

FOR SCHOOL AVOIDANCE FAMILIES  
THE ULTIMATE GUIDE TO  
WORKING WITH YOUR  
SCHOOL



GETTING YOUR CHILD BACK TO SCHOOL

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# The Ultimate Guide to Working with Your School for Parents of Kids with School Avoidance

Getting the proper assistance from your school is essential for getting your child back to school. This guide will explain the resources schools have to help you and the laws which protect your child's right to be educated. Everything we cover is through the lens of a school-avoidant student.

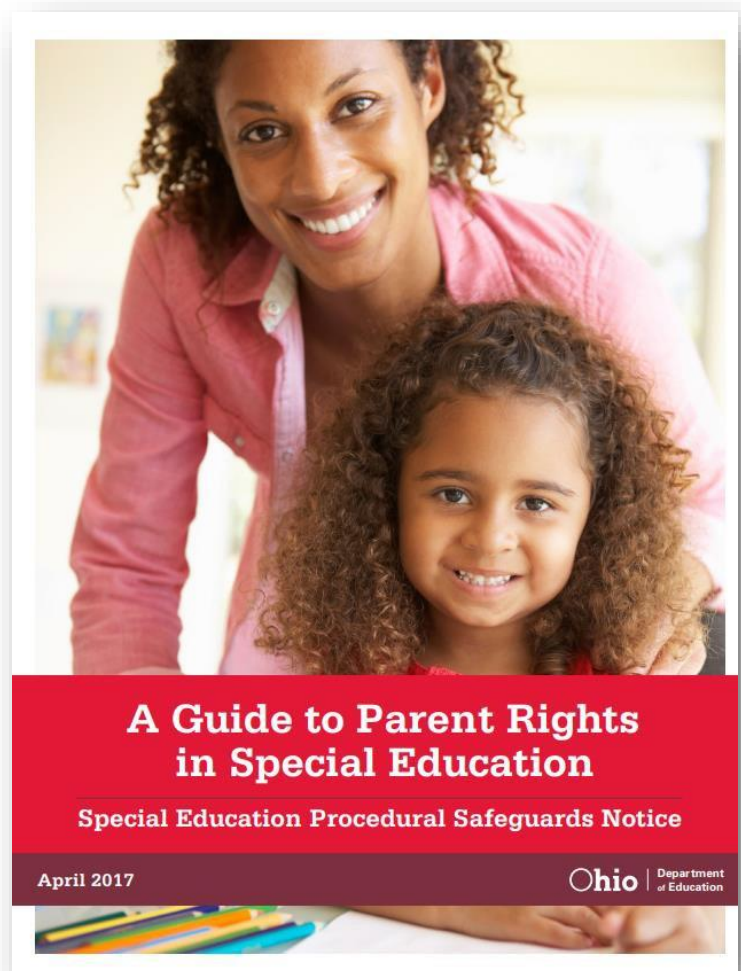
Many schools don't understand school avoidance, so parents must take on the role of advocate and educator. You may feel judged at times and feel resentful if you are not getting the help you need. If you feel blamed, your school most likely, doesn't understand school avoidance. Don't let that discourage you. Reading this guide will empower you and hopefully strengthen your resolve to get the proper supports from your school.

When schools and school avoidance families work collaboratively, it always improves outcomes.

Our federal and state government has laws that schools must follow to ensure that all kids have access to a Free Appropriate Public Education (FAPE) regardless of disability. These laws are defined in the *Individuals with Disabilities Education Act (IDEA) of 2004, Section 504 of the 1973 Rehabilitation Act, and The Americans with Disabilities Amendment Act of 2008*. We will be covering these throughout this guide.

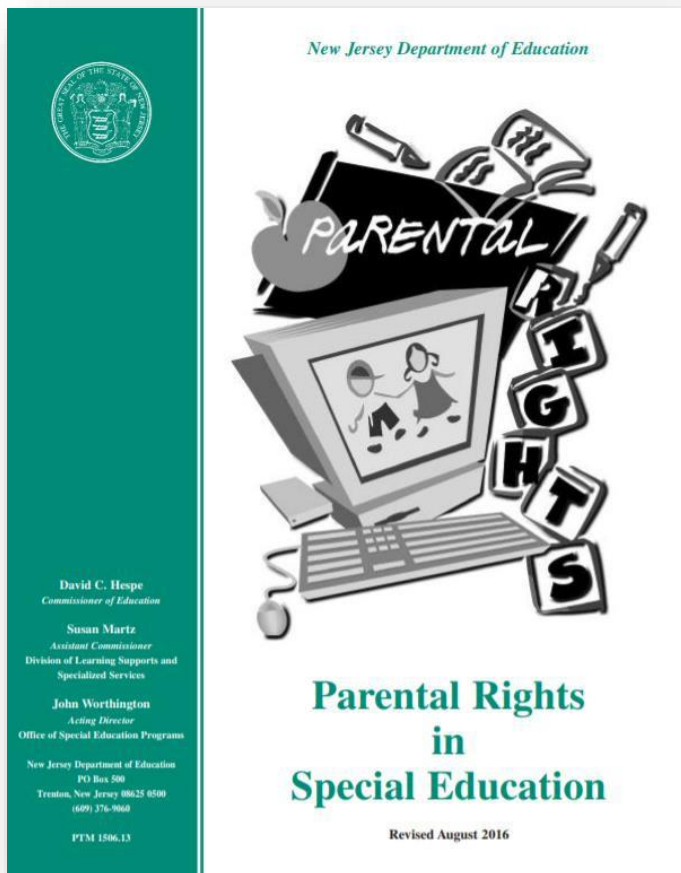
## Learning Your Rights is Must

This is particularly true for school avoidance, where the school may not know your child has a mental health issue or learning difference. Oftentimes, they may not "see" any signs from your child of any problem. It's common for kids to hide their problems or feelings of discomfort at school. They hold it in until they get home, where they are safe.



They don't want to be judged or stand out in school. So, your school may think there is nothing wrong with your child and dismiss you because they don't see this problem in school.

Our federal and state laws are in place for kids like ours who cannot access their education because of a disability. The protections and resources from these laws can provide modifications, accommodations, and services that can assist your child in getting back to school and learning.



### **Get Your State's Parent Guide to Special Education**

This is the first step to understanding how your school can help you while protecting your child's right to an education regardless of being school avoidant.

These guides are crucial. They detail the process of how to request school support and explain your state's qualifications for each level of intervention.

### **Early Intervention**

As soon as you see signs of your child avoiding and missing school, it's time to notify the school. The school needs to understand that you know where your child is and need their help.

Do not take a wait-and-see attitude, and don't let your school encourage you to do nothing and see what happens. Every bit of research on school refusal/school avoidance shows that the earlier you seek out professional assistance and help, the better off your child will be. And the more likely they are to move beyond their avoidance and get back into the school building.

## **School District Perceptions and Responses to School Avoidance Will Vary**

Some schools have a keen understanding of mental health issues, while others may not. Each school district has its own culture and attitudes based on its leadership, experience, and strength of individual voices. So, your initial response to seeking assistance will vary depending on those factors. We are here to help you. By being informed about school avoidance, your rights, and the role of your school teams, you will have the knowledge and strength to advocate effectively for your child.

### **Find a Champion**

Hopefully, kids in elementary school, feel connected to their teacher, who can be their cheerleader. If not, it can be any other adult in school or mental health professional in the district. For older kids, if your child has a connection with any teacher, counselor, or staff member in the school, they may care to be an integral part of your team to help



your child back to school. If there isn't that person, then you may be able to gain a champion from the intervention or child study team. Champions are valuable. They help by leading team efforts, strategy, and accountability. They can also work to foster a trusting relationship with your child while easing them back into school. Having this person is a bonus. Many families don't have this person and still have success, so don't worry. You are always their best supporter.

### **Who in the school should I contact? Who can help us?**

When you ask school staff who you should contact, the answers will differ. Many schools ask you to contact the teacher, the principal, or the guidance counselor. For younger kids, of course, you should discuss your concerns with your child's teacher. But you mustn't delay assistance from other school resource teams below.

It's ok to ask for help verbally, **but always put your requests for assistance in writing!** This starts documenting your official communications with your school regarding your child's school avoidance. At the same time, it keeps the school accountable to state-mandated timelines for responses and actions. Don't let anyone within the school district act as a roadblock to any of the teams below. Early interventions are critical.

The three teams in your school that you can contact for help are:

1. The school-based intervention team
2. The 504 committee
3. The child study team

### **What determines what school team I should contact first?**

If your child has a diagnosed disability (learning, physical health, or mental health disorder, then your first contact may be the 504 administrator (for a 504 plan) or the child study team (for an IEP (Individualized Education Plan).

If your child does not have a diagnosed learning difference, physical disability, or mental health disorder, then your first contact may be your school's intervention team. You can also request an evaluation from the 504 administrator or child study team at the same time you are working with the intervention team. Some states do require you to work with their intervention team before requesting an evaluation for a 504 or IEP. Check your state's guide.

### **School-Based Intervention Teams**

The intervention team is a school-based, problem-solving group designed to provide schools with an efficient, effective, and clearly defined procedure for assisting students, teachers, and parents. Its purpose is to find ways around roadblocks to success for any student referred.

Each state also has its own guidelines regarding its intervention teams, but all are based on policies the federal government provides for a Response to Intervention (RTI) framework.

Schools use different names for these intervention teams. You can ask your school who is the contact for the Response to Intervention Team to find them.

Consider reading your state RTI guide because it will explain what this team is capable of in terms of helping your child. You can search online or on your school district's website.

These teams are usually multidisciplinary and often consist of administrators, the principal or vice-principal, nurses, regular & special education teachers, parents/guardians, and counselors.

### **The Process Should Be Collaborative**

Parents play an active role on this team to determine strategies to help their kids succeed. This is especially true with school avoidance. Members of the intervention team may not understand school avoidance. Please take this opportunity to help them by sharing school avoidance facts and information.

Your recommendations and input are critical to the success of these strategies. Don't forget that! And don't agree to anything that you are uncomfortable with. We want to make it as easy as possible for you, so use our facts and information from our website to share as proof sources.

**B) The Intervention team process usually follows a format of:**

- Reviewing your child's strengths
- Discussing areas of concern
- Reviewing what has been tried
- Brainstorming new interventions (you will share your ideas)
- Developing a plan to carry out the interventions with accountability measures
- Intervention plans should be in writing with a documented follow-up date to assess progress



**The following page is an actual Intervention and Referral Plan** for a child in 6<sup>th</sup> grade diagnosed with depression. He also had an anxiety disorder which was formally diagnosed six months later. The student was breaking down at home over homework. It had been happening for most of the school year. Similar struggles with written homework and projects had been occurring since first grade.

## Intervention and Referral Services Team

**Date:** April 28, 2009  
**Student:**  
**Grade:** 6

**Reason(s) for request for assistance:**

- **Parent request for assistance after experiencing emotional break downs at home when faced with writing assignments.**
- **Karen Hebert, Ph.D., licensed Clinical Psychologist, indicates that meets diagnostic criteria for Major Depressive Disorder of Moderate Severity.**

**Action Plan:**

1. Teachers will allow extended time to hand in homework. If he is not able to complete it by the due date the teacher will set a reasonable time limit for where he will then be required to hand the work in.
2. will be provided with opportunities within the school day to complete any assignment that he was not able to complete at home. If the teacher deems it appropriate, he will be allowed to complete the assignment during class time.
3. Assignments that are not completed in class or at home should be worked on during non academic times (i.e. before school, homework club, lunch, recess).
4. will be given a time limit at home for each subject starting with Math. If he is not able to complete the assignment within that time frame he is to move on to a different subject matter.
5. Parent will continue to follow up with all medical appointments and inform school of any additional conditions or treatments provided.

**Persons responsible:**

- Teachers, parents, guidance counselor

**How the plan and student progress will be monitored:**

- Ongoing communication between counselor, teachers and parents
- Progress reports
- Report cards

**Time frame for I and R S follow up meeting:**

Throughout the remainder of the sixth grade school year , guidance counselor, will follow up with , his parents and his teachers to ensure that these accommodations are in place, followed by all parties and helpful. As necessary, we will modify them to help ensure his success.

\_\_\_\_\_  
Parent / Guardian Signature                      Date

\_\_\_\_\_  
Principal Signature                      Date



Make sure that there is an agreed-upon follow up to assess if any part of the plan has been effective. A reasonable time to reassess should be 4-6 weeks. Don't let this timeline slide.

### **Monitor your child's progress**

If your child isn't improving with the stated interventions, you need to contact the team. Schedule a meeting to discuss other assistance and strategy. If you feel this plan isn't helping or this team doesn't have the experience to make progress, move to your 504 committee or child study team, depending on your child's specific needs. Remember, you do not have to wait to be referred to any of these teams by someone at school. You have the right to request their assistance yourself. In writing!

The family who shared this Intervention Plan noted that it took almost two more years for the school to provide a 504 plan. They eventually got the 504 after they brought in an educational advocate. The school never recommended the 504, and this is not uncommon. The family made a common mistake of never putting these requests in writing to the appropriate team (504 Coordinator, Child Study Team, or Director of Special Education).

Even if you determine a 504 plan or IEP is what your child needs, you can still work with your school intervention team while waiting for responses, evaluations, decisions, and implementations from the 504 team or your child study team regarding an IEP.

### **504 Plans and School Avoidance**

#### **ACCORDING TO THE OFFICE OF CIVIL RIGHTS (OCR), TO BE PROTECTED UNDER SECTION 504, A STUDENT MUST BE DETERMINED TO:**

*Have a physical or mental impairment that substantially limits one or more major life activities; or have a record of such an impairment or be regarded as having such an impairment.*

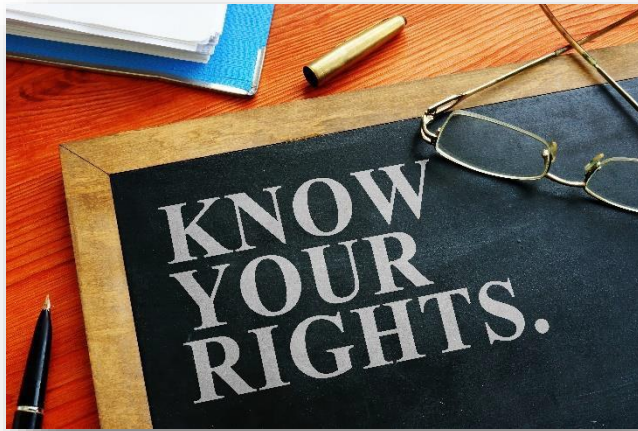
The determination of whether a student has a physical or mental impairment that substantially limits a major life activity must be made on the basis of an individual inquiry. The Section 504 regulatory provision at 34 C.F.R. 104.3(j)(2)(i) defines a physical or mental impairment as any physiological disorder or condition or any mental or psychological disorder, such as emotional or mental illness, and specific learning disabilities.

#### **Major life activities, as defined in the Section 504 regulations at 34 C.F.R. 104.3(j)(2)(ii), include functions such as:**

- Caring for one's self
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working
- Eating
- Sleeping
- Standing
- Lifting
- Bending
- Reading
- Concentrating
- Thinking
- Communication

IDEA and Section 504 require that school districts provide a free appropriate public education (FAPE) to qualified students in their jurisdictions who have met the above criteria. The Section 504 regulatory provision's list of examples of major life activities is "not exhaustive," so an activity or function not specifically listed above can be a major life activity. The determination of substantial limitation (of major life activity) must be made on a case-by-case basis for each student.

The Section 504 regulatory provision at 34 C.F.R. 104.35 (c) requires that a group of knowledgeable persons draw upon information from various sources to make this determination. (If parents privately hire their own professional that diagnoses their child, the 504 committees must include this information as part of their assessment).



**There are no restrictions regarding what supports might be appropriate** on an IEP or a 504 plan. Accommodations and modifications are based on the individual's needs, however, an IEP is usually needed to get related services, like counseling. For school avoidance kids its very important to have temporary modifications of their workload and school day. Kids who have been out of school fear having to catch up on all that missed work. It is a huge contributing factor to their avoidance and you must make your school aware of this.

The OCR states, "School districts violate Section 504 when they deny or delay evaluating a student when it would have been reasonable for a staff member to have suspected that a student has a disability and needs special education or related services because of that disability."

According to the Office of Civil Rights (OCR), "The definition of disability shall be construed broadly and that the determination of whether an individual has a disability should not demand *"extensive analysis."*

**"Grades alone are an insufficient basis** upon which to determine whether a student has a disability. Moreover, they may not be the determinative factor in deciding whether a student with a disability needs special education or related aids or services. Grades are just one consideration and do not provide information on how much effort or how many outside resources are required for the student to achieve those grades."

## The following two pages show an actual 504 Plan

You may notice when reading the following accommodations and modifications; there is no mention of attendance or assistance getting in the building. There should be some plans about help reintegrating back into school, or where the student will go when they enter the building, and who is responsible for those actions.

Public Schools  
Section 504  
Student Accommodation Plan

Student: \_\_\_\_\_  
 Last Name                      First Name                      School                      Written for Grade                      Date of Birth

**Eligibility:** A person who has a physical or mental impairment that substantially limits a major life activity. Any student who has a condition or disorder that substantially limits his or her ability to participate in school programs and activities and who needs special assistance because of his or her limitations is eligible for special school accommodations.

**Major impacted life function:**    \_\_\_ seeing    \_\_\_ hearing    \_\_\_ walking     x  learning    \_\_\_ other

If other, specify: \_\_\_\_\_

Requested by:     Parent                       Relationship to student: \_\_\_\_\_

Date of meeting:     February 24, 2011

<b>I&amp;RS TEAM members present:</b>	<u> 1 </u>	<u> 2 </u>	<u> 3 </u>
<u> 4 </u>	<u> 5 </u>	<u> 6 </u>	<u> 7 </u>
<u> 8 </u>	<u> 9 </u>	<u> 10 </u>	<u> 11 </u>

Parent present (name): \_\_\_\_\_

**Background Information and Interventions** (include previous attempts to meet the student's special needs):

Information from student:                       Indicates that he is fearful of being in building. When asked why, he cannot explain.

Information from student:                       Difficulty writing causing much anxiety. Difficulty with HW and when he does not complete it he becomes very anxious and does not want to come to school

Information from teachers:                       Shows no signs of anxiety in class and little difficulty completing in class assignments. Often does not complete HW. Avoids school when HW not completed. Social in class. Bright intelligent boy. Assisted mother with getting \_\_\_\_\_ to school by going to home and picking him up.

I & RS interventions and dates:                       I and R S Action Plan in gr. 6 and 7, Extended time to hand in HW, opportunities within the school day to complete any assignments not finished at home, time limits to complete work at home and move on if too much anxiety resulted, was not penalized for assignments that were missing after an extended absence and given opportunity to return with a clean academic slate.

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**Evaluation Information:**

<u> x </u> Attendance data	<u> x </u> Academic data	___ Discipline data
<u> x </u> Teacher reports/notes	<u> x </u> Medical/mental health data	
<u> x </u> CST evaluation	Indicate rationale/recommendations/CST contact	<u> June, 2010 DNQ for special ed. services </u>
<u> x </u> Private evaluation	Indicate diagnosis/recommendations/evaluator	_____
<u> x </u> Private counseling	Indicate diagnosis/recommendations/provider	<u> Therapist, _____ </u>
<u> x </u> Medical documentation	Indicate diagnosis/recommendations/physician	<u> 3/26/10: generalized anxiety disorder and depressive disorder </u>

**Testing Summary:**                       Can refer to June 2010 testing summary

**Implementation statement:** This Section 504 Accommodation Plan will be implemented by all staff and faculty involved with providing educational services to this student.

Section 504  
Student Accommodation Plan

**MODIFICATIONS AND ACCOMMODATIONS**

He will be provided a graphic organizer before any writing assignment to use for pre-writing. After he completes the organization, the teacher will review it with him and provide him with positive reinforcement to assist him with getting started. If continues to struggle with the writing, he may hand in the pre-writing for credit.

- 2 Provide structure to open-ended questions such as guided questions that can provide him with a starting point in his writing.
- 3 Limit his extended written responses to fewer requirements for length of writing (do not stress length). Be specific to aid in shortening length.
- 4 Teacher will not call on \_\_\_\_\_ to respond unless his hand is raised.
- 5 \_\_\_\_\_ will be specifically informed by the teacher as to when and where he can make a presentation so that he is not required to do so in front of the class.
- 6 When larger or long term assignments are given, the teacher will provide \_\_\_\_\_ with a more manageable timeline (mini-time lines) so that parts of the assignment will be handed in throughout the allocated time span). The teacher will write on the assignment pad or provide a calendar with specific due dates for each section of work. Each section will have a specific credit.
- 7 If \_\_\_\_\_ appears anxious, teacher will provide him with a discreet pass to the guidance office such as folding a piece of paper in half and asking him to "deliver" it to the guidance counselor.
- 8 \_\_\_\_\_ will be provided with a crisis pass so that he can seek out assistance from the guidance counselor when he is feeling uncomfortable or anxious.
- 9 Contact parent on a weekly basis with a qualitative update on \_\_\_\_\_ performance. (Stress positive/constructive criticism).

Accommodation Plan monitor: \_\_\_\_\_

Parent/Guardian signature: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

I&RS Team/504 Chairperson / Principal

Date: \_\_\_\_\_

Revised 7/14/08

Signature sheets are on file in the student's experience file.

Any questions regarding 504 Accommodation Plans should be directed to the student's Accommodation Plan monitor.

Policies and due process procedures pertaining to 504 Accommodation Plans can be addressed in writing to the district's 504 Compliance Officer:

\_\_\_\_\_, Assistant Superintendent

## Qualifications for an Individualized Education Plan (IEP)

For a student to qualify for an IEP,

They must be found to have one of the 13 Characteristics of disability (below), it must adversely affect their educational performance and who, by reason thereof, needs special education and related services.

If your child is unable to access their education due to school avoidance and; has a diagnosed emotional regulation disorder (or any of the 13 characteristics) and need special education and related services, your school is required by law to help them access their education through services in an IEP or pay for another school where he can be educated (Out of District Placement).

Remember to get a copy of your state's guide to special education. State laws will sometimes vary from federal law, and this differs from state to state.

### There are 13 categories of disability in special education as defined by the individuals with disabilities education (IDEA):

- Autism
- deafblindness
- Deafness
- Emotional Regulation Impairment (mental health disorder)
- Hearing impairment
- Intellectual disability
- Orthopedic impairment
- Multiple disabilities
- Other health impairment
- Specific learning disability
- Speech or language impairment
- Traumatic brain injury
- Visual impairment-including blindness

Many kids with school avoidance suffer from a mental health disability or learning disability.

### It makes sense that kids with school avoidance meet the criteria IDEA defines an emotional regulation impairment.

IDEA defines an emotional regulation impairment that qualifies for special education as the following:

A condition exhibiting one or more of the following characteristics over a long period of time into a marked degree that **“ADVERSELY AFFECTS”** a child's educational performance.

(A) An inability to learn that cannot be explained by intellectual, sensory, or health factors. s

(B) An inability to build or maintain satisfactory interpersonal relationship with peers and teachers.



- (C) Inappropriate types of behavior or feelings under normal circumstances.
- (D) A general pervasive mood of unhappiness or depression.
- (E) A tendency to develop physical symptoms or fears associated with personal or school problems.

### **Logic tells us:**

- If your child cannot attend school, he cannot get into a classroom environment, which affects his learning ability.
- If your child is not in school, he is not socializing with his peers or interacting with teachers, which probably affects his ability to build good interpersonal relationships with peers and teachers.
- Your child's inability to get to school or crying/yelling/tantrums associated with fears of going to school is inappropriate behavior or feelings under normal circumstances.
- If your child is scared and unable to attend school, he may have a pervasive mood of unhappiness or depression.
- And most likely, your child has fears associated with this problem of not attending school and may have physical symptoms as well.

### **“Adversely Affects” application to School Avoidance**

“Adversely affects” educational performance appears in the disability definitions. This does not mean a child has to have failing grades to receive special education to qualify for an IEP. If your child is unable to access their education due to school avoidance and has a diagnosed emotional regulation disorder (or any of the 13 characteristics); In that case, your school is required by law to help them access their education through services in an IEP or pay for another school where he can be educated.

### **The components of an IEP**

You worked so hard to get the IEP for your child. You are relieved and happy when your child is approved. You may have been focused on accommodations and modifications. That is what we keep reading about, and they are significant! But don't disregard the other components of the IEP. Many sections are imperative in ensuring your school-avoidant child gets back to school. The IEP tracks the school's progress in helping your child.

### **The Present Levels of Academic Achievement and Functional Performance Statement**

**(PLAAFP)**. It describes how your child is doing right now. This means Including their academic skills and abilities based on their evaluations, grades, teacher feedback, and information provided by you, the parent. Equally important is your child's present “functional” ability, which means routine activities of everyday living. Going to school is considered a normal activity for a child. So, school avoidance kids should have their problems attending school detailed in this section. If the child study team did not include that information, you have every right to have them add it.

**Annual goals** – These are year-long measurable goals that the student can reasonably accomplish. Those goals are broken down into objectives or benchmarks so the parents and school can monitor that progress throughout the IEP. For a child with school avoidance, make sure that attending school for specific periods of time (which you determine with the child study team) is included in annual goals. If the school cannot help you meet these goals, then *they may* have to make an out-of-district placement to a school that can help your child access their education. Remember to make sure these goals include getting back to school.



**Services provided** covers the special education services and any related services they will be receiving.

**Participation in general education setting** - covers the amount of time the student will be present in the general ed classroom (as opposed to special education services).

**Testing information** - the IEP will also address how, where, and if the student will participate in state and district testing.

**Locations and times when special education services will occur.** For school avoidance, this may include specifics about home instruction if that is utilized.

**Transition services** - when a child reaches 14 years old, the IEP must begin to include any courses the student should take to prepare for transitioning out of high school.

**Progress measurement** - the IEP will also state how and how often progress towards the goals will be measured and reported. Don't forget that a parent can ask for an IEP meeting at any time (put it in writing) to discuss progress or problems within the IEP.

### **The parental concerns section**

This is a section that advocates always recommend you consider using. If there is anything you are concerned about, unsure of, or disagree with, add that here. For a child with school avoidance, you may be concerned that the staff may not have appropriate training in exposure therapy, which is a first-line evidence-based treatment for school avoidance. You may ask if they can get training on this support.

If your child has OCD, you may include that it would be helpful for staff to take training on OCD so they can understand what your child faces, and they will learn what it takes to help them properly.



### **Legal protection**

An IEP gives a student and their parent's legal protection with the following rights: The right to a free, appropriate public education, The right to supplementary aids and services, The right to have all of the service time written in the IEP, The right to any related services are deemed necessary by the IEP team, The right to prior written notice before any change in educational placement or program, The right to give or deny the consent for evaluations.

### **Here are a few accommodations and strategies to address school refusal in the student's Individualized Education Plan (IEP)**

- Homebound instruction can be included in the IEP, while school reintegration strategies are put into place. Short-term goals and objectives should be specific and measurable concerning homebound tutoring. Again, this is not a long-term solution. Don't let the school forget this is meant to be temporary. The longer your child is out to school, the more entrenched the avoidance gets.
- Student and parent counseling should also be considered as a related service.
- Reintegration strategies that are based on the practice of exposure therapy are usual first-line interventions. Each child's plan will differ. The goal at the beginning is not a return to the classroom but to prevent the student from becoming more comfortable



staying home. Expect to set small goals in the beginning. If your school doesn't understand or believe in exposure therapy, please refer them to our site's coverage in modes of therapy.

### **Attendance Policy**

School avoidance challenges attendance policies. Schools can be uncompromising when parents seek relief from the harsh consequences of non-attendance. Attendance policies serve to prevent truancy and protect kids of parents that are neglectful. It is unacceptable when schools threaten truancy charges and intimidate school avoidance parents. The School Avoidance Alliance is determined to improve this common problem for school avoidance families. So, can schools modify attendance policies to help get a child with school avoidance back to school?

According to special education attorneys, yes schools can modify attendance policy. Schools can do this as part of a reintegration strategy or exposure therapy where the student is working to gradually get back to full days of school. Just as Section 504 and IDEA support modifications in attendance to accommodate a physically ill child, schools should be doing the same for a school-avoidant child.

Even though the Americans with Disabilities Act doesn't carry as much weight as Section 504 and IDEA when schools and parents disagree about attendance policy, it doesn't hurt to mention the ADA's guidance for reasonable policy modifications for public schools and any school that receives federal funding.

As per the Office of Civil Rights, The ADA Title II, 28 C.F.R. § 35.130(b)(7). "[Reasonable modifications](#): under a regulatory provision implementing Title II of the Americans with Disabilities Act (ADA), public entities are required to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination based on disability unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity."

We hope this guide energizes and empowers you as you work with your school to help get your child back to school and access to their education.

The federal laws are on your side. The problem is that some schools are not working in your child's best interest. Sometimes this is due to misinterpretations of our country's education and disability laws. Schools may also want to avoid the cost, time, and resources they would have to provide your child.

Knowledge is power. Use it as you continue being your child's best advocate.

Don't forget to check out our supportive community of school avoidance families in our private Facebook Group at [www.facebook.com/groups/schoolavoidance](http://www.facebook.com/groups/schoolavoidance)



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