"Advocate’s Ethics & Standards of Practice"

I. Advocacy Competence
   • An Advocate works within their individual limits of their competency.
   • The Advocate informs clients and potential clients if and when they are not competent to handle any matter or any portion of a client matter.
   • The Advocate is candid concerning their knowledge base and skill.
   • An Advocate continues their special education advocacy education by successfully completing no less than twelve (12) hours of continuing education annually. Continuing education can be through private and non-profit vendors, bar association continuing education courses, paralegal courses, Department of Elementary and Secondary Education courses or seminars, civil rights or disability rights organizations; professional associations of attorneys or advocates; and any other continuing education courses or programs related to special education practice, advocacy, negotiation, and or mediation.
   • The Advocate is knowledgeable regarding regulations of the jurisdictions in which they work and or in which their clients are located.
   • An Advocate provides competent assistance, which requires special education knowledge, reasonable preparation, skill, and thoroughness necessary for the assistance required under the circumstances.
   • An Advocate exercises reasonable care.

II. Responsibility to Clients
   • An Advocate will responsibly represent the best interest(s) of the client/clients.
   • An Advocate assists clients to make informed decisions concerning appropriate educational decisions by providing relevant information to clients.
   • An Advocate assists clients in their articulation of concerns and vision for the student’s educational needs.
   • An Advocate makes full disclosure to all individuals involved with a matter that he or she is not licensed nor certified to practice law and cannot give legal advice.
   • An Advocate handles matters in a timely manner and without delay.
   • An Advocate informs, empowers and educates client/clients concerning special education matters, assisting them in becoming more skillful and effective advocates.
   • An Advocate maintains regular contact.
   • An Advocate treats clients with respect and dignity.
   • An Advocate secures a detailed written agreement for services with clients prior to performing any professional services.
   • An Advocate obtains client/clients permission prior to discussing any/all matters with anyone other than the client/clients, as well as adhere to any/all Federal or applicable State confidentiality requirements.
   • An Advocate maintains client/clients records, and keeps client/clients information confidential at all times adhering to any/all Federal or applicable State requirements until such time as the client(s) provides a written release indicating otherwise, and or makes arrangements to return or destroy records belonging to the client/clients at the conclusion of the client’s matter.
   • An Advocate fully discloses advocate-client privilege may not exist and that the Advocate must comply with any hearing officer, court or administrative law judge’s orders, and may be required to comply with lawfully executed subpoenas.
   • An Advocate will access necessary, available resources to appropriately address the needs of diverse populations.
• An Advocate will advise client/clients to seek legal counsel and or representation as needed and or appropriate.
• An Advocate will refer to other appropriate professionals when a client/clients needs require training, knowledge and or skills outside the Advocate’s experience and or expertise.

III Conflicts of Interest
• An Advocate will disclose potential conflicts of interest. The Advocate is obligated to place the interest of the client/clients ahead of any personal interest and/or gain, as well as disclose all facts in any situation where a potential conflict of interest may arise.
  a. The Advocate will at a minimum, inform potential clients of any employment affiliations, financial or professional interests that may be perceived to bias recommendations, and in some cases, decline to provide service(s) where the actual or apparent conflict of interest is such that it may fairly be concluded that such affiliation and/or interest is likely to impair professional judgment(s), resulting in personal gain, or impede advocacy efforts in any way.
• An Advocate will make referrals and or placements to service providers based solely on the needs of the student.
• An Advocate will refrain from accepting or giving anything of value for the recommendation of advocacy services to others.

IV Communication
• An Advocate will never knowingly mislead others in the pursuit of a client/clients matter/matters.
• An Advocate will pursue ethical means to solve an issue or produce a particular outcome.
• An Advocate will present claims that are truthful and can be substantiated concerning the Advocate or the Advocate’s service(s) of another Advocate.
• An Advocate will communicate with others in a fair and civil manner.

V. Professionalism
• An Advocate will adhere to applicable laws of jurisdiction(s) in which the Advocate works or in which the client/clients is located.
• An Advocate will review relevant records and information prior to effectively offering specific assistance.
• An Advocate will attempt to resolve special education disputes utilizing all applicable means of due process, as described in the Individual Disability Education Act (I.D.E.A.) and the Advocate’s state special education statutes and regulations.
• An Advocate will manage his or her professional office and financial affairs in a manner that conforms to generally accepted business and financial practices.
• An Advocate will treat all parties subject to a dispute with integrity, fairness and civility.
• An Advocate will not in any way discriminate any potential and or existing client/clients on the basis of gender, race, color, religion, sexual orientation, national or ethnic origin or disability.

☐ I have read, understood and agreed to adhere to the new Ethics and Standards.

print name __________________________ signature __________________________ date ____________

SPaN would like to thank COPAA for allowing us to use their "Advocate’s Ethics and Standards of Practice” as the basis for raising the ethics and professional standards to the valuable service advocates perform.