

Ethics of Advocacy

Every advocate must respect some important ethical considerations. As much as any attorney or educational professional, the advocate should consider his or her role as one requiring the ultimate sensitivity to a high ethical standard.

1. Confidentiality: It goes without saying that advocates owe the parents and children they represent the highest level of confidentiality. Advocates deal with very personal and confidential issues and they must develop an absolute sense of confidentiality. Even when communicating with the private therapists, educational consultants, and psychologists, it is vital to obtain written authorization for these communications and contacts. An advocate should not forward any documents, letters, or other communications to either private consultants or the school district, without express authorization from the parents.

2. Avoid Conflicts of Interest: Advocates serve their clients by developing good working relationships with school personnel. In the development of these relationships, however, it is vital that the advocate maintain a clear protective line relative to their client/parents. All efforts of school personnel to “bad mouth” the parents, should be stopped immediately. When school personnel start down that road, advise them that you share all communications (verbal and written) with your client. with school personnel. That will stop that behavior. If your client has been acting inappropriately, that is a matter for counseling between yourself and your client and it is not for discussion with the school.

Sometimes school districts will try to use the services of a good advocate, offering to hire them as “school-parent liaisons.” This is a very slippery slope. Many advocates will not attempt to have advocacy clients in the same school district, where they are paid (or even volunteer) “school-parent liaisons.” Remember that full and absolute disclosure of any school relationships or professional involvement is a key to avoiding even the appearance of conflict of interest.

3. Sensitivity to the special parent – advocate relationship. It is important that the advocate work in a careful relationship to the parents. As represented in the article, the philosophy and ethics of advocacy, the advocate is one who comes alongside to help and support the parent. The advocate has a responsibility to equip the parent to advocate for his or her own child.

4. Professionally high standard of educational, psychological and legal knowledge. It is troublesome to hear an individual say, “I am just an advocate.” In a very real sense the advocate should be one of the most knowledgeable persons at the IEP table. It is very important for the advocate to work and study so

that the advocate is able to speak from a position of knowledge and authority. This is looked at in greater detail in the article entitled the “Advocacy Competencies.”

5. Professionally high standard of personal presentation and advocate-school relationships. Too often advocates believe that they must be aggressive in order to effectively advocate. The opposite is true. Aggressive attitudes are most often reflective of insecurity, doubt, and weakness. An advocate, who works to be knowledgeable and professional, should be able to present a firm, confident position grounded in knowledge and experience. To the extent possible, an advocate should work at developing respectful, working relationships with school district personnel. In many school districts it is possible to earn the respect of district decision-makers.

6. Avoiding Unlicensed Practice of Law: The law provides for advocates to support parents in their advocacy for their children with disabilities. By following some basic principles and carefully defining their role limits, advocates can work powerfully for the educational rights of children with disabilities, without hesitation or fear of overstepping the legal limitations of their advocacy. Unfortunately more and more school districts have begun attacking advocates, by accusing them of the unlicensed practice of law. The intention is to intimidate advocates and prevent them from serving children with disabilities. The section entitled, UPL (unlicensed practice of law) provides information to help advocates avoid such school board attacks.