

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

KINGS RIVER UNION ELEMENTARY SCHOOL DISTRICT

V.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2026060966

DECISION

August 12, 2026

On June 17, 2026, the Office of Administrative Hearings, called OAH, received a due process hearing request from Kings River Union Elementary School District, naming Parents on behalf of Student. Administrative Law Judge Clifford H. Woosley heard this matter by videoconference on July 14 and 15, 2026.

Attorneys Rebecca Diddams and Olivia Pacheco Brown appeared on behalf of Kings River Union Elementary School District, called Kings River. Sherry Martin, Superintendent/Principal of Kings River Union Elementary School and Superintendent for Kings River Union School District in the Tulare County Special Education Local Plan Area, attended for Kings River. Tammy Bradford, Assistant Superintendent of the

Special Services Division, Tulare County Office of Education, and Chief Administrator/Director for the Tulare County Special Education Local Plan Area, also attended for Kings River.

Parent appeared on behalf of Student.

At the parties' request, OAH continued the matter for written closing briefs. The parties timely filed their briefs, OAH closed the record, and the matter was submitted for decision on August 3, 2026.

In this Decision, a free appropriate public education is called a FAPE. An individualized education program is called an IEP.

ISSUE

Was Kings River's May 6, 2026 multidisciplinary assessment of Student valid, appropriate, and legally compliant, such that Parents are not entitled to independent educational evaluations, in the areas of psychoeducation, speech and language, and academics, at public expense?

JURISDICTION

This hearing was held under the Individuals with Disabilities Education Act, called IDEA, its regulations, and California statutes and regulations. (20 U.S.C. § 1400 et. seq.; 34 C.F.R. § 300.1 (2006) et seq.; Ed. Code, § 56000 et seq.; Cal. Code Regs., tit. 5, § 3000 et seq.) The main purposes of the IDEA are to ensure:

- all children with disabilities have available to them a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living, and
- the rights of children with disabilities and their parents are protected.
(20 U.S.C. § 1400(d)(1); Ed. Code, § 56000, subd. (a).)

The IDEA affords parents and local educational agencies the procedural protection of an impartial due process hearing with respect to any matter relating to the identification, assessment, or educational placement of the child, or the provision of a FAPE to the child. (20 U.S.C. § 1415(b)(6) & (f); 34 C.F.R. § 300.511 (2006); Ed. Code, §§ 56501, 56502, and 56505; Cal. Code Regs., tit. 5, § 3082.) The party requesting the hearing is limited to the issues alleged in the complaint, unless the other party consents, and has the burden of proof by a preponderance of the evidence. (20 U.S.C. § 1415(f)(3)(B); Ed. Code, § 56502, subd. (i); *Schaffer v. Weast* (2005) 546 U.S. 49, 57-58, 62; see also 20 U.S.C. § 1415(i)(2)(C)(iii).) In this matter, Kings River had the burden of proof on Kings River's issue. The factual statements in this Decision constitute the written findings of fact required by the IDEA and state law. (20 U.S.C. § 1415(h)(4); Ed. Code, § 56505, subd. (e)(5).)

BACKGROUND

During the hearing, Student was five and a half years old. He attended a transitional kindergarten and kindergarten combination class at Kings River in the early fall and spring of the 2025-2026 school year. In spring of 2026, Student was eligible for special education and related services under the disabling condition of developmental

delay, pursuant to a March 2026 IEP meeting, held by Mukilteo School District in the state of Washington. Student resided within Kings River's geographic boundaries at all times relevant to this Decision.

ISSUE: WAS KINGS RIVER'S MAY 6, 2026 MULTIDISCIPLINARY ASSESSMENT OF STUDENT VALID, APPROPRIATE, AND LEGALLY COMPLIANT, SUCH THAT PARENTS ARE NOT ENTITLED TO INDEPENDENT EDUCATIONAL EVALUATIONS, IN THE AREAS OF PSYCHOEDUCATION, SPEECH AND LANGUAGE, AND ACADEMICS, AT PUBLIC EXPENSE?

Kings River asserted that its May 6, 2026 multidisciplinary assessment of Student was procedurally and substantively legally appropriate and, thus, it did not have to fund the independent educational evaluations requested by Parents.

Student contended that Kings River's assessment did not adequately explore or explain why Student's behaviors in the school setting substantively differed from Student's behaviors in the home environment. Mother testified at hearing, and argued in Student's closing brief, that Student's educational needs could not be adequately evaluated absent a clear understanding of how Student's behaviors at home affect his education. Parents said that other professionals may come to additional or different conclusions, even with the same data and information used by Kings River's assessment team. Parents asked for publicly funded independent educational evaluations.

Before any action is taken with respect to the initial placement of an individual with exceptional needs, an evaluation of the pupil's educational needs shall be conducted. (20 U.S.C. § 1414(a)(1)(A); Ed. Code, § 56320.) In California law, an

evaluation is referred to as an assessment, and the terms are used interchangeably in this Decision.

The pupil must be assessed in all areas related to his or her suspected disability, and no single procedure may be used as the sole criterion for determining whether the pupil has a disability or whether the pupil's educational program is appropriate.

(20 U.S.C. § 1414 (a)(2), (3); Ed. Code, § 56320, subds. (e) & (f).) The assessment must be sufficiently comprehensive to identify all of the child's special education and related services' needs, regardless of whether they are commonly linked to the child's disability category. (34 C.F.R. § 300.306.)

Reassessments of the pupil shall be conducted if the local educational agency determines that a reassessment is warranted, or if the pupil's parents or teacher requests a reassessment. (Ed. Code § 56381, subd. (a)(1).) A reassessment shall occur not more frequently than once a year, unless the parent and the school district agree otherwise, and shall occur at least once every three years, unless the parent and the school district agree, in writing, that a reassessment is unnecessary. (Ed. Code § 56381, subd. (a)(2).)

KINGS RIVER'S ASSESSMENT PLAN FOR STUDENT

At the beginning of the 2025-2026 school year, Student attended Kings River's transitional kindergarten/kindergarten class, commonly called a TK/K class. Elementary school teacher Tracey R. Carrasco taught the class of approximately 20 students. Later in the fall of 2025, Student and his family moved to Washington state, where Student

lived within the boundaries of Mukilteo School District, called Mukilteo. Student was on a waiting list to attend Mukilteo's TK/K class.

Mother asked Mukilteo to assess Student because of his behaviors in the home environment. Mukilteo assessed Student and found him eligible for special education services under the category of developmental delay, at a March 13, 2026 IEP team meeting. Developmental delay is an eligibility category under the IDEA, concerning children ages three through nine, recognized by some states, such as Washington, but not others, including California. (34 C.F.R. §§ 300.8(b) and 300.111(b).) Washington and the IDEA do not require local educational agencies to use the developmental delay eligibility category. (20 U.S.C. § 1401(3)(B) and 34 C.F.R. §§ 300.8(b) and 300.111(b)) However, Washington school districts have the option of choosing to use the eligibility. (See 34 C.F.R. § 300.111(b).)

Student returned to California and reenrolled in Kings River on April 7, 2026. While in Washington, Student did not attend school. Student now had an IEP, which provided accommodations, goals, and services. Also, Student's IEP eligibility was not recognized in California. On April 13, 2026, school psychologist Kathia Valdez proposed an assessment plan, permitting a full reassessment of Student, as part of Student's reenrollment. Mother signed the plan. Mother revoked consent the next day, because she had expressed various concerns regarding implementation of Student's existing Washington IEP, which she decided should be addressed before a reassessment. On April 20, 2026, Kings River convened an Interim IEP team meeting, to discuss implementation of Student's Washington IEP.

To assess or reassess a student, a school district must provide proper notice to the parents. (20 U.S.C. § 1414(b)(1); Ed. Code, § 56321, subd. (a).) School psychologist Valdez provided Mother with a multidisciplinary assessment plan of Student at the April 20, 2026 IEP team meeting.

The assessment plan must be understandable to the general public, explain the assessments that the district proposes to conduct, and state that the district will not implement an IEP without the parent's consent. (Ed. Code, § 56321, subd. (b)(1)-(4).) Here, Mother discussed her concerns and was able to ask questions of the IEP team regarding the proposed assessments. A school psychologist would assess Student's intellectual development, adaptive behavior, social emotional/behavior, and other concerns which might be detected during assessment. The plan proposed assessments regarding Student's health by the school nurse, academic achievement by a special education teacher, and speech and language by a pathologist. Kings River team members asked Mother if the plan should include an occupational therapy assessment, as done in Student's Washington initial assessment, Mother indicated it was not necessary. Having had her concerns addressed at the team meeting, Mother signed the assessment plan on April 20, 2026.

The assessment plan was understandable to the general public, explained the assessments that Kings River proposed to conduct, and stated that Kings River would not implement an IEP without Parents' consent. Kings Rivers gave Mother a copy of parental and procedural rights under the IDEA and state law. (Ed. Code, § 56321, subd. (a).) Kings River gave the legally appropriate notice to Parents, with an understandable assessment plan.

THE PSYCHOEDUCATIONAL ASSESSMENT

Kings River's assessment team for Student's multidisciplinary assessment included school psychologist Valdez, speech and language pathologist Linda Peña, education specialist and case manager Jayson L. Camaquin, and the school nurse. Valdez conducted the psychoeducational evaluation.

A psychoeducational evaluation is a comprehensive assessment of a student's academic, cognitive, and social-emotional functioning. It is used to determine eligibility for special education and, following an eligibility determination, to update present levels of the student's functioning. (20 U.S.C. § 1414(b)(4); Ed. Code, § 56026.). A psychoeducational evaluation is normally conducted by a licensed or credentialed psychologist. (Ed. Code, § 56324, subd. (a) [any psychological assessment of a student shall be conducted by a credentialed school psychologist].)

Each of the assessments must be conducted in a way that:

1. uses a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information, including information provided by the parent (20 U.S.C. § 1414(b)(2)(A); 34 C.F.R. § 300.304(b)(1); see also Ed. Code, § 56320, subd. (b)(1));
2. does not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability (20 U.S.C. § 1414(b)(2)(B); Ed. Code, § 56320, subd. (e)); and

3. uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors (20 U.S.C. § 1414(b)(2)(C)).

The assessment tools used must be:

1. selected and administered so as not to be discriminatory on a racial or cultural basis;
2. provided in a language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally;
3. used for purposes for which the assessments are valid and reliable;
4. administered by trained and knowledgeable personnel; and
5. administered in accordance with any instructions provided by the producer of such assessments. (20 U.S.C. §§ 1414(b) & (c)(5); Ed. Code, §§ 56320, subds. (a) & (b), 56381, subd. (h).)

The determination of what tests are required is based on information known at the time. (*Vasheresse v. Laguna Salada Union School Dist.* (N.D.Cal. 2001) 211 F.Supp.2d 1150, 1157-1158 [assessment adequate despite not including speech/language testing where concern prompting assessment was deficit in reading skills].)

No single measure, such as a single intelligence quotient, shall be used to determine eligibility or services. (Ed. Code, § 56320, subds. (c) & (e).) Assessors must be knowledgeable about the student's suspected disability and must pay attention to the student's unique educational needs such as the need for specialized services, materials, and equipment. (Ed. Code, § 56320, subd. (g).)

Since 2022, Valdez was a school psychologist with the Tulare County Office of Education, assigned to Kings River. She testified at the hearing. Valdez had a bachelor's degree in psychology, a master's degree in school psychology, and a pupil personnel services credential. Her duties included carrying a caseload of students, providing services, conducting psychoeducational evaluations, collaborating with multidisciplinary assessment teams, attending IEP team meetings, and working with IEP teams and parents. Valdez conducted between 15 to 20 assessments per year. Graduate schooling and continuing education trained Valdez to administer all testing instruments used in her assessments. She complied with all the instruments' protocols, assuring the reliability and usefulness of testing results. Graduate school also trained Valdez on how to conduct interviews and observations, as part of a psychoeducational assessment. School psychologist Valdez possessed the education, training, and experience to evaluate Student, administer all testing instruments, report the findings, render an opinion, and make recommendations.

Valdez received an email that Student was returning and that he had an IEP. Valdez requested and reviewed Student's Washington assessment and IEP. She then contacted Parents. Because Student's initial assessment was from another state, with an eligibility not recognized in California, Kings River needed to conduct an interim assessment.

Valdez reviewed Student's family history and medical and health conditions. The school nurse had assembled Student's educationally relevant health, medical, and development information, with input from Mother, which was generally unremarkable. Student passed his hearing screening but did not pass the vision screening. Student

wore corrective lenses and the prescription needed to be updated. The nurse made a vision referral to Parents. Student had no medical or emotional diagnoses.

School psychologist Valdez chose the assessment instruments and tools for Student's evaluations based upon a thorough review of Student's previous assessment, IEP, Parents' description of Student's behaviors and needs, interviews, and Student observations. She examined Student's Washington March 13, 2026 special education evaluation, including the assessment's tools, results, and conclusions. She detailed her review in the multidisciplinary report. Mother had expressed the same concerns to Mukilteo which she shared with Kings River, regarding Student's social-emotional behavior. However, Valdez noted Student was not in school at the time of the March 2026 assessment and had not been in school since leaving Kings River. Mukilteo's observations and assessments did not involve educational settings. Mukilteo used two standardized assessments, based on ratings scales, to evaluate Student's adaptive skills and behaviors. But, the only data point input was from Mother, based on Student's behavior at home.

Valdez also reviewed Mukilteo's initial IEP of Student, attended by Mother, a special education teacher and a district representative. The school psychologist and occupational therapist, who assessed Student and whose assessment formed the basis of the team's IEP development, did not attend. The IEP team found Student eligible for special education because of development delay. They recorded Student's present levels of performance, quoting the assessment, formulated three behavior goals, and listed accommodations that addressed classroom and educational needs. Mukilteo offered behavioral services of 10 hours per week, when Student started a special education preschool class, with an adapted general education curriculum. This would be

reduced to two hours per week upon Student starting kindergarten the following fall, for the 2026-2027 school year. Upon entry to kindergarten, Mukilteo intended to further assess Student.

Now that Student was back in school at Kings River, in a general education classroom, the multidisciplinary assessment's observations, interviews, and standardized tools would include educators and the school environment.

INTERVIEWS

On April 24, 2026, Valdez and speech-language pathologist Peña interviewed Mother. Mother said that Student had a good memory, was very verbal, had an advanced vocabulary, and was intelligible. He followed two-step directions, needing reminders for longer instructions. He generally answered yes/no and "wh" questions, sustaining conversations and attention for preferred topics. Student asked to be included in play with his siblings, though he often would lose interest and play alone. His fine and gross motor skills and daily living skills were age appropriate. Mother did not have academic concerns, noting Student appeared to have abilities appropriate for his age.

Mother described Parents' concerns regarding Student's behaviors. At home, Student engaged in self-harming behaviors when he was frustrated, such as pushing on his eyes and pulling his hair. He was not aggressive with others. Mother said Student appeared to need extra time to process information and to complete activities such as brushing his teeth. Setting a timer to complete brushing appeared to cause him anxiety. Parents observed that Student took statements literally and struggled with

understanding jokes and sarcasm. Mother believed that understanding social cues was also challenging. Student would mimic conduct seen on television, not understanding the appropriateness or safety of his actions.

Education specialist Camaquin interviewed Student's TK/K general education teacher, Carrasco. Student attended her class in the fall of 2025, before his family left for Washington, and in the spring of 2026, when Student's family returned to Kings River. Carrasco described Student as a kind, helpful pupil who was eager to learn. She reported no academic, health, or medical concerns. Student's attention, ability to follow directions, oral participation, completion of classwork and homework, test and quiz performance, and attendance were typical and consistent with his peers. Student enjoyed building with blocks and participating in classroom learning activities. Student got along well with classmates and had positive peer relationships.

Carrasco testified at the hearing. She taught TK/K, kindergarten, and elementary school for more than 33 years, with the last 26 years being at Kings River. Student's TK/K class had a full-time aide to support the approximately 20 four-and five-year-old students. The TK/K students would watch a video during breakfast, sing songs, transition to letter time, and participate in reading groups and instruction stations with the aide or teacher.

Carrasco's testimony was consistent with the information she provided Camaquin during the interview for the assessment. Student transitioned to the stations, maintained attention, and was generally a good student, with her, the aide, and peers. Student had accommodations from his existing Washington IEP, which were available to Student. These included breaks when needed, usually at a quiet space with a

comfortable chair. When Student took a break, it was only about five minutes. The calming corner was in all classrooms for use by Student's peers, when they needed breaks. Student also had a "wiggly" chair. Carrasco kept in touch with Mother about how Student was doing in school. Mother described Student's behaviors at home to Carrasco. Carrasco did not witness any of the behaviors at school.

Camaquin also interviewed Student. Student said he lived with his Parents, three siblings, and a dog. He enjoyed bananas and chocolate ice cream. Student loved playing hide-and-seek with his siblings, washing dishes with his Parents, and watching TV, especially his favorite show Bluey. Student enjoyed dancing and loved to read. Student said he liked coming to school; his favorite part was learning.

OBSERVATIONS

Valdez observed Student in the classroom. Student participated in full-class activities, singing together on the carpet and rotating from educational station to station. Student's attention was age appropriate. His behaviors were typical of other TK/K pupils. Student had positive peer interactions and social communications. Student was observed during recess. He followed the playtime structure and rules, demonstrating positive interactions with peers. He played in the sandbox, shared toys and objects with others, and did not isolate himself. Valdez did not observe a suspected disability or need.

The assessment team members discussed and compared their respective observations and found that their observations were consistent. Valdez, Camaquin, and Peña did not see any behaviors indicating a suspected disability.

INTELLECTUAL DEVELOPMENT AND ACADEMIC ACHIEVEMENT

Valdez considered the interviews, review of records, and observations in choosing the assessment tools for Student's evaluation. She also considered Student's ethnicity, assuring that Student primary language was English, and determined that the assessment tools were not discriminatory.

Valdez administered the Kaufman Brief Intelligence Test, Second Edition Normative Update, to evaluate Student's cognitive ability, psychological processing, and his verbal and nonverbal reasoning skills. She gave Student all subtests recommended by the instruments protocols. Mindful that Student was five years old, Valdez administered the Kaufman in two testing sessions, approximately 45 minutes each.

Valdez clinically observed Student during testing. Student exhibited perseverance and took his time responding to items. He was focused and attentive throughout the assessment. Student was especially interested in subtests that had appealing images or required hands-on activities. When Student needed clarification on directions, Student would ask Valdez to repeat or clarify. She found Student to be more focused than the typical five year old.

Valdez reported Student's raw and age equivalent scores, summarizing the Kaufman results. Student's overall cognitive abilities to process information and solve problems were well-developed, compared to his same-age equivalents, performing at or above 87 percent of the normative group. Valdez did not find any areas of weakness that required additional assessment. Student was cognitively above average. Valdez found the test results to be consistent with her classroom and play yard observations of

Student, who knew and followed the general education routines. Valdez concluded that the assessments were a valid representation of Student's abilities.

Education Specialist Camaquin conducted Student's academic assessment, which was part of the psychoeducational evaluation. Camaquin was Student's case manager and a special education teacher with Tulare County Office of Education, Kings River Elementary. He had a master of arts in educational administration and held a dual mild-to-moderate/moderate-to-severe special education credential, a preliminary administrative credential, a clear professional multiple subject credential, and a supplemental credential in English. He had been teaching special education for 16 years and, previously, general education for 10 years.

His duties included providing special education services to children, managing services for students on his caseload, assisting in IEP development, and conducting academic assessments. Camaquin conducted five or more academic assessment a year. In addition to graduate studies, Camaquin received training in the administration of standardized tests from Tulare County. Camaquin possessed the education, training, and experience to evaluate Student, administer the academic testing instruments, report the findings, render an opinion, and make recommendations.

Camaquin first saw Student in the fall of the 2025-2026 school year. Camaquin was providing push-in support to another pupil in Student's TK/K class. Camaquin said Student was a typical pupil. When Mother raised some concerns, he observed Student both in and out of the classroom. Camaquin did not see any behaviors of concern. Student left Kings River in October 2025.

When Student returned to Kings River in April 2026, Camaquin became Student's case manager and was responsible for assuring the implementation of Student's Washington IEP. He made sure that accommodations were available. He also provided 60 minutes of specialized academic instruction a week, assuring that Student's IEP goals were being addressed. Camaquin saw Student interact with the teacher, follow directions, line up for lunch, and participate and play with peers during recess. He never saw Student have any maladaptive behaviors, self-injurious actions, or strong emotions, such as crying, hitting or refusing to follow directions. Student appeared happy and engaged.

Camaquin testified at the hearing. His testimony regarding Student's behaviors was credible and persuasive because he was a special education teacher and specialist who regularly interacted with Student in the educational setting.

Camaquin gave Student the Woodcock-Johnson, 4th Edition, tests of achievement that measured Student's academic performance in relation to his peer group based on age and/or grade. The test was administered in English. The instrument included eight clusters of subtests, measuring Student's reading, mathematics, written language, and academic skills. Some of the reading subtests were not given because of Student's age and grade. This was consistent with the test's protocols. The Woodstock-Johnson was normed for TK/K students.

Camaquin administered the test in 45-minute sessions. Student was attentive and not nervous. Though offered breaks, Student declined, working through each session. Camaquin reported Student's scores and summarized Student's results. Student's overall reading was average, showing adequate reading comprehension and

decoding skills. Student demonstrated typical writing skills in both spelling and written expression. Student possessed solid calculation skills, with average performance in problem-solving and math fluency. Camaquin testified that he was very impressed by Student's performance, since Student had not been in school for five months of the school year. Student's test results were consistent with Camaquin's observations of Student in the general education environment. Camaquin concluded the assessment was a valid representation of Student's academic skills and abilities

ADAPTIVE, BEHAVIORAL, AND EMOTIONAL FUNCTIONING

School psychologist Valdez used four instruments to evaluate Student's adaptive, behavioral, and emotional functioning, including autism. Unlike the cognitive and academic instruments, which directly tested Student, these standardized instruments used rating scales. Each instrument asked at least two people, who were well acquainted with Student, to rate Student's behaviors. Preferably, the rating scales would be completed by those who knew Student in different environments.

Valdez asked Mother and Carrasco to complete the standardized rating scales for the Adaptive Behavior Assessment System, Third Edition. This instrument evaluated Student's adaptive behavior; that is, his practical, everyday skills. Valdez reported the scores, which were all average, except that Mother scored Student below average in social interaction. While the school reported minimal concerns, Mother reported that Student had difficulty with independence, emotional regulation, and consistency in completing tasks. Valdez stated that the discrepancy suggested that Student's social functioning varied depending on the structure, environment, and expectations of Student's setting. Otherwise, overall, Mother and Carrasco agreed that Student

demonstrated adaptive functioning within the average range, with consistent strengths in conceptional and practical skills.

Valdez used the Behavior Assessment System for Children, Third Edition, to evaluate Student's behavioral and emotional functioning across the home and school settings. Carrasco completed the teacher rating scales, preschool form. Mother had completed the parent rating scales, preschool form, the prior month, in March 2026, as part of the Washington assessment. This behavior assessment had two classification of scales. Adaptive scales measured adaptive behaviors, where low scores indicated possible problem areas. Clinical scales measured maladaptive behaviors, where high scores indicated problematic levels of functioning.

Mother's and Carrasco's rating scores were discrepant. Mother reported clinically significant concerns related to emotional functioning, attention, and behavior in the home environment. Student's teacher indicated that Student was functioning within expected age limits behaviorally, socially, and emotionally in the school setting. Student did not exhibit elevated levels of hyperactivity, aggression, anxiety, depression, withdrawal, atypical behaviors, or attention difficulties in the classroom environment. Student was flexible and socially competent, demonstrating functional communication skills in the school environment. These results indicated that the reported difficulties were observed in the home setting and may have been influenced by environmental structures.

Valdez used the Childhood Autism Rating Scales, Standard Version, Second Edition, which was used to identify autism. Scale responses help distinguish children with autism from those with developmental delays who are not autistic. Mother

completed the parents' questionnaire. Valdez completed standard version responses, using Valdez' personal observations and interactions with Student, assessments team observations, teachers' reports, and input from Parent. Valdez' scale responses indicated Student had minimal to no symptoms of autism. Mother's scaled responses indicated Student had difficulty with verbal social communication, focused on his own interests, and struggled to talk about non-preferred topics. Valdez, Carrasco, Camaquin, and pathologist Peña observed Student demonstrate appropriate social communications in the classroom and at recess, maintaining conversations with adults and peers, and showing appropriate facial expression or emotions when interacting with others.

Valdez provided Mother and education specialist Camaquin with Gilliam Autism Ratings Scales, Third Edition, to further examine possible behaviors characteristic of individuals with autism. The scale responses showed a significant discrepancy between Mother and Camaquin. Mother responded that Student displayed high frequency behaviors associated with autism across all of the instrument's domains, indicating that Student very likely had autism, at Level 3, requiring very substantial support. In contrast, Camaquin's showed that Student did not have autism. In the school setting, Student demonstrated typical behaviors related to his age regarding his social communication, emotional responses, and behaviors.

School psychologist Valdez summarized the psychoeducational evaluation results in the Kings River's multidisciplinary assessment report. She reviewed Student's cognitive abilities, Camaquin's academic assessment, autism ratings, and adaptive functioning skills. Valdez then used the psychoeducational results to analyze Student's eligibility, applying the regulatory definitions.

The testimonial and documentary evidence demonstrated the psychoeducational assessment, including academic testing, complied with all legally appropriate standards. Kings River proved by a preponderance of the evidence that the psychoeducational and academic assessments, of its May 6, 2026 multidisciplinary assessment of Student, was legally appropriate.

SPEECH AND LANGUAGE ASSESSMENT

Speech-language pathologist Linda Peña conducted Student's speech and language evaluation, as part of Kings River's May 6, 2026 multidisciplinary assessment. Peña testified at the hearing. She worked for Tulare County Office of Education since 2025. She held a bachelor's degree in psychology, a masters in speech, language, and hearing sciences, and a California speech-language pathology license, which she maintained with requisite continuing education. Peña had been a speech-language pathologist for over 20 years. She trained and mentored new pathologists, instructional aides, and practicum students. At Kings River, her duties included conducting speech and language assessments, as part of multidisciplinary evaluations, doing about 15 to 25 assessments a year. She collaborated with the other assessment team members, who shared information garnered from their respective evaluations. Her graduate studies and continuing education trained her to administer standardized instruments used in her assessments. Speech-language pathologist Peña possessed the education, training, and experience to evaluate Student in speech and language, administer the testing instruments, report the findings, render an opinion, and make recommendations.

Peña reviewed Student's Mukilteo assessment report and IEP. The report said that Student's social communication was in the average range, but Mother had some

concerns. Though there were some references to a speech-language pathologist, the Mukilteo assessment did not conduct a speech and language assessment. Peña noted that the Mukilteo assessors could not observe Student in an educational setting.

Peña interviewed Mother, who expressed concerns about Student's behaviors in the home setting. Mother also said the Student needed time to process information and could not properly process social cues. Parents believed Student struggled with social and pragmatic communication.

Peña also interviewed Student's teacher Carrasco, who had no concerns with Student's communication. Student was social and had good peer relationships.

Peña formally observed Student in his general education classroom and at recess, paying special attention to Student's social communication skills. Student initiated and maintained interactions with his peers. Student sometimes played by himself, but he also engaged in interactive play with others. Peña did not see any concerns with Student's pragmatic communication and social interactions. She discussed her observation findings with the other assessment team members, who similarly did not observe Student to have social or pragmatic communication issues.

Peña examined Student's oral mechanism and use of his oral motor structures, finding no concerns. She took a speech/language sample, determining that Student's articulation, voice, and fluency were within normal limits.

Peña administered the Receptive, Expressive, and Social Communication Assessment, Elementary, which measured the areas of receptive language, expressive language, and social communication. She gave Student all the core subtests, reporting

the scores and findings in her portion of the multidisciplinary assessment report. Student performed within the average range on every subtest.

On the vocabulary subtest, Student accurately identified nouns, verbs, adjectives and emotions, making connections and observations to the test stimuli. He understood oral directions, containing negations, spatial information, and academic vocabulary. Student answered questions about a short story and accurately labeled a variety of word types, including concepts, categories, descriptors, and basic emotions. He demonstrated his expressive and narrative skills by describing items, scenes and objects from memory and creating a story from picture prompts. He was able to connect body language and vocal emotion, take perspective of another, understand figurative language, and make simple inferences based on pictured stimuli.

The standardized test included a social communication inventory, which Peña gave to Mother and Carrasco. Generally, Mother indicated that Student's social communication skills were in the below average range. Carrasco indicated that Student was having successful social interactions with others at school, which was consistent with Peña's observations. Comparing the responses, Peña found that Student was likely having less successful social interactions with others in the home environment.

Summarizing the testing, inventory responses, and observations, Peña concluded that Student had age appropriate receptive and expressive language abilities. Also, Student demonstrated a wide range of social communication skills, especially in the school environment. Outside the school setting, Student had more difficulty maintaining attention to non-preferred activities and understanding more abstract and nonliteral language, missing some social cues. Overall, Peña concluded that Student

demonstrated adequate pragmatic language skill for his age, with more consistent and effective use in the structured school setting.

Peña believed that further testing for speech and language disabilities was not warranted. She had sufficient time to assess Student, over several weeks, observing him in multiple settings, interviewing Parent and teacher, and conducting reliable testing. Peña concluded that the speech and language evaluation results were consistent with age-level expectations for a five year old.

The testimonial and documentary evidence demonstrated the speech, language, and communication assessment complied with all legally appropriate standards.

ELIGIBILITY AND SUMMARY

The assessment team concluded the multidisciplinary assessment report by reviewing the evaluation outcomes. The report then analyzed whether Student met the eligibility criteria for intellectual disability, autism, other health impairment, and speech and language impairment.

The King's River members of Student's IEP team determined Student did not meet the criteria for intellectual disability. Intellectual disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance. (Cal. Code Regs, tit. 5, subd. § 3030(b)(6).) Here, the assessors determined Student demonstrated above average cognitive abilities, average adaptive behavior, and age-appropriate academic skills.

The King's River members of Student's IEP team determined Student did not meet the eligibility criteria for autism. Under California law, autism is a developmental disability that significantly affects verbal and nonverbal communication and social interaction, generally evident before age three, which adversely affects a child's educational performance. Characteristics often associated with autism are repetitive activities, stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. (Cal. Code Regs., tit. 5, § 3030, subd. (b)(1).) Here, the assessors concluded Student displayed age-appropriate verbal and nonverbal communication skills. He independently navigated the classroom routines, adjusted to changes in his school day, and exhibited friendly conversations with peers and staff. Student did not exhibit stereotypical behaviors related to autism based on school observations, interviews, and social emotional behavior assessment results. The assessors concluded Student did not exhibit consistent behaviors related to autism, across home and school environments.

The King's River members of Student's IEP team determined Student did not meet the criteria for other health impairment. Other health impairment means having limited strength, vitality, or alertness that is due to ailments including attention deficit hyperactivity disorder, that adversely affects a child's educational performance. (Cal. Code Regs., tit. 5, § 3030, subd. (b)(9); 34 C.F.R. § 300.8(c)(9). Here, based on the totality of the evaluation results, the evaluators concluded Student did not evidence a qualifying health condition that resulted in limited strength, vitality, or alertness, which adversely impacted this educational performance.

The King's River members of Student's IEP team determined Student was not eligible for special education because of a speech or language impairment. A student is

eligible for special education and related services under the category of language or speech disorder if the student demonstrates difficulty understanding or using spoken language under specified criteria and to such an extent that it adversely affects his or her educational performance, which cannot be corrected without special education. (Ed. Code, § 56333; Cal. Code Regs., tit. 5, § 3030, subd. (b)(11).) Here, the assessors found that Student had age appropriate receptive and expressive language abilities, and demonstrated a wide range of social communication skills, especially in the school environment. Student possessed adequate pragmatic language skills for his age, with more consistent and effective use in the structured school setting.

The assessment team concluded that Student did not qualify for special education based on the multidisciplinary assessment.

ASSESSMENT REPORT

Kings River's multidisciplinary assessment team properly completed their evaluations and prepared a written multidisciplinary assessment report, summarizing their findings and recommendations, dated May 6, 2026, which Kings River shared with Parents. (Ed. Code, §§ 56329, subd. (a)(3), and 56302.1, subd. (a).)

The Education Code requires the personnel who assess a student to prepare a written report of the results of each assessment. (Ed. Code, § 56327.) The personnel who assess the student shall prepare a written report that shall include, without limitation, the following:

1. whether the student may need special education and related services;
2. the basis for making that determination;

3. the relevant behavior noted during observation of the student in an appropriate setting;
4. the relationship of that behavior to the student's academic and social functioning;
5. the educationally relevant health, development, and medical findings, if any;
6. if appropriate, a determination of the effects of environmental, cultural, or economic disadvantage; and
7. consistent with superintendent guidelines for low incidence disabilities (those affecting less than one percent of the total statewide enrollment in grades kindergarten through 12), the need for specialized services, materials, and equipment. (Ed. Code, § 56327.)

Here, school psychologist Valdez, speech-language pathologist Peña, and education specialist Camaquin memorialized Student's assessments in a written report. The report included all required components including a determination regarding special education eligibility, relevant behavior noted during observations, interviews, health and developmental information, and the thorough reporting and analysis of Student's standardized assessment results. Kings River provided the report to Parents. Kings River's May 6, 2026 multidisciplinary assessments were comprehensive, valid, and conducted by qualified assessors. Therefore, the report met the statutory criteria for legally appropriate assessments.

THE IEP TEAM MEETING AND PARENTS' REQUEST FOR PUBLICLY FUNDED INDEPENDENT EDUCATIONAL EVALUATIONS

Kings River convened an IEP team meeting on May 6, 2026. All required team members attended, including the assessors and Mother. Kings River's assessors reviewed their assessments at Student's May 6, 2026, IEP team meeting. Kings River conducted the assessments, shared the multidisciplinary assessments report with Parents, and reviewed them at an IEP team meeting within the requisite 60-day timeframe. (Ed. Code, § 56329, subd. (a)(3); Ed. Code § 56302.1, subd. (a).)

On May 11, 2026, Parents disagreed with the evaluations and requested funding for independent educational assessments, which are hereafter referred to as IEEs in this Decision. The areas for which Parents sought funded IEEs were the psychoeducational, academic, and speech-and-language portions of Kings River's multidisciplinary assessment.

The procedural safeguards of the IDEA provide that under certain conditions a parent is entitled to obtain an independent educational evaluation of a child at public expense. (20 U.S.C. §1415(b)(1).) An independent educational evaluation is an evaluation conducted by a qualified examiner not employed by the school district. (34 C.F.R. § 300.502(a)(3)(i).) A parent may request an independent assessment at public expense if the parent disagrees with an evaluation obtained by the school district. (34 C.F.R. § 300.502(b)(1), incorporated by reference into Ed. Code, § 56329, subd. (b).)

When a parent requests an independent educational evaluation at public expense, the school district must, "without unnecessary delay," either initiate a due

process hearing to show that its assessment was appropriate or provide the independent educational evaluation at public expense, unless the school district demonstrates at a due process hearing that the assessment obtained by the parent does not meet its criteria. (34 C.F.R. §300.502(b)(2).)

On June 2, 2026, Kings River and Parents agreed to convene a second IEP team meeting to discuss the multidisciplinary assessment of Student. All requisite team members attended. The assessors discussed their assessments with Mother and the team, answering questions.

Mother explained Parents' concerns at the team meeting. She did not question the integrity of Kings River's staff or the professionalism of the assessment team. Mother complimented the assessors on their work. She acknowledged that Student's behaviors at school differed from those Student displayed in the home environment. But she suspected that Student might be "masking" his emotions and behaviors at school. Parents believed that Kings River's assessments should have further explored why Student's home behaviors markedly differed from those in the school setting. Parents asked for the funded IEEs, believing that other professionals may interpret the data and testing differently, providing greater insight regarding Student's behaviors.

The assessment team never, in any way, questioned Parents' credibility regarding Student's behaviors in the home setting. In response to Mother's inquiries, they offered a number of possible explanations for Student's disparate home and school behaviors. Student's social functioning and behaviors varied depending on the structure, environment, and expectations of Student's setting. The school environment offered

structure, routines, and expectations, which enabled Student to participate, socialize, and benefit from his education.

Parents agreed to a second IEP team meeting on June 2, 2026, to discuss the assessments. At the conclusion of the discussion, administrator Jennifer Reimer said that Kings River declined to fund the requested IEEs and would be filing a request for due process to demonstrate Kings River's assessments were legally appropriate. Kings River provided Student with a June 2, 2026, prior written notice (20 U.S.C. §1415(b)(3); 34 C.F.R. § 300.503; Ed. Code § 56500.4), declining to fund the requested IEEs, along with Kings River's IEE policy and Parents' procedural safeguards. Kings River filed this due process five days later.

THE MAY 6, 2026 MULTIDISCIPLINARY ASSESSMENT WAS VALID, APPROPRIATE AND LEGALLY COMPLIANT

Reimer, the administrator of the mild/moderate program for Tulare County and acting Kings River's special education director, testified at the hearing. She holds a bachelor's degree in English, a bachelor degree in Education in English and special education, a master's in Education, Administration and Supervision. She holds a clear specialist credential - learning handicapped, a clear single subject credential in English, a clear administrative services credential, and an autism added authorization. Reimer has served in district and county-level leadership roles since 2011.

Reimer discussed the areas of assessment which should be included in the assessment plan with the Kings River's multidisciplinary assessment team, attended Student's IEP meetings reviewing the assessment results with Mother, and provided

Mother with the prior written notice denying Parents' request for an IEE. She was well acquainted with the multidisciplinary assessment report and the Parents remaining concerns regarding Student's behaviors in the home environment differing from those in school.

Reimer opined that the assessment was legally appropriate. She discussed the areas of assessment, stating there was no need for further assessment. The assessment team gathered all requisite data and information, from record reviews, observations, interviews, and standardized testing instruments, which were necessary to make informed conclusions regarding Student's need for special education. Mother asked Reimer at hearing if it were possible for other professionals to come to different conclusions or recommendations, with the Kings River's assessments' information and data. Reimer said it would probably not be possible with this assessment because there was nothing to indicate that Student needed special education to access and benefit from his education.

Notably, though, the issue to be addressed in this decision is not whether there was a clear explanation of why the Student's home behaviors differ from his school behaviors. This decision is not addressing whether other professionals might come to different or more complete conclusions. The question here is whether Kings River's May 6, 2026 multidisciplinary assessments and report were legally appropriate.

The preponderance of the evidence demonstrated Kings River's multidisciplinary assessment of Student was valid, appropriate, and legally compliant. The variety of testing measures and strategies Kings River used in Student's May 2026 multidisciplinary evaluation provided the assessment team with substantial information to assist in

making recommendations concerning Student's eligibility for special education. Moreover, the assessment was conducted in all areas of suspected disability. (20 U.S.C. § 1414(b)(3)(B); 34 C.F.R. § 300.304(c)(6); Ed. Code, § 56320(f).) The assessment team utilized technically sound instruments that yielded relevant and accurate results and information, that assisted the IEP team in determining Student's eligibility for special education. (20 U.S.C. § 1414(b)(2)(C); 34 C.F.R. §§ 300.304(b)(3) and 300.304(c)(7).)

The evaluation team selected and administered tests and assessments so as not to be racially, culturally, or sexually discriminatory, and done in Student's primary language. (20 U.S.C. § 1414(a)(3)(A)(i)-(iii); Ed. Code, § 56320(a).) The evidence demonstrated that the assessors administered the tests in a form most likely to yield accurate information and used for the purposes for which the assessments were valid and reliable. (Ed. Code, § 56320 (b).) Kings River's May 6, 2026 multidisciplinary assessment accurately reflected Student's aptitude, achievement level, social and pragmatic communication skills, and any other factors the tests purported to measure. Student's sensory, manual, and speaking skills did not impair the test results. (Ed. Code, § 56320 (d).) Kings River's psychoeducational, academic, and speech and language assessments were legally appropriate.

Kings River demonstrated, by a preponderance of the testimonial and documentary evidence, that its May 6, 2026 multidisciplinary assessment of Student was legally compliant and that Student is not entitled to the public funding of independent educational evaluations in the areas of psychoeducation, speech and language, and academics. Kings River prevailed on Issue 1.

CONCLUSIONS AND PREVAILING PARTY

As required by California Education Code section 56507, subdivision (d), the hearing decision must indicate the extent to which each party has prevailed on each issue heard and decided.

KING RIVER'S ISSUE 1:

Kings River's May 6, 2026 multidisciplinary assessment of Student was legally compliant and Student is not entitled to the public funding of independent educational evaluations in the areas of psychoeducation, speech and language, and academics.

Kings River Union Elementary School District prevailed on Issue 1.

ORDER

Kings River Union Elementary School District is not obligated to fund independent educational evaluations in the areas of psychoeducation, speech and language, and academics, as requested by Parents.

RIGHT TO APPEAL THIS DECISION

This is a final administrative decision, and all parties are bound by it. Under Education Code section 56505, subdivision (k), any party may appeal this Decision to a court of competent jurisdiction within 90 days of receipt.

/s/

Clifford H. Woosley

Administrative Law Judge

Office of Administrative Hearings