



# WHAT IS THE HISTORY

# OF THE CHILD WELFARE SYSTEM

## **Early 1800s**

In the United States, by the 19th century, many laws were enacted that systemized Poor Law traditions from the U.K., allowing children to be indentured to protect them from neglect or remove them from the streets.

## **1853**

The Children's Aid Society (CAS) was founded by Charles Loring Brace, who believed orphans, "half-orphans" (children with one parent instead of two), and children whose parents were coerced into relinquishing their children could find a better life with Protestant families. In 1884, the CAS sent children away on "orphan trains" that transported them to small towns and rural areas where families could adopt and raise these children. CAS represents an early example of child welfare services being utilized to "save" children by relocating them from ethnic or racial minority families and communities and assimilating them into majority families and communities. The removal of indigenous children from their families and communities during the late 19th and mid-20th centuries, as well as their placement in boarding schools where they were prohibited from engaging in their cultural practices, serves as a later example of the use of child welfare services akin to what Brace and the CAS utilized.

## **1874**

The origin of widespread media attention and public concern over the rampant issue of child maltreatment is generally traced to the case of Mary Ellen Wilson, a young girl living in New York City. In 1874, due to intervention by Henry Bergh, the leader of the New York chapter of the American Society for the Prevention of Cruelty to Animals (NYSPCA), Mary Ellen Wilson was removed from the home of her abusive caregivers. After this intervention, Bergh and other individuals with the same goal of combating child abuse and neglect established the New York Society for the Prevention of Cruelty to Children (NYSPCC).

## **1909**

The first White House Conference on the Care of Dependent Children was mainly called in response to rising concerns about the institutional placement of children, marking a high point in the Progressive Era. At this conference, measures were recommended to prevent the relocation of children from their homes and to place them with families instead of in institutions.

## **1912**

The U.S. Children's Bureau, the first department of the federal government devoted to the welfare of children, was created in 1912 in response to the recommendations of the 1909 White House Conference. The first assignment given by the president was to "investigate and report... upon all matters pertaining to the welfare of children and child life among all classes of our people."

## **1935**

The first major update to the Children's Bureau would be the signing of The Social Security Act by President Franklin D. Roosevelt in 1935. Title V of The SSA would grant the Bureau responsibility for administering three leading children's programs: maternal and child health services, medical care for disabled children, and child welfare services, in addition to its original task of research and report. The second major update came in 1946 with the transfer of the Children's Bureau from the Labor Department to the Social Security Administration within the Federal Security Agency.



# WHAT IS THE HISTORY

# OF THE CHILD WELFARE SYSTEM

## 1962

Title V of the Social Security Act was changed, including authorizing federal matching funds for children in foster care to be distributed to states. In return, states were required to develop a plan for each child in foster care, with periodic reviews of the necessity for care, and provide services to expedite children's safe return home.

## 1974

The Child Abuse Prevention and Treatment Act (CAPTA) was signed alongside the creation of the National Center on Child Abuse and Neglect (now known as the Office on Child Abuse and Neglect) within the Children's Bureau.

## 1978

Congress passed the Indian Child Welfare Act (ICWA) to protect the best interests of children and promote the stability and security of Native Nations and Native families. A study by the Association on American Indian Affairs from 1976 showed that twenty-five to thirty-five percent of Native children were being removed from their homes by state courts and welfare agencies. Eighty-five percent of these were moved to non-Native placements, resulting in lost connections between children and their communities. The ICWA granted jurisdiction to the child's Nations regarding child custody and adoption matters involving them.

## 1980

The Adoption Assistance and Child Welfare Act, signed by President Carter, reflected a new federal focus on permanence for children. Among its mandates was the first federal adoption assistance program for children with special needs and for states to make "reasonable efforts" to prevent foster care placement or to return children to their homes quickly. The Act gave funds per state for health and education costs and payments for foster caregivers to receive food, shelter, and clothing, ensuring the safety of children's basic human needs.

## 1986

The first Independent Living Program was established in response to statistics showing many youth aging out of foster care (i.e., turning eighteen) with little or no preparation and/or support. Congress would require that each state create initiatives to prepare foster children ages 16 or over for a more successful adulthood, with support from the Children's Bureau.

## 1997

The Adoption and Safe Families Act (ASFA) made the most significant changes to the child welfare provisions since they were established in their current form in 1980. ASFA principally addressed three general perceptions about the current child welfare system: 1) Children continued to remain too long in foster care; 2) the child welfare system was biased toward family preservation at the expense of children's safety and well-being; and 3) inadequate attention and resources were devoted to adoption as a permanent placement option for abused and neglected children.

### Key provisions of ASFA were designed to:

- 1) Ensure that child safety, permanency, and well-being are of paramount concern in any child welfare decision;
- 2) Encourage states to expedite permanency decisions for children in foster care;
- 3) Promote and increase the number of adoptions, particularly through a new adoption incentive payment program;



# WHAT IS THE HISTORY

# OF THE CHILD WELFARE SYSTEM

- 4) Establish performance standards and a state accountability system whereby states face financial penalties for failure to demonstrate improvements in child outcomes and
- 5) Encourage states to test innovative approaches to delivering child welfare services by expanding the existing waiver program.

## 1999

The Foster Care Independence Act 1999 (Public Law 106-169) replaced the Independent Living Program with the John H. Chafee Foster Care Independence Program (CFCIP). In addition to increasing funding, CFCIP expanded the existing independent living program to include services for adolescents transitioning from foster care to self-sufficiency and former foster youth up to age 21. Authorized services, including financial and housing assistance, counseling, and other support services, needed to help foster youth successfully transition to independence.

In addition, CFCIP gave states the option to provide continuing Medicaid coverage to certain former foster youth.

## 2008

The Fostering Connections to Success and Increasing Adoptions Act was established in 2008 and amended the Social Security Act to improve outcomes for children in foster care, connect and support relative caregivers, and offer incentives for adoption. For the first time, it also provided the opportunity for federally recognized Native nations, tribal organizations, and tribal consortia to directly manage a Title IV-E program.

[Child Welfare: History and Policy | Encyclopedia of Social Work](#)

[Indian Child Welfare Act \(ICWA\)](#)

## Interested?

This brief was created by iFoster's transition-age foster youth TAY Peer Ambassadors who serve to support other youth aging out of the foster care system to achieve self-sufficiency.

**For more information please email, text or call:**  
support@ifoster.org | 530-550-8001 | 855-936-7837