

<h1>ACF</h1> <p>Administration for Children and Families</p>	<p>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</p> <p>Administration on Children, Youth and Families</p>	
	<p><b>1. Log No:</b> ACF-ACYF-CB-IM-24-08</p>	<p><b>2. Issuance Date:</b> November 15, 2024</p>
	<p><b>3. Originating Office:</b> Children’s Bureau</p>	
	<p><b>4. Key Words:</b> Education, Title IV-B, Title IV-E, Every Student Succeeds Act, Fostering Connections to Success and Increasing Adoptions Act</p>	

**INFORMATION MEMORANDUM**

**TO:** State, Tribal and Territorial agencies administering or supervising the administration of Titles IV-B and IV-E of the Social Security Act.

**SUBJECT:** Updated Nonregulatory Guidance from the U.S. Departments of Education and Health and Human Services on Ensuring Educational Stability and Success for Students in Foster Care

**LEGAL AND RELATED:** Titles IV-B and IV-E of the Social Security Act; Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law [P.L.] 110-351); and the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (P.L. 114-95).

**PURPOSE:** This Information Memorandum (IM) notifies child welfare agencies about the release of updated nonregulatory guidance: *Nonregulatory Guidance: Ensuring Educational Stability and Success for Students in Foster Care*.

**INFORMATION:**

In 2016, the U.S. Department of Education (ED) and U.S. Department of Health and Human Services (HHS) issued *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care* addressing federal requirements relating to school enrollment and educational stability for students in foster care. This guidance was developed to assist state and local educational agencies and child welfare agencies in their collaborative efforts to implement educational stability provisions for students in foster care, as required by the Elementary and Secondary Education Act and titles IV-B and IV-E of the Social Security Act.

Since 2016, ED and HHS have continued our partnership to assist state and local educational agencies and child welfare agencies in implementing federal requirements and we have gained additional understanding of the unique needs of students in foster care. Based on these experiences, we determined it would be helpful to update the previously issued nonregulatory guidance.

On November 15, 2024, ED and HHS jointly published the updated *Nonregulatory Guidance: Ensuring Educational Stability and Success for Students in Foster Care* which is available on the ED website at: <https://www.ed.gov/teaching-and-administration/supporting-students/special-populations/students-foster-care/legislation-guidance>. The 2024 edition supersedes the 2016 version of this nonregulatory guidance.

The updated guidance answers frequently asked questions on a wide array of implementation topics. It also expands on how child welfare agencies, and state and local educational agencies can collaborate to meet the varied needs of students in foster care.

The Children's Bureau encourages all child welfare agencies to review the updated nonregulatory guidance carefully with their state and local educational agency partners.

/s/

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Commissioner  
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