

**NATIONAL STRENGTH AND CONDITIONING ASSOCIATION  
CODE OF ETHICS**

(Adopted January 4, 2008)

**Preamble:**

The National Strength and Conditioning Association (NSCA) is committed to the principles of ethical behavior that shall be followed by all members. The Code of Ethics is intended to establish and maintain high standards and professionalism for the strength training, conditioning, and personal training professionals. It is also intended to enhance the effectiveness of our organization in supporting its mission. Members are expected to adhere to these standards of integrity and honesty, encourage ethical behavior and report unethical behavior among the membership.

The principles are written generally and do not address every situation encountered by the strength training, conditioning, and personal training professional. The circumstances of a situation will determine the interpretation and application of a given principle as it relates to the Code of Ethics. When a conflict exists between the Code of Ethics and the law, the law prevails.

**1. Principle 1:**

Members shall respect the rights, welfare, and dignity of all individuals.

- 1.1. Members shall not discriminate on the basis of race, color, sex, age, religion, or national origin.
- 1.2. Members shall provide competent, fair, and equal treatment to all individuals.
- 1.3. Members shall preserve the confidentiality of personal and privileged information of the athlete, client or the NSCA.
- 1.4. Members shall not release any information to a third party not involved with the athlete's or client's care without a written release unless required by law.

**2. Principle 2:**

Members shall comply with all applicable state, local and federal laws.

- 2.1. Members shall comply with all institutional guidelines.
- 2.2. Members shall comply with all copyright laws
- 2.3. Members shall be familiar with and follow the NSCA Bylaws and all applicable policies, procedures, rules, standards and guidelines.
- 2.4. Members shall not condone or engage in any illegal behavior.

**3. Principle 3:**

Members shall maintain and promote high standards.

- 3.1. Members shall not misrepresent, either directly or indirectly, their skills, training, professional credentials, identity or services.
- 3.2. Members shall only provide services that they are qualified to provide through education or experience and which are allowed by practice acts and other pertinent regulations.

- 3.3. Members shall refer athlete or client to more qualified fitness, medical, or health care professional when appropriate.
- 3.4. Members who are researchers or educators shall maintain and promote ethical conduct in research and educational activities.
- 3.5. Members should strive to continuously improve knowledge, skills, and techniques to protect the athlete or client from injury.

#### **4. Principle 4:**

Members shall not engage in any behavior or form of conduct that adversely reflects on the NSCA.

- 4.1. Members should conduct themselves personally and professionally in a manner that does not compromise their professional responsibility.
- 4.2. Members shall not place financial gain above the welfare of the NSCA, athlete's or client's, and shall not in any arrangement exploit the NSCA, athlete or client.
- 4.3. Members shall avoid substance abuse and, when necessary seek rehabilitation for chemical dependency.

#### **Reporting Ethics Violations:**

Any person who holds a valid membership in the NSCA, and was an active member at the time of the alleged incident, may make complaint alleging an ethics violation. Complaints must be filed with a member of the Board of Directors or NSCA Executive Director. Information supporting the allegation must be specific and provide as much documentation as possible. Once submitted all complaints will be evaluated by the Ethics Committee and the pre-established procedures will be followed.

#### **ENFORCEMENT POLICY**

The NSCA has the inherent power and duty to prescribe standards of conduct for its membership; to determine what constitutes grounds for the discipline of members; and to impose discipline upon any member whose failure to comply with the Code of Ethics of the NSCA has been established.

The discipline of members is for the protection of the public, the profession, and the maintenance of the standards and principles of the NSCA.

#### **DEFINITIONS**

The following definitions shall apply wherever used in the Code of Ethics:

**NSCA:** National Strength and Conditioning Association

**Member:** Any person who is a member in good standing in the NSCA, and was an active member at the time of the alleged incident.

**Charges:** A written statement prepared by the Ethics Committee as a result of an investigation of a complaint and submitted to the Board of Directors.

**Formal Charge:** A written charge by the Ethics Committee, or Board of Directors, that disciplinary action is warranted.

**Code:** The Code of Ethics of the NSCA, together with such amendments thereto, as may from time to time be approved by the NSCA Board of Directors.

**Complainant:** Any NSCA member, who was an active member at the time of the alleged incidence, who makes a complaint.

**Complaint:** Any written statement made by any person alleging conduct on the part of a member which, if true, would constitute a violation of the Code of Ethics.

**Misconduct:** Determination that a member violated the Code of Ethics.

### **Rule 1. Jurisdiction**

- (A) Every member admitted to membership in the NSCA is subject to the exclusive disciplinary jurisdiction of the NSCA.

### **Rule 2. Grounds for Discipline**

- (A) It is the duty of every person who is subject to this Code of Ethics to conduct himself or herself at all times, both professionally and personally, in conformity with the standards imposed upon them for that privilege.
- (B) Acts or omissions by a member, individually or in concert with any other person or persons, which violate the Code of Ethics, shall be grounds for discipline, whether the act or omission occurred in the course of an activity associated with the affairs of the NSCA or otherwise.

### **Rule 3. Types of Discipline**

- (A) Misconduct shall be grounds for:
  1. Termination of membership by the NSCA; or
  2. Suspension, which may include all membership rights and privileges, by the NSCA for a fixed period of time; or
  3. Probation by the NSCA in lieu of suspension, on such terms as the NSCA may designate; or
  4. Censure (i.e., a formal reprimand) by the NSCA; or
  5. A warning or admonition issued in the form of a Cease and Desist Letter by the NSCA.
  6. Removal from a position in which the person serves, subject to applicable provisions of the NSCA Bylaws, policies and procedures.

- (B) The NSCA Board of Directors may deviate from the above designated types of discipline from time to time, as it determines that the circumstances warrant.

**Rule 4. The Ethics Committee**

The President of the NSCA shall appoint an Ad Hoc Ethics Committee (here after referred to as the Ethics Committee).

- (A) Ethics Committee membership:
  - 1. All members of the Ethics Committee must be a NSCA member in good standing.
  - 2. The Ethics Committee must have at least two NSCA Board members on the committee.
  
- (B) The Ethics Committee shall have the following powers and duties:
  - 1. Process Complaints and exercise the disciplinary powers and duties described in Section (C), below.
  - 2. In its discretion, render to a member upon his or her written request an advisory opinion or an interpretation of rules of professional conduct under the Code of Ethics regarding anticipatory conduct on the part of a person who is subject to this Code of Ethics.
  - 3. Make appropriate arrangements, through its Chairman, for and with approval of the Board of Directors, for publication and dissemination of such advisory opinions as the Ethics Committee deems of general interest to the members.
  
- (C) The Ethics Committee shall have the following disciplinary powers and duties:
  - 1. Review all Complaints and charges presented to it by the NSCA or its members.
  - 2. After reviewing the charges, dismiss any Complaints upon being satisfied that they are without foundation and merit.
  - 3. With Board approval, issue a reprimand if the Complaint indicates a matter not appropriate for a Formal Charge.
  - 4. To issue a Cease and Desist Letter
  - 5. Determine if there are reasonable grounds for discipline and Formal Charges are warranted.
  - 6. Conducts its own investigation of all Complaints.
  - 7. Investigate, on its own motion, any act of unprofessional conduct of a person who is subject to this Code of Ethics. Submit a report to the Board of Directors of the Committee's recommendation on all complaints not dismissed by the Committee.
  - 8. Notify a person who is subject to this Code of Ethics in writing that he or she is the subject of a Complaint in accordance with the procedures stated below.

## **Rule 5. Procedure**

- (A) All complaints must be in writing and filed with a member of the Board of Directors or NSCA Executive Director.
- (B) All Complaints received by any other person shall be transmitted forthwith to a member of the Board of Directors or NSCA Executive Director.
- (C) All investigations, whether upon Complaint or otherwise, shall normally be initiated by the Ethics Committee.
- (D) When it appears to the Ethics Committee that allegations of misconduct in the Complaint fail to describe conduct which, if true, would constitute grounds for discipline, the Ethics Committee may decline to further investigate and shall so advise the Complainant in writing with a proper explanation within fifteen days of its receipt. The Board of Directors will receive a copy of this report.
- (E) If, upon conclusion of any investigation, the Ethics Committee determines there are not reasonable grounds for discipline of a member against whom a Complaint is directed, the Ethics Committee shall dismiss the Complaint and shall so advise the Complainant, the persons against whom the Complaint is directed, and Board of Directors in writing with proper explanation. The Ethics Committee shall further advise such Complainant that an appeal may be taken to the Board of Directors of the NSCA.
- (F) If it appears to the Ethics Committee that allegations of misconduct in the Complaint do describe conduct which, if true, would constitute grounds for discipline, the Ethics Committee shall notify the person against whom the allegations are directed that he or she is the subject of a Complaint. Within fifteen days of the receipt of the Complaint, the Ethics Committee will furnish the member with a copy thereof by certified mail, return receipt requested.
- (G) Upon receipt of notice of a Complaint from the Ethics Committee, the person against whom the Complaint is directed shall prepare and submit to the Ethics Committee, in writing, within fifteen working days of receipt of such notice, a response to the Complaint, or a response stating that he or she refuses to answer. For good cause, the Ethics Committee may in its discretion grant additional time for the filing of a response.
- (H) If, upon conclusion of any investigation, the Ethics Committee determines that there are reasonable grounds for discipline of a member against whom a Complaint is made, the Ethics Committee shall reduce the Complaint to a Formal Charge specifying with particularity the allegations

which constitute the basis thereof, the grounds for discipline, and provisions which appear to have been violated, and immediately forward said Formal Charges and either the Ethics Committee's investigation file, or a copy thereof, to the Board of Directors. At the same time that Formal Charges are provided to the Board of Directors, the Ethics Committee will furnish the member with a copy of the Formal Charges by certified mail, return receipt requested.

- (l) Upon receipt of the Formal Charge and file from the Ethics Committee, the Board of Directors shall within thirty days review the same and consistent therewith either:
  1. Determine the Charges, if true, would not constitute grounds for a violation of the Code of Ethics and dismiss the Charges.
  2. Determine the Charges, if true, would constitute grounds for discipline, but no public interest would be served by continuing to process the Formal Charges, and thereupon prepare and issue to the person against whom the Complaint is directed a reprimand which shall be made a permanent part of the file of the Ethics Committee. This reprimand may be received as evidence in any subsequent disciplinary proceedings against the person against whom the Complaint is directed.
  3. Determine that a hearing is necessary to ascertain if there are reasonable grounds for discipline of the person against whom the Complaint and Formal Charges are directed which may require a disciplinary action other than a reprimand.
  4. The Board of Directors will promptly provide the member with notice of such determination by certified mail, return receipt requested. Notice will be sent to the person's address registered with the NSCA or addressed to his or her last known residence or place of business. The member will have the opportunity to file a written answer to the Formal Charges by submitting the answer to the Board of Directors within fifteen days after the member's receipt of such notice of the hearing.
  5. At least thirty days prior to the hearing, the person against whom the Complaint is directed shall be given, in writing by certified mail, return receipt requested, the time and place of the hearing, list of charges to be determined at the hearing, the witnesses who will be involved, the right to be represented by counsel at the hearing if so desired, and the right to present witnesses in his or her behalf in response to the charges at issue, and to cross-examine witnesses. Notice will be sent to the person's address registered with the NSCA or addressed to his or her last known residence or place of business.
  6. The hearing shall be conducted by a hearing panel consisting of three members of the Board of Directors, as designated by the NSCA President. The hearing panel shall consider only the Complaint and Formal Charges of which the person against whom the Complaint is directed has received notice.

7. Within forty-five days following the termination of the hearing, the hearing panel will render a written decision, which shall constitute the decision of the Board of Directors, and the person against whom the Complaint is directed will be advised by certified mail, return receipt requested, of the results of the hearing and action of the Board of Directors. The decision of the Board of Directors is final, and not subject to appeal.

**Rule 6. Publication of Disciplinary Actions**

The following will be published by the NSCA on one occasion in NSCA regularly printed or electronic media:

- (A) In the case of a final decision by the Board of Directors which imposes discipline arising from a Complaint, (i) the name of the member who has been disciplined, (ii) the nature of the Complaint, and (iii) the discipline imposed.
- (B) In the case of a reprimand or Cease and Desist Letter issued by the Ethics Committee, the fact that discipline has been issued, but without identification of the member who was the subject of the discipline.

**Rule 7. Related Civil or Criminal Litigation**

- (A) Similarity of the substance of a Complaint to the material allegations of pending criminal or civil litigation may, but shall not in itself, prevent or delay disciplinary proceedings against the person involved in such litigation.
- (B) The acquittal of the person on criminal charges, or a verdict or judgment in his or her favor in civil litigation involving material allegations similar in substance to a Complaint, shall not in and of itself justify termination of disciplinary proceedings predicated upon the same or substantially the same material allegations.