

Advocacy Guide for Non-Lawyers

Social Recreational Services

For use by people with intellectual and developmental disabilities and their supporters to respond to regional center service denials



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Disclaimer: This document is general information, not legal advice. It is based in part on examples seen in a small set of California Office of Administrative Hearings (OAH) decisions. This guide is based on the law and the administrative hearing decisions interpreting the law at the time we write them. We try to update our materials; however, laws are regularly changing. If you want up-to-date information about the law, please visit Disability Rights California at www.disabilityrightscalifornia.org or another legal source.

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1. Introduction

Regional center service disputes often involve a few common rules, and those rules can overlap. A service denial may involve questions about IPP goals and disability-related need; whether another system is supported to provide the service first; cost-effectiveness; parental responsibility; or other limits on regional center funding. This guide focuses on **social recreation** and explains what the service is, why people request it, and how those common rules tend to come up in disputes about social recreation.

For a denial of a new service or support, the person appealing has to prove that the requested service is needed and should be funded. For a reduction, change, or termination of an existing service, the regional center is the one trying to change the current services, so the regional center usually has to prove that the service should be reduced, changed, or stopped.

2. Summary of topic

Social recreation describes services that support individuals with disabilities in building friendships, improving social skills, and integrating into the wider community. Some examples of these activities include a Minecraft camp, group singing lessons, or joining a community soccer team.

3. What does the law say about this topic?

The Lanterman Act gives those served by the regional centers a right to social recreation services.

- a. Social recreation activities are meant to promote “the full inclusion and independence of individuals with developmental disabilities” ([California Code, Welfare and Institutions Code WIC § 4688.22\(a\)\(1\)](#)).
- b. These activities might include “art, dance, and music” or any other activity that “develop[s] specific interests or skills” of the claimant ([California Code, Welfare and Institutions Code WIC § 4688.22 \(a\)\(2\),\(b\)\(2\)\(b\)\)](#)).
- c. The regional center is required to “reduce administrative barriers to the utilization of these services by consumers to the fullest possible extent” ([California Code, Welfare and Institutions Code WIC § 4688.22 \(a\)\(2\)](#)).
- d. A social recreation activity does not have to be tied to a medical or disability-specific need, and it does not have to be run by someone specially certified to work with people with disabilities. ([California Code, Welfare and Institutions Code WIC § 4688.22 \(b\)](#))
- e. The center may not disfavor social recreation services and should offer them proactively and refer families to existing opportunities ([California Code, Welfare and Institutions Code WIC § 4688.22 \(c\)](#)).

f. The center is not permitted to ask you to pay a co-payment, require you to exhaust non-social recreation specific resources, or exchange respite or other services for social recreation ([California Code, Welfare and Institutions Code WIC § 4688.22 \(d\)\(3\)](#))

g. In 2024, the Department of Developmental Services issued guidance saying that regional centers cannot prohibit one-on-one lessons. That does not mean every one-on-one lesson must automatically be approved. People must still explain why the one-on-one format is needed or appropriate, how the activity supports the person's interests or goals, and how it may help the person build skills, confidence, community access, or natural supports. ([Department of Developmental Services Feb. 6 2024 Memo "Social Recreation, Camping And Nonmedical Therapies – Legislative Intent And Provider Access"](#)).

4. Common reasons for regional center denials in these cases

The activity was not included in the original IPP	The activity does not connect to IPP goals such as failing to connect to claimant's interests or community integration goals
The activity is not a "social" activity	The claimant is requesting too many activities
The activity is not meeting a medical need or is not led by a specialist in the claimant's diagnoses	The activity is not a group activity

5. What kinds of facts and evidence help people win their cases?

1) In general, social recreation cases are most likely to win when there is evidence that:

a) the claimant is genuinely interested in the activity	c) the claimant is <i>not</i> enrolled in too many activities
b) the activities are social in nature	d) the activity supports IPP goals.

2) Including Info from the IPP can be helpful: It also helps to include information from the IPP if the IPP identifies a need or goal that is not met without this social recreational service.

3) Participants in the Self-Determination Program (SDP) sometimes have an advantage: If the claimant has a Self-Determination Plan, the judge might give them more deference when asking to change an activity. If you are trying to add a second activity, talk about how it adds something distinct from existing activities.

4) Including information on the provider can be helpful: Although this is not required by law, it can be helpful to include information about the class provider (especially if they are certified to work with students like the claimant) so that the regional center might vet the activity and understand why you are asking to use this provider rather than a cheaper option.

5) Group activities are approved more often than one-on-one activities.

Case Spotlight

A Minecraft course not included in IPP (NLCRC - OAH No. 2024010835).

NLC regional center denied a Minecraft lesson that was not included in Claimant's IPP. Claimant had had another social recreation service in place, but it had already ended. The OAH decision stated that in general, social recreation services should be included in the IPP. But in this particular case, the regional center told Claimant's mom that the regional center did not list social-rec activities in the IPP because they wanted to get it completed and signed quickly. The regional center also assured her several times that she would be reimbursed for social-recreational activities, including the Minecraft course, as long as she turned in her receipts. Because Claimant's mom relied on these assurances when she enrolled claimant in the Minecraft course and paid for it without seeking pre-approval, it would be unfair to make her pay those costs out of pocket. The Minecraft course was approved!

6. What kinds of facts, evidence, or lack of facts and evidence cause people to lose their cases?

1) Claims can fail when the activity does not seem social because the claimant's argument lacked proof that it was, such as specifying with whom the claimant would socialize.

2) An argument might also fail because it did not bring in testimony to connect the activity to goals in the IPP.

3) If the claimant is already in another social recreation activity lack of evidence that this activity adds something distinct from existing activities might hurt the argument.

4) If the claimant fails to give concrete information about the activity and activity provider such as a letter or pamphlet from the provider. Failing to provide information about the nature of the activity or qualifications of the provider tends to lead to a denial.

5) Courts might also deny a request if there is evidence that it will overtax the claimant by giving them too many hours of activity.

6) If it is not a group activity, not bringing in an expert to testify to how it is going to help the claimant socialize in the future can lead to a denial.

Case Spotlight

Too many activities lead to denial. (*VMRC - OAH No.: 2025040545*)

VM regional center denied a claimant social recreation support for a meditation class because the claimant was already receiving social recreation services for yoga, horseback riding, and two coding classes. The claimant's parents argued that the meditation class would help with claimant's anxiety and promote inclusion into the community. The request was denied because the claimant already had enough services for being integrated into the community and the class was not the only avenue to address anxiety. The regional center did offer to let the claimant swap this service with another.

7. Pulling it all together: Common denials and how to respond

Use this chart to match a common denial with a short response and the evidence that may help.

Example of a service you might request the regional center to fund	Example of why a regional center may say you are not eligible for services	Example of an argument you could make in response to the regional center's denial explaining why you need the service and the laws that support your request	Example of facts, witnesses, or records you could use to support your argument about why you are eligible for services
<i>One-on-one voice lessons</i>	<i>One-on-one lessons are not social</i>	Social recreation activities are only required to be either social or recreational, although it will be more persuasive if it meets both. You can argue that the one-on-one lesson will help the claimant become more social in the future by building skills. For example, the voice lessons will give the claimant the skills and confidence to join their local choir.	Bring in the DDS memorandum requiring regional centers to pay for one-on-one lessons. Some facts that might support your argument will be if the activity supports IPP goals, if this activity is the claimant's primary interest, and if this is one of only a few social recreation services the claimant receives. Consider getting testimony from the lesson provider, a doctor, or school official with evidence that the activity will build the claimant's social skills and confidence.
<i>Attending dirt bike lessons</i>	<i>It is not an appropriate activity for someone with the claimant's disability</i>	The dirt bike riding classes are not dangerous and are social in nature. If dirt bike riding is popular in your community, you will have stronger evidence that it is important for community integration. Explain how dirt bike riding will help meet IPP goals.	You might bring in a certification from the instructor that this class will support some with disabilities/special needs and that there are many safety precautions in place. You could bring in the IPP record that shows socializing is an IPP goal. Have a parent or close relative testify to how this activity is especially important to the claimant's interests and could not

			be replaced by another activity.
<i>Art camp</i>	<i>Activity not included in IPP</i>	You can testify to goals in the IPP that it would fulfill and argue that regional centers often approve social recreation requests on a rolling basis.	Bring the IPP and any information about the camp. Facts that will be helpful are if art is a particular interest for the claimant or if it will support them in socializing better. If the claimant has no other social recreation activities this might be a key activity to meet IPP goals. Testify to why this activity was not mentioned at the IPP meeting which might be that it was not open for enrollment at that time or that the regional center did not inform you that the claimant was entitled to social recreation services.

<i>Soccer classes</i>	<i>The claimant receives a social recreation activity already</i>	Argue that this activity is fulfilling an IPP goal that is not supported by the other activity.	Some helpful facts might be that soccer is a particular interest of the claimant, that this activity will involve the claimant in a different community than the other activity, and that the claimant is not overscheduled. It might help to bring in information on the activity or testimony from a coach or teacher that this activity is particularly important to the claimant.
<i>Increased personal attendant hours to take claimant to social recreation activities</i>	<i>This is the parent's responsibility</i>	Argue that the claimant wants to socialize, but he needs to be supported by a PA to engages in more activities and socialize more. Point out that the regional center is required to remove barriers to community integration. Explain the importance of this activity such as the claimant's special interest in it or the need to meet an IPP goal of socializing that cannot be met in another way. Connect the claimant's need for support to their right to be a part of the community at large and not just in settings designed for people with disabilities.	Bring testimony from a doctor, teacher, or other professional that the claimant needs support in order to participate in the activity or another social recreation activity. Some facts that might explain why the parent is unavailable might be that the parent has their own disabling condition, that they have other children, they have a job that does not allow for time off or a change in schedule, or that the parent is not skilled in the type of support the claimant needs for social integration. Less parental responsibility is expected if the claimant is over 18.



Appendix 1

List of OAH Decisions Reviewed and Analyzed about Social Recreation

1. WRC - 2025020697: Must WRC approve funding by parent reimbursement for Claimant to receive services at Balmoral Farm equestrian center and/or an increase in monthly funding for music lessons? Hearing Officer held Claimant did not meet his burden of proof as he did not establish that the equestrian center would meet recreational or therapeutic needs identified in the IPP. In addition, because no evidence was offered regarding services, staff training or fees, the Hearing Officer determined the regional center was prevented from evaluating the service's cost-effectiveness and whether he would be overtaxed in light of his other activities, as required by law. Additionally, the evidence presented regarding the music lessons was insufficient to show that the requested funding increase would be cost-effective. **Denied.**

2. RCOC - 2025020055: Should RCOC fund a fourth social recreational activity for Claimant and, if so, should that funding be retroactive to the date of Claimant's request? The evidence established that Regional Center guidelines allowed 1-2 social recreational activities per week with exceptions on a case-by-case policy. Claimant's three activities already constituted an exception to the policy. The Hearing Officer held that because the Regional Center was required to assess the setting, site and content of the requested activity but was given only limited information about the provider that did not allow the required vetting, and funding of the three existing activities satisfied Claimant's IPP goals, it would be cost-ineffective to fund a fourth. Therefore, the appeal was denied. **Denied.**

3. ACRC - 2024100121: Did ACRC improperly deny Claimant's request to use Self-Determination Program (SDP) funds to pay for dirt bike riding classes as a social-recreational activity on the basis of safety concerns? The Hearing Officer held that when a general policy, such as the Regional Center's Procedures Manual, prohibits dirt bike programs on the basis of safety, but there is no law or regulation with such prohibition, funding for dirt bike lessons should be determined on a case-by-case basis as to whether an exception is appropriate. The Hearing Officer stated the Regional Center needs to consider the consumer's preference and freedom to choose social recreational activities, provided safety concerns are addressed. The Hearing Officer held Claimant's evidence met this criteria because she had previously been taking dirt bike riding classes from professionals, the classes which utilized safety gear, 1:1 or 2:1 instruction, vehicles with speed limits of 5mph, a trained emergency technician at all times and signed releases informing of its dangers. Therefore, the Hearing Officer ordered the dirt bike classes be funded. **Granted.**

4. NLCRC - 2024010835: Should NLCRC reimburse claimant for his participation a Minecraft Course? The evidence established Mother signed the IPP that did not include the Minecraft course that the Regional Center had, at meetings, approved as a social recreation activity. Mother alleged this was an error, funded the program herself and requested (retroactive) reimbursement. The evidence established that the law does not prohibit retroactive reimbursement; however, in such cases, retroactive reimbursement is usually either authorized or provided in certain emergency situations. The Hearing Officer held because the regional center had told Mother several times she would be reimbursed, she relied on the Regional Center and did not seek pre-approval. Instead, she followed the procedures for reimbursement and was entitled to reimbursement. **Granted.**

5. RCEB - 2024020400: Should RCEB increase funding in claimant's SDP budget for claimants to include funding for ice skating, skateboarding, swimming, yoga, horseback riding, martial arts, music, and baking lessons? Claimant asked for funding for 1:1 support for his participation in activities on the basis he could not do the same activities at the same cost as non-disabled peers who were in group lessons. Claimant provided evidence that the activities delivered 1:1 would improve motor or communication skills. The Regional Center instead offered funding for more intensive behavioral services. The Hearing Officer agreed with the Regional Center and held that funds for more intensive behavioral services would be more effective than social/recreational activities. **Denied.**

6. VMRC - 2025040545: Is the regional center required to fund a meditation class for the claimant in addition to yoga class, horseback riding, and coding classes? Parent stated adding a meditation class would address anxiety and provide the opportunity to connect to peers. Regional Center's position was that the four social recreation activities addressed such needs. The Hearing Officer agreed with the Regional Center and held that if the funded services were effective then there would not be a need for more. If an activity was not effective it should be identified and then replaced. **Denied.**

7. WRC - 2024120080: Can the service agency terminate claimant's Floortime therapy? The evidence established that Floortime therapy had been previously funded for 20-year-old Claimant for 14 years. Some IPP goals were met and there was progress in others. A prior agreed-upon effort to fade back the therapy had expired and parents wanted it to be re-authorized because when it was replaced with Applied Behavior Analysis (ABA) there was a negative impact on Claimant's mental health as he was unable to meet the ABA goals, among other issues. Regional Center argued Floortime was not

appropriate after age 17, and that there was no research to support its use in adults. The hearing officer ordered Floortime to continue for 6 months and then taper off in addition to an IPP within 90 days of the decision to address Claimant's needs in the areas of adaptive skills and independent living skills.

Granted.

8. VMRC - 2023090283: Should VMRC be required to continue funding claimant's private voice lessons and private piano lessons? The hearing officer agreed with the Regional Center that private lessons did not meet the standard of activities that provided social interaction with peers, and held that the Regional Center must conform to DDS policies for such services and supports. **Denied.**

9. VMRC 2023110074: Should the center have to fund personal attendant hours to take claimant to social recreation activities? Claimant's mother requested 30 hours per week of personal assistant services for her 17-year-old son to help him integrate into the community. This included transportation to activities, assistance participating therapy related classes and school activities which he could not access without support due to a high need for redirection and supervision which Mother could not provide due to the demands of her other children. The Hearing Officer found Mother's testimony credible as to her son's needs but denied given that it was unclear what specific levels or types of support were necessary, especially as Claimant was approaching 18 years of age, and the current IPP was not offered into evidence. The Hearing Officer further noted that Mother did not specify what services a personal assistant would provide for each of the hours requested and whether there were other resources available to provide the same support. **Denied.**

10. VMRC 2023070449: Should the regional center fund claimant's private piano lessons?

Claimant has received parent-funded private piano lessons for 18 months. Claimant requested Regional Center funding for the same on the basis of parental belief that he would not succeed in group lessons, and because piano lessons calmed him, would help with motor skills, and would hopefully make him ready to socialize with peers by playing music together. The Regional Center determined that private lessons did not fulfill the intended purpose of social recreation funding because they did not promote social growth and development and enable Claimant to socialize with friends or peers, and that they were not a special adaption of a support or service aimed at alleviating Claimant's disability. **Denied.**

Appendix 2: Glossary of Common Terms

Glossary of commonly used terms in hearing decisions about: Social Recreation.

Term	Definition
Self-Determination Program (SDP)	An initiative put in place in the State of California that creates more flexibility for social recreation activities by giving claimants a set amount of funding and allowing them to switch out activities as needed.
An Individualized Program Plan (IPP)	A document written by the claimant's representative and the regional center to plan together the supports needed in a given year.

Appendix 3:

List of resources that can help me prepare for IPP meetings and disagreements with regional centers

1. [Rights Under the Lanterman Act](#): This Manual is published by Disability Rights California. It has one purpose: to help you understand some of your rights as a person with developmental disabilities in California. The Manual focuses on your rights to supports and services under the Lanterman Act — your rights with the regional center and service providers. It will not answer every question you may have, but it is a place to start.
2. Search Tools to find hearing decisions about regional center cases
 - a. [Stanford Intellectual and Developmental Disabilities Law and Policy Project Smart Search Tool](#)
 - b. [Office of Administrative Hearings Website](#)
3. [Regional Center Services and IPP Toolkit](#): This Toolkit is published by Disability Rights California and explains how you can prepare for your IPP meetings with your regional center.
4. [Regional Center Hearings and Appeals Toolkit](#): This Toolkit is published by Disability Rights California and has additional information about how you can prepare for hearings when you disagree with a decision your regional center has made about your services.