



August 14th, 2025

Pete Cervinka, Director
Department of Developmental Services
Office of Human Rights & Advocacy Services
1215 O Street
Sacramento, California 95814

Via Certified Mail

The purpose of this letter is to invoke the provisions of WIC §4731(c): referral of complaint to the Director of the Department of Developmental Services.

Background

I am the parent of three Deaf adult children two of whom are clients of the San Gabriel Pomona Regional Center (SGPRC). Our family has been associated with the SGPRC since 2001. This matter concerns my son Cavan Argila.

Over the past twenty-five years the SGPRC has exhibited intentional and unintentional discrimination against my Deaf children and the Deaf community in general. For example, on December 20, 2013 the SGPRC issued a *Notice of Action* refusing to hire a Deaf service coordinator. (See Attachment 1).

On April 20, 2020 a class action law suit was filed by Disability Rights California against the Department of Developmental Services (DDS) on behalf of Deaf regional center clients. A subsequent settlement agreement requires that the DDS and its regional centers provide accessible services for my children and about 5,000 other Deaf regional center clients.

In early 2023 Cavan was moved to a group home operated by a SGPRC vendor. That group home, known as the "Workmen Lane House," was intended to be a residence for Deaf clients. The home was staffed by vendor employees none of whom had any experience with Deaf clients or had any communication skills in American Sign Language (ASL).

At all Individual Program Plan (IPP) meetings conducted at the Workmen Lane House Cavan and I discussed the issue of staffing and the need for ASL conversant staff. Numerous conversations with the group home owner, Jay Smith, focused on recruitment strategies and Deaf community resources. The group home owner, Jay Smith, always appeared to be receptive and willing to recruit and hire appropriate ASL fluent staff.



It has now been over two years since my initial discussions with Jay Smith. There is only one staff at the Workmen Lane House who is conversational in ASL. That person, “Stephen,” is the son of Deaf parents (a so-called CODA).

On July 18, 2025 I filed a WIC §4731 complaint seeking the assistance of the SGPRC Executive Director. (See Attachment 2)

On August 8, 2025 the SGPRC Executive Director issued his response to my WIC §4731 complaint. (See Attachment 3) I now invoke the provisions of WIC §4731(c): referral of complaint to the Director of the Department of Developmental Services.

Response to SGPRC’s *Outcome of Review*

SGPRC Outcome Statement	Carl Argila’s Response
SG/PRC’s Quality Assurance (QA) Team verified that Workman Lane’s staff receive ongoing competency staff training in ASL. It is part of their program design.	If the staff are receiving ongoing competency staff training in ASL that training should be documented in the form of enrollments, lessons completed and proficiency testing. In fact, the group home supervisor, Cindy Garcia, reports that staff “watch YouTube videos.” The SGPRC should produce actual proof of training such as enrollment in a community college ASL class.
The home is actively recruiting a Deaf and Hard of Hearing Facility Administrator. 23Fifteen Living Options, the agency that runs the home has the position posted on its website.	The group home owner, Jay Smith, has been “recruiting” Deaf staff for over two years. He has ignored my numerous suggestions about recruitment at Gallaudet College and CSUN which are “feeder” institutions for Deaf programs nationwide.
QA confirmed that Workman Lane is open to suggestions on how to improve recruitment of ASL staff.	See above. My suggestions have apparently been ignored for more than two years.
QA also confirmed the following: a. The home currently has two staff that	QA did not confirm correctly. There is only one ASL conversational staff at the

are proficient in ASL. b. The home has two staff that are Children of Deaf Adults (CODA).	Workmen Lane House (“Stephen”). This is a matter which can be confirmed with documented payroll records which the house must maintain
It is our understanding that CODAs are often considered part of the Deaf community because they have been raised by Deaf parents and have lived experiences.	It is gratifying to know that the SGPRC now understands this.
Cavan’s last Individual Program Plan (IPP) was held on April 15, 2025. Per his IPP report, Cavan did not share any concerns regarding lack of appropriate communication with the home’s staff. The IPP report documented your concerns with the home not meeting the minimum requirements with providing Cavan with an ASL cultural environment. Specifically, at that meeting you expressed concerns regarding the certifications of those providing services to Cavan.	Cavan has repeatedly complained about the inability of house staff to communicate effectively in ASL. In the past, Cavan’s IPP meetings were recorded so that such statements might be verified. However at the 4/15/2025 IPP meeting the SGPRC blocked Cavan from having his meeting recorded. (See Attachment 4)
We spoke with his current IPP team members. They reported that neither Cavan nor his attorney Mary O’Neill have shared any concerns regarding being unable to effectively communicate with the staff.	The SGPRC is aware that WIC §4731 complaints are unrelated to IPP issues. This issue is whether or not the SGPRC provided a communication accessible environment for Cavan, as required by law.

Proposed Resolution

The American Sign Language Proficiency Interview (ASLPI) is a brief (less than 30 minute) assessment tool which establishes an individual’s ability to communicate in ASL. The ASLPI is widely used in educational settings to establish the proficiency of those who work with Deaf students.



- (1) All staff assigned to work at the Workman Lane House shall have completed the ASLPI at level 3 or above. The ASLPI certifications for each staff shall be available for review.
- (2) In the case where staff assigned to work at the Workman Lane House are not ASLPI certified at level 3 or above, a certified ASL interpreter shall be physically present at the Workman Lane House until such time as an ASLPI certified staff is available.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Carl A. Argila".

Carl A. Argila

Copy to:

Jesse Weller, Executive Director
San Gabriel/Pomona Regional Center
75 Rancho Camino Drive
Pomona, CA 91766

Attachments:

1. Notice of Proposed Action (12/20/2013)
2. WIC §4731 Complaint (7/18/2025)
3. SGPRC Response (8/8/2025)
4. Aaron Abramowitz E-Mail (4/14/2025)

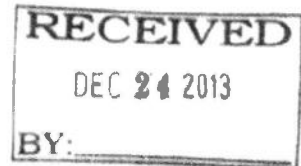
ATTACHMENT 1

SAN GABRIEL/POMONA

REGIONAL CENTER

761 Corporate Center Drive, Pomona, California 91768
(909) 620-7722

NOTICE OF PROPOSED ACTION



December 20, 2013

Carl Argila
P.O. Box 1219
Pico Rivera, CA 90660-1219

RE: ARGILA, Cavan
UCI#: 7317917
DOB: 05/14/1981

Dear Mr. Argila :

We have received your correspondence of 12/8/13 via e-mail received on 12/9/13 requesting a service coordinator who is deaf. San Gabriel/Pomona Regional Center is denying this request.

The reason for this action is as follows:

There is no provision in law that requires the regional center to provide a service coordinator who has the same impairment as the client or that is fluent in the client's language. The use of an interpreter is an acceptable means of communicating with the client

Enclosed is a Notice of Proposed Action form (DS 1803) indicating the proposed action to be taken, the reason for the action, and the effective date of the action. As with any Regional Center decision, this proposed action is appealable. If you decide to appeal, you may choose to request an informal meeting with the SG/PRC Director or his designee prior to the Fair Hearing. We encourage you to use the informal meeting, as we have found this to be a helpful resolution process. You may also request mediation. Mediation is a voluntary meeting used to resolve disputes. It is conducted by a mediator from the Office of Administrative Hearings.

Please indicate your choice on the attached Fair Hearing Request form. If you are currently receiving a service for which a modification or termination is proposed, or currently authorized to receive such a service and wish to continue receiving that service, you must file the Fair Hearing Request form no later than ten (10) days after you receive the notice.

CONFIDENTIAL CLIENT INFORMATION
SAN GABRIEL/POMONA VALLEYS
DEVELOPMENTAL SERVICES, INC.
See California Welfare & Institutions Code, Section 4514

ATTACHMENT 2

**WELFARE AND INSTITUTION CODE §4731 COMPLAINT FORM
INVESTIGATION REQUEST
DS 255 (New 8/2007) (Electronic Version)**

A consumer, or any representative, acting on behalf of any consumer or consumers, may file a W&I Code Section 4731 complaint against a regional center, developmental center, or any private service provider receiving Lanterman Act funds. This form is voluntary and may be used as guidance in writing your complaint letter.

Name of Person filing Complaint	Relationship to Consumer	Telephone Number	
Carl Argila	Father	800-903-6903	
Address (Mailing Address)	(City)	(State)	(Zip)
P. O. Box 1219	Pico Rivera	CA	90660
Name of Consumer	Birth Date (Month, Date, Year)		
Cavan Argila	05/14/1981		
Regional Center/Developmental Center			
San Gabriel Pomona Regional Center			

Describe your complaint including the following as applicable: (a written statement may be attached or used instead of the form)

- A statement of facts upon which the alleged rights violation is based;
- The party allegedly responsible;
- A proposed solution to the problem.

Please see attached.

Submit your complaint to the Director of the regional center or developmental center from which you or the consumer receives services.

Signature

Date

Confidential Client Information
W & I Code, 4514 and 5328

Attachment

Cavan Argila is an intellectually disabled Deaf man. Cavan's primary language is American Sign Language (ASL). Cavan's fluency in written English is very limited. Cavan does not "read lips," nor understand spoken language. Cavan does not identify as a "hearing impaired" person; Cavan considers himself to be a member of the Deaf community, a cultural linguistic minority group.

Cavan resides in a group home operated by a San Gabriel Pomona Regional Center vendor. That group home is known as the "Workmen Lane House." Cavan's residence is also known as the "Deaf house," because it has been designated by the SGPRC as a residence for Deaf clients.

Cavan participates regularly in his quarterly Individual Program Plan (IPP) meetings. Cavan has requested that I represent him at these meetings. Cavan's most recent IPP meeting was conducted on 4/15/2025.

Since the Workman Lane house was opened, for well over two years, Cavan has complained of a lack of communication accessibility. In particular, that house staff may not have any ability to communicate in ASL or may have a very limited ability to communicate in ASL.

A lack of communication accessibility may lead to social isolation, limited opportunities, and negative health outcomes. A lack of communication accessibility may also cause a disruption in the workplace.

At the Workman Lane house, the inability to communicate with Deaf clients, and in one case with a Deaf staff member, led to a physical altercation and police involvement.

The inability of staff to effectively communicate with Cavan has led to numerous misunderstands and disagreements. These misunderstandings and disagreements have the potential to lead to more serious health and safety matters.

At each IPP meeting I have advised the Workman Lane house supervisor of the need for ASL qualified staff. I have emphasized that the need is for conversational competency not professional fluency. I have repeatedly suggested that all staff participate in an American Sign Language Proficiency Interview (ASLPI). The ASLPI is a standardized assessment used to evaluate an individual's overall proficiency in American Sign Language.

My repeated concerns regarding the need for a communication accessible environment for Cavan at the Workman Lane house have been roundly ignored.

I now seek the assistance of the SGPRC's Executive Director.

Respectfully,

Carl Argila

ATTACHMENT 3



**San Gabriel / Pomona
Regional Center**

August 8, 2025

Carl Argila
P.O. Box 1219
Pico Rivera, CA 90660

RE: WIC 4731 Complaint

Dear Mr. Argila:

Thank you for taking the time to let us know about your experiences. We appreciate you bringing your concerns about your son, Cavan Argila, and his current residential home, Workman Lane. San Gabriel/Pomona Regional Center (SG/PRC) confirmed receipt of your complaint on July 18, 2025. We want to ensure that your concerns have been documented and addressed.

According to your letter, you stated the following:

- Cavan is an intellectually disabled Deaf individual.
- His primary language is American Sign Language (ASL).
- He does not read lips or understand spoken language.
- He considers himself to be a member of the Deaf community, a cultural linguistic minority group.
- Since residing at Workman Lane, Cavan has complained of a lack of communication accessibility.
- You believe that Workman Lane staff “may not have the ability to communicate in ASL or may have very limited ability to communicate in ASL”.
- Staff’s inability to communicate effectively with Cavan has resulted in misunderstandings and disagreements.
- You have suggested that all staff participate in an American Sign Language Proficiency Interview (ASLPI).



San Gabriel / Pomona
Regional Center

Page 2
8/8/2025

- Your concerns regarding the need for a communication-accessible environment for Cavan at his current home have been ignored.

Welfare and Institutions Code section 4731 states, in pertinent part, the following:

- (a) Each consumer or any representative acting on behalf of any consumer or consumers, who believes that any right to which a consumer is entitled has been abused, punitively withheld, or improperly or unreasonably denied by a regional center, state-operated facility, or service provider, may pursue a complaint as provided in this section.
- (b) Initial referral of any complaint taken pursuant to this section shall be to the director of the regional center from which the consumer receives case management services. If the consumer resides in a state-operated facility, the complaint shall be made to the director of the state-operated facility. The director shall, within 20 working days of receiving a complaint, investigate the complaint and send a written proposed resolution to the complainant and, if applicable, to the service provider. The written proposed resolution shall include a telephone number and mailing address for referring the proposed resolution in accordance with subdivision (c).
- (c) If the complainant is not satisfied with the proposed resolution, the complainant may refer the complaint, in writing, to the Director of the Department of Developmental Services within 15 working days of receipt of the proposed resolution. The director shall, within 45 days of receiving a complaint, issue a written administrative decision and send a copy of the decision to the complainant, the director of the regional center or state-operated facility, and the service provider, if applicable. If there is no referral to the department, the proposed resolution shall become effective on the 20th working day following receipt by the complainant.
- ...
- (e) **This section shall not be used to resolve disputes concerning the nature, scope, or amount of services and supports that should be included in an individual program plan**, for which there is an appeals procedure established in this division, or disputes regarding rates or audit appeals for which there is an appeals procedure established in regulations. Those disputes shall be resolved through the appeals procedure established by this division or in regulations.

(Welf. & Inst. Code § 4731, subds. (a)-(c), (e); emphasis added.)



8/8/2025

As demonstrated above, Welfare and Institutions Code section 4731 provides the statutory framework within which a regional center consumer, or a representative acting on behalf of a consumer, may bring a complaint alleging that a consumer's rights have been abused, punitively withheld, or improperly or unreasonably denied by a regional center.

Based on your concern(s), SG/PRC has investigated your complaint in accordance with its procedures under WIC 4731. The outcome of the review is the following:

- SG/PRC's Quality Assurance (QA) Team verified that Workman Lane's staff receive ongoing competency staff training in ASL. It is part of their program design.
- The home is actively recruiting a Deaf and Hard of Hearing Facility Administrator. 23Fifteen Living Options, the agency that runs the home has the position posted on its website.
- QA confirmed that Workman Lane is open to suggestions on how to improve recruitment of ASL staff.
- QA also confirmed the following:
 - a. The home currently has two staff that are proficient in ASL.
 - b. The home has two staff that are Children of Deaf Adults (CODA).
- It is our understanding that CODAs are often considered part of the Deaf community because they have been raised by Deaf parents and have lived experiences.
- Cavan's last Individual Program Plan (IPP) was held on April 15, 2025. Per his IPP report, Cavan did not share any concerns regarding lack of appropriate communication with the home's staff. The IPP report documented your concerns with the home not meeting the minimum requirements with providing Cavan with an ASL cultural environment. Specifically, at that meeting you expressed concerns regarding the certifications of those providing services to Cavan.
- We spoke with his current IPP team members. They reported that neither Cavan nor his attorney Mary O'Neill have shared any concerns regarding being unable to effectively communicate with the staff.



**San Gabriel / Pomona
Regional Center**

Page 4

8/8/2025

Based on the investigation and inquiry, and in conclusion, SG/PRC did not find that any rights violations occurred and/or that any right to which Cavan is entitled has been abused, punitively withheld, or improperly or unreasonably denied as a result of SG/PRC's actions or failure to act.

Proposed Resolutions:

By way of your 4731 Complaint, you did not propose any resolutions to your complaint.

SG/PRC therefore proposes as follows:

- SG/PRC will continue to ensure that Workman Lane continues to provide Cavan opportunities to participate in activities within the Deaf community.
- SG/PRC will continue to work with Workman Lane to recruit qualified staff for the home.

We presume that our inquiry and response herein is sufficient to address the issues alleged in the 4731 Complaint. To the extent that you are not satisfied with SG/PRC's proposed resolution to your Complaint, within 15 working days of your receipt of this letter, you may refer your Complaint to the Director of DDS at the following address:

Pete Cervinka, Director
Department of Developmental Services
Office of Human Rights & Advocacy Services
1215 O Street
Sacramento, California 95814
(833) 421-0061

The law provides for the Director to issue a written administrative decision within 45 days of receiving a 4731 Complaint.



**San Gabriel / Pomona
Regional Center**

Page 5

8/8/2025

If you do not refer the 4731 Complaint to the Director of DDS, SG/PRC's proposed resolution shall become effective on the 20th working day following your receipt of this response letter. (See Welf. & Inst. Code § 4731, subd. (c).)

Genuinely,

Jesse Weller
Executive Director
San Gabriel/Pomona Regional Center

JW:ws/s
SG/PRC
8/8/2025

cc: Appeal File
Client File

SENT via regular mail and e-mail @ info@ssdeaf.com due to address being a P.O. Box number

ATTACHMENT 4

Subject: IPP

From: Aaron Abramowitz <AAbramowitz@enrightocheltreelaw.com>

Date: 4/14/2025 4:08 PM

To: Support Services for the Deaf <info@ssdeaf.com>

CC: Meredith Nixon <meredith.nixon@dds.ca.gov>, Mary O'Neill <mary@ohalawapc.com>

Good afternoon Mr. Argila,

I'm writing to confirm some things that appear to be unnecessarily in dispute. Among the powers granted to DDS in the conservatorship of Cavan is the exclusive right to dictate what happens with Cavan's confidential records. This means that neither you nor Cavan have the right to decide what happens with Cavan's confidential information.

To be clear on this issue, you do not have the authority to record IPP meetings of Cavan's. Cavan cannot delegate that authority to you.

You cannot record Cavan's IPP meetings.

Recording IPP meetings absent the consent of those able to consent constitutes illegal wiretapping under California Penal Code 631 et seq.

Again, you are not permitted to record Cavan's IPP meetings.

Sincerely,

Aaron Abramowitz

Partner

ENRIGHT & OCHELTREE, LLP

13351-D Riverside Drive

380

Sherman Oaks, CA 91423

Ph: (310) 274-1830 ext.106

Fx: (310) 273-7635

AAbramowitz@enrightocheltreelaw.com

*This email communication may contain **CONFIDENTIAL INFORMATION WHICH MAY ALSO BE LEGALLY PRIVILEGED** and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please immediately notify us by reply email, delete the communication and destroy all copies.*