

1 **I. Competence**

2 A. 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
10 . how federal, state, and local educational systems work
11 a. assisting families in the IEP process
12 b. conflict resolution skills and options
13 c. and appropriate specialty topics relevant to the client being
14 served.
- 15 3. Be aware of and rigorously comply with
16 a. ethical principles relating to confidentiality and frivolous
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 A. 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
29 upon and permitted by law.

2. Include parents or other appropriate family members in the educational planning, and to assist them in developing personal advocacy skills
3. Have regular and sufficient in-person contact with the client, and have reviewed sufficient records to enable them to have in-depth knowledge of the case and make fact-based recommendations.
4. Take reasonable care in researching and communicating information regarding available resources in the process of presenting educational options to their client.
5. Understand the student's strengths, values, and needs.
6. Helps the family obtain placement and services based on the child's educational needs, and does not seek to influence placement or services based on self-interest.
7. Be cognizant of and modify their practice in response to cultural, individual and role differences.
8. Be knowledgeable about best practices when assisting families to design appropriate educational programs for eligible students

III. **Communication**

A. A special education advocate strives to:

1. Always be truthful and forthright in the provision of information
2. Suggest means to solve an issue or produce a particular outcome, which is not influenced by self-gain.
3. Provide complete information to their clients to facilitate decision-making that is fully informed and based on existing evidence.
4. Interact with program staff using evidence and knowledge of client's rights, to make his/her point. Stays calm and objective when conflicts arise.
5. Communicate in a professional manner at all times.

B. A special education advocate has an obligation to:

1. Clearly communicate his/her status as a non-attorney
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.
- 6

7 **IV. Multiple Relationships**

- 8 A. 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 consent in writing from the client.
- 20

21 **V. Advertising, Public Presentation, and Ethical Business Practices**

- 22 A. A special education advocate is forthright in disclosing educational
- 23 background, professional training, experience, and affiliations.
- 24 B. A special education advocate manages business operations in
- 25 accordance with generally accepted financial and risk management
- 26 practices and applicable federal, state and local requirements.
- 27 C. A special education advocate maintains complete, accurate and current
- 28 case records.
- 29 D. A special education advocate strives, when appropriate, to increase public
- 30 awareness and understanding of the profession of educational advocacy.