SEAT Voluntary Special Education Advocate Professional code of Ethics and Standards for Practice

Special Educational Advocates are professionals who assist parents in securing a Free and Appropriate Public Education for their child with disabilities. Advocates may do so in an unpaid or paid capacity. Advocates may work in private practice or as an employee or volunteer of a legal firm, public interest law center, parent training and information center, or other entity.

The SEAT Project believes that special education advocates are a profession by definition and practice. A "profession" is a self-regulating community which requires "a real technical skill" that produces demonstrable results and the skill must be difficult enough to require training. Although there is currently no formal authority to define or regulate the practice of special education advocacy, it is understood that educational advocates who offer their services to families are implying that they have (1) acquired essential knowledge of special education law and applicable federal, state, and local statutes and regulations which guide its implementation at the local level, and (2) have mastered skills to competently guide, support, and/or represent clients, as allowed in the states where they practice. Also, by virtue of advertising and providing professional services, it is implied that the special education advocate will adhere to generally accepted standards of ethical and professional conduct in the execution of these services, in order to protect the clients they serve.

While no code of ethics for special education advocates exists, the SEAT Project sets forth the following core set of voluntary principles for ethical and professional conduct to complement the teaching and acquisition of SEAT Core Competencies (i.e., specific skills and knowledge advocates must possess). SEAT acknowledges that there are likely other standards of performance relating to special education advocacy of equal relevance, though these may not be specifically mentioned. Court rules, agency rules, and statutes within each jurisdiction must be taken into consideration when interpreting and applying the voluntary code of ethics.

1 Ι. Competence 2 Α. It is the professional responsibility of a special education advocate to: 3 1. Be aware of and practice within the boundaries of his/her 4 competence as it relates to relevant education, training, or 5 experience, including referring the client to other advocates or 6 attorneys if s/he does not have the knowledge and skills to 7 competently serve the client. 8 2. Have current working knowledge of: 9 current federal and state educational law how federal, state, and local educational systems work 10 11 assisting families in the IEP process a. 12 b. conflict resolution skills and options 13 and appropriate specialty topics relevant to the client being C. 14 served. 15 3. Be aware of and rigorously comply with 16 ethical principles relating to confidentiality and frivolous a. 17 complaints 18 b. applicable State statutes, regulations, or case law that 19 defines what non lawyer advocates are permitted to do in 20 representing parents in the jurisdiction (s) in which they 21 practice 22 C. applicable laws in their state related to the unauthorized 23 practice of law, including but not limited to when to refer a 24 case for legal representation 25 II. **Client and Family Relations** 26 Α. A special education advocate strives to: 27 1. Assist parents in obtaining appropriate educational services for their 28 children with disabilities, and providing other assistance as agreed

upon and permitted by law.

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1		2.	Include parents or other appropriate family members in the
2			educational planning, and to assist them in developing personal
3			advocacy skills
4		3.	Have regular and sufficient in-person contact with the client, and
5			have reviewed sufficient records to enable them to have in-depth
6			knowledge of the case and make fact-based recommendations.
7		4.	Take reasonable care in researching and communicating
8			information regarding available resources in the process of
9			presenting educational options to their client.
10		5.	Understand the student's strengths, values, and needs.
11		6.	Helps the family obtain placement and services based on the child's
12			educational needs, and does not seek to influence placement or
13			services based on self-interest.
14		7.	Be cognizant of and modify their practice in response to cultural,
15			individual and role differences.
16		8.	Be knowledgeable about best practices when assisting families to
17			design appropriate educational programs for eligible students
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19	III. Comi	munica	ation
20	A.	A spe	ecial education advocate strives to:
21		1.	Always be truthful and forthright in the provision of information
22		2.	Suggest means to solve an issue or produce a particular outcome,
23			which is not influenced by self-gain.
24		3.	Provide complete information to their clients to facilitate decision-
25			making that is fully informed and based on existing evidence.
26		4.	Interact with program staff using evidence and knowledge of client's
27			rights, to make his/her point. Stays calm and objective when
28			conflicts arise.
29		5.	Communicate in a professional manner at all times.
30	B.	A spe	ecial education advocate has an obligation to:
31		1.	Clearly communicate his/her status as a non-attorney
32		2.	Maintain client confidentiality.

1		3.	Be realistic about (without guaranteeing) the outcomes of any		
2			service s/he is providing and/or strategy s/he plans to use.		
3		4.	Communicate promptly with the client about decisions the client		
4			must make or information the advocate receives from the school		
5			district or others regarding the client's advocacy issues.		
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7	IV. Mul	tiple Re	ple Relationships		
8	A.	A sp	A special education advocate:		
9		1.	Shares information regarding current trends, practices, and		
10			applicable legal revisions in the jurisdictions under which they		
11			practice with program staff, when appropriate.		
12		2.	Develops and cultivates a network of professional contacts in		
13			recognition of the need to refer parents to other resources, including		
14			organizations in the community that can provide direct support or		
15			supplement what the advocate is able to offer		
16		3.	Discloses any relationship that may present a conflict of interest to		
17			their clients in a timely manner and documents the communication		
18			of this potential conflict of interest in writing, and obtains informed		
19		4	consent in writing from the client.		
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21	V. Adv	Advertising, Public Presentation, and Ethical Business Practices			
22	A.	A sp	ecial education advocate is forthright in disclosing educational		
23		back	ground, professional training, experience, and affiliations.		
24	B.	A sp	ecial education advocate manages business operations in		
25		acco	rdance with generally accepted financial and risk management		
26		prac	tices and applicable federal, state and local requirements.		
27	C.	A sp	ecial education advocate maintains complete, accurate and current		
28		case	records.		
29	D.	A sp	ecial education advocate strives, when appropriate, to increase public		
30		awar	reness and understanding of the profession of educational advocacy.		