

Home Alone: Why Home Instruction is NOT the Answer for Students with Mental Health Issues

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ABOUT THE PRESENTER



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LEARNING OUTCOMES

- Understand the legal aspects of home instruction
- Understand the signs a student needs mental health intervention
- Identify 3 risks associated with misplaced home instruction
- Distinguish between appropriate and inappropriate uses of home instruction
- Identify 2 common myths about home instruction
- Understand the benefits of embedding therapeutic services in your school

HOME INSTRUCTION: WHAT THE LAW SAYS...

6A:16-10.2 For a general education student for reasons other than a temporary or chronic health condition

6A:16-10.1 Due to a temporary or chronic health condition

Reason 1

Reason 2

A.

The student is mandated by State law and rule for placement in an alternative education program, but placement is not immediately available;

B.

The student is placed on short-or long-term suspension from participation in the general education program; or

C.

A court order requires the student to receive instructional services in the home or other out-of-school setting

WHAT THE LAW SAYS...



“A student with a disability shall have his or her IEP implemented through one to one instruction at home or in another appropriate setting when it can be documented that all other less restrictive program options have been considered and have been determined inappropriate.”

TAKEAWAY: HOME INSTRUCTION IS NOT LEAST RESTRICTIVE.

**N.J.A.C.
6A:14-
4.8(a)**

Notification shall be effective for a maximum of 60 calendar days at which time renewal of the notification may be made. Each renewal shall be for a maximum of 60 calendar days.

TAKEAWAY: Home instruction is intended to be TEMPORARY.

**N.J.A.C.
6A:14-
4.8(a)2**

Instruction shall be provided for no fewer than 10 hours per week. The 10 hours of instruction per week shall be accomplished in no fewer than three visits by a certified teacher or teachers on at least three separate days.

TAKEAWAY: Home instruction requires a lot of time for minimal impact.

**N.J.A.C.
6A:14-
4.8(a)4**

If a parent repeatedly fails to make a student available for scheduled home instruction, the district board of education shall consider whether the student is truant in accordance with N.J.S.A. 18A:38-27 and proceed accordingly.

**N.J.A.C.
6A:14-
4.8(a)6**

WHEN HOME INSTRUCTION IS APPROPRIATE



Temporary or chronic illness or injury that confines student to bed



Temporary or chronic illness or injury that requires a level of hour to hour medical intervention that cannot be provided in the school setting



Temporary or chronic illness or injury that renders student unable to move safely around the school building

WHEN HOME INSTRUCTION IS NOT APPROPRIATE

● Anxiety

● HIB

● Behavioral Disorders

● Medication Adjustment

● Depression or Other Mood Disorder

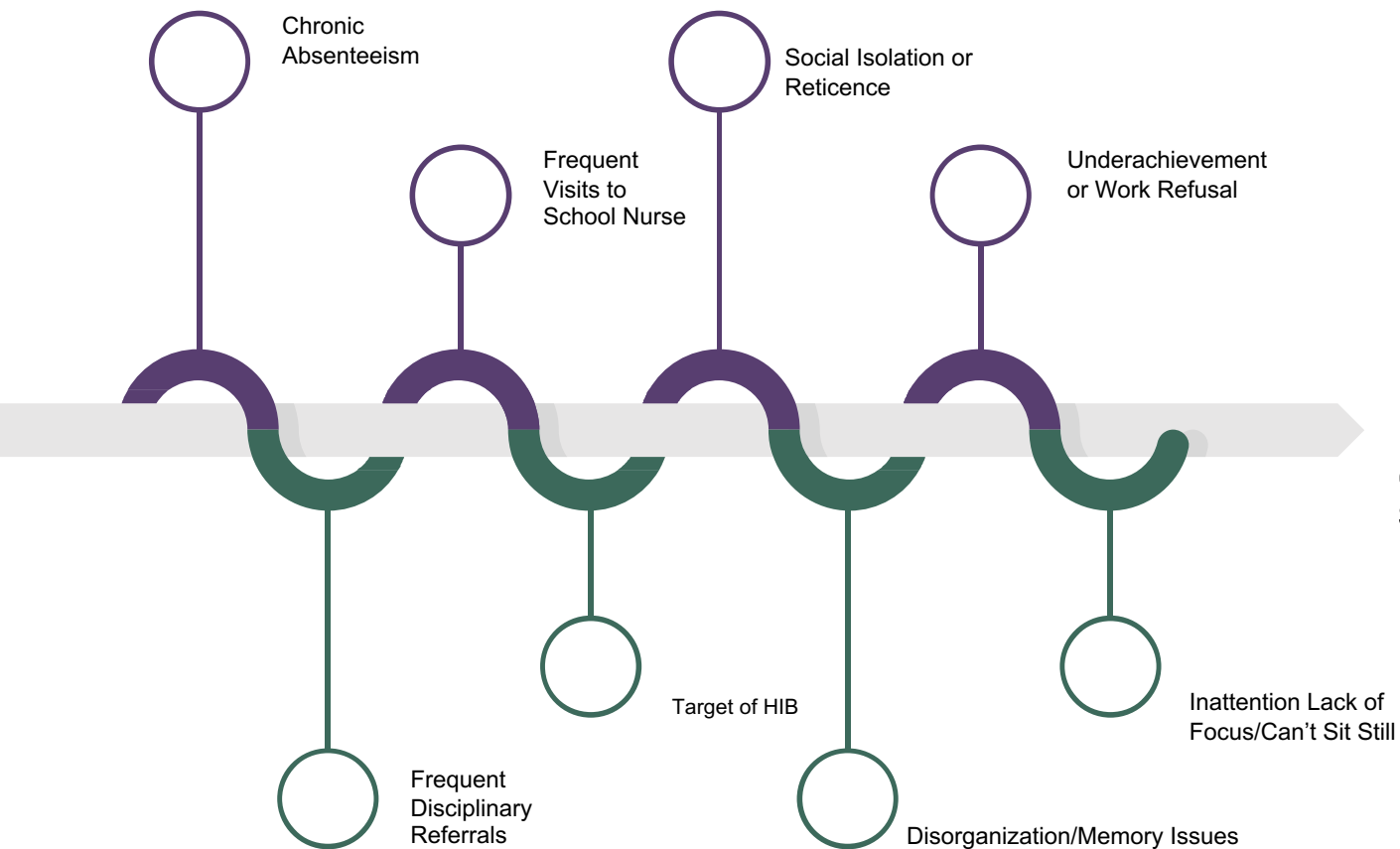
● Self- Injury

● Eating Disorders

● Suicidality

● Gender Dysphoria or Questioning

● School Avoidance/Refusal



SIGNS OF NEED FOR MENTAL HEALTH INTERVENTION

Consider Persistence and
Severity



Myth 1

Environment Causes Mental Health Issues



Myth 2

A Little Break Will Resolve the Issue

RISKY BUSINESS

- **Risk 1: Home Instruction May Hide or Reinforce Dysfunction**

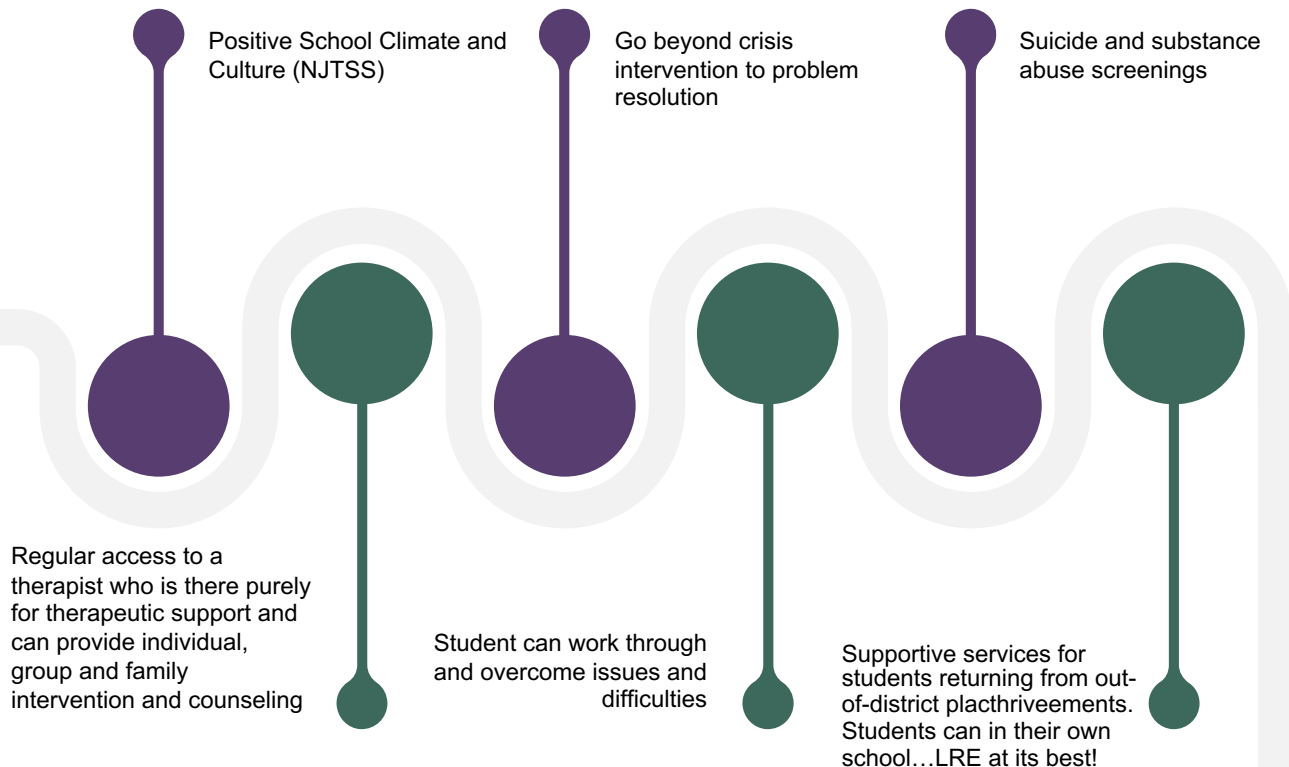
- **Risk 2: Home instruction does not address disability... denies FAPE**

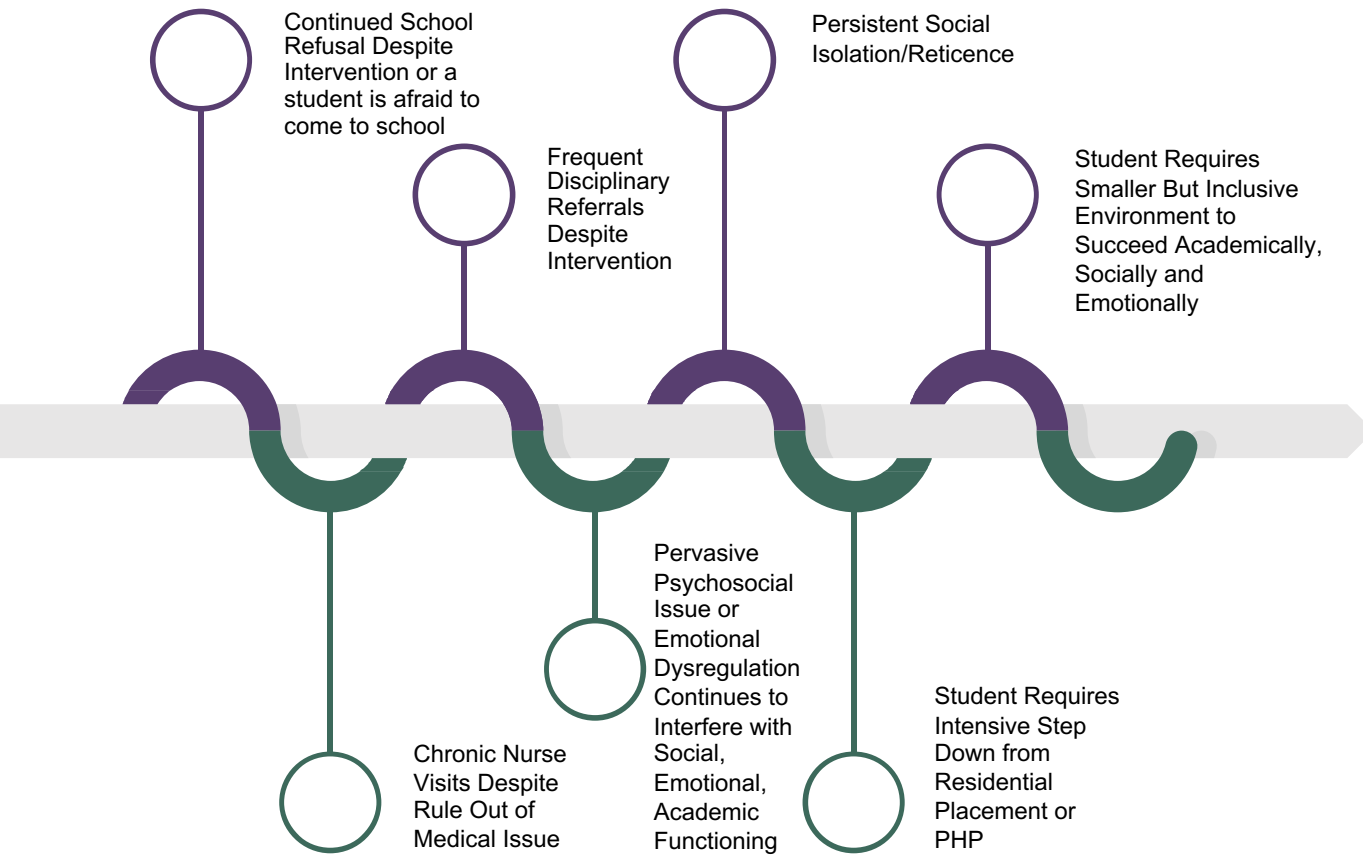
Individualized education plan (IEP) issued by a school board pursuant to which a special education student was placed on home instruction was inconsistent with statutory and regulatory requirements and thus was not an IEP and did not provide the student with FAPE. Among other things, the IEP did not consider whether the placement constituted the “least restrictive environment” in which the student would receive a meaningful educational benefit. T.D. ex rel.. J.D. v Gloucester Cnty. Vocational Bd. Of Educ., OAL DKT. NO. EDS 05282-19, 2019 NJ. AGEN LEXIS 397, Final Agency Determination (May 13, 2019)

- **Risk 3: Long-term home instruction fails to meet student needs and IEP requirements**

“Parent of a multiply disabled 17 year old...entitled to 20 weeks of compensatory education to be provided to the child with significant behavioral issues where the parent demonstrated that the school board did not provide a suitable education and related services from which the child could derive meaningful educational benefit...the home instruction plan was woefully inadequate for the student’s needs and not in conformance with the IEP still in place.” -See *Case Notes N.J.A.C 14-4.8 (August 3, 2007)*

WHAT DOES HELP? EMBEDDED THERAPEUTIC SERVICES





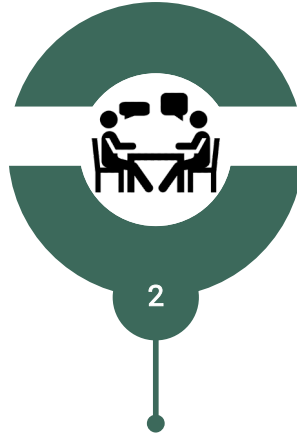
WHEN EMBEDDED THERAPY IS NOT ENOUGH

Indications for a therapeutic
school placement

INTERVENTIONS



If school refusal is out of the blue, you must assess why - have recent evals been done? Are there any medical issues? Have meds recently been adjusted?



Determine which interventions are appropriate for student; Is the refusal based on an emotional issue or defiance



Ensure proper support services have been made available to the student and family



Take immediate action if students starts to refuse; the longer it's not addressed, the harder it will be for student to return

INTERVENTIONS CONTINUED

Consistent routine and Structure

Offer a transition option to return to school. The return plan should be very specific. Talk to the student directly and honestly about expectations/plan.

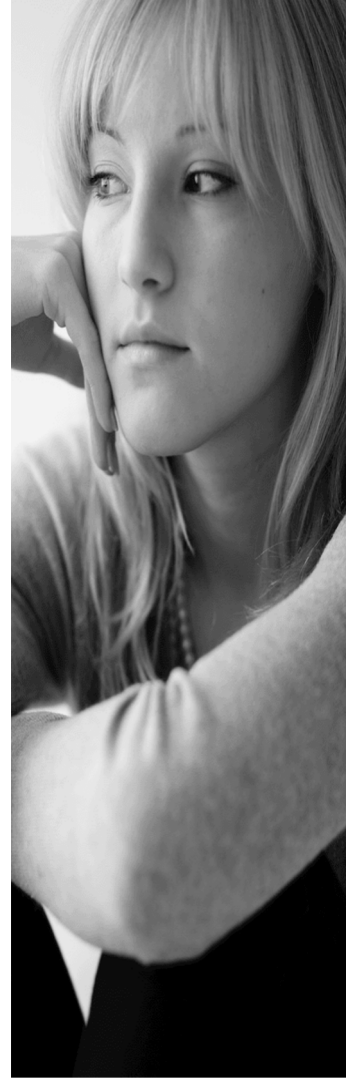
Student buy in!

Giving 2 acceptable options will help the student feel a sense of ownership and trust.

School personnel should have clearly defined roles in student's life .

If possible, identify the one "go-to" person for the student

Consequences for non-attendance should not be centered around participation in activities outside of the home encourage parents to allow student to socialize and participate in extra - curricular activities



IF HOME INSTRUCTION IS IMPLEMENTED...

If home instruction is put in place, it should be last resort. While student is at home expectations should be very clear;



Student completes all assigned work



Student (and family) is receiving support from a mental health professional



Student will return to school no later than the 60 day mark; home instruction should not be renewed



SUMMARY

- **Home instruction is appropriately used to temporarily support acute or chronic illnesses or injuries or as an alternative, interim placement**

- **Home instruction may prevent a chronic mental health issue from being addressed.**

- **Home instruction is not a long-term solution for LRE. In fact, home instruction may be the MOST RESTRICTIVE ENVIRONMENT.**

- **When used inappropriately, home instruction may expose school districts to legal challenges.**

- **Proactive school districts use school-embedded therapy and therapeutic school placement to support students with mental health issues.**