USING A SPECIAL EDUCATION ADVOCATE

A special education advocate is someone who works on behalf of a student and student’s family to help the family obtain special education services. Some advocates are available to families at no charge; others are paid professionals. They have varying levels of experience and training. Special education advocates can be particularly helpful for families who have difficulty understanding the special education rules or for families who are having trouble getting services for their children.

How is a special education advocate different from an attorney?

Special education advocates are different from attorneys. Attorneys (also known as lawyers) have college degrees and have graduated from law school. Attorneys have specific training in advocacy skills and must be licensed, meet continuing education requirements, and follow ethical guidelines. Attorneys can practice law, meaning they can provide legal advice, draft legal documents, and represent clients in court proceedings.

Special education advocates have no educational requirements and are not licensed. While there are advocate training programs, which are hosted by a range of organizations, from law schools, to educational agencies, to private individuals and companies, there is no governing body that ensures that advocates are trained. At least one advocacy organization has established a “board certification” program, but this certification is not recognized as providing mastery of advocacy knowledge and skills by any state, and it does not provide licensure or credentialing. Advocates cannot practice law or give legal advice. In Pennsylvania, an advocate cannot represent you in a due process hearing, although he or she can attend one with you. In other states, an advocate can conduct a due process hearing for you.

What does a special education advocate do?
Special education advocates assist parents with understanding and participating in the special education process. The following items will give you an idea of how an advocate might be able to assist your family. How much the advocate does is up to you. You may choose to have a special education advocate work in an advisory role for you behind the scenes, or you may choose to have the advocate be much more involved in obtaining, maintaining, and monitoring your child’s special education services.

- A special education advocate should know the federal and state laws pertaining to special education services, and should, ideally, know policies and procedures used in your school district or by your Early Intervention (EI) agency. A good special education advocate can explain the laws and policies to you in a way you can understand.
- A special education advocate should be familiar with different kinds of assessments and reports, so that she or he can explain them to you, and even recommend a type of assessment that might be helpful to obtain.
- A special education advocate can refer you to private service professionals who can conduct Independent Educational Evaluations (IEEs) or provide other services as needed.
- A special education advocate can review and explain to you your child’s educational record, including evaluations and testing, Individualized Education Programs (IEPs), and progress reports.
- A special education advocate should know about services and supports which may be helpful for your child. The advocate should be able to objectively analyze the quality of your child’s education program to determine if your child’s needs are being met.
- A special education advocate can help you organize your materials so that you can stay organized.
- A special education advocate can help you prepare for meetings related to your child’s special education program – especially meetings to discuss reevaluations and IEPs or Individualized Family Service Plans (IFSPs).
- A special education advocate can help parents write appropriate IEP/IFSP goals and objectives and suggest appropriate supports and accommodations.
- A special education advocate can accompany parents to meetings and assist in the negotiation process between parents and the school.
- A special education advocate can review important documents, such as
the IEP/IFSP or NOREP (Notice of Recommended Educational Placement), before you sign them.

- A special education advocate can help you draft letters and written requests to your school or EI agency.
- A special education advocate can assist you in understanding dispute resolution procedures and can help you assess the strength of your case. He or she should refer you to a special education attorney when needed.
- A special education advocate should teach you how to become a better, more effective advocate for your child and should help you identify ways for your child to become more independent and able to advocate for him or herself.

Choosing a Special Education Advocate

Unlike other professions, there are no degrees or licenses required to be a special education advocate. This means that basically anyone can call him or herself an advocate. Before working with any advocate – whether you are paying for the services or getting them for free – you should ask questions about the person’s experience, training, and background to make sure the person is a good fit for your family and situation.

- What did the person do before becoming an advocate?
- What educational degrees and training does the advocate have?
- What organizations does (or did) the person belong to? What is the philosophy of those organizations? (One parent discovered too late that her advocate was the founder of an organization called Citizens Against Public Education. The school district was aware, however, and meetings were hostile from the beginning.)
- What experience does the advocate have in working with families with Autism Spectrum Disorder (ASD)? Does the advocate have experience working for children whose abilities or disabilities are like your child’s?
- Is the advocate willing to provide you with references? Talk to families who have used the advocate to learn about the advocate’s responsiveness, professionalism, knowledge, and effectiveness. What was the advocate’s demeanor during meetings (passive, methodical, antagonistic, conciliatory, accusing, composed, emotional, business-like)?
- How much does the advocate charge? Does he or she charge by the hour or by the job? If the advocate charges by the hour, don’t forget the time
that the advocate will spend reviewing your child’s records, on the phone, and researching programs or services.

- Does the advocate have a child who has received special education services? Does the advocate have a child who has gone through the same district or EI program as your child? If so, ask questions to determine how this might affect the advocate’s representation of your family. Was the relationship friendly or hostile?

Even after deciding on a special education advocate to assist your family, never allow the advocate to act without discussing strategies with you and without your permission. Ultimately, you are the one responsible for the advocate’s actions, and it is your child’s education on the line.

Related Articles:

- **When Do I Need a Special Education Attorney?**
- **Overview of the Dispute Resolution Procedures for Families in Preschool and School-Age Special Education Programs**
- **Overview of Dispute Resolution Procedures for Families of Children Receiving Early Intervention**
- **Independent Educational Evaluations**

Recommended Link:

- **CAR Resource Directory (search for Advocacy)**