

**BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA**

In the Matter of:

CLAIMANT

and

INLAND REGIONAL CENTER, Service Agency

DDS No. CS0031360

OAH No. 2025110221

DECISION

Alan R. Alvord, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter on February 11, 2026, by videoconference.

Claimant's mother (Mother) represented claimant.

Hilberto Echeverria, Jr., Fair Hearings Representative, represented Inland Regional Center (IRC).

Oral and documentary evidence was received. The record was closed, and the matter was submitted for decision on February 11, 2026.

ISSUE

May IRC terminate funding educational advocate services provided by attorney Sauda Johnson (Johnson), who IRC previously authorized to assist claimant in accessing special education services from the school district?

SUMMARY

In 2024, IRC approved funding for an educational advocate attorney to help address issues of claimant's health and safety with the school district. After IRC determined that the health and safety issues with school were resolved, it issued a Notice of Action to terminate funding for the educational advocacy services. Claimant appealed. The evidence showed that the health and safety issues with the school were resolved. The attorney advocate identified additional issues with the school district that she continued to advocate on behalf of claimant without IRC's express approval to fund advocacy for those additional issues. The evidence showed that IRC appropriately terminated funding for educational advocacy of issues it had not previously approved. Claimant's appeal is therefore denied.

FACTUAL FINDINGS

Jurisdictional Matters

1. Claimant is 11 years old. She is qualified for regional center services with a diagnosis of autism spectrum disorder. She attends public school, where she receives special education services.

2. On September 18, 2025, IRC issued a Notice of Action that it would terminate funding for educational advocacy services of Johnson effective October 31, 2025. Claimant filed a timely fair hearing request on October 31, 2025. Claimant requested Spanish/English language interpretation for the hearing. This hearing followed. Two Spanish/English language interpreters assisted throughout the hearing.

Claimant's Needs, Services and Supports

3. Claimant lives with Mother and her father. Mother primarily speaks Spanish. Claimant and her siblings primarily speak English. Claimant has been a regional center consumer since 2017.

4. In addition to autism spectrum disorder, claimant has diabetes, seizure disorder, frequent urinary infections, and pediatric rheumatoid arthritis. She struggles with social interaction and appropriate communication. The family receives In Home Support Services (IHSS). Mother is the IHSS provider for 199 hours per month and an IHSS worker provides 66 hours per month. Claimant receives Applied Behavioral Analysis services through private insurance. IRC funds 120 hours per month of routine respite, 60 hours per month personal assistance, a social recreation coach, social recreation reimbursement of \$100 per month, and music lessons for 10 hours per month.

Educational Advocacy Services Begin October 2024

5. In the Individualized Program Plan (IPP) meeting in July 2024, Mother met with claimant's consumer service coordinator (CSC) and requested IRC fund educational advocacy services to help her work with the school district. The IPP report of July 26, 2024, states:

To assist [claimant's] academic progress, mother would like to request tutoring services and IEP advocacy. CSC will follow IRC policy and procedure for services requested.

6. School districts use an Individualized Education Plan (IEP) process to deliver educational services and supports to students with special needs. On November 14, 2024, IRC issued an IPP addendum authorizing The Law Offices of Sauda Johnson, to "assist family with the IEP process," effective October 17, 2024, through April 30, 2025.

7. The November 14, 2024, IPP addendum stated that it supported the outcome from claimant's IPP, "Education: [Claimant] will continue to receive a free and appropriate education with supports and services to ensure academic progress." Mother signed the addendum consenting to the service.

8. The school conducted an annual IEP meeting on October 24, 2024. The IEP notes do not reflect that Johnson attended this meeting, although IRC approved advocacy services to begin October 17, 2024. At the time of this IEP meeting, claimant was receiving speech therapy services from the school. A speech assessment was provided to Mother the day before the meeting but had not been translated into Spanish. The IEP report states that the district informed Mother it would not translate the report until after it was discussed at the meeting. Mother did not want to go forward with discussing the speech report until she had time to consider it. The IEP meeting did not finish discussing all the issues, and a second meeting was set.

9. Although educational advocate services were added to the IPP effective October 17, 2024, IRC did not issue an authorization to provide services to Johnson's law office until November 22, 2024. The authorization approved 35 hours per month at

\$250 per hour, as well as additional funds for mileage and related expenses. The authorization stated the services would be provided from October 1, 2024, through April 30, 2025. The authorization does not state that the scope of Johnson's advocacy was limited only to certain issues.

10. Johnson attended the second IEP meeting on December 10, 2024, with Mother. The district's speech assessment found that claimant's receptive and expressive language were within the average range. The school was proposing to remove speech and language services from the IEP. The IEP team agreed to make revisions to the draft speech report based on Johnson's and Mother's questions and comments during the meeting that the report did not include any parent input or classroom observations. The team agreed to amend the speech report to include these items. The IEP was not finalized; another meeting was scheduled for January 23, 2025.

11. The IEP report from October 2024 states that the school has an emergency care plan (ECP) in place for asthma, life-threatening allergies, autism, orthopedic disorder, seizure disorder, and eczema, and a urinary system disorder bathroom log in the health office. The IEP report form includes a line: "Does this student have an Individual Health Plan?" the "Yes" box is checked.

12. Johnson attended the IEP meeting on January 23, 2025, with Mother. The district's offer for services did not include speech and language. Mother stated she disagreed with discontinuing speech and language services. Mother refused to sign the IEP report's consent for services section. The IEP report shows that, over three IEP meetings from October 2024 to January 23, 2025, neither Mother nor Johnson raised any concerns about the need for or absence of a health plan or a safety plan for claimant.

Johnson Expanded the Scope of Issues Beyond Claimant's Health and Safety

13. Johnson's status report to IRC states that the "initial IRC issue(s) were (a) need for appropriate health plan to address seizures, and (b) need for safety plan."

14. After meeting with Mother and reviewing documents, Johnson expanded the list of issues to include (a) eligibility concerns, parent does not agree with removal of autism from IEP; (b) removal of speech services; (c) occupational therapy; (d) adaptive physical education; (e) claimant's lack of progress in math; (f) need for a one-to-one aide; (g) procedural concerns with the district canceling IEPs at the last minute; (h) poor communication from school.

IRC Changes the Educational Advocacy Program Design

15. On April 11, 2025, IRC issued another service authorization to Johnson's law office for an additional 35 hours of advocacy per month from May 1, 2025, through July 31, 2025, and issued an addendum to claimant's IPP dated June 4, 2025, authorizing Johnson's continued educational advocacy for the same time period, "at which time the authorization will end." Mother signed the addendum consenting to the service.

16. On April 23, 2025, IRC employee Amanda McGuire, Program Manager for Resource Development and Transportation, sent an email to Johnson. The email notified Johnson "of certain changes that are being made" in the educational advocacy program, as follows: (1) IRC "will no longer fund any educational advocacy services for due process hearings, or any preparation needed for the due process hearings." (2) If Johnson identifies additional issues separate and distinct from the original issue for which Johnson was retained, before Johnson can work on those new issues and bill IRC

for the services, IRC must issue a separate authorization. Any work performed on a new issue before approval and authorization will not be paid. (3) At least monthly reports regarding case status are required. (4) IRC will issue notice of action letters as necessary due to these changes. (5) New contracts will be prepared to incorporate those changes. (6) Certificates of insurance confirming professional liability coverage are required. (7) All attorneys must be admitted to practice in California and in good standing; IRC identified one attorney in Johnson's office who had lost eligibility to practice law.

2025 IPP and School Year Academic Services

17. IRC conducted an IPP meeting on July 9, 2025. The IPP report noted claimant was transitioning to middle school in the 2025 school year, and there were unresolved issues with the school district. IRC approved educational advocacy services with Johnson for the period August 1, 2025, to October 31, 2025.

18. The IEP process began with a meeting October 21, 2025. Mother and Johnson were present. The district also had its attorney present. The IEP meeting notes show the list of concerns Mother and Johnson raised at the meeting does not include any reference to a health plan or safety plan, the original reasons IRC approved Johnson's advocacy. The IEP team discussed the health information and plans on file and the need for Mother to update the school with new health records. The team did not finish discussing all issues, and another meeting was scheduled.

19. The next meeting occurred October 29, 2025. Mother was present, along with Johnson and the school district's attorney. Claimant's health issues were discussed and the need for Mother to provide updated physician information. There was no reported discussion of a health or safety plan.

20. Claimant's next IEP meeting was held November 5, 2025. Mother and Johnson were present, along with the school district's attorney. The meeting again did not finish and had to be scheduled for December 10, 2025.

21. The fourth meeting for claimant's 2025 IEP was held December 10, 2025. Mother, Johnson, and the school district's attorney attended. Many issues concerning claimant's educational support were discussed at the meeting. A health plan or safety plan were not among the issues the participants discussed.

22. Mother testified at the hearing that she still has not signed the IEP for claimant because of ongoing disputes with the school district. Another IEP meeting was held February 11, 2026, the morning of the hearing. The IEP report from that meeting was not available. Mother testified that claimant's IRC service coordinator attended that meeting to support Mother. Mother testified that she still has not resolved the issues with the school district and wants to keep Johnson as an educational advocate to try to work out the issues. She has been paying Johnson out of pocket for IEP advocacy since IRC terminated funding. Mother produced some records showing payments to Johnson.

23. An independent speech assessment was recently received that has different findings from the school district's speech assessment. Mother is hopeful that she will be able to resolve the issues with the school district through the IEP process and will not need to file for a due process hearing.

IRC Terminates Johnson's Vendor Services

24. IRC issued a Notice of Action on September 18, 2025, notifying claimant it would end authorization for Johnson's services on October 31, 2025. Around the same time, IRC began a process of terminating its vendor approval for Johnson's firm.

A Vendor Closure Form dated November 25, 2025, stated that a vendor appeal decision letter indicated the vendor would be terminated effective December 1, 2025. Johnson's office was allowed to complete any current open authorizations for services, "but any such authorizations will not be extended past their current end dates and there will be no new referrals."

Claimant's Position

25. Mother testified that she needs continuing support from an educational advocate to ensure claimant receives an appropriate education tailored to her needs. She has attended community workshops to help understand how to navigate the system, but it is extremely difficult without legal representation. She testified that there is no safety plan for claimant at school if she has a seizure episode. The school still has not implemented a safety plan. Claimant still has challenges in math, writing, and speech. Mother has tried to find generic resources to help with IEP advocacy, but it takes a long time. Attorneys require payment up front to attend IEP meetings because they cannot recover IEP meeting fees if they prevail in a due process hearing.

IRC's Position

26. IRC asserts that the original reason it authorized educational advocacy services was for claimant's health and safety to ensure there was a health plan for seizures and safety plan in place at school. The records show that those issues were resolved. Johnson expanded the scope of issues with the school district beyond the original health and safety without seeking or receiving IRC's agreement to pay for advocacy on these additional issues.

27. IRC also contends that Mother agreed to end Johnson's services effective October 31, 2025, when she signed the last IPP addendum that stated the services

would be discontinued. In addition, Mother has not made use of generic resources for educational advocacy, including using the IRC CSC to help her with IEP meetings.

LEGAL CONCLUSIONS

Legal Authorities

1. In a hearing to determine whether an individual is eligible for services, the burden of proof is on claimant to establish by a preponderance of the evidence that IRC should fund the requested service. (Evid. Code, §§ 115, 500; *McCoy v. Bd. of Retirement* (1986) 183 Cal.App.3d 1044, 1051-1052.)

2. The Legislature enacted a comprehensive statutory scheme known as the Lanterman Developmental Disabilities Services Act (Welf. & Inst. Code, § 4500 et seq.) to provide a pattern of facilities and services sufficiently complete to meet the needs of each person with developmental disabilities, regardless of age or degree of handicap, and at each stage of life. The purpose of the statutory scheme is twofold: To prevent or minimize the institutionalization of developmentally disabled persons and their dislocation from family and community, and to enable them to approximate the pattern of everyday living of nondisabled persons of the same age and to lead more independent and productive lives in the community. (*Assn. for Retarded Citizens v. Dept. of Developmental Services* (1985) 38 Cal.3d 384, 388.) Welfare and Institutions Code section 4501 outlines the state's responsibility for persons with developmental disabilities and the state's duty to establish services for those individuals.

3. Services and supports are specialized adaptations directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual with a developmental disability.

The determination of which services and supports are necessary for each consumer must be made through the IPP process on the basis of the needs and preferences of the consumer and their family, to meet the goals stated in the IPP, with consideration of the effectiveness of each option to meet the goals, and the cost-effectiveness of each option. (Welf. & Inst. Code, § 4512, subd. (b).)

4. Regional centers must consider both the effectiveness of a service in meeting the goals of the IPP, and the cost-effectiveness. The regional center must first consider services and supports available in the natural community, known as generic resources. (Welf. & Inst. Code, § 4648.)

Evaluation

5. Claimant had the burden of proving the need for services and the absence of generic resources to fill that need.

6. IRC's original referral to Johnson was ambiguous. On one hand, the IPP addenda said the referral to Johnson was to serve claimant's educational goal of a free and appropriate education. That is a very broad definition. IRC's purchase of service authorization did not limit the issues for Johnson's advocacy. There was no evidence of any IRC communication to Johnson that limited her advocacy only to certain issues. On the other hand, Johnson's own status reports show that she knew IRC's original issues were to obtain a health plan to address seizures and a safety plan. The program design modification email sent to Johnson on April 23, 2025, six months after Johnson's advocacy services were engaged, suggests that before this date, IRC had not limited the scope of Johnson's advocacy. The program changes in the email included getting prior authorization from IRC for any additional issues beyond the original referral. This suggests that, when Johnson was originally retained, there was no limit to the issues.

7. It is appropriate for IRC to limit the issues for an educational advocacy referral, as it has done with the modified program design. IRC must be cost-effective in managing public funds. Giving an attorney an open-ended referral is not an effective way to manage costs. Requiring the attorney to seek prior approval before billing IRC for the additional work is a better way to control the cost of the attorney's services.

8. It was also appropriate for IRC to terminate Johnson's vendor approval. The documents and testimony reveal that IRC had concerns about Johnson's case management, monthly reporting, and use of attorneys who were not licensed to practice in California. It appears that Johnson appealed IRC's decision to terminate her vendor contract through IRC's internal appeal process. The result of that appeal supported terminating Johnson's vendor contract.

9. Having terminated Johnson as an IRC vendor, the question becomes whether IRC is required to appoint a different vendorized attorney as claimant's advocate. Claimant had the burden of proving the ongoing need for an advocate.

10. The evidence showed that the original purpose that IRC agreed to fund an advocate, to establish a health plan for seizures and safety plan, was met. A detailed review of the IEP documents shows that neither Mother nor Johnson continued to assert that the school was not meeting claimant's health and safety needs after the first IEP meeting in October 2024. The IEP documents show that Mother's and Johnson's concerns shifted to other issues not related to the health and safety plans. Mother did not meet her burden of proving that the health plan and safety plan issues with the school have not been resolved.

11. It is clear from the record that there are many other issues concerning claimant's education that have yet to be worked out with the school. It may be necessary for Mother to file for a due process hearing to resolve these issues.

12. IRC has a process for deciding whether to fund educational advocacy services. The problem with this case is that IRC never had the chance to follow its policies and procedures to determine if it should fund advocacy services for all the additional issues that Johnson identified. IRC's referral to Johnson simply "morphed" to incorporate other issues without IRC's input. IRC's duty to be cost effective required it to call a halt to Johnson's services once the initial issues of health and safety were resolved. Claimant may make a new request for advocacy services specifying new issues of dispute with the school. IRC would be required to consider the new request and grant or deny it. If dissatisfied with IRC's determination, claimant could appeal it, as she did here. At present, such a request and IRC's determination are not at issue in this hearing. Based on the evidence in this case, claimant has not established that Mother has exhausted available generic resources for educational advocacy assistance. Claimant's appeal therefore must be denied.

ORDER

Claimant's appeal of IRC's termination of advocate Sauda Johnson is denied.
Claimant's appeal of IRC's termination of educational advocacy services is denied.

DATE: February 20, 2026

ALAN R. ALVORD
Administrative Law Judge
Office of Administrative Hearings

NOTICE

This is the final administrative decision. Each party is bound by this decision. Either party may request reconsideration pursuant to subdivision (b) of Welfare and Institutions Code section 4713 within 15 days of receiving the decision, or appeal the decision to a court of competent jurisdiction within 180 days of receiving the final decision.