

**BEFORE THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
STATE OF CALIFORNIA**

In the Matter of:

CLAIMANT

and

ALTA CALIFORNIA REGIONAL CENTER, Service Agency

DDS No. CS0033427

OAH No. 2026010813

PROPOSED DECISION

Hearing Officer Coren D. Wong, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter by videoconference on March 5, 2026, from Sacramento, California.

Alan Kosgeryan, an independent facilitator with AMFC Empower, represented claimant.

DJ Weersing, Legal Services Specialist, represented Alta California Regional Center (ACRC), the service agency.

Evidence was received, the record closed, and the matter submitted for decision on March 5, 2026.

ISSUE

Is ACRC required to add funding to claimant's Self-Determination Program (SDP) budget or spending plan for the purchase of Adult Day Program Services (ADPS), Tailored Day Services (TDS), Independent Living Skills (ILS) training, and Adaptive Skills Training (AST) for social skills development?

FACTUAL FINDINGS

Background

ELIGIBILITY FOR REGIONAL CENTER SERVICES AND SUPPORTS

1. Claimant is a 20-year-old woman who lives at home with her mother in Rancho Cordova, California. She was referred to Harbor Regional Center (HRC) in April 2023 to determine her eligibility for regional center services and supports due to intellectual disability (ID). At the time, she had an Individual Education Plan (IEP) based on a primary diagnosis of specific learning disorder and a secondary diagnosis of speech and language impairment.

2. After an intake specialist with HRC conducted an intake interview with claimant and her mother, claimant was referred to Psychological Evaluations for a formal assessment for ID and autism spectrum disorder (ASD). John T. Stephenson, Ph.D., performed the assessment over the course of three days in July 2023, after which he diagnosed claimant with ID, mild. On July 31, 2023, HRC determined claimant eligible for regional center services and supports based on a diagnosis of ID, mild. The areas of substantial disability were self-care, learning, self-direction, and capacity for independent living.

TRANSFER TO ACRC'S CATCHMENT AREA

3. HRC provided claimant regional center services and supports until she and her mother relocated to West Sacramento, California, and she transferred to ACRC in August 2025. They moved to Rancho Cordova, California, three months later but remained in ACRC's catchment area. Prior to leaving HRC, claimant began the process of transitioning from receiving services and supports through the traditional delivery model to the SDP.

CURRENT INDIVIDUAL PROGRAM PLAN

4. A planning team met on September 30, 2025, to discuss what services and supports ACRC would provide claimant. The team consisted of claimant, her mother, Mr. Kosgeryan, and her ACRC service coordinator. After the meeting, ACRC drafted claimant's Individual Program Plan (IPP) documenting the team's agreement that ACRC would provide claimant case management services and fund her participation in the Safe Life Project and social recreation through Draw Academy.

5. The IPP described claimant as a person who "loves hearing music." She also enjoys going out in the community with friends and socializing. She is a determined person who is patient, loving, caring, and trustworthy. Claimant completed high school by earning a certificate of completion. Her short-term goals are to obtain greater access to generic resources and the special education transition program. She would like to attend community college.

6. Claimant can easily articulate her wants and needs to others, and she is able to understand others just as easily. She performs activities of daily living without assistance, although she requires reminders about her hygiene. Claimant is responsible for doing her own laundry, cleaning her bathroom, and taking out the trash. She

cleans her own bedroom, including vacuuming it. She also helps care for the family cats and dogs, with reminders. Claimant can safely be left home alone for several hours. She knows how to call 911 and explain her emergency. She uses the microwave to reheat food, but she does not prepare her own meals from scratch. She does not use the stove or oven.

7. Claimant has a cellphone, but there is a parental control system installed because she is too trusting of strangers and people she does not know well. She does not know proper safety or social boundaries and requires someone to go with her when accessing the community. Claimant knows how to make purchases using a credit or debit card, but she has trouble counting the amount of cash needed to make a purchase and the amount of change she is owed.

8. Claimant sometimes struggles with managing her emotions. When experiencing a bad day, she becomes anxious, angry, frustrated, and overwhelmed. She does not know how to handle bullying. She has threatened self-harm due to frustration over being bullied.

9. According to the IPP, claimant's education/learning goal is to gain higher education. She graduated from West High School in Torrance, California, with a certificate of completion. Although she remains eligible for special education and related services through her local school district's adult transition program, she wants to further her education at a community college. The planning team documented the following steps for claimant to take to pursue higher education: (1) enroll in a community college of her choice; (2) attend classes and complete homework assignments; and (3) contact the on-campus disability resource center for available supports.

10. As previously discussed, claimant began the process of transitioning to the SDP prior to leaving HRC, and she continued the process at ACRC. As part of that process, Mr. Kosgeryan met with claimant and her mother to prepare a list of claimant's unmet needs. He shared the list with ACRC, and the IPP planning team discussed it at their September 30, 2025 meeting. The list included claimant's request that funds be added to her SDP budget or spending plan for purchasing the following adult services: (1) ADPS; (2) TDS; (3) ILS training; and (4) AST for social skills development.

11. ACRC repeatedly explained during and after the meeting that it was prohibited from funding any adult services for claimant because she has access to such services through generic resources; namely, her local school district and the Department of Rehabilitation (DOR). Her service coordinator also provided information about Warm Line and University of California Davis's Redwood SEED Scholars Program, two additional potential generic resources. Finally, ACRC explained that although claimant completed high school with a certificate of completion, she remains eligible for special education services and supports until her 22nd birthday or she earns a high school diploma, whichever occurs first.

12. On October 31, 2025, claimant, her mother, and Mr. Kosgeryan met with claimant's client services manager and service coordinator to further discuss providing funds in her SDP budget or spending plan to purchase adult services. Claimant's client services manager and service coordinator again explained that ACRC could not fund those services because they are available from generic resources.

13. Claimant's mother responded by explaining she scheduled a tour of the Adult Transition Program offered by the school serving the neighborhood in Rancho Cordova to which she and claimant were moving. She further explained that she had

an intake appointment with DOR scheduled for December. Claimant's mother requested a Notice of Action (NOA) denying the request for adult services. Prior to hearing, she did not provide ACRC any status updates after her tour of the Adult Transition Program or intake appointment with DOR.

NOA AND APPEAL

14. On November 19, 2025, ACRC issued claimant a NOA identifying the following proposed action:

ACRC is denying your request to include the following adult services in [claimant's] Self-Determination Program (SDP) budget or SDP spending plan prior to age 22:

- Adult Day Program Services
- Tailored Day Services (TDS)
- Independent Living Skills (ILS) Training
- Adaptive Skills Training (AST) for social-skills [*sic*] development

15. The factual and legal basis for the denial was that the requested services are available through claimant's local school district's Adult Transition Program and DOR's student or employment services, and Welfare and Institutions Code section 4648, subdivision (a)(8), requires claimant to exhaust all generic resources prior to seeking funding from a regional center. Claimant timely appealed the NOA.

Mother's Testimony

16. Sometime in September 2025, claimant attended Yolo High School's Adult Transition Program for one day. She came home crying at the end of the day and told her mother it was like a kindergarten class. She never returned.

17. Claimant has been attending Elk Grove High School's Adult Transition Program since shortly after relocating to Rancho Cordova in November 2025. Her triannual IEP was due in December 2025, and an IEP team met the following January. The team decided claimant needed a current psychological evaluation, academic evaluation, and vocational assessment so her transition plan could be updated.

18. At hearing, claimant's mother assumed the assessments have been completed, and she explained she is waiting for a meeting to discuss updating claimant's transition plan to be scheduled. However, that assumption was based solely on claimant's reports that she has been called out of class for assessments because the school has not provided her mother any status updates.

19. Claimant's mother does not receive updates on claimant's progress in the Adult Transition Program from anyone at Elk Grove High School or the governing school district. She learns what claimant does in the program only when claimant tells her. Claimant's mother has not seen claimant make any progress toward accomplishing her identified goals, and claimant frequently complains that she does the same things in the program that she did in high school. Indeed, she refused to return to the program after the last winter break until her mother convinced her otherwise by enrolling her in a volunteer program at a horse ranch.

20. Claimant's mother applied to DOR for services and supports for claimant in September or October 2025. She received a letter at the end of the year introducing

claimant's DOR case manager. Claimant's mother subsequently spoke with the case manager and explained claimant applied to ACRC for adult services but was denied.

21. Claimant was assigned a new case manager, and her mother provided the same information she provided the first one. She also explained that in the interim claimant appealed ACRC's denial. The case manager explained that he wanted to wait for the outcome of claimant's appeal before determining which services and supports DOR can provide.

Analysis

22. Claimant is a 20-year-old ACRC consumer. She is transitioning to the SDP and requested that funds be added to her budget or spending plan for the purchase of adult services. Although she graduated from West Hills High School with a certificate of completion, she remains eligible for special education and related services until age 22 years.

23. Claimant resides in Rancho Cordova, and her local school district is a generic resource for adult transition services. Indeed, she currently participates in Elk Grove High School's Adult Transition Program. DOR is another generic resource for the services and supports for which claimant seeks ACRC funding. She has applied to DOR for service and supports and has been assigned a case manager who is awaiting the outcome of this appeal before determining what services and supports to offer.

24. The persuasive evidence established that ACRC is prohibited from funding claimant's requested services at this time because she has not exhausted her local school district and DOR as generic resources currently available to her. (Welf. & Inst. Code, §§ 4648, subds. (a)(8) ["Regional center funds shall not be used to supplant the budget of an agency that has a legal responsibility to serve all members of the

general public and is receiving public funds for providing those services”], & 4685.8, subd. (d)(3)(B) [“The participant shall utilize the services and supports available within the Self-Determination Program only when generic services and supports are not available”].)

25. Claimant’s citation to Welfare and Institutions Code section 4648.55 as authority for ACRC funding her requested services and supports is unpersuasive. The statute generally prohibits a regional center from funding the requested services for a consumer who: (1) is between the ages of 18 and 22 years; (2) is eligible for special education and related services; and (3) “has not received a diploma or certificate of completion.” (*Id.* at subd. (a).)

26. An exception to the general prohibition applies if the IPP planning team: (1) concludes available special education and related services will not meet the consumer’s needs; or (2) “grants an exemption.” (Welf. & Inst. Code, § 4648.55, subd. (a).) An exemption may be granted to a consumer who: (1) is participating in certain paid internships or competitive integrated employment; or (2) has “extraordinary circumstances” justifying the purchase of services. (*Id.* at subd. (d)(1), (2).)

27. Claimant does not prevail under Welfare and Institutions Code section 4648.55 for two reasons. First, although subdivision (a) prohibits ACRC from purchasing the requested services for a consumer who: (1) is between the ages of 18 and 22 years; (2) is eligible for special education and related services; and (3) “has not received a diploma or certificate of completion,” it does not authorize ACRC to purchase such services for others. Therefore, it is irrelevant that claimant has a certificate of completion. Besides, the statute also expressly provides: “If the planning team determines that generic services can meet the consumer’s day, vocational education, work services, independent living, or mobility training and related

transportation needs, the regional center shall assist the consumer in accessing those services." (*Ibid.*)

28. Second, claimant introduced no evidence upon which the IPP planning team could conclude she qualifies for an exemption under Welfare and Institutions Code section 4648.55, subdivision (d). There was no evidence she is participating in an internship or is otherwise employed. Nor was there evidence of any "extraordinary circumstances" justifying the purchase of services. And even if there was such evidence, an exemption "shall be based on [the IPP planning team's] determination that the generic service is not appropriate to meet the consumer's need." (Welf. & Inst. Code, § 4648.55, subd. (d)(2).) Claimant produced no evidence that the IPP planning team made the requisite determination.

LEGAL CONCLUSIONS

Applicable Burden/Standard of Proof

1. Claimant has the burden of proving ACRC is required to add funds to her SDP budget or spending plan for the purchase of adult services. (*In re Conservatorship of Hume* (2006) 140 Cal.App.4th 1385, 1388 [the law has "a built-in bias in favor of the status quo," and the party asking a court to do something has the burden "to present evidence sufficient to overcome the state of affairs that would exist if the court did nothing"].) The applicable standard of proof is preponderance of the evidence. (Evid. Code, § 115.) This evidentiary standard requires claimant to produce evidence of such weight that, when balanced against evidence to the contrary, is more persuasive. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.) In other words, she must prove it is more likely than not she is entitled to additional

funding in her SDP budget or spending plan to purchase adult services. (*Lillian F. v. Super. Ct.* (1984) 160 Cal.App.3d 314, 320.)

Applicable Law

2. Under the Lanterman Developmental Disabilities Services Act (Welf. & Inst. Code, § 4500 et seq.), the State of California accepts responsibility for persons with developmental disabilities and pays for the majority of the “treatment and habilitation services and supports” to enable such persons to live “in the least restrictive environment.” (Welf. & Inst. Code, § 4502, subd. (b)(1).) “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 [citations], and to enable them to approximate a pattern of everyday living of nondisabled persons of the same age and to lead more independent and productive lives in the community [citations].” (*Assn. for Retarded Citizens v. Dept. of Developmental Services* (1985) 38 Cal.3d 384, 388.)

3. To determine how an individual consumer is to be served, regional centers are directed to conduct a planning process that results in an IPP designed to promote as normal a lifestyle as possible. (Welf. & Inst. Code, § 4646, subd. (a); *Assn. for Retarded Citizens v. Dept. of Developmental Services, supra*, 38 Cal.3d at p. 389.) The IPP is developed by an interdisciplinary team and must include the consumer and/or their representative. (Welf. & Inst. Code, § 4646, subd. (b).) Among other things, the IPP must set forth goals and objectives for the consumer, contain provisions for the acquisition of services (which must be based upon the consumer’s developmental needs), contain a statement of time-limited objectives for improving the consumer’s situation, and reflect the consumer’s particular desires and preferences. (Welf. & Inst.

Code, §§ 4512, subd. (b); 4646, subds. (a) & (d); 4646.5, subd, (a)(2); & 4648, subd. (a)(6)(E).)

4. “The regional center shall secure services and supports that meet the needs of the consumer . . . within the context of the [IPP].” (Welf. & Inst. Code, § 4648, subd. (a)(1).) “The services and supports provided by the regional center should assist each consumer in achieving their personal outcomes and life goals” and “be effective in meeting the goals stated in the [IPP].” (Welf. & Inst. Code, § 4646, subd. (a).) They must be “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, or toward the achievement and maintenance of an independent, productive, and normal life.” (Welf. & Inst. Code, § 4512, subd. (b).)

5. Although regional centers are mandated to provide a wide range of services to facilitate implementation of a consumer’s IPP, they must do so in a cost-effective manner. (Welf. & Inst. Code, §§ 4640.7, subd. (b), & 4646, subd. (a).) A regional center is not required to provide all the services a consumer may require but is required to “find innovative and economical methods of achieving the objectives” of the IPP. (Welf. & Inst. Code, § 4651, subd. (a).) Regional centers are specifically prohibited from funding duplicate services that are available through another publicly funded agency. (Welf. & Inst. Code, § 4648, subd. (a)(8).) This prohibition is often referred to as “supplanting generic resources.”

6. A person “between the ages of 19 and 21 years, inclusive,” otherwise eligible for special education and related services, remains eligible if they: (1) are “enrolled in or eligible for a program under this part or other special education program” before their 19th birthday; and (2) have not completed their “prescribed

course of study[,] . . . met proficiency standards[,] or . . . graduated from high school with a regular high school diploma.” (Ed. Code, § 56026, subd. (c)(4).)

7. A student “who graduates from high school with a regular high school diploma is no longer eligible for special education and related services.” (Ed. Code, § 56026.1, subd. (a).) A “regular high school diploma” is “a diploma conferred on a pupil who has met all local and state high school graduation requirements.” (*Id.* at subd. (b).) It “does not include an alternative degree that is not fully aligned with the academic standards of the State of California, such as a certificate or a General Education Development credential (GED).” (*Id.* at subd. (c).)

8. Special education and related services must include “transition services for a broad range of individuals with exceptional needs such as employment and academic training, strategic planning, interagency coordination, and parent training.” (Ed. Code, § 56461.) Education Code section 56462 provides:

The transition services shall include, but not be limited to, the following:

(a) In-service training programs, resource materials, and handbooks that identify the following:

(1) The definition of “transition,” including the major components of an effective school-based transition program.

(2) Relevant laws and regulations.

(3) The roles of other agencies in the transition process including, but not limited to, the scope of their services, eligibility criteria, and funding.

(4) The components of effective transition planning.

(5) The role of families in the individualized transition process.

(6) Resources and model programs currently available in this state.

(b) Development of the role and responsibilities of special education in the transition process, including the following:

(1) The provision of work skills training, including those skills that are necessary in order to exhibit competence on the job.

(2) The provision of multiple employment options and facilitating job or career choice by providing a variety of vocational experiences.

(3) The collection and analysis of data on what happens to pupils once they leave the school system and enter the adult world.

(4) The coordination of the transition planning process, including development of necessary interagency agreements and procedures at both state and local levels.

(5) The provision of instructional learning strategies that will assist pupils who find learning difficult in acquiring skills that will enable them to obtain diplomas, promote a positive attitude toward secondary and postsecondary education and training, and make a successful transition to postsecondary life.

(c) The development and implementation of systematic and longitudinal vocational education curriculum including the following:

(1) Instructional strategies that will prepare pupils with severe disabilities to make a successful transition to supported employment and the community.

(2) The introduction of vocational and career education curriculum in the elementary grades for those pupils who can benefit from it.

(d) Materials, resource manuals, and in-service training programs to support the active participation of families in the planning and implementation of transition-related goals and activities.

(e) The development of resources and in-service training that will support the implementation of individualized transition planning for all pupils with exceptional needs.

(f) The development of a network of model demonstration sites that illustrate a wide variety of transition models and implementation strategies.

(g) Coordination with other specialized programs that serve students who face barriers to successful transition.

(h) A research, evaluation, and dissemination program that will support the major programmatic aspects of transition services. Through a variety of competitive grants, bids, contracts, and other awards specific content areas will be developed in cooperation with a variety of field-based agencies, including local education agencies, special education local plan areas, county offices, institutions of higher education, and in-service training agencies.

Conclusion

9. The persuasive evidence established that claimant has not exhausted her local school district and DOR as generic resources for receiving ADPS, TDS, ILS Training, and AST for social skills development. Therefore, ACRC is prohibited from funding such services at this time. Claimant is encouraged to keep her client services manager and service coordinator at ACRC up to date regarding her efforts to obtain adult services from her local school district and DOR. Additionally, she is reminded that ACRC's case management services includes helping with accessing generic resources when requested.

ORDER

Claimant's appeal from Alta California Regional Center's November 19, 2025 Notice of Action is DENIED. ACRC is currently precluded from adding funds to her Self-Determination Program budget or spending plan for the purchase of Adult Day Program Services, Tailored Day Services, Independent Living Skills Training, or Adaptive Skills Training for social skills development.

DATE: March 12, 2026

COREN D. WONG
Administrative Law Judge
Office of Administrative Hearings

BEFORE THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
STATE OF CALIFORNIA

In the Matter of:

Claimant

OAH Case No. 2026010813

Vs.

DECISION BY THE DIRECTOR

Alta California Regional Center

Respondent.

ORDER OF DECISION

On March 12, 2026, an Administrative Law Judge (ALJ) at the Office of Administrative Hearings (OAH) issued a Proposed Decision in this matter.

The Department of Developmental Services (Department) takes the following action on the attached Proposed Decision of the ALJ:

The Proposed Decision is adopted by the Department as its Decision in this matter. The Order of Decision, together with the Proposed Decision, constitute the Decision in this matter.

This is the final administrative Decision. Each party is bound by this Decision. Either party may request a reconsideration pursuant to Welfare and Institutions Code section 4713, subdivision (b), 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.

Attached is a fact sheet with information about what to do and expect after you receive this decision, and where to get help.

IT IS SO ORDERED on this day April 1, 2026.

Original signed by

Katie Hornberger, Deputy Director
Community Assistance and Resolutions Division