

As You Fly Learning Advocacy Guide

ADVOCATING FOR STUDENTS WHO STRUGGLE

Updated September 2026 | A Kansas-Focused Research & Resource Guide

THE CORE IDEA

Strong advocacy moves from concern → evidence → a written request → the educational and legal standard → a measurable next step.

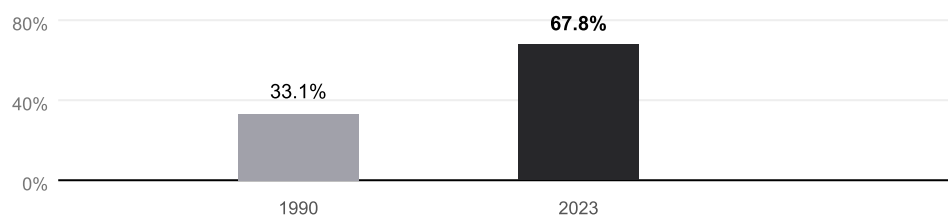
Note: This guide is educational information, not individualized legal advice. Special-education procedures and deadlines change. Verify current requirements with KSDE, OCR, or a qualified attorney when a deadline or legal claim is involved.

01 / WHY ADVOCACY MATTERS

Advocacy is not about being difficult. It is about making barriers visible, decisions explicit, and supports measurable.

More than 8 million children were served under IDEA in 2024, representing more than 15% of U.S. public-school enrollment. Nationally, and within Kansas, integration has improved substantially over the last three decades. However, state averages cannot tell you whether one specific child is receiving an appropriate evaluation, effective instruction, consistently implemented accommodations, or meaningful behavioral support.

Growth of Inclusive Placement: Students in Regular Classrooms ≥80% of Day



Source: U.S. Department of Education, Office of Special Education Programs (2025 Annual Report).

Advocacy becomes especially critical when a student works extremely hard but continues to fall behind, gets acceptable grades only because of extensive adult support, masks difficulties at

02 / CHOOSING THE RIGHT SUPPORT PATH

A student does not have to complete months of RTI/MTSS before a disability evaluation can be considered. Federal guidance clearly states that RTI/MTSS may not be used to delay or deny an evaluation when a disability is suspected.

Path	When It May Fit	What It Can Provide
Gen. Ed / MTSS	Student needs additional support; disability eligibility may not yet be established.	Targeted intervention, progress monitoring, small groups, instructional changes.
Section 504	Student has an impairment that limits a major life activity but may not need specially designed instruction.	Accommodations, related aids/services, equal-access protections.
IDEA / IEP	Student meets an IDEA disability category and needs specially designed instruction.	Special education, related services, goals, transition planning, procedural protections.
Evaluation	Reason to suspect a disability, or current data is insufficient to understand needs.	Multisource assessment to determine disability, educational needs, and eligibility.

The Advocacy Triangle

Advocacy is strongest when three distinct perspectives are combined, rather than treating one as the only valid source of information:

- 1. Student Voice.** Understanding what school feels like, personal strengths, individual goals, and what actually helps in practice.
- 2. Family Knowledge.** Providing history, home functioning, long-term patterns, priorities, and documenting the hidden costs of keeping up (e.g., exhaustion).
- 3. Professional Data.** Utilizing formal assessments, classroom observation, intervention data, instructional expertise, and continuous progress monitoring.

KANSAS CONTEXT

Absent unusual circumstances, 15 school days is generally a reasonable

03 / STUDENT SELF-ADVOCACY

Self-advocacy should be taught as a specific skill—not demanded as proof that a student deserves support. A systematic review and meta-analysis found that adolescents taught self-advocacy curricula contributed significantly more during their IEP meetings than control students.

Developmental Stage	Skills to Practice
Early Elementary	Name strengths; identify what makes work easier/harder; use short help or break phrases.
Upper Elementary	Name accommodations; explain which supports help and why; participate in choosing a goal.
Middle School	Learn learning vocabulary; practice asking teachers for clarification; review academic progress.
High School	Participate actively in IEP/504 meetings; understand accommodations; communicate access needs.
Postsecondary	Explain disability needs independently; contact disability services; communicate with employers.

04 / PARENT & CAREGIVER ADVOCACY

Families provide information schools cannot obtain from test scores alone. Under IDEA, parents are full members of the IEP team. Home information frequently reveals the hidden cost of school performance, such as hours of homework, extreme fatigue, or emotional distress.

A good grade does not necessarily indicate that access is adequate. The vital question is how much time, adult support, prompting, or recovery was required to produce that grade.

Turn Concerns Into Data-Based Requests

Vague Stance	Actionable, Data-Driven Request
"My child needs more help."	"Reading fluency moved from 39 to 42 CWPM in 12 weeks of intervention. Let us review the data to determine if evaluation is

Prior Written Notice (PWN) & IEEs

Under IDEA, a school must provide Prior Written Notice when it proposes or refuses an action regarding identification, evaluation, or educational placement. A parent can formally request: *"Please document the district's refusal, the reason for the refusal, and the data used to make that decision in Prior Written Notice."*

When a parent disagrees with a district evaluation, IDEA provides a right to request an Independent Educational Evaluation (IEE) at public expense. The district generally must, without unnecessary delay, either provide the IEE or file for due process to defend its own evaluation.

05 / TEACHER & PARAEDUCATOR ADVOCACY

The goal is to document function and access, not to diagnose outside one's professional role. Teachers and school staff often observe critical patterns that standardized tests miss: what triggers task avoidance, which types of direction produce independence, and how accommodations affect performance.

OBSERVE → DOCUMENT → COMMUNICATE → DISCUSS

For support staff, documenting observable patterns is essential. Record the level of adult prompting required, rather than just whether a task was completed. Note the differences across settings, noise levels, and group sizes.

IMPLEMENTATION ACCOUNTABILITY

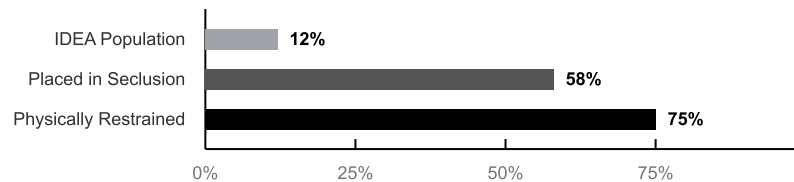
"I did not know the student had that accommodation" is an implementation problem. The student should never carry the burden of teaching every adult what their legal document requires.

06 / BEHAVIORAL & DISCIPLINE ADVOCACY

Behavior support should analyze what the behavior communicates or accomplishes, not only how to stop it. IDEA directs IEP teams to consider positive behavioral interventions and supports when a student's behavior impedes their learning or the learning of others.

Questions the team should ask:

Disability Discipline Disparities (Historical Federal Data)



Historical Civil Rights Data Collection statistics illustrate why disability-related discipline requires deep, functional analysis rather than mere behavioral consequences.

07 / OUTSIDE-THE-BOX ADVOCACY STRATEGIES

Creative advocacy often succeeds because it makes the underlying problem easier to see and easier to measure. The following techniques can shift the conversation from subjective opinions to objective data.

Barrier Audit. Map each point in the school day where access breaks down: arrival, transitions, lectures, copying, independent reading, cafeteria, testing, and dismissal.

Good-Day / Hard-Day Compare. Compare days when the student succeeds with days when they struggle. Look for variables in staff, task length, predictability, noise, or sensory load.

Micro-Trial Intervention. Choose one specific support, collect a short baseline, test it consistently for 4 to 6 weeks, and decide in advance what data will count as success.

Implementation Audit. Track precisely when, where, by whom, and how consistently each important accommodation is actually provided in the classroom.

Measure Independence. Record the amount of prompting or adult assistance needed to complete a task, rather than just marking whether the assignment was eventually turned in.

Reverse the Meeting. Send the team two or three concrete questions prior to the meeting and request that relevant data be brought specifically to answer them.

08 / BUILDING EVIDENCE & DOCUMENTATION

Good records should clarify the narrative, not bury it in paperwork. Keep the important source documents—evaluations, IEPs, progress reports, and emails—and synthesize them into a concise chronology that summarizes the essential facts.

BASELINE → SUPPORT → OUTCOME → DECISION

For example: *"Without written steps, task initiation occurred in 3 of 15 sessions. With a first-step visual cue, it occurred in 12 of 15. The team will trial the cue across two classes for four weeks and review the independence data."*

Date	Concern / Request	Intervention	Evidence & Next Step
Sept. 3	Parent reports reading concern.	Tier 2 begins.	Benchmark: 21st percentile. Review in 6 weeks.
Oct. 17	Minimal improvement noted.	Continue Tier 2.	22nd percentile. Parent requests evaluation.
Oct. 20	Written request sent to team.	Awaiting reply.	Email saved. Track timeline for PWN response.

09 / KANSAS DISPUTE RESOLUTION & LEGAL OPTIONS

Families do not have to choose between accepting an inappropriate decision and immediately filing a federal lawsuit. Kansas provides multiple, scaled levels of dispute resolution.

Resolution Option	Application & Key Points
Problem-Solving	Best for new concerns or implementation issues. Often the first step when working relationships remain functional.
Kansas Mediation	Voluntary process for parties seeking neutral assistance. The state pays mediation costs; generally completed in under 30 days.
Formal Complaint	For alleged violations of special-education law. KSDE generally investigates and

10 / ADVOCATES, ATTORNEYS & OUTSIDE HELP

IDEA permits parents to invite individuals who possess special knowledge or expertise regarding the child. An educational advocate can help a family navigate the school system, organize data, and translate concerns into actionable requests. A licensed attorney, by contrast, can provide specific legal advice and represent clients in formal proceedings.

When to Consider an Advocate: Meetings feel overwhelming, the family requires assistance parsing complex evaluations, requests continually stall, or a knowledgeable partner is needed to focus the team on data.

When to Consider Legal Counsel: A due process hearing is being considered, filing deadlines are approaching, there are serious disputes about FAPE or placement, or there are significant restraint, seclusion, or retaliation concerns.

11 / KANSAS & NATIONAL RESOURCES

Families Together, Inc. Kansas Parent Training and Information Center. Provides individualized assistance with IEPs, parent rights, and system navigation.

Disability Rights Center of Kansas. Protection and advocacy organization offering legal representation and self-advocacy assistance based on capacity.

KSDE Special Education. Official state guidance, the Process Handbook, dispute-resolution forms, and formal complaint decisions.

Council of Parent Attorneys and Advocates (COPAA). National searchable directory of special-education attorneys and professional advocates.

FINAL NOTE

Educational advocacy is most effective when it helps adults stop arguing about whether a child "should" be able to do something, and instead measure what is actually happening, identify the barrier, test a support, and change course when the data show the student still does not have meaningful access.

12 / SELECTED REFERENCES

- [1] U.S. Department of Education, Office of Special Education Programs. 2025 Annual Report to Congress on the Individuals with Disabilities Education Act (IDEA).
- [2] Kansas State Department of Education. 2024-25 coherence / accountability reporting (graduation outcomes for students with disabilities).
- [3] Kansas State Department of Education. Special Education Advisory Council materials, 2025-26 (LRE and family-involvement indicators).
- [4] U.S. Department of Education, OSEP. Memorandum 11-07: A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation.
- [5] Kansas State Department of Education. Kansas Special Education Process Handbook.
- [6] Kansas Statutes Annotated 72-3404. Definitions under the Special Education for Exceptional Children Act.
- [7] U.S. Department of Education, Office for Civil Rights. Frequently Asked Questions: Disability Discrimination / Section 504.
- [8] Wehmeyer, M. L., et al. Randomized/controlled research on self-determination interventions for high-school students receiving special education. PubMed: 24761031.
- [9] Shogren, K. A., et al. Self-Determined Learning Model of Instruction research with students with intellectual and learning disabilities. PMC4170950.
- [10] Systematic review and meta-analysis of self-advocacy intervention and student participation in IEP meetings. Career Development and Transition (2020).
- [14] I'm Determined. One-Pager self-advocacy tool.
- [20] IDEA Regulation 34 CFR 300.503: Prior notice by the public agency; content of notice.
- [24] IDEA Regulation 34 CFR 300.324(a)(2)(i): Positive behavioral interventions and supports.
- [31] Kansas Statutes Annotated 72-3415: Due process complaint/hearing provisions.
- [36] Perez v. Sturgis Public Schools, 598 U.S. 142 (2023). U.S. Supreme Court opinion.