

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

In the Matter of:

CLAIMANT

and

SAN DIEGO REGIONAL CENTER, Service Agency

DDS No. CS0034286

OAH No. 2026021097

PROPOSED DECISION

Kimberly J. Belvedere, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter by videoconference on April 6, 2026.

Claimant's mother represented claimant, who was present for part of the hearing, and testified on his own behalf.

Erik Peterson, Appeals and Resolution Manager, represented San Diego Regional Center (SDRC).

Oral and documentary evidence was received. The record was closed, and the matter was submitted for decision on April 6, 2026.

ISSUE

May SDRC deny claimant's request to use self-determination program (SDP) funds to pay for claimant to attend an AI Design Course and the Haddee AI Foundation Summer Camp at the University of California, Berkeley (AI Summer Camp) under the category of social recreation?¹

SUMMARY

Claimant did not establish by a preponderance of the evidence that the AI Design Course and AI Summer Camp should be funded as social recreation services utilizing claimant's SDP funds. These educational programs/activities are not related to alleviating the symptoms of claimant's qualifying developmental disability. Because the requested services are not social recreation, claimant is also prohibited from exchanging funds elsewhere in claimant's SDP budget to fund them.

¹ The February 11, 2026, Notice of Action (NOA) also contained a third request for SDRC to fund the Cosmos Program, but the parties represented that this request had been resolved and was no longer an issue.

FACTUAL FINDINGS

Background² and Jurisdiction

1. Claimant is a 16-year-old boy who qualifies for regional center services based on a diagnosis of autism spectrum disorder (autism). Claimant was previously receiving services through the traditional method of funding but has recently transitioned to the SDP funding model, effective April 1, 2026. SDRC has completed the person-centered planning process, an individual budget and spending plan has been developed, and services and supports have been tailored to address claimant's current goals.

2. Claimant is among the special category of individuals with autism known as "twice exceptional," or 2e. Such individuals, despite having the developmental disorder of autism, are extremely intelligent and gifted. Claimant is currently in the 10th grade. Claimant's parents have not disclosed his autism diagnosis to claimant's school and will not permit SDRC to have any communication with claimant's school district. Per claimant's mother, claimant has a 504 plan for his Attention Deficit Hyperactivity Disorder and received accommodations such as having extra time on assignments and exams, and the option to take exams in a quieter environment. Claimant is in honors/advanced placement (AP) courses in high school, and enrolled in AP calculus, AP chemistry, AP Computer Science, honors English and World History. Claimant has an extremely high IQ (149) and enjoys classes/activities in science,

² The background information regarding claimant was derived from his most recent individual program plan (IPP) dated February 24, 2026, and a psychological evaluation of claimant dated October 17, 2024.

technology, engineering, and mathematics (STEM). Claimant's goals are to get into a good college, possibly the University of California, Los Angeles, and pursue a degree in engineering. (Of note, given claimant's high level of functioning, it is questionable whether he is substantially disabled due to his autism and should be reassessed for regional center eligibility, as the original eligibility may have been clearly erroneous.) (Welf. & Inst. Code § 4643.5, subd. (b).)

3. Claimant is verbal and able to speak using full sentences and a wide vocabulary. His speech is clear and can be understood by others. Claimant can maintain eye contact briefly, and he can answer questions, although he tends to speak impulsively and abruptly and expresses his emotions without regulating them. Claimant is able to talk to people comfortably about preferred topics, but he sometimes has conflicts with people due to the way he communicates. Claimant sometimes expresses something in an unkind way and does not realize when it is hurtful. Claimant prefers encouragement and does not like demands from others. He does well with clear rules and communication, as he tends to think in terms of right and wrong. He can be highly sensitive and prefers a mild/gentle voice and to be given patience. He does not like criticism. He often misinterprets people's tone and meaning. As such, social communication can sometimes be a challenge.

4. Claimant's primary challenge attributable to autism are his social skills. In an October 17, 2024, psychological evaluation, the evaluator wrote

[Claimant] demonstrates poorly developed social skills, social communication, and interpersonal relationships. His social deficits are accompanied by restricted interests, sensory sensitivities, and difficulty with change and transitions. These significantly interfere with functioning

including development of age-appropriate social relationships, emotion regulation, personal care, and effective communication.

5. Claimant's current individual SDP budget allocates funds for social recreational activities such as speed karting (racing go-karts), tennis camp, ID Tech Camp, and also includes respite. Claimant's total SDP budget is \$19,045.76.

6. Claimant's mother requested SDRC permit claimant to use SDP funds (or increase funds) so claimant can attend an AI Design Course and an AI Summer Camp under the category of social recreation. In an email to SDRC prior to the denial, claimant's mother wrote that these two activities are "specialized socialization and pre-vocational services required to meet the unique needs of a twice-exceptional student. These specific social-emotional and vocational opportunities cannot be met by generic school resources." She further wrote that claimant's "primary disability-related challenge is social isolation" and he is "unable to find a 'socially appropriate peer group' in a standard high school setting" because of his exceptional intellect.

7. On February 11, 2026, SDRC issued the following NOA:

Upon planning team review, it was determined that the AI design course . . . [is] considered educational services and not social recreation/camp services. In general, education is the responsibility of the school system for the school-aged child. In addition, these services are not related to [claimant's] developmental disability.

8. On March 2, 2026, SDRC issued the following NOA:

Upon planning team review, it was determined that Haddee; AI Foundation Summer Camp @ Berkley- Residential Camp [is] considered educational services and not camp services. In general, education is the responsibility of the school system for the school-aged child. In addition, these services are not related to [claimant's] developmental disability.

9. Claimant's mother timely appealed³ both denials on claimant's behalf, arguing the following: the requested services are "primary clinical vehicles necessary to achieve the outcomes" established in claimant's IPP; claimant needs to be with a "socially matched" peer group with an IQ of 148-149 to address the "profound social isolation" caused by his autism; the programs meet IPP goals for community participation and emotional growth; the programs constitute a "strength-based" therapeutic necessity for claimant to reach his goals; research demonstrates that 2e individuals demonstrate that "talent-focused, high-engagement programs produce superior social and behavioral outcomes compared to traditional deficit-remediation";

³ In both appeals, claimant's mother checked the box that she preferred the hearing be conducted in English. On April 2, 2026, four days before the hearing, claimant's mother requested a Mandarin interpreter. A Mandarin interpreter was not available on such short notice. Prior to the commencement of hearing, claimant's mother was advised that an interpreter could not be secured, and asked if she wished to request a continuance. SDRC did not oppose a continuance, but claimant's mother desired to proceed in English. Claimant's mother was advised that, if at any time she had difficulty understanding or desired to stop the hearing and continue the matter, she could do so. The matter proceeded to conclusion without issue.

because claimant ranks in the top one percentile for sustained attention, he requires an “interest-driven modality (STEM) to maintain the therapeutic engagement necessary to acquire social-emotional and adaptive skills, as standard modalities are clinically ineffective for claimant’s 2e profile”; being in the 10th grade is a “transition age” and claimant is entitled to services that lead to competitive integrated employment; and the requested programs serve as “vocational discovery” that will provide claimant with the social skills required for future financial independence and self-sufficiency. Claimant’s mother further argued that there are no generic resources that will address claimant’s unique needs and claimant’s school district does not offer residential STEM programs or AI vocational training. Finally, claimant’s mother argued SDRC has established “precedent” by funding claimant’s “ID Tech” camp and tennis courses, which acknowledged that strength-based and interest-driven programs are the appropriate method for claimant’s social-recreational integration.

AI Design Course

10. According to a document provided by SDRC, the AI Design Course claimant would like to attend presents “an exclusive opportunity for dedicated students to engage in advanced study and original research in Human-Computer Interaction.” It is guided by professors from prestigious STEM institutions such as Stanford and MIT, and students will be taught to “bridge rigorous academic theory with practical application.” The classes run approximately three months from August to October, and range from one to 10 students. The program “culminates in a year-long mentored research project, positioning students for top-tier academic pursuits.” To be eligible for the AI Design Course, a student must be 14 or older, and have a “foundational knowledge in computer science or cognitive science, a strong interest in product design, and excellent self-directed learning abilities.” A commitment of seven

hours per week is expected during the course semester (two hours of live instruction plus five hours of independent work). Key outcomes listed for course students are: opportunities for co-authoring publications in scientific journals, program certification, and a distinguished letter of recommendation for students to attach to university applications. Multiple course descriptions are attached to the syllabus for the AI Design Course, and all appear centered on exploring "the cutting-edge applications of artificial intelligence in the fields of user experience and design."

AI Summer Camp

11. Haddee Education offers a "Machine Learning and AI Foundations Summer Camp" at UC Berkeley, designed for students looking to gain practical AI skills. This program is aimed at high school and college students, and teaches skills such as software development, machine learning fundamentals, and hardware design. A document describing the AI Summer Camp states the purpose and goals of the curriculum are as follows (reproduced verbatim):

To work effectively in this field, the Data Scientist and Machine Learning/AI development Engineer must be fluent in the requisite mathematics and programming structures and algorithms, and must understand the underlying hardware architectures used to implement the processing engines. This two-week summer camp offers an intensive dive into programming, machine learning, and digital logic design. Week 1 focuses on foundational skills: mornings cover Python programming essentials, including data structures, OOP, and machine learning libraries (Numpy, Pandas, Matplotlib), progressing to exploratory data

analysis, ML-related math, and gradient descent. Afternoons explore digital logic design, with hands-on projects in combinational and sequential logic, culminating in FPGA emulation with Basys 3. Week 2 transitions into advanced topics: mornings tackle machine learning techniques like regression, clustering algorithms, and neural networks, while afternoons focus on hardware description languages (HDL) and implementing a simple neural network as a capstone project, integrating concepts from both weeks.

Please note that a large volume of material is covered in this course, and thus it is critical that you keep up with the pacing. The topics covered have been selected to provide the most applicable base of knowledge in the introductory software and hardware components of Machine Learning and AI.

12. Academic prerequisites to access the AI Summer Camp are knowledge of basic computer programming, basic logic functions, a minimum competency in math at the Algebra II level, with an understanding of statistics, linear algebra, and calculus.

13. At the end of the AI Summer Camp, students will receive letter grades based on the percentage of points earned on "assignments, projects and assessments."

SDRC's Purchase of Service Standards

14. SDRC provided a copy of its purchase of service policies relating to social recreation, camp services, and educational services. Social recreational services are described as those services that are:

[d]esigned to enhance social interaction opportunities and skills, which enable the client to become involved in group and individual activities at home and within the community. Such services encourage clients to initiate communication with others, teach appropriate social skills, develop friendships, and enhance natural supports.

Social/recreational services are considered time-limited, with periodic reassessment, and are intended for clients to acquire the social, behavioral, and/or recreational skill(s) identified in the Individual Program Plan (IPP) or Individual Family Service Plan (IFSP). The review and determination of the need for social recreation, camping, and nonmedical therapies must be rooted in the Individual Program Plan (IPP) process. The provision of services to clients and their families should be effective in meeting the goals stated in the IPP, reflect the preferences and choices of the client, and reflect the cost-effective use of public resources.

Resources which provide outlets and services for social/recreational opportunities can include, but are not limited to, family, friends, schools, residential settings, day services, independent living and supported living programs,

municipal parks and recreational programs, and other generic community activities and services.

15. Camp services are described as [bold and italics in original]:

Camp and associated travel expenses may be provided, arranged, or purchased by the SDRC in accordance with the *Basic Service Standards* outlined in the *SDRC Purchase of Service (POS) Standards*, and when all of the following criteria are met:

1. The need for the service is identified in the client's IPP or IFSP and a specific goal/outcome has been developed by the planning team in relation to the need;
2. The client's ability to participate does not compromise his/her health and safety;
3. The identified camp meets required HCBS regulations;
4. The service is not considered a duplication of service related to another funded service.

16. With respect to educational services, the purchase of service policy specifies that educational services are the responsibility of the school district for school-aged children. Exceptions to these standards may be considered on an individual basis, and when requested to do so, SDRC "will consider the individual circumstances, and efforts to locate and participate in generic resources."

Testimony of SDRC Witnesses

17. Resources Coordinator Nicole Gaetz and Program Manager Ysabel Yumol testified at the hearing. Pertinent points from their testimony are summarized below.

18. When evaluating a requested service, SDRC uses their Purchase of Service Standards, which were developed according to applicable law. When claimant's mother requested the services at issue, both requests were sent to the social recreation team, which is the group of SDRC personnel that evaluates whether the requested services fall within the category of social recreation. Social recreation is typically something that is fun and enjoyable, and services designed for social recreation are those that help developmentally disabled individuals engage in the broader community, not a small group of individuals in an academic setting. The whole point of social recreation is that it is for everyone in the community.

19. Both requests were deemed to be academic in nature, and not social recreation. The two requested services are limited to only certain groups of individuals (who can meet academic prerequisites) and not open to the general public; social recreational activities must be those that are widely accessible to the general public in order to comply with Home and Community Based Services (HCBS) program. Similarly, neither request is related to claimant's developmental disability. Being a 2e gifted individual is not a developmental disability. Claimant's qualifying category is autism. The two academic programs/activities requested are not designed to alleviate the symptoms of autism.

20. Claimant already receives a properly qualified social recreational activity related to his area of interest (STEM), which is the ID Tech camp he attends in summer. This type of program is appropriate because it allows attendees to interact socially

with other individuals who share their STEM interests. Unlike the two programs at issue, the ID Tech camp is widely accessible and does not contain the academic prerequisites that the AI Design Course and AI Summer Camp do. That is why SDRC funds this camp as social recreation.

Evidence Provided by Claimant

21. Claimant's mother testified briefly, and expressed the same sentiments offered in her position statement. Her testimony, and the position she advocated in her position statement, are summarized as follows: She explained that claimant should not be denied social recreation because STEM subjects are his interest. The SDP program and services offered must be "person-centered" and the programs requested have been proven "clinically effective." Claimant's deficiencies are in executive functioning, which makes it very hard for him to enjoy the types of social recreation traditionally offered (i.e., art, music, or crafts). Claimant is a three-time American Invitational Mathematics Exam qualifier, and is socially isolated from "general education peers." To practice social skills and community integration, claimant must be placed in environments with his intellectual peers. The programs requested are not academic. For a 2e autistic consumer like claimant, the content of the program is the "therapeutic hook" that allows for socialization. The Legislature restored social recreation services so consumers can live the life they choose to live. Claimant is being denied that choice because his interest happens to be STEM.

22. Claimant's mother provided a partial document entitled, "Self-Determination Program (SDP): What Can or Cannot Be Paid and Why." She referenced the section on community integration supports, which are allowed to be funded, which was summarized in the document as follows:

Community integration supports that help the participant attain or maintain their maximum level of functioning, interdependence and independence and/or increase and improve self-help, socialization, communication. These services may include socialization and community awareness, communication skills, visual, auditory and tactile awareness and perception experiences, and self-advocacy skills. They can reinforce skills or lessons taught in school, therapy or other settings. Services may include art and recreation programs if such services assist the participant “through therapeutic and/or physical activities” (for example, exercise class in the park, swim class at a public pool, painting at a local art studio); continuing education classes to help the participant explore interests or improve academic skills or complete a high school equivalency; peer mentoring, mobility services; friendship and relationship building.

Claimant’s mother testified that she believes the requested programs should therefore be funded in this category.

Claimant’s mother also included an email dated April 1, 2026, from Haddee Education, regarding the AI Design Course and AI Summer Camp. That email states, in part (bold in original):

This letter serves to clarify the instructional format and social interaction components of the **Haddee AI**

Foundation Summer Camp (UC Berkeley) and the AI Design Course, in which [claimant] is seeking enrollment.

While these programs involve advanced technical subject matter, the curriculum is delivered through a high-engagement, collaborative framework specifically designed to foster professional socialization and community integration.

1. Intensive Peer Collaboration: Both programs utilize a team-based engineering approach. Students do not work in isolation; they are placed in small peer groups. This format requires constant verbal communication, active discussion of technical ideas, and collective problem-solving to complete daily tasks.

2. Interactive Mentorship: Instruction is delivered via a combination of mentorship and lecturing. This requires students to engage in consistent one-on-one and group dialogues with mentors regarding project requirements and feedback, allowing them to practice professional social modeling in a real-world context.

3. Peer Review and Presentation: A mandatory component of both programs is the formal presentation of projects. Students are required to explain their work to their peers and mentors, practicing essential skills in public speaking and social interaction.

4. Residential Community Integration (Berkeley Summer

Camp only): The AI Foundation Summer Camp is a residential program hosted on the UC Berkeley campus. This environment requires students to navigate a public university setting, and engage in supervised evening social activities. This structure promotes unstructured social interaction and the development of community-based independent living skills.

23. Claimant's testimony was brief. He was quiet, subdued, and stated he was nervous. Claimant expressed that he would "really like" to attend the AI Summer Camp. He explained that if a "program" is too simple, he gets bored and feels disconnected and "cannot engage." In social settings, claimant feels that he is "speaking a different language from other people" because everyone else communicates in a different way than he does. The "complexity of AI makes [him] feel safe" and he feels isolated without stimulation from STEM. Claimant feels the requested services are challenging and he is "not interested" in the "other social programs" funded in SDP.

LEGAL CONCLUSIONS

Applicable Law

1. The Legislature enacted a comprehensive statutory scheme known as the Lanterman Developmental Disabilities Act (Lanterman 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.

2. The Department of Developmental Services (department) is the public agency in California responsible for carrying out the laws related to the care, custody and treatment of individuals with developmental disabilities under the Lanterman Act. (Welf. & Inst. Code, § 4416.) In order to comply with its statutory mandate, the department contracts with private non-profit community agencies, known as "regional centers," to provide the developmentally disabled with "access to the services and supports best suited to them throughout their lifetime." (Welf. & Inst. Code, § 4620.)

3. Welfare and Institutions Code section 4512, subdivision (b) defines "services and supports for persons with developmental disabilities" as:

[S]pecialized services and supports or special adaptations of generic services and supports 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 independent, productive, normal lives. The determination of which services and supports are necessary for each

consumer shall be made through the individual program plan process. The determination shall be made on the basis of the needs and preferences of the consumer or, when appropriate, the consumer's family, and shall include consideration of a range of service options proposed by individual program plan participants, the effectiveness of each option in meeting the goals stated in the individual program plan, and the cost-effectiveness of each option . . . Nothing in this subdivision is intended to expand or authorize a new or different service or support for any consumer unless that service or support is contained in his or her individual program plan.

4. A regional center's responsibilities to its consumers are set forth in Welfare and Institutions Code sections 4640-4659.

5. Welfare and Institutions Code section 4646.4, subdivision (a), requires regional centers to establish an internal process that ensures adherence with federal and state law and regulations, and when purchasing services and supports, ensures conformance with the regional center's purchase of service policies.

6. In 2013, the Legislature passed Welfare and Institutions Code section 4685.8, which required the department to implement a statewide self-determination program to provide participants and their families, within an individual budget, increased flexibility and choice, greater control over decisions, resources, and needed and desired services and supports to implement their Individualized Program Plan (IPP). The department began pilot programs in certain regional centers, and oversaw statewide working groups from various regional centers and consumer groups to

develop policies and procedures to implement the program. After completion of that pilot program, the SDP became available to all regional center consumers who wished to use it effective July 1, 2021.

7. The individual SDP budget is calculated as specified in applicable law. (Welf. & Inst. Code, § 4685.8, subd. (m).) The SDP budget must be the total amount of the most recently available 12 months' purchase of service expenditures for the consumer. (Welf. & Inst. Code, § 4685.8, subd. (m)(1)(A)(i).) The regional center may adjust this amount if the IPP team determines that an adjustment is necessary due to the consumer's changed circumstances, needs, or identifies prior needs that were not addressed in the IPP. The team must document the specific reason for the adjustment in the IPP. The regional center must certify on the individual budget document that regional center expenses for the individual budget, including any adjustment, would have occurred regardless of the individual's participation in the SDP. (Welf. & Inst. Code, § 4685.8, subd. (m)(1)(A)(ii).)

8. Each consumer in the program must develop an individual spending plan to use their available individual budget funds to purchase goods, services, and supports necessary to implement his or her IPP. The spending plan must identify the cost of each good, service, and support that will be purchased with regional center funds. The total amount of the spending plan cannot exceed the total amount of the individual budget. A copy of the spending plan must be attached to the consumer's IPP. (Welf. & Inst. Code, § 4685.8, subd. (c)(7).)

9. Each item in the spending plan must be assigned to uniform budget categories developed by the department and distributed according to the anticipated expenditures in the IPP in a manner that ensures that the participant has the financial resources to implement the IPP throughout the year. (Welf. & Inst. Code, § 4685.8,

subd. (m)(3).) The regional center must review the spending plan to verify that goods and services eligible for federal financial participation are not used to fund goods or services available through generic agencies. (Welf. & Inst. Code, § 4685.8, subd. (r)(6).)

10. A consumer may transfer funds between service codes and budget categories in the spending plan upon the approval of the regional center or the participant's IPP team. (Welf. & Inst. Code, § 4685.8, subd. (n).) The regional center is required to provide timely authorizations to the participant's financial management service. (*Ibid.*)

11. Welfare and Institutions Code section 4648 requires regional centers to be fiscally responsible.

12. Welfare and Institutions Code section 4688.22, provides (emphasis added):

(a) The Legislature finds and declares both of the following:

(1) The Legislature places a high priority on promoting the full inclusion and independence of individuals with developmental disabilities, including through opportunities for recreation, consistent with Section 4501 and paragraphs (6) and (7) of subdivision (b) of Section 4502.

(2) As such, it is the intent of the Legislature for social recreation services, camping services, and nonmedical therapies, including, but not limited to, specialized recreation, art, dance, and music, to be among the services and supports within the meaning of subdivision (b) of

Section 4512 and be made widely available to consumers, not only for **socialization**, but to lead the lives that they want in the **community**. It is further the intent of the Legislature that regional centers, when developing purchase-of-service policies and related procedures, and that the department, when reviewing regional center purchase-of-service policies and related procedures, reduce administrative barriers to the utilization of these services by consumers to the fullest possible extent.

(b) The regional centers shall use the following principles when purchasing social recreation services, camping services, and nonmedical therapies:

(1) Consumers shall receive services and supports in **settings that are typical of those in which persons without disabilities engage in social recreation, camping, or nonmedical therapies.**

(2) The services described in this section **shall promote community inclusion** by providing opportunities to build ongoing relationships through or around shared interests or activities, and shall include both of the following:

(A) Activities that directly **support a consumer's ability to participate in typical social recreation or other community activities without paid support present.**

(B) Activities that may identify or develop specific interests or skills, enable the consumer to engage with others around shared affinities or goals, or otherwise build informal social networks that reduce isolation, **strengthen community ties**, assist the consumer in advancing their own interests and well-being, and can be a source of voluntary natural supports.

Burden and Standard of Proof

13. In a proceeding to determine whether a regional center should fund certain services, the burden of proof is on the claimant to establish by a preponderance of the evidence that the regional center should fund the requested service(s). (Evid. Code, §§ 115, 500; *McCoy v. Bd. of Retirement* (1986) 183 Cal.App.3d 1044, 1051-1052.)

Evaluation

14. Funds authorized in SDP must be to meet the goals of a consumer's IPP and alleviate the symptoms of a developmental disability. Claimant did not meet his burden of establishing that SDRC must fund (or authorize the use of SDP funds) to enroll in the AI Design Course or the AI Summer Camp as social recreation.

Neither of these academic programs/activities fall within the statutory definition of social recreation. Neither of the requested academic programs/activities are conducted in a setting typical of those in which persons without disabilities engage in social recreation, camping, or nonmedical therapies. To the contrary, these are extremely rigorous STEM-related academic opportunities for only exceptionally gifted individuals who desire to build those skills and better position themselves for future

academic and professional success. STEM, contrary to claimant's mother's assertion, is not claimant's *language*. STEM is his personal *interest*. Claimant is not *unable* to communicate with his less gifted peers; he merely *prefers* to communicate and interact with individuals that share his superior intellect. Though understandable, claimant's focus on STEM activities does not transform the AI Design Course or AI Summer Camp into social recreation.

Science, technology, engineering, and mathematics are *academic* subjects. This is not to say that every activity that involves STEM subjects would be automatically excluded from social recreation. There are many social activities, camps, outdoor activities, and other community activities that may indeed encompass those subjects, are open to everyone in the community, and which are designed to increase socialization in the community as a whole. Social recreational opportunities, under applicable law, are to support a person's ability to be *included* in the community; not limit a consumer's social recreation to an isolated group of individuals. The course syllabus and descriptions for both the AI Design Course and AI Summer Camp fall squarely within the educational arena and, despite the email from Haddee Education that attempted to cloak these activities as social recreational opportunities, the weight of the evidence shows they are not. For these same reasons, as the witnesses from SDRC explained, neither the AI Design Course nor the AI Summer Camp are HCBS compliant.⁴

⁴ It is also noted that things like tutoring or classes to develop a person's skills that are already advanced, college courses, or other educational opportunities of that nature to further develop or attain advanced skills (as opposed to addressing an academic or learning deficiency resulting from the symptoms of autism) are typically

Claimant's desire to avail himself of these excellent academic opportunities given his exceptional intellect is commendable and in keeping with his extremely high level of functioning. Claimant's mother's testimony regarding her desire to see her son engage in an activity she believes will help him increase his social skills is appreciated. However, because regional centers are publicly funded and must be fiscally responsible, there are very specific requirements for funding services and supports. SDRC fully explored whether these two requested services are permitted to be funded as social recreation, but neither the AI Design Course nor the AI Summer Camp meet that definition. As such, SDRC is not required to permit claimant to use SDP social recreation funds (or otherwise augment claimant's SDP budget) to pay for claimant to attend an AI Design Course or the AI Summer Camp under the category of social recreation.

the responsibility of a person's natural supports (i.e., parents). These are not social recreational activities. The same way a parent whose child is interested in cooking might want their child to participate in a special cooking seminar or a parent of a child interested in pottery might want their child to participate in an art symposium designed to develop advanced art skills to get into design school, parents of non-developmentally disabled children would be expected to serve as the funding source for those educational opportunities. Put another way, developing a child's already advanced skills – when not designed to address a significant functional limitation - is not a regional center service.

ORDER

Claimant's appeal is denied. SDRC is not permitted to use SDP funds (or otherwise augment claimant's SDP budget) to fund claimant's attendance in an AI Design Course or AI Summer Camp under the category of social recreation.

DATE: April 15, 2026

KIMBERLY J. BELVEDERE

Administrative Law Judge

Office of Administrative Hearings

BEFORE THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
STATE OF CALIFORNIA

In the Matter of:

Claimant

OAH Case No. 2026021097

Vs.

DECISION BY THE DIRECTOR

San Diego Regional Center

Respondent.

ORDER OF DECISION

On April 15, 2026, an Administrative Law Judge (ALJ) at the Office of Administrative Hearings (OAH) issued a Proposed Decision in this matter.

The Proposed Decision is adopted by the Department of Developmental Services 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 4712.5, subdivision (a)(1), 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 May 14, 2026.

Original signed by

Katie Hornberger, Deputy Director
Division of Community Assistance and Resolutions