BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

PARENTS ON BEHALF OF STUDENT,

v.

COASTAL ACADEMY CHARTER SCHOOL.

CASE NO. 2025090092

DECISION

MARCH 26, 2026

On September 2, 2025, the Office of Administrative Hearings, called OAH, received a due process hearing request from Parents on behalf of Student, naming Coastal Academy Charter School. OAH continued the due process hearing for good cause on October 3, 2025. Administrative Law Judge Rommel P. Cruz heard this matter by videoconference on January 27, 28, and 29, and February 3, 4, and 5, 2026.

Attorneys David German and Sophia Bliziotis represented Student. Parents attended all hearing days on Student's behalf. Attorney Jim Sanft represented Coastal Academy. Director of Student Support Services Rebecca Cannon and Program Specialist Janice Medina attended all hearing days on Coastal Academy's behalf.

At the parties' request, the matter was continued to February 24, 2026, for written closing briefs. The record was closed and the matter was submitted on February 24, 2026.

ISSUES

A free appropriate public education is called a FAPE. An individualized education program is called an IEP. The issues have been reorganized in the order in which they are addressed in this Decision.

1. Did Coastal Academy deny Student a FAPE during the 2024-2025 school year, because the IEPs dated November 7, 2024, and January 24, 2025:
    a. failed to offer placement in the least restrictive environment;
    b. failed to offer a program designed to address Student's unique learning needs;
    c. predetermined the offer of placement;
    d. denied Student a program with state standards-aligned coursework to meet statewide course requirements under California Education Code section 51225.31, subdivision (b)(2); and
    e. denied Student access to core curriculum instruction to the maximum extent appropriate?

JURISDICTION

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

The main purposes of the Individuals with Disabilities Education Act, referred to as the IDEA, are to ensure:

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

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

Student was 18 years old and in 10th grade at the time of the hearing. Student was enrolled at Coastal Academy during the 2024-2025 school year and was eligible for special education services under the categories of intellectual disability and speech or

language impairment. Coastal Academy was its own local educational agency and was responsible for providing special education placement and services to its eligible students.

Student had Down syndrome, with moderate intellectual disability. He had significant developmental and communication delays. Academically, his skill levels ranged between kindergarten to first grade. His expressive communication skills were limited. He communicated using a combination of hand signs and gestures. He also spoke or typed limited words and relied on an augmentative and alternative communication device, such as a smartphone with communication applications.

Student enjoyed being around others, including his peers at school. He came to class smiling and ready to learn. He had no maladaptive behaviors in school or at home.

Student attended Coastal Academy's elementary and middle school campus from kindergarten through eighth grade. Student's classes during elementary and middle school were a mix of home instruction and on-campus learning. His on-campus classes were general education courses taught alongside peers with and without IEPs.

2023-2024 SCHOOL YEAR

Student was in eighth grade during the 2023-2024 school year. He participated in elective classes on campus and received academic instruction at home for math, English language arts, social science, and science. The academic subjects are referred to as core curriculum. Mother, a credentialed English language arts teacher for middle school and high school, delivered Student's home instruction.

Student's classes on campus included Nature Journaling, Art, Unit Study, Garden Club, World Studies through Art, and Physical Education. Student was supported by a one-to-one aide throughout his school day on campus.

Rachel Kleppe was Student's teacher for Nature Journaling and Unit Study. Kleppe was also Student's special education case manager. She delivered specialized academic instruction to Student in a small group setting. Kleppe was credentialed to teach students in kindergarten through eighth grade. She was also credentialed to teach students with mild to moderate disabilities.

Nature Journaling and Unit Study were general education elective classes. In Nature Journaling, Student wrote about what he observed outside the class.

Student's Unit Study class was three hours once a week. The first half of the period was dedicated to English language arts and the second half to math, with social sciences and science themes and concepts incorporated in the lessons.

Student was involved in each of the lessons in Nature Journaling and Unit Study, and accomplished what was asked of him. Student interacted with peers, many of whom he had known for many years. He had no problem behaviors that interfered with lessons or the learning of others. He was a model student for his peers because he worked hard on his assignments, was well behaved, and had a positive attitude.

Mother delivered Student's instruction at home on Mondays. A Coastal Academy general education teacher supervised Student's home instruction and met with Mother every six weeks to review Student's participation and progress. Kleppe collaborated with Mother and the general education teacher to support Student's learning at home.

Student did well during the 2023-2024 school year. He received B grades in math, English language arts, and social science. In science, he received a B in the first semester and an A in the second semester. He made progress towards his academic IEP goals.

APRIL 23, 2024 HIGH SCHOOL TRANSITION IEP TEAM MEETING

On April 23, 2024, Coastal Academy convened an IEP team meeting to discuss Student's transition to high school for the 2024-2025 school year. Parents and Kleppe were among those who attended the meeting. Coastal Academy High School program specialist Dana Lenahan attended, along with high school special education teacher Michael Aceves. The IEP team reviewed Student's academic and functional skills. The team also discussed potential high school classes for the 2024-2025 school year, such as Co-Lab Biology, American Sign Language, and Music. Co-Lab classes were taught by a credentialed general education teacher, with a special education teacher present throughout the entire class period to support students with IEPs.

MAY 23, 2024 IEP

Coastal Academy convened another IEP team meeting on May 23, 2024, to develop Student's IEP for the 2024-2025 school year. Parents and Kleppe, along with other IEP team members from the middle school, were among those who attended the meeting. Staff from Coastal Academy High School did not attend the meeting.

At the May 23, 2024 IEP team meeting, Parents shared their goal for Student to continue with the hybrid home and in-person general education program in high school. Parents strongly believed a self-contained classroom for functional life and

academic skills was not appropriate for Student because he had been included in general education classes since kindergarten.

The May 23, 2024 IEP team reviewed Student's progress on IEP goals and his present levels of academic and functional performance. The IEP team determined Student was eligible to take the California alternate assessments in English language arts and literacy, mathematics, and science because his disability significantly impacted his intellectual functioning and adaptive behavior. The IEP team determined and indicated in Student's IEP that he would learn content aligned with California Common Core State Standards and the California Next Generation Science Standards, or if applicable the 2012 California English Language Development Standards.

The IEP team found Student had needs in reading, writing, math, functional skills, independent work, receptive and expressive language, total communication, executive functioning, gross and fine motor skills, and for transition. The May 23, 2024 IEP offered 22 goals to address Student's identified areas of need.

The May 23, 2024 IEP also offered Student a general education curriculum modified to his instructional level. In addition, the IEP offered:

- 150 minutes a week of specialized academic instruction delivered in an individual or group setting;
- weekly speech and language, occupational therapy, and assistive technology services;
- 1,080 minutes a week of intensive individual services in the form of a one-to-one aide;
- one hour a year of college awareness and career awareness services; and

- extended school year services.

The May 23, 2024 IEP offered placement in general education for 85 percent of Student's school day. Student would be outside the general education setting the remaining 15 percent of his school day to receive specialized academic instruction and related services to address his IEP goals. The IEP team noted that Student would pursue an alternate pathway to a diploma. Parents provided written consent to the IEP on June 6, 2024.

STUDENT'S HIGH SCHOOL PROGRAM FOR THE 2024-2025 SCHOOL YEAR

Student's schedule for the 2024-2025 school year consisted of home instruction on Mondays in English language arts, math, social studies, and work on other assignments from his on-campus classes. On Tuesdays, Wednesdays, and Fridays, Student attended general education classes at Coastal Academy High School. Student did not attend classes on Thursdays, which were reserved for private services and medical appointments.

On Tuesdays and Fridays, Student attended five classes: Co-Lab Biology, American Sign Language, Health and Fitness, Skills and Instruction, and Band. Each class was 55 minutes long. Special education teacher Alicia Edmisten taught the Skills and Instruction class. Edmisten provided Student specialized academic instruction to support his IEP reading, writing, and math goals.

On Wednesdays, Student attended Co-Lab Biology, Health and Fitness, and Band. Each class was 90 minutes. He also attended 30 minutes of What I Need, referred to as

WIN, on Wednesdays. WIN was a class period for students to work on individual goals and to allow them to catch up on lessons.

Special education teacher Aceves was Student's case manager during the 2024-2025 school year. He delivered specialized academic instruction to Student three times a week, from the start of the 2024-2025 school year, through November 2024, when Parents elected to stop Student's individual instruction sessions with Aceves. Aceves was also responsible for modifying Student's biology curriculum.

THE NOVEMBER 7, 2024, AND JANUARY 24, 2025 IEP AMENDMENT MEETINGS

Coastal Academy convened two IEP team meetings on November 7, 2024, and January 24, 2025, resulting in an offer by Coastal Academy to amend the May 23, 2024 IEP. On November 7, 2024, the IEP team met to review an educationally related mental health services assessment of Student conducted by Coastal Academy. Parents, program specialist Lenahan, and special education teachers Aceves, and Edmisten attended the meeting. Coastal Academy's Chief Schools Officer Cori Coffey also attended the meeting, and at the time of the meeting, was Coastal Academy's Executive Director of Student Support Services. Student's general education teachers for Co-Lab Biology, Health and Fitness, and American Sign Language were among those who also attended the meeting.

The IEP team found Student had no social-emotional concerns that impeded him at school. Overall, Student was doing well socially and emotionally at school. The team

made no changes to the offer of FAPE and agreed to continue the IEP meeting to a future date.

The IEP team met again on January 24, 2025. Parents, Coffey, Lenahan, Aceves, and Student's Co-Lab Biology teacher Eric Fragnoli were among those who attended the meeting. Also present were Student's band teacher and Coastal Academy High School's principal. An audiologist and Deaf and Hard of Hearing Itinerant teacher Gwynneth Olsen attended the meeting to present their audiological assessment of Student.

At the conclusion of the IEP team meeting, Coastal Academy offered to change Student's placement to the Pathfinder Program Functional Academics and Functional Life Skills classes. Included in the offer of FAPE was an increase of specialized academic instruction from 150 minutes a week to 400 minutes a week, to account for Coastal Academy's proposed placement change into the Pathfinder Program classes. Specifically, Coastal Academy offered to place Student in the Functional Academics class for the remainder of the 2024-2025 school year for biology and for all core academic courses in the 2025-2026 school year. At Parents' request, the IEP team agreed to defer Student's entry into the Functional Life Skills class until the 2025-2026 school year to allow him to remain in his Health and Fitness class for the remainder of the 2024-2025 school year.

For the 2024-2025 school year, the Functional Academics class was one period on Tuesdays, Wednesdays, and Fridays. Student's case manager Aceves taught the class. Functional Academics was in a separate classroom outside the general education setting that delivered instruction in English language arts, math, social studies, and science, using a modified curriculum, to students with IEPs.

The amendment to the May 23, 2024 IEP is referred to as the January 24, 2025 IEP Amendment. Parents did not consent to the January 24, 2025 IEP Amendment.

ISSUE 1A: DID THE JANUARY 24, 2025 IEP AMENDMENT FAIL TO OFFER AN APPROPRIATE PLACEMENT IN THE LEAST RESTRICTIVE ENVIRONMENT?

Student contends the January 24, 2025 IEP Amendment offer to place Student in the Pathfinder Program Functional Academics class for biology for the 2024-2025 school year was too restrictive. Student argues his continued placement in the general education biology class was appropriate because he made progress on academic IEP goals and benefitted from his modified biology curriculum as a general education biology class student.

Coastal Academy contends the Co-Lab Biology class was not the least restrictive environment for Student because he did not receive a meaningful educational benefit from the class. Coastal Academy argues the biology class involved the use of many vocabulary terms that required mastery of specialized scientific terms and the biology curriculum demanded abstract reasoning, data analysis, and the ability to draw conclusions from scientific information that were beyond Student's skills.

Coastal Academy also contends Student only learned from hands-on, repetitive, interactive, and collaborative instruction, which was not supported by the structure of the Co-Lab Biology class's lectures, note-taking, laboratory and group activities, and quizzes. Coastal Academy claims Parents were unrealistic in believing Student could access a modified ninth-grade biology curriculum. Furthermore, Coastal Academy contends Student did not receive non-academic benefits in the class because he did not

interact with peers and was isolated in the class because he could not access the more advanced biology content.

A FAPE means special education and related services that are available to an eligible child that meets state educational standards at no charge to the parent or guardian. (20 U.S.C. § 1401(9); 34 C.F.R. § 300.17.) Parents and school personnel develop an IEP for an eligible student based upon state law and the IDEA. (20 U.S.C. §§ 1401(14), 1414(d)(1); and see Ed. Code, §§ 56031, 56032, 56341, 56345, subd. (a), and 56363, subd. (a); 34 C.F.R. §§ 300.320, 300.321, and 300.501.)

In general, a child eligible for special education must be provided access to specialized instruction and related services which are individually designed to provide educational benefit through an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances. (*Board of Education of the Hendrick Hudson Central School Dist. v. Rowley* (1982) 458 U.S. 176, 201-204; *Endrew F. v. Douglas County Sch. Dist. RE-1* (2017) 580 U.S. 386, 402.) The educational benefit to be provided to a child requiring special education is not limited to addressing the child's academic needs, but also includes social and emotional needs that affect academic progress, school behavior, and socialization. (*County of San Diego v. California Special Educ. Hearing Office* (9th Cir. 1996) 93 F.3d 1458, 1467.)

The IEP is a comprehensive statement of the educational needs of a child with a disability and the specially designed instruction and related services to be employed to meet those needs. (*School Comm. of Town of Burlington, Mass. v. Department of Educ. of Mass.* (1985) 471 U.S. 359, 368 (*Burlington*).) It is a written document for each child with exceptional needs that includes a statement of the child's present levels of

academic achievement and functional performance, including how the child's disability affects the child's involvement and progress in the general education curriculum. (20 U.S.C. § 1414(d)(1)(A)(i)(I); 34 C.F.R. § 300.320(a)(1); Ed. Code, § 56345, subd. (a)(1).)

In California, a specific educational placement is defined as the unique combination of facilities, personnel, location or equipment necessary to provide instructional services to a special education student as specified in the student's IEP. (Cal. Code Regs., tit. 5, § 3042, subd. (a).) The continuum of program options includes but is not limited to regular education classes, resource specialist programs, designated instruction and services, and special classes. (Ed. Code, § 56361.) However, a local educational agency is not required to offer a program preferred by a student or parent. (*Gregory K. v. Longview School Dist.* (9th Cir. 1987) 811 F.2d 1307, 1314 (*Gregory K.*).)

The IDEA strongly prefers children with disabilities be educated alongside their non-disabled peers. (*D.R. ex rel. R.R. v. Redondo Beach Unified Sch. Dist.* (9th Cir. 2022) 56 F.4th 636, 641 (*D.R.*).) Local educational agencies are required to provide each special education student with a program in the least restrictive environment, with removal from the regular education environment occurring only when the nature or severity of the student's disabilities is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (20 U.S.C. § 1412(a)(5)(A); 34 C.F.R. § 300.114(a)(2); Ed. Code, § 56040.1.) The IDEA also requires, to the maximum extent appropriate, that a child with a disability must be educated with children who are not disabled. (*Ibid.*)

The United States Court of Appeals for the Ninth Circuit adopted a balancing test that required consideration of four factors to determine whether a placement is in the

least restrictive environment. (*Sacramento City Unified School Dist. v. Rachel H.* (9th Cir. 1994) 14 F.3d 1398, 1404 (*Rachel H.*).) The four factors are:

1. the academic benefits of placement in the regular classroom;
2. the non-academic benefits of interaction with children who were not disabled;
3. the effect the child will have on the teacher and children in the regular class; and
4. the costs of mainstreaming the student.

(*Rachel H., supra,* 14 F.3d at p. 1404; *D.R.*, *supra*, 56 F.4th at p. 643.)

The appropriate benchmark for measuring the academic benefits of a child with developmental disabilities is progress toward meeting the academic goals established in the child's IEP, not grade-level performance. (*D.R., supra*, 56 F.4th at pp. 644-645.) Therefore, the IEP's academic goals provide the relevant yardstick for assessing a child's academic progress for purposes of the first *Rachel H*. factor. (*Id.* at p. 645.)

Whether a child receives an academic benefit in the regular classroom as a result of supplemental aids and services is irrelevant to the analysis of the first *Rachel H*. factor. (*D.R.*, *supra*, 56 F.4th at p. 646.) Similarly, whether a child requires significant curricular modifications is irrelevant to the analysis of the first *Rachel H*. factor. (*Ibid.*) A local educational agency may not remove a child from the regular classroom solely because the child needed modifications in the general education curriculum. (*Ibid.*; 34 C.F.R. § 300.116(e).) If a local educational agency determines that a child cannot be educated in a general education environment, then the least restrictive environment analysis requires determining whether the child has been mainstreamed to the maximum extent

that is appropriate in light of the continuum of program options. (*Daniel R.R. v. State Board of Ed*. (5th Cir. 1989) 874 F.2d 1036, 1050.)

Children with disabilities who attend public charter schools and their parents retain all rights under the IDEA and its regulations. (34 C.F.R. § 300.209(a).) A charter school that is a public school of a local educational agency must serve children with disabilities attending those charter schools in the same manner as the local educational agency serves children with disabilities in its other schools. (34 C.F.R. § 300.209(b)(1)(i).)

Although charter schools have been granted independence to develop unique educational models, the California legislature did not intend that the charter school statutes override or conflict with special education law. Education Code section 47646, subdivision (a), provides in pertinent part that a child with disabilities attending a charter school shall receive special education instruction in the same manner as a child with disabilities who attends another public school of that local educational agency. It also imposes on the chartering local educational agency the duty to ensure that all children with disabilities enrolled in the charter school receive special education in a manner that is consistent with their IEP and in compliance with the IDEA and its regulations. (Ed. Code, § 47646, subd. (a).)

In resolving the question of whether a local educational agency has offered a FAPE, the focus is on the adequacy of the local educational agency's proposed program. (*Gregory K.*, *supra*, 811 F.2d at p. 1314.) It must be assessed in terms of what was objectively reasonable when the IEP was developed. (*Fuhrmann v. East Hanover Bd. of Educ*. (3rd Cir. 1993) 993 F.2d 1031.) An IEP is evaluated in light of information available

at the time it was developed, and is not to be evaluated in hindsight. (*Adams v. State of Oregon* (9th Cir. 1999) 195 F.3d 1141, 1149.)

The evidence established the January 24, 2025 IEP Amendment failed to offer Student placement in the least restrictive environment. Student made progress towards his academic IEP goals, participated and benefited academically and socially in his general education classes, including biology, and was a model Student in effort and behavior. The IEP Amendment unnecessarily removed Student from the general education classroom for core curriculum classes, including biology, denying Student a FAPE.

FIRST *RACHEL H.* FACTOR: STUDENT RECEIVED AN ACADEMIC BENEFIT IN THE CO-LAB BIOLOGY CLASS

Student's participation in the Co-Lab Biology class did not impede his ability to make progress on IEP goals. Though Student's IEP goals were not directly related to his Co-Lab Biology class, Student's progress towards his IEP goals demonstrated his placement in the general education biology class was appropriate.

Student made substantial progress towards his four reading goals based on progress reports. By January 31, 2025, Student met three of the four reading goals, which were not due for completion until May 2025, and made progress toward the other reading goal.

The first reading goal, met by January 31, 2025, required Student to read the first 30 high frequency irregular words from an irregular words list with 80 percent accuracy

in three out of four trials. Because Student met the goal early, the IEP team revised the goal to target the next 31 to 60 irregular words from the list.

The second reading goal, also met by January 31, 2025, required Student to read a passage with sound approximation that included consonant-vowel-consonant, consonant-vowel-consonant-consonant, consonant-consonant-vowel-consonant words, and sight words with 70 percent accuracy in three out of four trials. By January 31, 2025, Student could read the passage with 80 percent accuracy in three out of four trials.

Student made progress towards his third reading goal. The third reading goal required Student to demonstrate reading comprehension by filling in answers to comprehension questions with 80 percent accuracy in three out of four trials. Staff read a text to Student and provided him highlighted texts within the questions to help him identify the correct responses. By January 31, 2025, he answered comprehension questions with 80 percent accuracy during one trial, an improvement from May 2024, when he could only answer comprehension questions with 50 percent accuracy.

The fourth reading goal, met by January 31, 2025, required Student to improve his ability to timely and accurately locate page numbers in a book. To meet the goal, he had to locate a page number between 1 and 300, within two minutes, in three out of four trials. By January 31, 2025, he had successfully located the page numbers in less than one minute and 30 seconds on three trials.

Student also made progress towards his two writing goals based on progress reports. By January 31, 2025, his ability to copy, by writing or typing, a four to six sentence passage improved from 20 percent accuracy to nearly 80 percent accuracy. He also improved in his ability to independently fill in the blanks in sentences contained in a

passage related to one of his class subjects when given the complete passage as a guide from 60 percent accuracy to nearly 80 percent accuracy.

January 31, 2025 progress reports also indicated Student made progress towards his two math goals. He could solve five addition and subtraction problems with two-digit numbers using a calculator with 100 percent accuracy over two trials, with the goal to demonstrate 80 percent accuracy in three out of four trials. He could also measure six different amounts using measuring cups with at least 90 percent accuracy, an improvement from accurately measuring three different amounts just eight months prior.

By the January 24, 2025 IEP team meeting, Student also made progress towards the other IEP goals implemented by the special education staff and general education teachers in vocational and independence skills. At hearing, special education teacher Aceves opined Student was making "really good progress" towards IEP academic goals. At hearing, special education teacher Edmisten shared the same opinion that Student met some of, and made progress towards, his academic goals during the 2024-2025 school year. Student made satisfactory progress towards his academic IEP goals, which under *D.R.* is the appropriate benchmark for measuring the academic benefits of a child with developmental disabilities.

Despite evidence from Student's biology teacher Fragnoli and the Deaf and Hard of Hearing Itinerant teacher Olsen questioning whether Student benefitted from the general education biology class, Student's achievement of, and progress towards academic goals, and testimony from Student's experts were more persuasive and weighed in favor of finding that Student received an academic benefit. Fragnoli

reported to the January 24, 2025 IEP team that he was uncertain whether Student was accessing and learning the biology curriculum, and opined at hearing Student did not receive an academic benefit from his class. Olsen observed Student in the biology class and also testified Student was not engaged in the biology class and therefore, the class was not conferring a benefit to Student.

COASTAL ACADEMY'S EXPECTATION OF STUDENT'S PERFORMANCE IN THE CO-LAB BIOLOGY CLASS WAS UNREALISTIC

Coastal Academy's contention, and the opinions of Student's biology teacher Fragnoli and Coastal Academy's Deaf and Hard of Hearing Itinerant teacher Olsen about Student's lack of academic benefit received in, and his inability to access, the biology class were not persuasive. The evidence demonstrated Fragnoli, Aceves, and Coastal Academy special education team members, Chief Schools Officer Coffey, program specialist Lenahan, and special education teacher Edmisten failed to understand that Student was not expected to master ninth-grade biology scientific terms or demonstrate grade-level skills in abstract reasoning, data analysis, and the ability to draw conclusions from scientific information to receive an academic benefit.

Coastal Academy's unrealistic expectations of Student in the biology class were evident by the testimony and admitted documents. Fragnoli had never taught a child with an intellectual disability like Student, who was significantly behind in academic skills compared to his general education peers. He also had never taught a student in first or second grade, Student's academic skill level.

Fragnoli was unsure of what to expect from Student or how to teach him. At the start of the 2024-2025 school year, he provided Student grade-level assignments without modifications despite the requirement in Student's IEP that the general education curriculum content be modified to Student's instructional level. At hearing, Fragnoli reported Student was not engaged in the grade-level assignments.

Expert witness Amy Hanreddy, Ph.D., testified on behalf of Student and offered persuasive, unrebutted testimony about the academic and social benefits of including students with intellectual and developmental disabilities, referred to as students with extensive support needs, in the general education classroom to the maximum extent appropriate. Dr. Hanreddy had extensive training, education, and experience to render her credible opinions. She had a master's degree in special education and was credentialed to teach students with disabilities that ranged from mild and moderate, to severe. She also had a Doctor of Philosophy in Education. Dr. Hanreddy was the Chair of the Department of Special Education at California State University Northridge. She has been teaching at Northridge since August 2003.

Prior to her professorship, Dr. Hanreddy was an inclusion specialist for a California school district from 2000 to 2002. She worked directly with students with extensive needs to support their inclusion in the general education classroom. She later joined a California charter school in 2002 as a special education teacher and taught for five years, then became an administrator for the charter school for four years. Since then, she regularly consulted with school districts and charter schools to develop more inclusive programs for students with extensive needs.

Dr. Hanreddy had broad knowledge and experience in the inclusion of students with extensive needs into the general education setting, including the modifications of curriculum to a student's instructional level. She completed numerous peer-reviewed publications and presentations on inclusion. She was versed in the vast research on the positive effects of inclusion within the general education setting of students with extensive support needs, including students with Down syndrome.

Dr. Hanreddy was familiar with Student. She reviewed Student's psychoeducational and academic assessments, and IEPs. She also met with him and Parents over video in December 2025. During the video call, Dr. Hanreddy questioned Student and observed his communication challenges. She also asked him to perform reading and writing exercises. She described Student as engaged, and appeared to enjoy their interaction.

In addition, Dr. Hanreddy observed Student by video receiving explicit literacy instruction from a special education teacher. The observation was one hour. There was one other student in the session. Student was using a computer to work on the lessons that involved phonics and phonemic awareness, and writing using a whiteboard. Student was focused on the lessons without the need for additional supports. Despite not observing Student in a larger classroom setting, or formally assessing him, Dr. Hanreddy was confident she had a sufficient understanding of Student's academic needs because her interactions and observations of him were consistent with the reports of assessors, teachers, and related services providers contained in assessment reports and IEP documents.

Based on her extensive experience, training, and education, and her familiarity with Student, Dr. Hanreddy offered persuasive testimony about the academic and non-academic benefits of allowing Student to participate in the general education setting as much as possible. Accordingly, Dr. Hanreddy's testimony was given substantial weight.

Dr. Hanreddy explained the objectives of a modified curriculum and how a modified curriculum using Common Core Connectors to connect the modified lesson to Common Core Standards would focus on learning essential concepts of the subject, which she referred to as the big ideas within the grade-level lessons. For example, she explained that in a biology lesson on cell structures, Student would not be expected to learn the various cell structures, but rather learn that there are multiple cell structures.

Dr. Hanreddy further opined that new biology concepts will initially be unfamiliar to Student, but continued exposure to the concepts in the biology class would help reinforce the big ideas. Therefore, the appropriate expectation for Student was to demonstrate understanding of the essential, simplified biology concepts aligned to his academic skills and intellectual abilities through a modified biology curriculum, not mastery of scientific concepts and terms or demonstration of grade-level abstract thinking. Therefore, Coastal Academy's concerns about Student's access to the biology curriculum were misplaced because they misunderstood the appropriate learning expectations of Student within the class.

COASTAL ACADEMY'S CHALLENGES IN MODIFYING THE BIOLOGY CURRICULUM TO STUDENT'S INSTRUCTIONAL LEVEL DID NOT JUSTIFY HIS REMOVAL FROM THE CO-LAB BIOLOGY CLASS

The evidence further demonstrated that Coastal Academy's challenges in modifying the ninth-grade biology curriculum to Student's instructional level was the result of Coastal Academy's inexperience in modifying grade-level curriculum to Student's instructional level. Special education teacher Aceves was responsible for modifying Student's biology lessons, but lacked the experience in modifying high school level curriculum to Student's instructional level. Student's reading, writing, and math skills ranged between kindergarten and first grade level. However, Aceves had only taught high school since becoming a special education teacher in 2016. He had not taught students in elementary school or older students who were functioning at an early elementary level.

In addition, Aceves was only credentialed to teach students with mild to moderate disabilities during the 2024-2025 school year, and had not yet earned his credential to teach students with extensive needs at the time of hearing. Though Aceves had modified a student's curriculum in the past, the evidence showed he did not have the experience to significantly modify high school level curriculum to Student's instructional level.

Aceves reported to the January 24, 2025 IEP team that modifying the biology lessons and instruction to Student's level was "quite challenging." He shared the same

opinion at hearing. However, neither Aceves nor any other personnel from Coastal Academy claimed in the IEP team meetings or at hearing that the biology curriculum could not be modified to Student's level.

At hearing, Dr. Hanreddy noted that any curriculum could be modified to a student's instructional level. Student's eighth-grade case manager Kleppe had the same opinion, and offered an example at hearing for English language arts. Kleppe compared a ninth-to-tenth grade reading literacy standard with a first-grade reading literacy standard. The ninth-to-tenth grade reading literacy standard asked students to determine a central idea of a text, and to analyze in detail, the central idea's development over the course of the text, including how the central idea emerged, was shaped and refined by specific details. The first-grade reading literacy standard asked students to ask and answer questions about key details in a text. Kleppe explained that both standards involved reading literacy, with a common theme for students to learn and demonstrate understanding of the central ideas within a text, or the "big ideas," as Dr. Hanreddy put it.

More likely than not, Aceves's difficulty in modifying the ninth-grade biology curriculum for Student was based on his lack of experience in doing so, not in the biology curriculum being too complex and technical to be modified to meet Student's needs. Relying on a new program adopted by Coastal Academy for the 2024-2025 school year called Teach Town, Aceves successfully modified Student's biology lessons beginning in November 2024. Teach Town was an instructional program with lesson plans, including modified lessons, taught using various strategies, to support students with academic deficits. Teach Town enabled Aceves to tailor the weekly lessons to Student's needs. Biology teacher Fragnoli explained at hearing that Student became

more engaged when the biology assignments were modified to his instructional level using Teach Town.

Student's engagement in the biology class was also observed by Cynthia Norall, Ph.D., who testified for Student and shared her observations of Student in the biology class. Dr. Norall conducted an independent psychoeducational assessment of Student from January through March 2025, and reported her findings, conclusions, and recommendations in a written report dated March 21, 2025. Her assessment included observations of Student in his Co-Lab Biology and American Sign Language classes on February 4, 2025.

Dr. Norall was a Doctor of Education. She was also a Board Certified Behavior Analyst. Dr. Norall worked as a school psychologist for 14 years and was a licensed educational psychologist since 1992. She worked for public schools and was a clinical director for 17 years of a nonpublic agency and nonpublic school she established in 1999 that served students with autism. She completed over 1,000 psychoeducational assessments in her career.

Dr. Norall worked closely with school districts to establish autism programs. She visited school sites to supervise school psychology students and to observe students for assessments. She had experience assessing and serving students from preschool through high school who have significant cognitive deficits and communication difficulties, including students with Down syndrome. Dr. Norall's testimony of her observations of Student was unrebutted. She was credible and persuasive based on her extensive experience, education, and familiarity with Student's needs. Accordingly, her testimony was afforded substantial weight.

In Co-Lab Biology, Dr. Norall observed Student engaged with his modified assignment on the same subject as the rest of the class. He sat with four other students around a circular configuration of desks. At hearing, Dr. Norall reported he was mindful of his peers, recalling him smirk with a smile when a peer ignored the biology teacher's instruction for the student to stop eating. Student took a quiz along with the rest of the class. He got an answer correct. The aide told his peers about Student's correct response, which made Student smile.

The testimony by Dr. Norall and Fragnoli demonstrated Student was engaged in the biology class. This contradicted Coastal Academy's Deaf and Hard of Hearing Itinerant teacher Olsen's opinion at hearing that Student was not engaged, and the biology class too restrictive. Olsen's opinion was based on a single observation as part of an auditory assessment, which is too limited to be persuasive in light of the other testimony and documentary evidence that established Student performed well on his modified biology curriculum within the general education class. Furthermore, apart from opining on Student's hearing deficits, the evidence failed to show Olsen had the necessary education and experience to judge Student's modified curriculum or the quality of the academic benefit he received in the biology class. Accordingly, Olsen's criticisms of Student's placement in the Co-Lab Biology class were not persuasive and are given no weight.

The evidence demonstrated Student performed well on his modified biology curriculum. Student received 90 percent for the first semester of the 2024-2025 school year. On assessments, which consisted of 50 percent of the grade, Student scored 85 percent. On assignments, which consisted of 35 percent of the grade, he scored 93

percent. On assignments completed on Mondays during home instruction, he received 100 percent, which accounted for 15 percent of the grade.

In sum, the evidence established the ninth-grade biology curriculum could be modified to meet Student's needs, and Coastal Academy's difficulties in modifying the curriculum did not justify removing Student from the general education biology class. Student not only met or made substantial progress towards his academic IEP goals, he performed well on biology curriculum modified to his instructional level. Accordingly, the academic benefits Student received from his placement in the regular classroom favored his continued placement in the Co-Lab Biology class under the first *Rachel H.* factor.

SECOND RACHEL *H.* FACTOR: STUDENT RECEIVED NON-ACADEMIC BENEFITS FROM INTERACTING WITH NON-DISABLED PEERS

Student presented unrebutted testimony, based on a wealth of academic literature and peer-reviewed studies, establishing students with intellectual and developmental disabilities who are educated in general education classes achieve higher rates of academic performance and acquire better social and behavioral outcomes. (*See e.g.* National Council on Disability, The Segregation of Students with Disabilities 37-38 (2018) (National Council of Disability Report); Thomas Heir, *et al.*, Instituto Alana, A Summary of the Evidence on Inclusive Education p. 13 (2016) (Alana Report); *D.R.*, *supra*, 56 4th at p. 646 [citing the National Council on Disability Report and Alana Report].)

Dr. Hanreddy relied on extensive research to support her opinions at hearing. Among the research literature she relied on were reports published by the National Council on Disability and the Instituto Alana. Based on the thorough studies, Dr. Hanreddy reported that students with intellectual and developmental disabilities along with significant communication deficits, such as Student, benefited from opportunities for extended periods to interact with non-disabled peers. She found this to be critical to enable students with extensive support needs to acquire critical life skills to navigate the world when given opportunities to demonstrate communication skills with typically developed peers who can reciprocate and model proper forms of communication.

Coastal Academy argues the biology class did not confer non-academic benefits to Student because his interactions with his peers in that class were limited. The argument was not persuasive.

The evidence demonstrated Student received the social and behavioral benefits consistent with the findings in the literature and studies. Though Student had fewer peer interactions in his biology class, it was primarily due to his limited communication skills and not because of a lack of interest in connecting with his non-disabled peers. At the November 7, 2024 IEP team meeting, Student's one-to-one aide shared that Student was beginning to engage with peers and make friendships. Further, Coastal Academy's speech and language pathologist who provided Student 90 minutes a week of individual speech and language services during the 2024-2025 school year, reported at the November 7, 2024, and January 24, 2025 IEP team meetings that Student "loves interacting with peers and adults, finding ways to make others laugh."

At hearing, Student's biology teacher testified Student appeared happy in his class and would smile and wave at his classmates. He had no concerns about Student's peer interactions in biology class and opined Student benefited socially in that class. At hearing, Dr. Norall opined Student's participation in the biology class was important because it allowed him to observe and process the social behaviors of his peers, which may not be available in a setting where the other students have limited communication skills.

Dr. Norall also observed Student engaged with peers in his American Sign Language class. At hearing, she shared her observation of how he partnered with a peer to practice signing, which she described as a very appropriate exchange. Dr. Norall opined the general education setting with modified assignments was an appropriate setting for him.

Student's other general education teachers each testified that Student received non-academic benefits from his interactions with non-disabled peers. Student was social and enjoyed being around his peers. Student's American Sign Language teacher testified Student always came to class with a smile. The teacher recalled five of Student's classmates would choose to work with him to ensure he understood the lessons, and described Student as the happiest person when he and the teacher signed with one another.

Student's band teacher testified Student was always happy and smiling, who enjoyed laughing at jokes and interacting with peers in his limited way. Student's Health and Fitness teacher also testified Student enjoyed working with his peers in small

groups discussions and exercises. In Health and Fitness class, other students would also seek Student out to work on small group exercises.

The evidence demonstrated Student acquired meaningful communication and social interaction skills through his educational experiences in the general education setting prior to high school and during his ninth-grade year. Thus, the general education setting, including the general education biology class, conferred significant non-academic benefits to Student.

THIRD *RACHEL H.* FACTOR: STUDENT HAD NO MALADAPTIVE BEHAVIORS THAT IMPEDED THE TEACHER OR THE LEARNING OF HIS PEERS IN THE REGULAR CLASSROOM

Regarding the third *Rachel H.* factor, Student had no problem behaviors that interfered with lessons and the learning of his peers. Student was well behaved and worked hard on assignments. Every teacher testified that Student had no problem behaviors in their general education classrooms. Accordingly, placement in general education, including biology class, was appropriate under the third *Rachel H.* factor.

FOURTH *RACHEL H.* FACTOR: COST WAS NOT A FACTOR

Neither party offered evidence as to the fourth Rachel H. factor relating to cost. Therefore, cost was not a factor in this Decision.

In sum, the evidence established placement in general education biology class with related services outside the regular classroom, was the least restrictive environment for Student. The January 24, 2025 IEP Amendment failed to offer placement in the least

restrictive environment by excluding Student from the general education biology class. As a result, Coastal Academy denied Student a FAPE.

Student proved by a preponderance of the evidence that Coastal Academy denied him a FAPE during the 2024-2025 school year because the January 24, 2025 IEP Amendment failed to offer placement in the least restrictive environment. Student prevailed on Issue 1(a).

ISSUE 1B: DID THE JANUARY 24, 2025 IEP AMENDMENT FAIL TO OFFER A PROGRAM DESIGNED TO ADDRESS STUDENT'S UNIQUE LEARNING NEEDS?

Student contends his individual learning needs consisted of instruction within the general education setting to the maximum extent possible, which the January 24, 2025 IEP Amendment failed to meet. Coastal Academy contends the January 24, 2025 IEP offer included appropriate goals, specialized academic instruction, and related services to meet Student's unique needs.

The evidence established Coastal Academy failed to offer Student a program to meet his unique learning needs because his learning needs required maximum social, non-academic opportunities in the general education setting. Though Student was significantly behind academically compared to his peers, and had limited communication skills, he enjoyed interacting with peers and adults. He also had no behavior issues that impeded lessons and the learning of his peers in the regular classroom. As discussed in Issue 1(a), education with non-disabled peers within the general education setting conferred significant social, non-academic benefits to Student.

The January 24, 2025 IEP Amendment unnecessarily limited his opportunities to benefit socially by denying instruction in the general education setting for biology. Limiting Student to the Pathfinder Program for biology denied him the educational benefits he could have received in the regular classroom for that subject, denying Student a FAPE. (*County of San Diego*, *supra*, 93 F.3d at p. 1467 [educational benefit is not limited to addressing the child's academic needs, but also includes social and emotional needs that affect academic progress, school behavior, and socialization].)

Accordingly, Student proved by a preponderance of the evidence Coastal Academy denied him a FAPE during the 2024-2025 school year because the January 24, 2025 IEP Amendment failed to offer a program designed to address Student's unique learning needs. Student prevailed on Issue 1(b).

ISSUE 1C: DID COASTAL ACADEMY PREDETERMINE THE OFFER OF PLACEMENT IN THE JANUARY 24, 2025 IEP AMENDMENT?

Student contends Coastal Academy predetermined the offer of placement in the January 24, 2025 IEP Amendment. Coastal Academy contends it considered the results of assessments, and the input and concerns presented by IEP team members, including Parents, before formulating the placement offer made at the January 24, 2025 IEP team meeting. Therefore, Coastal Academy claims it did not predetermine its offer of placement in the January 24, 2025 IEP Amendment.

Predetermination occurs when a local educational agency has decided on its FAPE offer prior to the IEP team meeting, including when it presents one placement

option at the meeting and is unwilling to consider other alternatives. (*Z.F. v. Ripon Unified School Dist.* (E.D.Cal., Jan. 9, 2013, No. 2:11-CV-02741-KJM-GGH) 2013 WL 127662, at *6 (citing *Deal v. Hamilton County Board of Educ.* (6th Cir. 2004) 392 F.3d 840, 858).) The law requires the local educational agency to engage in an open discussion of a student's educational program and show a willingness to discuss options proffered by parents. (*Anchorage School Dist. v. M.P.* (9th Cir. 2012) 689 F.3d 1047, 1054-1055.) A local educational agency may not arrive at an IEP team meeting with a take it or leave it offer. (*JG v. Douglas County School Dist.* (9th Cir. 2008), 552 F.3d 786, 801, fn. 10.)

Predetermination causes a deprivation of educational benefits where, absent the predetermination, there is a strong likelihood that alternative educational possibilities for the student would have been better considered. (*M.S. v. Los Angeles Unified School Dist.* (C.D.Cal., September 12, 2016, No. 2:15-cv-05819-CAS-MRW) 2016 WL 4925910, at *12. (citing *Doug C. v. Hawaii Depart. Of Education* (9th Cir. 2013) 720 F.3d 1038, 1047).) A student is not required to prove that his placement or services would have been different but for the predetermination. (*Ibid.*)

Further, predetermination is an automatic violation of a parent's right of participation under the IDEA. Where predetermination has occurred, regardless of the discussions that may occur at the meeting, the local educational agency's actions would violate the IDEA's procedural requirement that parents have the opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the child. (*H.B. v. Las Virgenes* (9th Cir. 2007) 239 Fed.Appx. 342, 344, quoting 20 U.S.C. § 1415(b)(1).)

The evidence established Coastal Academy predetermined the January 24, 2025 IEP Amendment's offer to place Student in a separate setting outside the regular classroom for core academic courses through the Pathfinder Program. The sequence of events leading up to the January 24, 2025 IEP team meeting demonstrated Coastal Academy had decided its placement offer prior to the meeting.

THE EVENTS FOLLOWING THE APRIL 23, 2024 IEP TEAM MEETING DEMONSTRATED COASTAL ACADEMY PREDETERMINED THE JANUARY 24, 2025 IEP AMENDMENT PLACEMENT OFFER

About a week after the April 23, 2024 IEP team meeting to discuss Student's transition to high school, Student's middle school case manager, Kleppe, met with Executive Director of Student Support Services Coffey, and Coastal Academy High School program specialist Lenahan. Coffey and Lenahan reprimanded Kleppe at the meeting and expressed their concern that Kleppe advocated for Student at the April 23, 2024 IEP team meeting, rather than promoting the Pathfinder Program. Kleppe left her employment at Coastal Academy in December 2025. Coffey and Lenahan's criticism of Kleppe's role at the April 23, 2024 IEP team meeting demonstrated Coastal Academy's middle school and high school IEP teams disagreed with the appropriate program for Student and that the Coastal Academy High School IEP team determined the Pathfinder Program the appropriate setting for Student's academic courses before he began ninth grade.

Coastal Academy's intention to place Student in the Pathfinder Program prior to the January 24, 2025 IEP team meeting became more evident during the hearing. The

examination of Kleppe by Coastal Academy revealed the discourse between Student's middle school IEP team, including Kleppe, and the Coastal Academy High School special education team. For example, Coastal Academy's attorney questioned Kleppe as to why the word "functional" was removed from the May 23, 2024 IEP description of the biology class, making it difficult to place Student in a special day class for biology. Coastal Academy's attorney further insinuated through questioning of Kleppe, that Kleppe had removed the description "functional" at Parents' request. Kleppe's meeting with Coffey and Lenahan, and her examination by Coastal Academy at hearing demonstrated Coastal Academy objected to Student's placement in general education academic courses on campus before he began ninth grade.

On August 30, 2024, Coastal Academy provided Parents prior written notice in response to several requests made by Parents. The prior written notice included a response to Parents' notice that Student would pursue an alternate pathway to a high school diploma. (Ed. Code § 51225.31.) Coastal Academy advised Parents that Student had only two options to pursue a diploma: through the Pathfinder Program with on-campus classes or through the independent study program. The prior written notice demonstrated that Coastal Academy was not open to maintaining Student's mix of home and classroom instruction for core curriculum subjects, and continued to object to Student's placement in the regular classroom for core curriculum courses.

The August 30, 2024 prior written notice also advised Parent that Coastal Academy agreed to Parents' request to assess Student for educationally related mental health services. Parents sought an educationally related mental health services

assessment because of their concern over Student's social-emotional well-being. The completed assessment was reviewed by the IEP team on November 7, 2024.

However, Coastal Academy tailored the educationally related mental health services assessment to support their removal of Student from the regular classroom for core curriculum courses. The assessment report noted comments by Student's one-to-one aide and middle school special education teacher Edmisten that Student would be better served with more accessible curriculum, in a class with other students with similar skills. These comments were not connected to Student's mental health. In fact, neither reported concerns about Student's social-emotional well-being that warranted educationally related mental health services. Ultimately, the assessor concluded Student did not qualify for educationally related mental health services.

Coastal Academy used the opportunity to reevaluate the appropriateness of Student's participation in the general education setting rather than focusing the assessment on the concerns raised by Parents regarding Student's social-emotional well-being. To Parent's surprise, the reason for referral section of the assessment report stated that the information in the assessment would be used to determine if Student was best served in general or special education or by a combination of programs.

On January 13, 2025, Mother spoke to Coastal Academy High School's principal in the school office. Mother's recollection of the meeting was clear and detailed. Their conversation centered around how Student was doing in his classes. Mother recalled the principal explaining that Coastal Academy would be changing its IEP offer to place Student in the Pathfinder Program. The principal also explained that Coastal Academy

was prepared to request a due process hearing if Parents did not agree to place Student in the Pathfinder Program.

Mother further recalled at the January 13, 2025 meeting, the principal opined that Student would be better served in the Pathfinder Program to receive lessons at his instructional level. Mother also recalled the principal's comment that Parents' expectations for Student were too low by allowing Student to remain in the general education biology class, with the Parents too focused on social benefits rather than academic benefits. The principal expressed frustration about the difficulty of modifying the ninth-grade biology curriculum to Student's level. At hearing, Mother described the principal's comments as an effort to convince her that the Pathfinder Program was in Student's best interest.

At hearing, Coastal Academy called the principal to rebut Mother's account of their meeting. However, the principal's testimony substantially corroborated Mother's account of their meeting. They both described the encounter as running into one another at school and proceeding to the principal's office to meet. The principal confirmed the meeting occurred in January 2025, prior to the January 24, 2025 IEP team meeting, but did not recall the specific date. Though the principal did not recall what they specifically discussed, she testified that their discussion involved the growing tension between Parents and the Coastal Academy High School IEP team about Student's programing.

At hearing, Coastal Academy's attorney questioned the principal about the alleged disclosures she made to Mother at the meeting. Her responses were not convincing. When asked whether the principal told Mother that Coastal Academy would

remove Student from his biology class, the principal said no. When asked whether the principal told Mother that Student would be placed in the Pathfinder Program, the principal said no. When asked whether the principal threatened Mother with due process if Mother did not agree to the Pathfinder Program, she said, "absolutely not," and that she would never make such a comment to a parent. The principal's responses were self-serving, convenient, and lacked conviction.

The evidence demonstrated that it was more likely that Mother's account of her meeting with the principal was accurate. The principal testified that she knew Student's family "very well" for more than 10 years. The principal had taught Student's older sister in sixth grade, and she had many "wonderful memories." Therefore, it was more likely Mother, and the principal shared a level of trust, such that the principal was comfortable sharing with Mother Coastal Academy's plans for Student. Coastal Academy offered no persuasive testimony or documentary evidence to demonstrate why Mother would offer false testimony against the principal. Mother's testimony about the events of January 13, 2025, was detailed and consistent with Coastal Academy's conduct that demonstrated their intention since the April 23, 2024 IEP team meeting to place Student in the Pathfinder Program. Accordingly, Mother's testimony about her meeting with the principal was credible and given substantial weight.

The principal's report to Mother at the January 13, 2025 meeting was evidence of Coastal Academy's intent to place Student in the Pathfinder Program at the January 24, 2025 IEP team meeting. The principal's report, along with Coastal Academy's persistent efforts to justify Student's removal from the regular classroom for core curriculum courses, demonstrated Coastal Academy was set on removing Student from the regular classroom for core curriculum courses prior to the January 24, 2025 IEP team meeting.

THE PATHFINDER PROGRAM WAS THE ONLY PLACEMENT OPTION COASTAL ACADEMY CONSIDERED AT THE JANUARY 24, 2025 IEP TEAM MEETING

Coastal Academy argues it did not predetermine the placement offer because the FAPE offer made at the January 24, 2025 IEP team meeting was adjusted to defer Student's start in the Pathfinder Program Functional Life Skills class until the 2025-2026 school year after Parents voiced concern about removing Student from the Health and Fitness class. This argument was not persuasive. Regardless of the IEP team's discussions to defer Student's start in the Functional Life Skills, the evidence established Coastal Academy had made up its mind before the meeting, and without consideration of Parent's wishes to maintain his program in the general education setting, to offer Student immediate placement in the Pathfinder Program Functional Academics class.

The IEP team's discussion at the January 24, 2025 IEP team meeting demonstrated the placement offer was predetermined. Student's teachers read to the team their prewritten statements about Student's progress and participation in their classes. Functional Academics teacher Aceves reported to the team that Coastal Academy's curriculum, called Teach Town, was used to modify Student's biology curriculum, but was challenging to implement in the biology class. Aceves reported to the IEP team the challenges in implementing a modified biology curriculum to Student's instructional level and opined that the Pathfinder Program would allow Student to receive a more tailored curriculum, with opportunities to work alongside peers with similar academic and social-emotional skills. However, Parents shared their desire to maintain Student's general education classes for core academic subjects.

Furthermore, Coastal Academy's decision to increase Student's specialized academic instruction from 150 to 400 minutes a week was solely based on their intent to place Student in the Pathfinder Program Functional Academics class, not to support IEP goals. The IEP must show a direct relationship between the present levels of performance, the goals and objectives, and the specific educational services to be provided. (Cal. Code Regs., tit. 5, § 3040.) By the January 24, 2025 IEP team meeting, Student had made substantial progress towards his IEP goals, having already met some academic goals, and was making progress towards other goals with the 150 minutes a week of specialized academic instruction. The January 24, 2025 IEP Amendment did not offer new goals to warrant an additional 250 minutes a week of specialized academic instruction. The evidence did not demonstrate a need for additional specialized academic instruction or the Pathfinder Program to meet Student's academic and functional needs. Coastal Academy's dismissal of Student's achievements in the biology class and on IEP goals demonstrated Coastal Academy arrived at the January 24, 2025 IEP team meeting having already decided to place Student in the Pathfinder Program for all core academic courses, and they were unwilling to consider maintaining Student's hybrid program for core curriculum courses to be delivered at home and at school.

The evidence established Coastal Academy predetermined the January 24, 2025 IEP Amendment to remove Student from the general education classroom for core curriculum courses. The predetermined placement offer significantly denied Parents the opportunity to meaningfully participate in Student's placement decision, denying Student a FAPE. Accordingly, Student proved by a preponderance of the evidence that Coastal Academy denied him a FAPE during the 2024-2025 school year by

predetermining the offer of placement in the January 24, 2025 IEP Amendment. Student prevailed on Issue 1(c).

ISSUE 1D: DID THE JANUARY 24, 2025 IEP AMENDMENT DENY STUDENT A PROGRAM WITH STATE STANDARDS-ALIGNED COURSEWORK TO MEET THE REQUIREMENTS UNDER CALIFORNIA EDUCATION CODE SECTION 51225.31, SUBDIVISION (b)(2)?

Student contends the instructional minutes offered in the Pathfinder Program Functional Academics class during the 2024-2025 school year were inadequate to enable Student to receive a high school diploma under Education Code section 51225.31. Coastal Academy contends the Functional Academics class offered Student coursework to enable him to receive a diploma.

Education Code section 51225.3, subdivision (a)(1) requires a student to complete at a minimum the following courses to receive a regular high school diploma:

- Three courses in English;
- Two courses in math;
- Two courses in science, including biological and physical science.
- Three courses in social studies, including United States history and geography; world history, culture, and geography, a one-semester course in American government and civics; and a one-semester course in economics;

- One course in visual or performing arts, world language, or career technical education. A course in American Sign Language shall be deemed a course in world language;
- Two courses in physical education, unless the student is exempted from these courses;
- Commencing with students graduating in the 2029-2030 school year, one semester course in ethnic studies; and
- Commencing with students graduating in the 2030-2031 school year, a separate, stand-alone one-semester course in personal finance.

(Ed. Code, § 51225.3, subd. (a)(1)(A)-(H).) Each course must be one year in duration, unless otherwise specified. (Ed. Code, § 51225.3, subd. (a)(1).)

Referred to as the Alternate Pathway to a Diploma in this Decision, a student with exceptional needs is exempt from all courses and other requirements adopted by a governing board or body of the local educational agency that are in addition to the minimum statewide course requirements specified in Section 51225.3, and shall receive a diploma of graduation from high school if:

1. the student entered ninth grade in the 2022-2023 school year or later;
2. the student's IEP team has deemed the student eligible to take the state alternate assessments; and
3. the student completes state standards-aligned coursework to meet the statewide course requirements specified in Section 51225.3.

(Ed. Code, § 51225.31, subds. (a) and (b).) A local education agency includes a school district, county office of education, charter school, or state special school. (Ed. Code, § 51225.31, subd. (e).)

California's alternate assessments are available for students with the most significant cognitive disabilities. (California Dept. of Ed., *California Alternate Assessments for ELA and Math*, (November 24, 2025) <https://www.cde.ca.gov/ta/tg/ca/altassessment.asp>[as of March 3, 2026].). The purpose of the alternate assessments is to measure what a student knows and can do. (*Ibid.*) The alternate assessments are aligned with alternate achievement standards, called the Core Content Connectors, which are linked to the Common Core State Standards in English language arts and mathematics. (*Ibid.*)

According to the California Department of Education, a year of study is two semesters of study in the same or related subject area. (California Dept. of Ed., *High School Graduation Frequently Asked Questions* (January 7, 2026) <https://www.cde.ca.gov/ci/gs/hs/hsgrfaq.asp>[as of March 3,2026].) In general, a course is about 50 minutes per day, five days a week, for two semesters. (*Ibid.*)

Student's IEP required coursework to enable him to meet the requirements of the Alternate Pathway to a Diploma. The January 24, 2025 IEP Amendment offered an "Individual Transition Planning," referred to as a Transition Plan, that established a course of study to enable Student to earn a diploma under the Alternate Pathway to a Diploma. The Transition Plan set forth a required number of credits Student had to earn to receive a diploma, with an anticipated completion date of June 2, 2028. The Transition Plan noted that Student was eligible to pursue a diploma under the Alternate

Pathway to Diploma because the IEP team determined he was eligible to participate in the California Alternative Assessment and he was enrolled in coursework aligned with state standards.

The evidence established the January 24, 2025 IEP Amendment failed to offer coursework to enable Student to meet the requirements of the Transition Plan or the Alternate Pathway to a Diploma. Special education teacher Aceves explained at hearing that the Pathfinder Program Functional Academics class covered four subjects; English language arts, math, social sciences, and science. He offered an example of how the four subjects are covered during the week in the Functional Academics class. On Tuesdays and Fridays, the class would cover English language arts on one day, and social studies on the other. On Wednesdays, the class's 90 minutes would be evenly divided between math and science. Therefore, each subject would be covered for a total of 45 to 55 minutes each week. In contrast, Student was in the general education biology class for about 170 minutes each week, accounting for the 30 minutes of adapted physical education he received on Wednesdays that conflicted with the first 30 minutes of the biology class.

The instructional minutes offered in the Functional Academics class were not aligned with the Alternate Pathway to a Diploma's requirement that eligible students take state standards-aligned courses that were one year in duration, with the exception of a few courses. At hearing, Coffey confirmed Coastal Academy students were required to receive a set amount of instructional minutes on a subject to receive credit for the coursework to enable the student to meet California graduation requirements. For example, Coffey admitted that a biology class of 45 minutes each week would not be

aligned with California standards to enable a student to receive credits towards a regular high school diploma.

The Alternate Pathway to a Diploma did not offer an exception for qualified students to complete coursework that delivered less instructional time than those required by students without disabilities. Rather, the Alternate Pathway to a Diploma required qualified students to complete courses that aligned with state standards, both in subject and duration. The Functional Academics class did not meet these requirements.

The evidence established the Functional Academics class failed to offer coursework required in the January 24, 2025 IEP Amendment Transition Plan to enable Student to meet the requirements of the Alternate Pathway to a Diploma. Coastal Academy's failure to offer a program in the January 24, 2025 IEP Amendment that gave Student access to the required coursework, both in his IEP and to receive a high school diploma, denied him a FAPE.

Accordingly, Student proved by a preponderance of the evidence that Coastal Academy denied him a FAPE because the January 24, 2025 IEP Amendment failed to offer a program with state standards aligned coursework to meet statewide course requirements under California Education Code section 51225.31, subdivision (b)(2.) Student prevailed on Issue 1(d).

ISSUE 1E: DID THE JANUARY 24, 2025 IEP AMENDMENT FAIL TO OFFER CORE CURRICULUM INSTRUCTION TO THE MAXIMUM EXTENT APPROPRIATE?

Student contends the Pathfinder Program offered in the January 24, 2025 IEP Amendment failed to offer core curriculum instruction from a teacher credentialed to teach the core academic subjects. Student also contends the Pathfinder Program offered insufficient instructional time and the subjects taught in the program were not individualized to each student's credit needs. Coastal Academy contends the instruction offered to Student through the Teach Town curriculum was accessible and beneficial to Student.

It's not necessary to analyze whether Teach Town was an appropriate curriculum or whether Aceves was credentialed to teach core academic subjects, because as discussed in Issue 1(d), the January 24, 2025 IEP Amendment offered insufficient instruction time to enable Student to meet the requirements of the IEP's Transition Plan or the Alternate Pathway to a Diploma. Student was entitled to a program with core curriculum coursework that enabled him to meet the requirements of the Transition Plan and Alternate Pathway to a Diploma, which the Pathfinder Program Functional Academics class failed to offer. (Ed. Code § 51225.31, subds. (a) and (b).) Furthermore, as discussed in Issue 1(a), the least restrictive educational setting for Student included a core curriculum course in biology within the general education setting. Student accessed and met the expectations of his modified biology curriculum in the general education setting, while making satisfactory progress towards his academic IEP goals. Accordingly, a general education biology course that offered 200 minutes of instruction

each week was appropriate, not the 45-55 minutes a week of instruction offered in the Functional Academics class.

The evidence established Coastal Academy's failure to offer Student sufficient minutes of core academic instruction in biology to the maximum extent appropriate denied him a FAPE. Accordingly, Student proved by a preponderance of the evidence Coastal Academy denied him a FAPE during the 2024-2025 school year because the January 24, 2025 IEP Amendment denied him access to core curriculum instruction to the maximum extent appropriate. Student prevailed on Issue 1(e).

CONCLUSIONS AND PREVAILING PARTY

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

ISSUE 1A:

Coastal Academy denied Student a FAPE during the 2024-2025 school year because the IEPs dated November 7, 2024, and January 24, 2025, failed to offer placement in the least restrictive environment.

Student prevailed on Issue 1, subsection a.

ISSUE 1B:

Coastal Academy denied Student a FAPE during the 2024-2025 school year because the IEPs dated November 7, 2024, and January 24, 2025, failed to offer a program designed to address Student's unique learning needs.

Student prevailed on Issue 1, subsection b.

ISSUE 1C:

Coastal Academy denied Student a FAPE during the 2024-2025 school year because the IEPs dated November 7, 2024, and January 24, 2025, predetermined the offer of placement.

Student prevailed on Issue 1, subsection c.

ISSUE 1D:

Coastal Academy denied Student a FAPE during the 2024-2025 school year because the IEPs dated November 7, 2024, and January 24, 2025, denied Student a program with state standards-aligned coursework to meet statewide course requirements under California Education Code section 51225.31, subdivision (b)(2).

Student prevailed on Issue1, subsection d.

ISSUE 1E:

Coastal Academy denied Student a FAPE during the 2024-2025 school year because the IEPs dated November 7, 2024, and January 24, 2025, denied Student access to core curriculum instruction to the maximum extent appropriate.

Student prevailed on Issue 1, subsection e.

REMEDIES

To remedy Coastal Academy's violations, Student seeks an order requiring Coastal Academy to train its staff in two areas. First, three hours of training on Coastal Academy's obligations to educate students with disabilities among their typically developing peers to the maximum extent possible. Second, eight hours of training by Dr. Hanreddy on the best practices in the support and inclusion of students with extensive support needs. Coastal Academy contends Student is not entitled to any remedies.

Under federal and state law, courts have broad equitable powers to remedy the failure of a local educational agency to provide FAPE to a disabled child. (20 U.S.C. § 1415(i); see *Burlington*, *supra*, 471 U.S. 359 at p. 369.) This broad equitable authority extends to an Administrative Law Judge who hears and decides a special education administrative due process matter. (*Forest Grove School Dist. v. T.A.* (2009) 557 U.S. 230, 243-244, n. 11.) When a local educational agency fails to provide a FAPE to a student with a disability, the student is entitled to relief that is appropriate in light of the purposes of the IDEA. (*Burlington*, *supra*, 471 U.S. 359 at pp. 369-370.) Remedies under the IDEA are based on equitable considerations and the evidence established at the

hearing. (*Id.* at p. 374.) An order for a local educational agency to train its staff is an appropriate remedy under the IDEA. (*Park v. Anaheim Union High Sch. Dist.* (9th Cir. 2006) 464. F.3d 1025, 1034.)

The evidence established Coastal Academy's decision to deny Student courses in the general education setting for core academics subjects, despite his ability to access and benefit within all his general education courses at school, demonstrated a lack of understanding by Coastal Academy's staff of its obligations to ensure students with disabilities are educated to the maximum extent possible with their typically-developed peers. Further, the evidence demonstrated that Coastal Academy's staff was not sufficiently trained in the best practices for supporting and including students with extensive needs in the general education setting. Accordingly, training for Coastal Academy's staff is warranted, and ordered.

ORDER

1. Within 60 calendar days of this Decision, Coastal Academy shall contract with an expert in state and federal special education laws, such as a non-public agency or law firm who specializes in special education law, to provide three hours of training to Coastal Academy's administrators and special education staff, including program specialists, case managers, and special education teachers, on a charter school's legal obligations to educate students with disabilities alongside their typically developed peers to the maximum extent possible. This training shall be completed before December 31, 2026. Coastal Academy shall notify Parents in writing within 10 days of the date Coastal Academy completes the training.

2. Within 60 calendar days of this Decision, Coastal Academy shall contract with an expert in inclusive education to provide eight hours of training to Coastal Academy's administrators and special education staff, including program specialists, case managers, and special education teachers, on the best practices for the inclusion and support of students with extensive needs. This training shall be completed by December 31, 2026. Coastal Academy shall notify Parents in writing within 10 days of the date Coastal Academy completes the training.
3. These trainings shall not be completed by the law firm who represented Coastal Academy in this matter, or an individual employed by Coastal Academy.

RIGHT TO APPEAL THIS DECISION

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

Rommel P. Cruz

Rommel P. Cruz
Administrative Law Judge
Office of Administrative Hearings