

SCAN Policies Database State Profile 2023: Utah

Overview of the SCAN Policies Database

The State Child Abuse and Neglect (SCAN) Policies Database compiles data on the definitions and policies that states use in their surveillance of child maltreatment, along with data on associated risk and protective factors. The SCAN Policies Database is funded by the Office of Planning, Research, and Evaluation in collaboration with the Children's Bureau in the Administration for Children and Families, U.S. Department of Health and Human Services. Mathematica leads this project in partnership with Child Trends.

The project's purpose is to review and compile information from states' definitions and policies to create a database of those definitions and policies that can be used for analysis. The SCAN Policies Database is a resource for researchers, analysts, child welfare agency staff, and others interested in examining differences between states in their definitions and policies on child maltreatment and how they change over time.

Content

The scope of the SCAN Policies Database includes information about state definitions and policies related to child abuse and neglect for all 50 states, the District of Columbia, and the Commonwealth of Puerto Rico. The SCAN Policies Database team gathered this information through a document collection, review, and coding process. The team obtained input from states on data collection through a confirmation and verification process. More information about these data collection procedures can be found in the data user's guide and data collection protocol, accessible at <https://www.scanpoliciesdatabase.com/data-use-resources>.

The SCAN Policies Database 2023 represents data collected, reviewed, and verified between June 2023 and July 2024. The data reflect the state definitions and policies for the calendar year 2023. The scope of topics in the database includes states' definitions of child abuse and neglect, as well as information about policies related to reporting, screening, and investigating child maltreatment. Key aspects of the child welfare systems' response and context are also included.

The content in the SCAN Policies Database is organized into six domains. The state profiles, codebook, data collection protocol, and data file are also organized by these domains. In the protocol, each question begins with a letter prefix identifying the domain for each variable. The six domains with the identifying protocol number prefix are listed below.

Domain	Question prefix
Definitions	D
Reporting	R
Screening	S
Investigation	I
Child welfare response	W
Child welfare system context	C

State profile

This SCAN Policies Database state profile is a summary of the information collected about the definitions and policies for the identified state. Each of the six domains contain a set of tables that depict the state's information for all variables within that domain.

The state profile presents data for each variable with “yes,” “no,” “unknown,” or other response, as appropriate. The response of “unknown” appears for topics that could not be located from the state's available resources or verified with that state. In some cases, “logical skip” appears when a question was not applicable to a particular state, given a related response on a preceding question. Some information was not included in the state profile to ensure alignment with Executive Orders or other Presidential Actions.

Data use resources

Several data use resources are available to support users of the SCAN Policies Database:

- **Data user's guide:** The guide has detailed information about the data set, including the process used to collect and review the data, the scope of information included in the data set, guidance on using the data, such as how to link the data with other data sources, and notes about specific topics. The data user's guide includes appendices, including information about changes to the data between 2021 and 2023 that reflect changes to state laws and policies during that time period. There is one data user's guide that is updated and applicable for all rounds of data collection for the SCAN Policies Database.
- **Codebook:** The codebook provides information about each variable in the data set, including variable names, labels, definitions, protocol number, variable type, and frequencies. There are separate codebooks to summarize the data from each round of data collection.
- **Errata statement:** The errata statement presents corrections applied to previous rounds of data for the SCAN Policies Database. Starting in 2023, there is one errata statement that is updated and applicable for all rounds of data collection for the SCAN Policies Database.
- **Data collection protocol:** The protocol has the questions used to collect information about states' laws and policies as part of the data review and coding process for each round of data collection. There are separate data collection protocols for each round of data collection for the SCAN Policies Database.

These data use resources can be found on the SCAN Policies Database website (<https://www.scanpoliciesdatabase.com/data-use-resources>) or from the National Data Archive for Child Abuse and Neglect (NDACAN) (<https://www.ndacan.acf.hhs.gov/>).

More information

More information about the SCAN Policies Database can be found at <https://www.scanpoliciesdatabase.com>. General inquiries can be submitted to SCANPoliciesDatabase@mathematica-mpr.com.

State identifying information

Table I. State Identifying information

	Response
State abbreviation	UT
State Federal Information Processing Standard (FIPS) code	49
Census region code	West
State verified coding of information	Yes
State confirmed documents reviewed	Yes
State definitions and policies for calendar year	2023
Data version	2023v1

Domain D: Definitions of child maltreatment

Table D.I. State's definition of child maltreatment

	Response
1. Types of maltreatment included in state definition	
a. Physical abuse	Yes
b. Excessive corporal punishment	Yes
c. Sexual abuse	Yes
d. Emotional maltreatment	Yes
e. Neglect	Yes
f. Inadequate clothing	Yes
g. Inadequate shelter	Yes
h. Malnourishment, inadequate food	Yes
i. Medical neglect, inadequate medical care	Yes
j. Failure to thrive	Yes
k. Educational neglect	Yes
l. Abandonment	Yes
m. Injurious environment. Likelihood of harm to child's health, physical well-being	Yes
n. Drug lab. Child present within structure where methamphetamine is being created	Yes
o. Inadequate supervision. Failure to meet parent or caretaker responsibilities	Yes
p. Drug or alcohol misuse. Parental drug or alcohol misuse causing harm to child	Yes
q. Prenatal exposure to drugs or alcohol	Yes
r. Illicit substance. Illegally providing a controlled substance to a child	Yes
s. Human trafficking, involuntary servitude, sexual servitude	Yes
t. Female genital mutilation	Yes
u. Shaken baby syndrome, abusive head trauma	Yes
v. Failure to protect. Failure to protect from harm	Yes
w. Domestic violence. Exposure to domestic violence	Yes
x. Factitious disorder by proxy	Yes
y. Institutional abuse/neglect	Yes
z. Other definition (specify)	Yes - A child at risk of being neglected or abused because another child in the same home is neglected or abused; Dealing in material harmful to a child; That a child's natural parent: (1) intentionally, knowingly, or recklessly causes the death of another parent of the child, (2) is identified by a law enforcement agency as the primary suspect in an investigation for intentionally, knowingly, or recklessly causing the death of another parent of the child, or (3) is being prosecuted for or has been convicted of intentionally, knowingly, or recklessly causing the death of another parent of the child

Table D.1 (*continued*)

	Response
2. Subtypes of maltreatment included in state definition	
a. Subtypes of maltreatment considered abuse	Abuse includes sexual exploitation, sexual abuse, human trafficking, and that a child's natural parent : (1) intentionally, knowingly, or recklessly causes the death of another parent of the child, (2) is identified by a law enforcement agency as the primary suspect in an investigation for intentionally, knowingly, or recklessly causing the death of another parent of the child, or (3) is being prosecuted for or has been convicted of intentionally, knowingly, or recklessly causing the death of another parent of the child; Physical abuse may also include a child who suffered physical harm during a domestic violence episode
b. Subtypes of maltreatment considered neglect	Neglect includes abandonment (including an unregulated custody transfer), inability to meet parent responsibilities, medical neglect, educational neglect, environmental neglect, failure to protect, failure to thrive, non-supervision, and physical neglect (inadequate clothing, shelter, food, or other care necessary for the child's health, safety, morals, or well-being); A child at risk of being neglected or abused because another child in the same home is neglected or abused
c. Subtypes of maltreatment considered other than abuse or neglect	Not applicable
3. Level of harm included in state's definition of child maltreatment	
a. Inflicts harm	Yes
b. Imminent danger or substantial risk of harm	Yes
4. Differences in level of harm included in state's definition of child maltreatment by type of maltreatment	No
5. Type of harm or injury specified in state's definition of child maltreatment	
a. Death, bodily injury, impairment of physical condition	Yes
b. Impairment of mental or emotional condition	Yes
c. Harmful environment, conditions	Yes
d. Type of harm or injury not specified	No
e. Other (specify)	No
6. Variation in extent of injury or harm by maltreatment type in the state's definition of child maltreatment	No
7. Perpetrator identified as part of state's definition of child maltreatment	Yes
8. Types of perpetrators specified as part of state's definition of child maltreatment	
a. Any person	Yes
b. Parent	Yes
c. Guardian	Yes
d. Caregiver/caretaker	No

Table D.I (continued)

	Response
e. Family member or parent's paramour	No
f. Household member	No
g. Person responsible for child	Yes
h. Other (specify)	No
9. Types of perpetrators vary by type of maltreatment	Yes
10. Explanation of variation in types of perpetrator by maltreatment type	Child's natural parent is the perpetrator when (1) intentionally, knowingly, or recklessly causes the death of another parent of the child, (2) identified by a law enforcement agency as the primary suspect in an investigation for intentionally, knowingly, or recklessly causing the death of another parent of the child, (3) being prosecuted for or has been convicted of intentionally, knowingly, or recklessly causing the death of another parent of the child; Perpetrators of sexual abuse are adults. A child is a perpetrator of sexual abuse if (1) there is an indication of force or coercion, (2) the children are related, including siblings by marriage while the marriage exists or by adoption, (3) there have been repeated incidents of sexual contact between the two children, unless the children are 14 years old or older, (4) there is a disparity in chronological age of four or more years between the two children; Perpetrators of education neglect are parents or guardians; Perpetrators of neglect are parents, guardians, or custodians
11. Child age included in definition of child maltreatment	Yes
12. Specific child age in definition of child maltreatment	Under age 18 and up to 21 if in the care of the agency
13. Variability of child age by type of maltreatment	Yes - Some criminal justice statutes define a child differently for purposes of particular sexual offenses and in appropriate circumstances (unknown), those statutes may apply

Table D.II. Child maltreatment definition exemptions

	Response
1. Exemption included in state's definition of child maltreatment	
a. Financial issues, financial inability to provide for a child	No
b. Discipline; physical discipline, if it is reasonable and causes no bodily injury to the child	Yes
c. Safe haven exemption; newborn relinquished or abandoned in accordance with infant safe haven and safe surrender laws	Yes
d. Infant testing positive for drugs – medical; newborn with positive test for controlled substance due to parent's medical treatment	No
e. Religious observance; parent relies on spiritual or religious forms of medical treatment	Yes
f. Other exemption (specify)	No
2. Safe haven exemption included in state's definition of child maltreatment	
a. Must leave a child at specific safe haven locations or designated providers	Yes
b. Child must be left by parent or parent's agent	Yes
c. Child must be left by a certain age (specify)	Yes - 30 days old or younger
d. No intent to return	No
e. Child must be left unharmed	Yes
f. Other (specify)	No

Table D.III. Definitions and response for child fatalities and near-fatalities cases

	Response
1. State's definition of fatalities or deaths caused by child maltreatment	
a. Not specified or defined	No
b. Injury from abuse or neglect caused death	Yes
c. Abuse or neglect was contributing factor in death	Yes
d. Death of child who was in child welfare custody or foster care	Yes
e. Other (specify)	No
2. State conducts case reviews with a child fatality review team or a similar review process for fatalities caused by child abuse or neglect	Yes, reviews are required for all or some cases
3. State's definition of near-fatalities or near-deaths caused by child maltreatment	
a. Not specified or defined	No
b. General reference to a serious or critical condition or injury that is life threatening with a substantial risk of death	Yes
c. Specific injury or specific medical treatment or intervention (specify)	Yes - A child who is certified by a physician to be in serious or critical condition and has been admitted to an Intensive Care Unit as a result of an injury or illness as a direct result of child abuse or neglect, excluding drug-exposed newborns who are admitted to a neonatal intensive care unit at the time of birth
d. Other (specify)	No
4. State conducts case reviews with a review team or similar review process for near-fatalities caused by child abuse or neglect	Yes, reviews are required for all or some cases

Domain R: Reporting child abuse and neglect

Table R.I. Reporting policies

	Response
1. Statewide centralized reporting	Other - Reports can be made to a peace officer, law enforcement agency, or office of the Division of Child and Family Services
2. Decentralized reporting	Logical Skip
3. Standard for reporting child maltreatment	
a. Known abuse and neglect	Yes
b. Reasonable cause to believe a child was abused or neglected	Yes
4. Universal mandated reporting	Yes
5. Required training for mandated reporters	No
6. Penalties for failure to report	Yes, all adults
7. Specific penalties for failure to report	
a. Criminal charges	Yes
b. Civil charges	No
c. Professional licensure suspended or revoked	No
d. Other (specify)	Yes - The court may also order the individual to complete community service hours or complete a program on preventing abuse and neglect of children
8. Penalties for false reporting	Yes
9. Specific penalties for false reporting	
a. Criminal charges	Yes
b. Civil charges	Yes
c. Professional license suspended or revoked	No
d. Other (specify)	No
10. Immunity for reporters of child abuse and neglect	Yes
11. Information requested at the time of report	
a. Identifying information of child	Yes
b. Location and contact information of child and family	Yes
c. Type and severity of suspected maltreatment	Yes
d. Date of suspected maltreatment	No
e. Identifying and other information of alleged perpetrator(s)	Yes
f. Identifying and other information of reporter	Yes
g. Identifying information of child's parents, guardian, or caregiver/caretaker	Yes
h. Identifying and other information of family or household members	Yes
i. Information on prior maltreatment	Yes
j. Other (specify)	Yes - Willingness of the referent to testify; Special circumstances or precautions recommended for investigation; Third-party/collateral contacts

Table R.I (continued)

	Response
12. Anonymity of reporter	All reporters can remain anonymous
13. Tribal involvement in state or local public child welfare agency's process to accept reports of Tribal cases	No, Tribes are not involved
14. State requires all notifications of substance-exposed newborns (SENs) to be submitted as reports of child maltreatment	
a. State does not require all cases of SENs to be reported for child maltreatment, but they could be reported if they meet certain criteria	No
b. State requires all SENs to be reported as child maltreatment	Yes
c. Other (specify)	No
15. Accepts reports of risk without an allegation of child maltreatment (risk-only reports)	No

Table R.II. Types of mandated reporters

	Response	Response	Response
1. Types of mandated reporters	Included in state's definition of mandated reporters	Training required ¹	Subject to penalties for failure to report ²
a. Foster parents	Yes	Logical Skip	Yes
b. School staff - teachers	Yes	Logical Skip	Yes
c. School bus drivers or other transportation staff	Yes	Logical Skip	Yes
d. Before- /after-school program staff	Yes	Logical Skip	Yes
e. Child care staff	Yes	Logical Skip	Yes
f. Camp counselors, directors, or administrators	Yes	Logical Skip	Yes
g. Athletic coaches or staff	Yes	Logical Skip	Yes
h. Medical or dental professionals	Yes	Logical Skip	Yes
i. Substance abuse disorder treatment providers	Yes	Logical Skip	Yes
j. Mental health, counselors, or other social service professionals	Yes	Logical Skip	Yes
k. Police or other law enforcement	Yes	Logical Skip	Yes
l. Emergency medical technicians, firefighters, or other emergency personnel	Yes	Logical Skip	Yes
m. Judges	Yes	Logical Skip	Yes
n. District attorneys or other attorneys	Yes	Logical Skip	Yes
o. Guardians ad litem or court-appointed special advocates	Yes	Logical Skip	Yes
p. Other court personnel	Yes	Logical Skip	Yes
q. Shelter staff	Yes	Logical Skip	Yes
r. Those who work in fields processing or monitoring print, film, or computer images	Yes	Logical Skip	Yes
s. Religious clergy	Yes	Logical Skip	Yes
t. Volunteers	Yes	Logical Skip	Yes
u. Coroners or medical examiners	Yes	Logical Skip	Yes
v. Staff or contractors of state and county agencies	Yes	Logical Skip	Yes

Table R.II (*continued*)

	Response	Response	Response
w. Other type of mandated reporter (specify)	Yes - Any adults	Logical Skip	Yes - All adults

¹ Responses in this column can equal logical skip when the given type of mandated reporter is not included in the state's definition of mandated reporters or when no training is required for mandated reporters (Table R.II). Responses in this column can be yes when a state has universal mandated reporting (Table R.I) and all mandated reporters require training (Table R.II).

² Responses in this column can equal logical skip when the given type of mandated reporter is not included in the state's definition of mandated reporters or when no mandated reporters are subject to penalties (Table R.I). Responses in this column can be yes when a state has universal mandated reporting (Table R.I) and when all adults or all mandated reporters are subject to penalties (Table R.I).

Domain S: Screening reports of child abuse and neglect

Table S.I. Screening policies

	Response
1. Statewide centralized screening	Yes
2. How screening is decentralized	Logical Skip
3. Information required to screen in report	
a. Identifying information of child	Yes
b. Location and contact information of child and family	Yes
c. Type and severity of suspected maltreatment	Yes
d. Date of suspected maltreatment	No
e. Identifying and other information of alleged perpetrator(s)	No
f. Other (specify)	Yes - A query of Child and Family Services' Child Welfare Management Information System (SAFE) and Electronic Resource and Eligibility Product (EREP)

Table S.II. Screening decision process and activities

	Response	Required cases	Conditions or types of cases
1. Decision processes used during screening			
a. Supervisory review	No	Logical Skip	—
b. Team-based decision	No	Logical Skip	—
c. Individual screener	Yes	Required for all	—
d. Other (specify)	No	Logical Skip	—
e. Unknown	No	—	—
2. Variability of decision process used for screening			
a. Consistent statewide	Yes	—	—
b. Varies locally	No	—	—
3. Certain activities or information are required as part of screening	Yes		
4. Activities or information required as part of screening			
a. Safety or risk assessment	No	Logical Skip	Not applicable
b. Review agency records for prior involvement with child protective services	No	Logical Skip	Not applicable
c. Other (specify)	Yes - Priority response assignment	Required for all	Not applicable
5. Types of safety or risk assessment used during screening			
a. Structured decision making	Logical Skip	—	—
b. Other (specify)	Logical Skip	—	—
6. Consistency of screening activities/information			
a. Consistent statewide	Yes	—	—
b. Varies locally (specify)	No	—	—

Table S.III. Screeners

	Response
1. Screener of abuse and neglect reports	
a. Caseworkers (frontline staff)	Yes
b. Case managers (supervisors)	No
c. Staff in specialized screening unit	No
d. Other (specify)	No
2. Qualifications of screener	
a. Associate's degree	No
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for screening (specify)	Yes - Core curriculum; On-the-job training that includes shadowing experienced child welfare caseworkers (required for caseworkers with less than 24 months of experience); Training on the application of risk assessment tools
e. Years of experience (specify)	No
f. Other (specify)	No
3. Degree in social work or related field for screeners	Yes, recommended or preferred, but not required
4. Tribal involvement in state or local public child welfare agency's process to screen Tribal cases	Yes, Tribes directly conduct screening - Ute Indian Tribe of the Uintah and Ouray Reservation

Domain I: Investigations of child abuse and neglect

Table I.I. Investigations policies

	Response
1. Findings from child maltreatment investigations can lead to criminal penalties	Yes
2. Investigator for reports	
a. Caseworkers (frontline staff)	Yes
b. Case managers (supervisors)	No
c. Staff in specialized investigations unit	No
d. Law enforcement	Yes
e. Other (specify)	No
3. Qualifications of investigator	
a. Associate's degree	No
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for conducting investigations (specify)	Yes - Core curriculum; On-the-job training that includes shadowing experienced child welfare caseworkers (required for caseworkers with less than 24 months of experience); Training on the application of risk assessment tools
e. Years of experience (specify)	No
f. Other (specify)	No
4. Degree in social work or related field for investigators	Yes, recommended or preferred, but not required
5. Level of evidence required for substantiation (founded/indicated/confirmed)	Preponderance of evidence
6. Investigation determination can result in an "inconclusive" finding	No

Table I.II. Required activities/information for investigation

	Response	Required cases	Conditions or types of cases
1. Certain activities or information required for the investigation process	Yes		
2. Specific activities or information required for investigation			
a. Review agency records for prior involvement with child protective services	Yes	Required for all	Not applicable
b. Visit to child's home	Yes	Required for some	If abuse was committed by a person who: is the child's parent, lives in the child's home, or has access to the child's home; If it is necessary to obtain evidence for the investigation
c. Interview or observation of child victim	Yes	Required for some	For children 5 and above
d. Interview or observation of other children living in child's home	No	Logical Skip	Not applicable
e. Risk or safety assessment	Yes	Required for all	Not applicable
f. Evaluation of home environment or home study	No	Logical Skip	Not applicable
g. Interviews with child's parents, caregivers, or other adults residing in child's home	Yes	Required for all	Not applicable
h. Check of criminal records for adults in home	No	Logical Skip	Not applicable
i. Check of child welfare or central registry for prior child maltreatment allegations against adults in home	Yes	Required for all	Not applicable
j. Medical evaluation	Yes	Required for some	Physical abuse; Sexual abuse; Medical neglect; Exposure to a hazardous, illegal chemical environment
k. Mental health evaluation	Yes	Required for some	Physical abuse; Sexual abuse; Medical neglect; Exposure to a hazardous, illegal chemical environment
l. Interview alleged perpetrator	Yes	Required for all	Not applicable
m. Interview reporter or collateral source	Yes	Required for some	Reports that were not made anonymously; Reports for which the third party/collateral contacts have had direct association with the child, or who are otherwise knowledgeable about the child's safety and family's functioning; Where possible and appropriate
n. Other (specify)	No	Logical Skip	Not applicable

Domain W: Child welfare response

Table W.I. Differential or alternative response

	Response
1. Differential/alternative response	No
2. Types of maltreatment eligible for differential/alternative response	Logical Skip
3. Types of maltreatment <u>not</u> eligible for differential/alternative response	Logical Skip
4. Eligibility for differential/alternative response determined by a risk determination	Logical Skip
5. Tools used to determine risk for differential/alternative response	Logical Skip
6. Risk level eligible for differential/alternative response	Logical Skip
7. Other types of cases or conditions eligible for differential/alternative response	Logical Skip
8. When is determination made for differential/alternative response	Logical Skip
9. Referrals to community services for cases engaged in differential response	Logical Skip

Table W.II. In-home services, foster care, and permanency

	Response
1. In-home services provided for unsubstantiated cases to maintain intact families	Yes--implemented statewide
2. In-home services provided post reunification	Yes--implemented statewide
3. Permanency	
a. Kinship guardianship as a permanency option	Yes
b. Subsidized guardianship	Yes
c. Subsidized kinship guardianship	Yes
d. Subsidized adoption	Yes
4. Foster care case management staff	
a. State/county public agency staff	Yes
b. Contracted provider staff	No
c. Tribal agency staff	Yes
5. Qualifications of foster care case managers	
a. Associate degree	No
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for case management (specify)	Yes - Core curriculum; On-the-job training that includes shadowing experienced child welfare caseworkers (required for caseworkers with less than 24 months of experience); Training on the application of risk assessment tools
e. Years of experience (specify)	No
f. Other (specify)	No
6. Degree in social work or related field for foster care case managers	Yes, recommended or preferred, but not required

Table W.III. Tribal foster care and Tribes that directly operate Title IV-E programs through an agreement with HHS

	Response
1. Tribal involvement in foster care for Tribal cases	Yes, Tribes within state provide foster care - Navajo Nation; Ute Indian Tribe of the Uintah and Ouray Reservation; Northwestern Band of the Shoshone Nation; Confederated Tribes of the Goshute Indian Reservations; Paiute Indian Tribe
2. Tribes directly operate a Title IV-E program through an agreement with US HHS	No
3. Number of Tribes that directly operate a Title IV-E program through an agreement with US HHS	Logical Skip
4. Specify Tribes that directly operate a Title IV-E program through an agreement with US HHS	Not applicable

Table W.IV. Indian Child Welfare Act (ICWA)

	Response
1. Federal ICWA requirements codified in state law	No
2. Federal ICWA requirements that are codified in state law	Logical Skip
3. State law codifying ICWA includes state-recognized Tribes	Logical Skip

Table W.V. Extended foster care

	Response
1. Foster care extension for youth older than age 18	Yes
2. Age youth are allowed to remain in extended foster care	Up to age 21 (until 21st birthday)
3. Youth must proactively request, provide consent, or opt-in to receive extended foster care	No
4. Criteria for youth to remain in extended foster care	
a. There are no criteria to remain in extended foster care	Yes
b. Enrolled in school	No
c. Employed	No
d. Participating in workforce development/training program	No
e. Comply with independent living/self-sufficiency plan	No
f. Receive independent living or other services	No
g. Medical condition exemption	No
h. Other (specify)	No
5. Reentry to extended foster care allowed for youth older than age 18 who aged out or left foster care	No
6. Conditions for youth to reenter extended foster care	Logical Skip

Domain C: Child welfare system context

Table C.I. Child welfare system context

	Response
1. State- or county-administered child welfare system	State-administered
2. State operates under legal consent decree or other court-ordered monitoring	No

Supplemental Notes on State

Definitions

The state defines “material harmful to a child” as any visual, pictorial, audio, or written representation (in whatever form, including performance) that includes pornographic or sexually explicit material, including nudity, sexual conduct, sexual excitement, or sadomasochistic abuse and meets all the following conditions:

1. Taken as a whole, appeals to the prurient interest in sex of a child;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for a child;
3. Taken as a whole does not have serious value for a child (‘serious value’ includes only serious literary, artistic, political, or scientific value for a child).

Definitions of sexual exploitation include “child” and “minor,” where a ‘child’ is a person under age 18 and a ‘minor’ is any person who is at least 18 years old and younger than 21 years old and under the care of the Division of Child and Family Services.

Reporting

Requirements for mandated reporters do not apply to a member of the clergy, concerning any confession made to the member of the clergy while functioning in the ministerial capacity of the member of the clergy and without the consent of the individual confessing, if two conditions are met:

1. The perpetrator confessed directly to the member of the clergy;
2. The member of the clergy is, under canon law or church doctrine or practice, bound to maintain the confidentiality of that confession.

When a member of the clergy receives information about abuse or neglect from any source other than a confession by the perpetrator, the member of the clergy is required to report that information, even though the member of the clergy may have also received information about abuse or neglect from the confession of the perpetrator.

Screening

The title assigned to caseworkers and frontline staff who conduct screening is “child and family services intake worker”.

Child welfare response

A caseworker is a person employed by or contracted with Child and Family Services to provide professional casework, case management, contract management, or direct service and contract management supervision. The person will have, at minimum, a bachelor’s degree, but may not have met the requirements to be a licensed worker. Workers are considered caseworkers until they get their social service worker (SSW) license, at which point, they become social service workers.

State Statutes and Policy Documentation Sources

Child Protective Services, Intake Services, Utah Code. Ann § RS512-200. (2018).

Child Protective Services, Investigation Services, Utah Code. Ann § RS512-201. (2018).

Child and Family Services, Utah Code. Ann. § 62A-16 (2021).

Child Welfare Services, Utah Code. Ann. § 80-2 (2023).

General Provisions, Utah Code. Ann. § 80-1 (2022).

Offenses Against the Individual, Utah Code. Ann. § 76-5 (2022).

Termination and Restoration of Parental Rights, Utah Code. Ann. § 80-4 (2023).

Utah Department of Health and Human Services. (2024). American Indian/Alaska Native Health and Family Services.

Utah's Division of Child and Family Services. (2015). Regulations for State Courts and Agencies in Indian Child Custody Proceedings.

Utah's Division of Child and Family Services. (2016). Guidelines for Implementing the Indian Child Welfare Act.

Utah's Division of Child and Family Services. (2017). Indian Child Welfare Act Practice Guidelines.

Utah's Division of Child and Family Services. (2020). Kinship practice guidelines.

Utah's Division of Child and Family Services. (2020). Out of Home Services Practice Guidelines.

Utah's Division of Child and Family Services. (2023). CPS Definitions Practice Guidelines.

Utah's Division of Child and Family Services. (2023) CPS practice Guidelines.