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Legal Aid and Pillsbury Announce Landmark Agreement with New York City Public Schools to Better Support Students Experiencing School Avoidance

Collaborative agreement establishes major citywide framework to help students with disabilities overcome barriers to school attendance

(New York, NY) — **The Legal Aid Society** and **Pillsbury Winthrop Shaw Pittman LLP** today announced a landmark agreement with **New York City Public Schools (NYCPS)** that will transform how the nation's largest school district identifies and supports students whose mental health conditions or other disabilities make attending school difficult.

The agreement establishes a comprehensive, citywide framework to ensure students experiencing school avoidance are identified earlier and connected with appropriate educational, behavioral, and mental health supports. Building on reforms already announced by NYCPS, the agreement reflects a shared commitment to improving educational access and outcomes for all students experiencing school avoidance, particularly those with disabilities, and their families.

School avoidance, which accounts for a percentage of students who are chronically absent, has become an increasingly significant challenge for students and families, particularly following the COVID-19 pandemic. Through this agreement, NYCPS will strengthen its existing efforts by implementing standardized, districtwide practices focused on identifying mental health and psychological barriers to attendance and ensuring students receive the individualized supports they need to succeed.

The reforms will benefit students attending approximately 1,600 New York City public schools and establish one of the nation's first comprehensive districtwide frameworks specifically designed to address school avoidance through a disability rights and student support lens.

“Students whose disabilities make it difficult to attend school deserve individualized supports that address the root causes of their absences, not just the absences themselves,” said **Susan Horwitz, Director of the Education Law Project at The Legal Aid Society**. “The longer students experiencing school avoidance are out of school, the more difficult it becomes to help them return. We are grateful that NYCPS worked collaboratively to develop a much-needed, systemwide process to identify students experiencing school avoidance early and provide individualized supports so that students with disabilities receive the services they need before they fall further behind.”

“This agreement creates essential, systemic reforms that will help ensure students experiencing school avoidance are recognized early and connected to the supports they need before they become further disengaged from school,” said **Jeffrey Metzler, a litigation partner at Pillsbury and co-leader of the firm’s education practice**. “These changes will improve educational access for thousands of students with disabilities while providing families and educators with the tools needed to respond effectively and compassionately.”

Under the agreement, NYCPS will continue implementing and expanding significant districtwide reforms, including:

- **Designating a School Avoidance Liaison** in every public school to serve as the school's point person for identifying and responding to school avoidance behaviors. The new School Avoidance Liaison role was announced in June 2026.
- **Requiring annual professional development of** designated staff to recognize school avoidance and appropriately support affected students.
- **Creating standardized guidance** for schools on engaging with students and families when school avoidance behaviors are identified, including meaningful outreach to better understand barriers to attendance.
- **Ensuring families receive information about their legal rights and available supports**, including special education evaluations, Section 504 accommodations, school-based mental health services, and community resources.
- **Encouraging individualized Attendance Success Plans** developed collaboratively with families to address barriers to consistent attendance.
- **Revising NYCPS' Special Education Standard Operating Procedures Manual (SOPM)** to strengthen guidance for students experiencing school avoidance, including requiring Individualized Education Program (IEP) teams to consider Functional Behavioral Assessments and Behavioral Intervention Plans. IEP teams may also consider other supports, including parent counseling
- **Providing greater flexibility in special education evaluations**, including allowing certain psychological updates to be conducted remotely and requiring consideration of alternative evaluation locations for students whose disabilities prevent them from attending school.
- **Developing comprehensive training materials** and publicly available resources for families on school avoidance and available disability-related supports.
- **Updating Chancellor's Regulations** to better align attendance policies with best practices for supporting students experiencing school avoidance. The revised regulations were announced in June 2026.

The agreement also establishes implementation and accountability measures, including monitoring districtwide implementation, tracking school compliance, and ensuring every school has a trained School Avoidance Liaison.

School avoidance is often associated with disabilities such as anxiety disorders, depression, autism spectrum disorder, obsessive-compulsive disorder, post-traumatic stress disorder, and other mental health conditions. Without appropriate interventions, students may experience prolonged absences, academic decline, social isolation, and worsening mental health. By establishing consistent practices across New York City's public schools, the agreement will help ensure students receive timely, individualized support so they can remain connected to their education.

The agreement resolves federal litigation concerning the educational supports available to students with disabilities experiencing school avoidance and reflects the parties' shared commitment to ensuring all students have meaningful access to a free appropriate public education.

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