



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MEMORANDUM

TO: District Superintendents
School Principals
District Foster Care Liaisons
Federal Program Directors
School Counselors
School Social Workers

FROM: Kimberly Humphrey
Foster Care State Point of Contact

DATE: December 17, 2024

RE: Educational Stability for Students in Foster Care

Students in foster care face significant educational challenges, including lower academic achievement, higher rates of grade retention, and increased disciplinary actions. Research shows they are three to four times more likely to experience exclusionary discipline and twice as likely to be chronically absent compared to peers. They are also nearly three times more likely to require special education services.

To address these challenges, the South Carolina Department of Education (SCDE) is providing updated guidance on implementing the foster care provisions of Title I, Part A (Title I) of the Elementary and Secondary Education Act (ESEA), as outlined in the recently released joint guidance from the U.S. Departments of Education and Health and Human Services.

New Non-Regulatory Guidance

On November 15, 2024, updated [guidance](#) was issued to clarify:

- Key requirements for ensuring educational stability for students in foster care.
- Best practices for meeting Title I obligations.
- Resources for SEAs, LEAs, and other partners to support students in foster care.

Best Interest Determination (BID) Process

The SCDE, in collaboration with the Department of Social Services (DSS), has developed a new Best Interest Determination (BID) [meeting document](#). This process ensures:

- Students in foster care remain in their school of origin when it is in their best interest.
- Collaborative transportation procedures are in place when students remain in their school of origin.
- All factors related to the student's best interest are considered during placement changes.

LEAs must establish [policies and procedures](#) for BID meetings that prioritize educational stability.

Immediate Enrollment Requirements

If a student in foster care must transfer schools:

- The LEA must ensure [immediate enrollment](#), even if documentation is incomplete.
- The enrolling school must request records from the previous school without delaying enrollment.
- Policies must eliminate barriers to enrollment for all students, including DJJ-involved youth, students with disabilities, and Multilingual Learners.

For students with IEPs, the new LEA must provide a free and appropriate public education while adopting or revising the existing IEP.

Next Steps

We encourage LEAs to:

- Collaborate with your Foster Care Point of Contact (POC) to assess current policies and practices.
- Ensure BID processes and immediate enrollment policies are updated to align with the new guidance.
- Prepare for additional technical assistance and training opportunities, which will be announced soon.

For questions or feedback, please contact Kimberly Humphrey, Foster Care State Point of Contact, at khumphrey@ed.sc.gov.