

# **NSCA Certification Commission's**

## **CODE OF ETHICS**

Prepared June 1992/Updated June 1998 and June 2000

Since 1985, the NSCA Certification Commission Executive Council has issued credentials to over 22,229 strength and conditioning practitioners and 8,259 certified personal trainers.

With the credibility possessed by the CSCS and NSCA-CPT examinations comes the responsibility to ensure the integrity of the credentials awarded. The Code of Ethics of the NSCA Certification Commission was established to make our certificants—Certified Strength and Conditioning Specialists and NSCA-Certified Personal Trainers—aware of the standards of ethical behavior that should be followed in the practice of their profession (strength training and conditioning and personal training). The Code presents fundamental standards of behavior that all certificants should strive to achieve. It serves to increase ethical sensitivity and judgment, strengthen support for certificants' moral courage, and sharpen their sense of identity as an integral part of the National Strength and Conditioning Association's Certification Commission and its continued success.

The NSCA Certification Commission is committed to certifying individuals who demonstrate the knowledge and skills necessary to design and implement safe and effective strength training and conditioning and personal training practices. The NSCA Certification Commission also believes that continuing education encourages individuals to stay abreast of evolving knowledge and skills and, in doing so, promotes their ongoing competency. This philosophy implies that the responsibility of its certificants is not limited to the well being of the athletes and/or clients, but also to society in general and the reputation of others in their field, with the overall goal being an improvement of health and well being for all.

The Certification Commission is dedicated to maintaining a high standard for certificants of the NSCA Certification Commission. The following Code of Ethics assures that those who hold the Certified Strength and Conditioning Specialist

certification or the NSCA-Certified Personal Trainer certification are aware of the standards of ethical behavior that should be followed in the practice of their profession. Certificants shall:

1. Respect the rights, welfare, and dignity of all individuals.
2. Strive to provide equal and fair treatment to all individuals and not discriminate against anyone.
3. Provide and maintain a safe and effective training environment.
4. Comply with all general laws of the land including, but not limited to, applicable business, employment, and copyright laws.
5. Accept responsibility for the use of sound judgment when working with their clientele.
6. Respect the confidentiality of their clientele while remaining accountable
7. Refer their clientele to more qualified fitness, medical, or health professionals when appropriate.
8. Remain current on practical and theoretical foundations through continuing education activities.
9. Avoid engaging in any behavior or form of conduct that would constitute a conflict of interest or actions that adversely reflect on the profession or the National Strength and Conditioning Association and the NSCA Certification Commission.
10. Strive to safeguard the public by reporting violations of this Code of Ethics.

To protect the public from those who attempt to misrepresent their qualifications as credentialed practitioners, the NSCA Certification Commission established the Judicial and Appeals Committees.

### **Judicial and Appeals Committees**

These committees have been charged with investigating incidents where credentials have been falsified, altered examination score reports have been prepared, and forged educational documents have been presented. The committees also consider unacceptable practice-related behaviors by already credentialed practitioners.

To conduct its investigations, the Judicial and Appeals Committees have adopted official operating policies and procedures that meet the standards of the National Organization for Competency Assurance (NOCA). NOCA requires that member organizations have an enforceable disciplinary process.

The Judicial and Appeals Committees are permanent committees, each of which includes five (5) members: one public representative (a person who is not certified and not an NSCA member), three certificants, and one non-certified NSCA member. All nominations and elections of members to the Judicial and Appeals Committees require a majority vote of the Executive Council. Criteria used in the selection of these committees includes familiarity with and dedication to the primary goal of the NSCA Certification Commission (i.e., to administer credentialing examinations of the highest quality) and an understanding of the Commission's responsibility in assuring that only those who have passed the examination are using the credential.

The Executive Council must become involved only in matters that can be factually determined, while providing the charged party with every opportunity to respond in a professional and legally defensible atmosphere. Within this framework, the Judicial and Appeals Committees effectively address the concerns of the NSCA Certification Commission to protect the public as well as the Certified Strength and Conditioning Specialist and NSCA-Certified Personal Trainer credential from those who would misuse them.

### **Reporting Possible Problems**

To protect the credential and assure responsible practice by its credentialed members, the NSCA Certification Commission depends upon strength and conditioning and personal training professionals, employers, and the public to report incidents that may require action by the Judicial and Appeals Committees. Complaints that appear to fit the scope of the committee's responsibilities may be sent to:

Executive Council Chair  
NSCA Certification Commission  
3333 Landmark Circle  
Lincoln, NE 68504

Procedures:

- 1) Complaints of alleged violations may be submitted by any interested party or may be self-initiated by the National Strength and Conditioning Association or the NSCA Certification Commission. The complainant's name and the content of the complaint shall remain confidential, unless legal requirements mandate disclosure.

- 2) Complaints must be in writing and provide details, with appropriate supporting documentation if possible, of how a particular standard, policy, or procedure is being or was violated by the certificant.
- 3) The complainant will be informed of the action taken (i.e., there are no grounds for further investigation or the complaint will be investigated).

### **Types of Complaints**

The NSCA Certification Commission Executive Council has approved the following items as reasons that registrations for the certification examinations may be refused and that the examination candidates and credentialed individuals may be disciplined.

1. Obtaining or attempting to obtain certification by fraud, deception or artifice.
2. Knowingly assisting another person or other persons in obtaining or attempting to obtain certification, by fraud, deception, or artifice.
3. Illegal use of a certification certificate or falsification of credentials or any other Commission documents.
4. Unauthorized use of the designation “CSCS” or “NSCA-CPT.”
5. Unauthorized possession and/or distribution of any official CSCS or NSCA-CPT examination materials to include copying and/or reproduction of any part of certification examinations questions or problems. No part of any copyrighted document may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying or recording, or any information retrieval system, without written permission from the NSCA Certification Commission.

When the NSCA Certification Commission becomes aware of an incident that may fall into one of the preceding categories, the Judicial Committee begins a structured investigation to determine whether any disciplinary action will be taken.

### **Investigation Procedures**

The Judicial process is designed to give the individual alleged to have violated the Commission's policies a fair opportunity to refute the allegation and/or explain the situation fully before any action is taken by the Judicial Committee. In each instance that comes to the Commission's attention, the following steps are taken to quickly complete the investigation and resolve the complaint:

**1. Investigation Notice:** The Executive Director of Certification responds to initial complaints received by providing a written notice of the potential problem to the individual, or the "charged party." The individual is given an opportunity to respond in writing to clarify the matter or provide other pertinent information.

**2. Hearing Decision:** Based on the individual's response to the Executive Director's inquiry about the complaint, the Judicial Committee confers to determine whether or not the complaint appears to have merit and whether or not it falls within the scope of the committee's responsibilities. The committee then determines if an official hearing, in which the charged party and others may present testimony, will be conducted. If the decision is that a hearing is unwarranted, the complaint is dropped and the individual is notified that no action will be taken by the NSCA Certification Commission Executive Council.

**3. Hearing Notice/Information Gathering:** If the complaint appears to have merit and is within the purview of the committee, the charged party is notified by certified mail that a formal hearing will be conducted at the next Judicial Committee meeting. The specific violation alleged to have been committed is identified and the charged party is given 30 days in which to provide information to the committee regarding the complaint. The charged party may also request that a hearing not be conducted. At the same time, the NSCA Certification Commission Executive Council may contact other individuals about the matter and develop other facts that may help the committee decide if a violation of Commission policies has occurred. The individual has the right to review information gathered, as well as to be personally present and/or represented by legal counsel at the formal hearing.

**4. Formal Hearing:** All of the information gathered during the investigation or provided by the charged party is reviewed by the Judicial Committee. Any personal testimony from the individual or other witnesses is taken during the hearing and a transcribed record of the proceedings is made.

**5. Case Decision:** Based on the record of the hearing, including all information submitted by the charged party, the Judicial Committee determines whether or not the individual has violated Commission policies and, if so, what disciplinary action the NSCA Certification Commission will take. Written notice of the committee's decision is provided to the individual by certified mail.

**6. Appeal:** Upon receipt of the notice of the Judicial Committee's decision, the charged party has thirty (30) days to file a written appeal of the decision to the NSCA Certification Commission Executive Council. When the appeal is made, the Appeals Committee, which consists of the Executive Council, reviews the record of the case and determines whether to affirm or modify the Judicial Committee's decision.

**7. Reconsideration:** Regardless of whether the individual appeals a committee decision to the NSCA Certification Commission, the Judicial Committee will reconsider the case of any individual upon receipt of a request to do so, accompanied by information not previously considered. This most often occurs when an individual who initially did not respond to the NSCA Certification Commission Executive Council inquiries about the matter later decides to come forward after a hearing has been conducted.

### **Possible Disciplinary Actions**

The Judicial and Appeals Committees consider each alleged violation of NSCA Certification Commission Executive Council policies as individual cases and make decisions regarding appropriate punishment to fit the circumstances. In doing this, the committees have a range of possible disciplinary measures approved by the NSCA Certification Commission Executive Council from which to choose:

1. **Admonishment:** A written reprimand by the Chair of the NSCA Certification Commission Executive Council to be placed in an individual's certification record for a minimum of two years.
2. **Formal Censure:** An official resolution recorded in the minutes of a meeting of the Executive Council expressing the Council's official displeasure with an individual's responsiveness to the NSCA Certification Commission.
3. **Removal from Eligibility for certification examinations for a specified period of time:** Depending upon the seriousness of the offense and the individual's responsiveness to the Commission's concerns, the Judicial Committee may remove a person's eligibility for credentialing for a definite length of time or for an indefinite period. To be reinstated, the individual must petition the committee for reconsideration of the matter and explain why such reconsideration should be made.

4. **Referral to the NSCA's Ethics Committee:** When a credentialed individual violates Commission policies and is a member of the National Strength and Conditioning Association, the Judicial Committee may refer the situation to the NSCA's Ethics Committee for further action as deemed necessary.
5. **Disqualification from re-credentialing as a result of violation of NSCA Certification Commission policies:** Depending upon the seriousness of the offense and the individual's responsiveness to the Commission's concerns, the Judicial Committee may disqualify a person from recertification as a Certified Strength and Conditioning Specialist and/or NSCA-Certified Personal Trainer. To be reinstated, the individual would need to take and again pass the certification examination.

### **Disciplinary Actions for Practice-Related Offenses**

In addition to the preceding measures that may be taken against those who violate NSCA Certification Commission policies, the Judicial and Appeals Committees may take the following, more stringent actions against examination candidates and credentialed members who commit practice-related offenses that affect the safety of athletes/clients and/or call into serious question the individual's competence to practice:

1. Delete from "active" credentialed status for a specified or indefinite period of time, not to exceed the length of a court-imposed punishment.
2. Suspension of a credential(s) for an indefinite period of time, not to exceed the length of court-imposed punishment.
3. Suspension from the examination system(s) for a specified or indefinite period of time, not to exceed the length of a court-imposed punishment.
4. Publication of disciplinary action in the NSCA *Bulletin*.
5. Mandatory reexamination to document continued competence as a credentialed practitioner; failure of the examination could lead to suspension of a credential for a specified or indefinite period of time.

Additionally, when the NSCA Certification Commission Executive Council is advised of serious practice-related offenses, the Executive Council maintains

records of legal information received and referred inquiries in response to legitimate requests for information about the practitioner's ability to function on the job. This is done during the length of a court-imposed punishment.

### **Trademarks and Service Marks**

In addition to policing the use of the Certified Strength and Conditioning Specialist or NSCA-Certified Personal Trainer credentials, the Judicial Committee also has the responsibility to protect the NSCA Certification Commission's trademarks and service marks from infringement by unauthorized parties. The Judicial Committee works with qualified trademark attorneys to ensure that only those who have passed the CSCS and NSCA-CPT examinations have the right to use the trademark designation, thus adding to the meaning and value of the Certified Strength and Conditioning Specialist and NSCA-Certified Personal Trainer credentials.

The aforementioned policies and procedures were formulated using the model established by the National Board of Respiratory Care (NBRC), which are in accord with the standards established by the National Organization for Competency Assurance. Modifications to these standards were necessary in some instances.

Reference: "The Judicial and Appeals Committee: Protecting the Profession's Credentials"  
NBRC.