particular sexual offenses.
2025 [See, e.g.: Utah Code Ann. [§76-5-401](#), [§76-5-401.1](#), [§76-5-401.2](#), [§76-5-402](#), [§76-5-402.1](#), [§76-5-](#)
2026 [402.2](#), [§76-5-402.3](#), [§76-5-403](#), [§76-5-403.1](#), [§76-5-404](#), and [§76-5-404.1](#).] In appropriate
2027 circumstances, those statutes may apply. [See also: The definition of Native American Child.]
2028