



Policies and Procedures Manual



NESTA ECB
29811 Santa Margarita Pkwy STE 500
Rancho Santa Margarita, CA
92688-2123 USA
Ph: 1-877-348-6692
Fx: 949-589-8216

Last update 08/10

Table of Contents

I. NESTA Executive Certification Board (ECB) Information	
NESTA ECB Mission and Objective Statements	3
II. Bylaws of the NESTA ECB	
Article I – Corporate Division Information	4
Article II – Objectives of the NESTA ECB	5
Article III – ECB for NESTA PFT Certification	6
Article IV – Composition of Committees	8
Article V – Responsibilities of Committees	11
Article VI – Amendment to ECB Bylaws	14
III. Organization of the NESTA ECB	
NESTA ECB Organizational Chart	15
NESTA ECB Job Roles and Responsibilities	15
IV. Certification Exam Development	
Job Analysis Research	16
Item Writing for the PFT Exam	16
Exam Security	18
Exam Forms	18
Quality Control of Exam Delivery	18
Disciplinary Actions and Appeals Processes	19
Appeals Process	21
Requests for Correct and Incorrect Exam Answers	23
Confidentiality Policy	23
Certification Grandfathering	24
V. Recertification Policies and Procedures	
Recertification Policy Requirements	26
Continuing Education Coursework Petitions	27
Petition Requests for Review of Non-NESTA ECB	
Approved Continuing Education Coursework	28
Petition Denial Appeals	28
VI. Continuing Education Requirement Policies and Procedures	
Providership Application Requirements	29
Performance Standards of Providership Coursework	29
Awarding CEU Providership	30
Denied Providership Appeals	30
VII. Professional Code of Ethics and Reporting of Conduct Violations	
NESTA Certified PFT Code of Ethics	31
Reporting of Conduct Violations	32

I. NESTA Executive Certification Board Information

Mission Statement

The National Exercise & Sports Trainers Association Executive Certification Board is dedicated to recognizing individuals who are exceptionally qualified to provide individualized personal fitness training through safe, efficient and effective exercise programming for personal clientele and the public at large while striving to pave a new path of unparalleled professional excellence in fitness practice.

Objective Statement

The National Exercise & Sports Trainers Association Executive Certification Board (NESTA ECB) provides entry level competency performance measures and standards of educational development for professional personal fitness trainers.

II. Bylaws of the NESTA Executive Certification Board

Article I Corporate Division Information

Section 1

The name of the division shall be the National Exercise & Sports Trainers Association Executive Certification Board (NESTA ECB).

Section 2

The principal headquarters for the NESTA ECB shall be located in Rancho Santa Margarita, California. Board members may reside and perform their duties outside of California as determined and approved by the NESTA Executive Certification Board.

Article II
Objectives of the NESTA Executive Certification Board (NESTA ECB)
to Ensure Public Safety, Health and Welfare

- 1) To establish standards and procedures for the development, implementation and administration of certification programs
- 2) To develop and administer examinations which assess the knowledge and skills underlying the performance of the tasks required of professional fitness practitioners
- 3) To publicly recognize individuals who successfully pass the NESTA ECB Personal Fitness Trainer (PFT) Certification Exam and who fulfill recertification and continuing education requirements established by the Exam Development and Recertification Committee of the NESTA ECB
- 4) To establish, implement and promote basic competency performance standards and an established code of ethics for certified individuals
- 5) To establish, regulate and administer Policies and Procedures which include handling and resolving ethical and professional concerns and violations as they pertain to NESTA ECB certified individuals and exam candidates
- 6) To create and administer programs which promote professional competence, public safety and performance standards for NESTA ECB certified individuals
- 7) To develop a certification verification process which safeguards the identity and privacy of NESTA ECB certified individuals
- 8) To develop and manage the requirements of continuing education providers

Article III
Executive Certification Board for NESTA PFT Certification

Section 1. Naming of the Executive Certification Board

The Executive Certification Board for the NESTA PFT Certification Program shall be known as the Executive Certification Board.

Section 2. Number of Board Members

The size of the Executive Certification Board is determined by its members but shall contain no less than (5) members and no more than (9) members.

Section 3. Board Composition

At least (1) member shall be a Public Member. At least (1) member shall be a Certified Personal Fitness Trainer through NESTA, referred to as a Certified Member.

Section 4. Broad Philosophy of the Executive Certification Board (ECB)

The Executive Certification Board is the governing body of the Certified Personal Fitness Trainer (PFT) Program. The Executive Certification Board is responsible for overseeing the developmental processes and implementation of the PFT exam, allocation of exam and certification funds, certification and recertification policies and procedures, disciplinary actions for certified individuals, selection of ECB personnel and operational processes. The Executive Certification Board is not responsible for the accreditation of educational or training programs leading to the certification.

In accordance with the Executive Certification Board Policies and Procedures Manual, the Board will never financially benefit from revenues obtained from the PFT examination process, educational programs, test preparation or training materials. The Board meets throughout the year to set and review policy, evaluate certification procedures, vote on issues that pertain to the PFT exam and develop ways to promote the professionalism of certified individuals. The Executive Certification Board is an advisory body only and has no fiduciary responsibilities.

Section 5. Executive Certification Board Member Rules and Regulations

- 1) Per NCCA accreditation requirements, an ECB member may not benefit from revenue generated by the exam, study manuals or test preparation materials.
- 2) An ECB member may not serve as a director, board member, officer, employee or consultant in any company that is a significant competitor during his/her service on the Executive Certification Board or for five years thereafter.

- 3) ECB members are required to retire at the conclusion of the calendar year wherein they reach the age of 80 years. Each member term shall last five years from initial instatement on the calendar year of their first attendance at an ECB meeting. Public members shall be elected by a board majority vote and certified members by the highest number of votes from the entire body of NESTA Certified Personal Fitness Trainers.
- 4) There is no limit on the number of terms an ECB member may serve except that set by age. Upon conclusion of each public member's five year term the board shall vote to approve or remove any member by a 2/3 or greater majority vote. If a public member seat is vacated, left by member choice, or the board determines a need for additional public members, such members will be appointed and approved by a majority vote of the board. If a certified member seat is vacated, left by member choice, at the conclusion of a five year term, or the board determines a need for additional certified members, such member positions will be open to all NESTA Certified Personal Fitness Trainers for candidacy which shall be approved by the highest number of votes (the individual(s) with the highest number of votes shall gain the member seat) from all NESTA Certified Personal Fitness Trainers through e-mail.
- 5) ECB members will have no equity interest in the PFT program in its entirety.
- 6) If any Board Member feels that he/she, or any other ECB member has a potential conflict of interest, it will be referred to corporate counsel. The full ECB will process these decisions on an individual basis.
- 7) An ECB member who learns of an opportunity through their work as an ECB member that might be useful to the development of the NESTA Personal Fitness Trainer Certification Program must first offer it to NESTA for a period of 30 days before attempting to benefit from it personally, or before offering it elsewhere for a fee.
- 8) The ECB may seek input and appoint members of a Certification Advisory Board or committee composed of NESTA Certified Personal Fitness Trainers for further advisement as necessary and as determined by the ECB.

Article IV
Composition of Committees

Section 1. Division of ECB member responsibilities and their work on Committees

The Board maintains committees that oversee and determine specific operations related to the certification program itself. There are four standing committees. Each committee shall have at least one chairperson and one other standing committee member. No ECB member may chair more than one committee but may be on multiple committees without limit.

- 1) Administrative Committee
- 2) Job Task and Industry Analysis Committee
- 3) Exam Development & Recertification Committee
- 4) Policies and Procedures Committee

Section 2. Composition of Committees - Objectives

- 1) Use the experience and abilities of each ECB member for the greatest benefit of the Executive Certification Board (ECB).
- 2) Avoid giving a concentration of power to any ECB member for an extended period of time.

Section 3. Basic Structure of Committees

- 1) Each committee will have a chairperson and at least one other ECB member. No individual may serve as chairperson on more than one committee.
- 2) The CEO or primary NESTA representative who shall be present at all meetings is a nonvoting member of each committee by virtue of their position at NESTA.
- 3) An ECB member will not be a member of the same committee after leaving it as chairman unless there are no other requests, recommendations or volunteers for this assignment.
- 4) All decisions will be made by a majority vote within each committee before being taken to the entire ECB. In the event of a tie, the final decision will be made by the chairman of the committee.
- 5) Each committee operates under the guidelines set forth by the ECB. The ECB receives administrative support from Continuing Education and Recertification Staff members associated with the Certified Personal Fitness Trainer (PFT) Program.
- 6) The administrative staff of the PFT facilitates communication between members,

the company, the ECB and the previously listed committees.

Section 4. Initial Committee Assignments

- 1) Board members will request the committee assignments they desire. The committee chairperson to the committee which the board member wishes to join must approve the request and assignment.
- 2) The Policies and Procedures Committee will make a selection among multiple requests if the requests exceed the number of individuals allowed/required for that committee as determined by the requested committee's chairperson.
- 3) The Policies and Procedures Committee will allocate assignments among unassigned members if there are insufficient requests for any committee.

Section 5. Election, Appointment and Term of Office of Executive Certification Board Members

- 1) Any individual 18 years or older not NESTA PFT Certified is eligible for appointment as a NESTA ECB Public Member.
- 2) Any individual who is NESTA PFT Certified with at least a college degree in a related field is eligible for appointment as a NESTA ECB Certified Member.
- 3) All public member appointments must be approved by a majority vote of the entire ECB and all Certified Members must be approved by the highest number of votes by entire body of NESTA Certified Personal Fitness Trainers in an open election by e-mail.
- 4) No ECB member representative shall practice as a NESTA PFT certified individual as a primary means of employment or have a supervisory or familial relationship with any NESTA staff involved with the educational department of the NESTA PFT program.
- 5) NESTA ECB members serve five year appointments and positions. NESTA ECB public or certified member candidates who obtain a majority number of board member votes or the highest number of NESTA Certified Personal Trainer votes, respectively, consistent with the number of open ECB positions shall be elected to the ECB. The number of open ECB positions shall be determined by the ECB chairperson not to exceed nine and no less than five ECB members.
- 6) Newly elected NESTA PFT certified members and appointed public members shall be inaugurated and take office at the first business meeting following an election or appointment and will be required to sign a non-disclosure agreement to maintain information confidentiality and avoid personal and professional conflicts of interest as determined by NESTA.
- 7) Any representative may be removed from the ECB by at least a 2/3 majority vote by the entire ECB.

Section 6. Subsequent Committee Assignments

- 1) ECB members may apply for assignment on any other committee, becoming its most junior member.
- 2) If more than one ECB member applies for the same assignment, the final selection will be made by the Policies and Procedures Committee.
- 3) If an ECB member leaves for any reason, his/her replacement will fill the remainder of his term on his/her committees, but as its most junior member. In the event the departing ECB member is a committee chairperson, requests will be made within that particular committee for the role of chairperson, which will then be voted upon or assigned by the Policies and Procedures Committee.

Section 7. Responsibilities of Committee Chairpersons

- 1) The chairperson of each standing committee is responsible for working with the lead representative from NESTA to prepare the responsibilities of his/her committee and review them at least once annually to bring them up to date.
- 2) The original draft of individual committee responsibilities and all subsequent changes are to be approved by the entire ECB.
- 3) Each committee chairperson is to report the results of its meetings at the next meeting of the ECB. Minutes of the committee meetings will become part of the corporate record.

Article V
Responsibilities of Committees

Section 1. The Administrative Committee

- 1) The Administrative Committee is empowered to act for the full ECB when the need for immediate action arises to deal with unforeseen problems or new opportunities in the period between ECB meetings. However, to the extent practical, the committee will solicit the opinion of all available ECB members before acting on these issues.
- 2) The Administrative Committee is responsible for the recruitment, evaluation, and/or selection of suitable ECB Public Member appointments and as the first determination of eligibility for NESTA PFT Certified Board Member candidates.

Section 2. Policies and Procedures Committee

The duties of the Policies & Procedures Committee shall be to:

- 1) Outline the duties of each ECB Committee.
- 2) Develop a process for determining the need for new board members and interviewing potential candidates for the ECB.
- 3) Develop and modify Board member policies and procedures, as needed.
- 4) Create, evaluate, and modify all policies and procedures as they relate to the PFT program.
- 5) Investigate and resolve concerns and violation complaints filed against NESTA Certified Personal Fitness Trainers. Action will be taken in accordance with the disciplinary section of the policies and procedures set forth by this committee.
- 6) Oversee candidate confidentiality policies and procedures and determine how confidentiality will be kept and what information will be made public or disclosed.
- 7) Determine how employers' and clients' questions will be answered regarding the validity of PFT credentials.
- 8) Investigate PFT applicant and examinee complaints regarding the exam, exam process, or other PFT program functions.

Section 3. Job Task and Industry Analysis Committee

The duties of the Job Task & Industry Analysis Committee shall be to:

- 1) Determine the timing, process, implementation and evaluation of job task and industry analyses, surveys and research studies.
- 2) Work with NESTA staff and the Consulting Measurement Group to develop final report and distribution of the results of job task and industry analyses.

Section 4. Exam Development and Recertification Committee

The duties of the Exam Development & Recertification Committee shall be to:

- 1) Oversee the development and administration of the PFT Exam.
- 2) Determine and publish the requirements for candidates who want to take the PFT Exam.
- 3) Approve the assessment instrument and the subject matter experts for the cut score analyses.
- 4) Determine and publish the requirements for candidates who want to maintain their PFT certifications.
- 5) Develop a tool for the public to use to verify the validity of a candidate's certification and oversee secure, appropriate access to candidate records and exam items.
- 6) Develop and oversee a process to be used for updating and changing exam questions as needed.
- 7) Consult with NESTA education staff as necessary to identify appropriate subject matter for inclusion in the examination process

Section 5. Meetings of the Executive Certification Board Members

- 1) The Chairperson of the Executive Committee will act as Chairperson of all Board meetings. In his/her absence, the Chairperson of the Policies and Procedures Committee will act as Chairperson pro tem.
- 2) The Chairperson of the Board sets the agenda for the Board meetings. Any Board member may add any appropriate item. The Chairperson will provide the Board members with the agenda and supporting information in advance of each Board meeting. PFT personnel will facilitate this communication.
- 3) At the last Board meeting of the calendar year, the PFT Program lead from NESTA will submit to the Board an outline of the principal topics to be scheduled for each meeting in the coming year. Typical topics include strategic planning, status of the PFT, trainer satisfaction, organizational structure, etc. Any Board member may propose additional items at any time for Board approval.
- 4) Key PFT personnel are expected to make presentations to the Board when appropriate. However, the Board may ask any or all nonmembers to leave during its deliberations.
- 5) The Board may request to invite outside counselors, such as auditors, consultants and lawyers when their direct presentations are required for the Board's decisions.

- 6) With the Chairperson of the Administrative Committee as Executive Chairperson, the Board in session will review the performance of all key PFT personnel, including the CEO, at least annually, preferably at the first meeting of the year. An executive session is defined as a formal meeting of the Board or a committee of the Board in which all key PFT personnel are asked to withdraw. The results of the evaluation will be conveyed to the CEO by the Chairperson of the Administrative Committee in the presence of the full Board to give the CEO an opportunity to respond.
- 7) Each ECB member will have one vote which may be offered either in person at an ECB meeting or through other means acceptable to a majority of ECB members as long as the ECB Chairperson presides
- 8) Veto power is not allowed by any NESTA representative over decisions made by the ECB
- 9) Rules of order as determined by Robert's Rules of Order shall guide the proceedings at each ECB meeting

Section 6. Relations with Key PFT Personnel

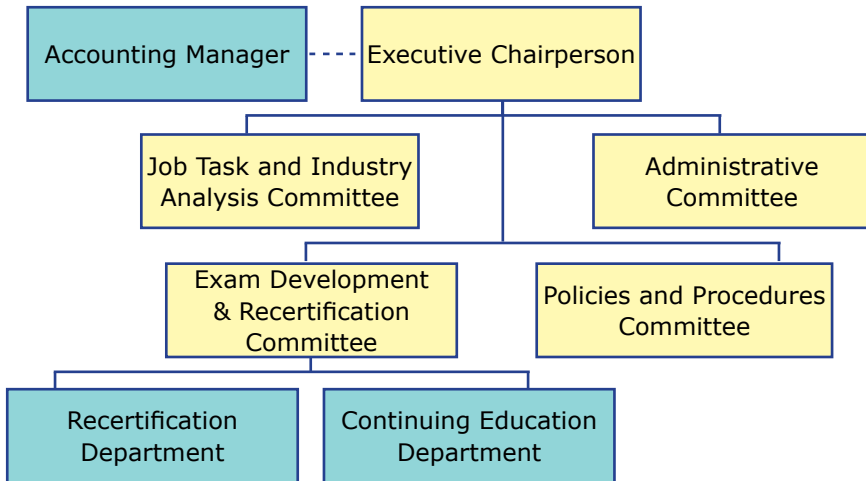
- 1) The NESTA ECB is supervised by the NESTA CFO to ensure appropriate standards, guidelines and policy are not subject to undue influence. A strategic plan that covers all aspects of the business will be prepared annually by the NESTA CFO. The Policies and Procedures Committee will review the plan and advise the NESTA CFO in its continued preparation and implementation.
- 2) The NESTA COO or his/her designated representative is responsible for preparing and updating at least annually, a plan for handling disasters and other emergencies but will otherwise have no responsibility or authority in determining standards, guidelines or policy regarding the attainment of NESTA PFT Certification. Emergency planning policies and procedures are to be reviewed by the Policies and Procedures Committee at least once a year.
- 3) The NESTA CEO or his/her appointed alternate is the only spokesperson for the company. The Board members will refer all inquiries from the media, investors, acquisition overtures, and so forth, to this person.
- 4) Board members have complete access to the CEO and his/her designated spokesperson. Permission for contact with other employees must be obtained from the CEO. Such permission will not be unreasonably withheld.
- 5) To fulfill its responsibility for oversight of Certification Governance, the Board may request an appropriate survey of any aspect of the business by an independent organization.

Article VI
Amendments to Bylaws

All amendments or changes to the ECB bylaws may be proposed by any ECB member and will require a two-thirds majority vote for approval of amendments or changes to the bylaws or any other rule, regulation or procedure relating to NESTA PFT Certification. Depending upon the nature of the proposed amendment to the ECB bylaws, regulations or procedures, such proposals may be voted on at any previously determined meeting or be deferred to the next ECB meeting for approval following a written proposal submitted by (the) interested member(s). Amendments to ECB bylaws must otherwise be proposed at least 15 days prior to ECB meeting to be formally considered for approval and brought to a vote.

III. Organization of the NESTA ECB

The NESTA ECB is headed by the Chairperson who presides over ECB meetings and daily operations of the board. The NESTA ECB Chairperson will meet with NESTA support staff to ensure valid and meaningful exam development, certification policies, procedures, standards of professional conduct and practice.



Job Descriptions – Roles and Responsibilities

Executive Certification Board Composition

See ECB Bylaws Article IV, Sections 1-6

Executive Certification Board Job Roles and Responsibilities

See ECB Bylaws Article V, Sections 1-6

Recertification Staff and Support Staff

Manages recertification of NESTA certified members. This is done through recertification deadline notification of current NESTA certified members, recertification processing and application review, and all web and data management of available recertification information and processes.

Continuing Education Staff and Support Staff

Manages continuing education requirement information for NESTA certified members. The continuing education staff work closely with recertification staff and handles continuing education providership application review and provider management.

IV. Certification Exam Development Policies and Procedures

Job Analysis Research

The job analysis research information defines the current expectation for basic level professional competency for certified personal fitness trainers. The knowledge base, and scientific application skills and abilities of certified personal fitness trainers are defined by the job analysis research information according to frequency and importance of various job tasks, skills and abilities. The results of this research provide the basis for the five domains of exam content for the NESTA Certified Personal Fitness Trainer Exam as determined in June of 2005.

NESTA Personal Fitness Trainer Exam breakdown

Content Area	Questions	Percent
1) Exercise Application	23	23%
2) Program Design	23	23%
3) Business Applications	23	23%
4) Assessments and Injury Prevention	16	16%
5) Exercise Sciences	15	15%
Totals	100	100%

Job analysis research studies will be performed at least once every five years to ensure the proper job tasks, knowledge base, and scientific application skills and abilities are appropriately included within the content of the NESTA PFT exam. Each job analysis research study will undergo extensive psychometric evaluation to eliminate improper or inadequate measurement of abilities and skill levels for exam candidates and to ensure statistical validation of exam items (questions). The executive chairperson of the Executive Certification Board may call for members of the NESTA Certified Personal Fitness Trainer population to be utilized to help with content development and exam writing in conjunction with the Exam Development and Recertification Committee. This group of NESTA Certified Personal Fitness Trainers will be known as the Certification Advisory Committee when called upon. The Certification Advisory Committee shall be composed of at least three members of the NESTA Certified Personal Fitness Trainer community. Only NESTA Certified Personal Fitness Trainers shall be eligible for nomination and appointment by the Executive Certification Board to play a part in determining exam content and items for final determination by the Exam Development and Recertification Committee and the entire Executive Certification Board.

Item Writing for the Exam

The Exam Development and Recertification Committee will meet in conjunction with NESTA education staff and an appointed Certification Advisory Committee by the Executive Certification Board to determine appropriate data for construction of exam items (questions). Once the exam items are written, they are reviewed by the entire ECB and given final approval by the ECB chairperson. Approved items are entered into the item bank of possible exam questions to be used in one of several randomly selected exam forms. If an exam item is not approved it is returned to the Exam Development and Recertification Committee to make changes or discard the item. Items are also discarded or altered and reviewed for validity if they do not meet the appropriate statistical validation through psychometric evaluation by Consulting Measurement Group.

Clear communication of ideas and concepts is a high priority when writing items for the exam. Item (question and possible answers) writing rules used in the formation of the NESTA PFT exam include:

- Matching the exam item to the objective it is intended to measure
- The creation of answer options that are clear, distinct and plausible
- Inclusion of all information needed to respond to the item
- Verification of item correctness by the Exam Development and Recertification Committee
- Ensuring that exam items are neither too hard nor too easy
- Making relevant exam items to help distinguish between those who will pass and those who will not pass the exam
- Testing of knowledge and the ability to apply learned objectives, not the test-taking skills of exam candidates by avoiding hidden meanings within exam items
- Avoidance of clues to the correct answer within the exam item itself
- Statistical validation of exam items by ensuring the probability of guessing the correct answer is 25% or less likely (1 out of 4 answer choices per item)
- Focus on one problem or concept per exam item
- Avoidance of words with multiple meanings or words with overly complex meanings
- Avoidance of the word “NOT” in the stem (question or concept requiring a multiple choice answer) to prevent confusion
- Keeping stems complete and the options specific so that an exam candidate may know the correct answer before they view the multiple choice options

- Elimination of questions that may be offensive to an individual of a particular race, gender, ethnicity, religion or cultural group
- Follow proper grammar rules for exam items
- Visual formatting of exam items for readability (font size, placement of text, etc.)
- Graphics effectively used to provide clarity for an exam item not confusion

Exam Security

Exams are provided by Thomson Prometric at testing centers throughout the United States and Canada and at select locations offered by NESTA and proctored by a NESTA ECB approved proctor (See the Proctor Agreement Form at www.NESTApft.com/forms.html for more information about NESTA approved proctor policy).

Exam candidates are strictly forbidden to carry any papers or materials with item data from the NESTA PFT exam area in order to ensure the validity, reliability and professional meaningfulness of exam scoring.

Exam candidates should never remove items or item data from the examination room. If such information is found it should be destroyed (shredded) immediately to preserve the integrity of the exam.

Exam candidates should never discuss or review specific exam items other than with NESTA ECB members.

Exam items are kept in a secure, password protected database. The NESTA ECB chairperson will have access to as necessary.

Exam Forms

Each exam form is gathered, written and reviewed by the Exam Development and Recertification Committee for validity, reliability and specific performance measurement appropriateness. Forms are randomly offered for each exam candidate. At least three exam forms are offered at any time through Thomson Prometric Testing Centers. Several hundred exam items are distributed equally according to the content domains and breakdown delineated by the job task analysis research into the 100 item exams. When items are entered into the item bank, they are distributed evenly according to difficulty level by the Exam Development and Recertification Committee.

Specific exam forms will not be offered for more than 48 months or 2000 exam candidates (whichever comes first). Exam items may be reused in newly designed forms or between current exam forms. The Exam Development and Recertification Committee of the NESTA Executive Certification Board meets at least annually to assess exam form and item content. They will approve new exam items or remove old exam items from each of the offered exam forms as necessary.

Quality Control of Exam Delivery

The NESTA PFT Exam is offered as a proctored, computer based exam at Thomson Prometric Centers. The exam is also proctored at live workshops by NESTA ECB members and/or NESTA Recertification and Continuing Education Staff. Thomson Prometric Centers ensure their facilities of ADA compliance and NESTA ECB staff facilitates ADA compliance of exam locations where live workshops are offered. International exam candidates will utilize a NESTA ECB recognized and approved proctor. Facilities for testing are ensured of ADA compliance by Thomson Prometric and the NESTA ECB. Exam Form and Item Validity

Each exam form and each exam item is analyzed for statistical validity between individuals and populations by our consultant psychometricians to ensure fairness and content appropriate material that is consistent with job task analysis research. Exam forms and items will be sampled and statistically validated by our psychometricians to ensure scoring fairness and content specific reliability. Psychometric evaluations will occur after at least 100 candidates have taken a newly created exam form or for current exam forms involving newly created exam items.

Monitoring of Exam Locations

Thomson Prometric testing (exam) centers and proctored locations are monitored closely by NESTA to ensure safety, comfort and ease of examination on an intermittent basis.

Room Environment

Exam room environment must be consistent, comfortable and well-ventilated with adequate lighting for exam takers to effectively read computer screens.

Rooms will be large enough to comfortably accommodate exam takers with adequate seating room and workspace.

Rooms will be in quiet locations to avoid external disturbances and interruptions.

Supervision

Exams will be offered in a separate room behind closed doors. A locker or secure area will be provided for personal belongings which are not allowed in exam room. A video surveillance system may be in place to supervise exam takers. Exam takers will be allowed to use the restroom only with permission from the exam supervisor at appropriate times. All exam materials must be secure and out of reach/contact with other exam takers when not actively taking exam.

Thomson Prometric and the NESTA ECB provide quality control checks at least annually. Proctors must undergo a thorough background check with the NESTA ECB prior to proctoring any NESTA PFT exam.

Disciplinary Action and Appeals Processes

Disciplinary Process Overview

The purpose of the NESTA ECB disciplinary process is to promote the standards of practice and ethics outlined in the NESTA ECB Code of Ethics and to provide a fair and effective means for resolving situations in which a PFT exam candidate or PFT certified individual is alleged to have performed a conduct violation against the standards and policies of the NESTA ECB. A conduct violation is defined as any action or behavior performed by a NESTA Certified Personal Fitness Trainer or exam candidate that is not consistent with the standards of conduct as defined by the NESTA Certified Personal Fitness Trainer Code of Ethics and polices and procedures of the ECB as described within this Policies and Procedures Manual.

All complaints of misconduct or unethical behavior may be filed with the NESTA ECB by means of the Conduct Violation Form available at www.NESTApft.com/forms.html. The ECB's Policies and Procedures Committee (PPC) will determine the most appropriate means by which to handle any complaint of conduct violation. The Policies and Procedures Committee shall oversee all disciplinary processes and conduct violations within the ECB.

Hearing Officials are members of the PPC designated to resolve disciplinary matters by the PPC itself.

Members of the PPC or other individuals designated by the PPC are available to assist individuals through the disciplinary process.

The PPC reserves the right to take necessary and appropriate action to ensure the safety and welfare of public members served by NESTA Certified PFT individuals and to maintain the professional integrity of the NESTA PFT designation. Such action may include pursuing any violation of ECB standards, guidelines and policies, and/or violations of local, state or federal law that constitutes a direct or indirect threat to the public community. Students who are found guilty of conduct violation may be subject to denial, suspension or revocation of NESTA PFT certification.

Disciplinary Investigations

The PPC will gather information regarding individual conduct violations in order to determine the appropriate means of resolution. Individual cases may be referred to the entire ECB at any point for further investigation. In such situations, the ECB chairperson will serve as the principal investigator.

Investigations may include a review of pertinent documentation, transcribed phone or personal interviews, or written statements from any person involved in the incidence of conduct violation. All individuals or groups involved are encouraged to be forthright and as specific as possible when offering information from an investigation, but may choose the extent to which they share information.

Individual cases may be dropped due to insufficient information or referred to the entire ECB for further resolution need. In order for a case to be referred for disciplinary action, there must be sufficient information to believe that a conduct violation has occurred and that the alleged individual may be responsible.

Referral for disciplinary action

If an individual is referred for disciplinary action, the individual will be notified of the incident in question and the policy or procedural violation under consideration, and will be given an opportunity to respond. The PPC will determine which avenue is most appropriate to pursue. Disciplinary hearings (proceedings where evidence is taken for purposes of determining an issue of fact and reaching a decision based on that evidence) are not trials and are not bound by the rules of procedure and evidence used in a court of law. The PPC and entire board itself operate under a standard of fair and ethical practice which includes an opportunity for each individual or group to be notified of the alleged conduct violation under consideration and an opportunity to be heard in person, through written means, or any other means necessary. Individuals involved in alleged conduct violations need not be physically present to be heard.

Resolution through a disciplinary hearing

Any individual case of alleged conduct violation may be forwarded to a disciplinary hearing if there is sufficient information to believe that a conduct or policy violation may have occurred and that the alleged individual may be responsible.

Individuals who either accept or deny responsibility or involvement for alleged conduct violations of NESTA ECB policies or procedures who face possible denial, suspension or revocation of certification have the right to request a hearing before a three person panel of the ECB designated by the ECB chairperson.

Disciplinary Resolutions

If an individual accepts responsibility or involvement for alleged conduct violations, the presiding hearing committee chairperson (designated by the ECB chairperson) may propose an appropriate action of denial, suspension or revocation of certification based upon the specific circumstances of the alleged conduct violation.

If an individual accepts responsibility or involvement and agrees to the proposed sanction (either denial, suspension or revocation of certification or referral to court of law in cases of violation of local, state or federal law) for alleged conduct violations, the individual waives their right to a hearing and/or appeal, and the resolution outcome is final. If an individual accepts responsibility but is unable to agree to the proposed sanction the case will be forwarded to a three person hearing committee (who have not yet gathered together in entirety for previous committee hearings to hear the same case and designated by the

ECB chairperson) to determine appropriate sanctions.

If an individual denies responsibility or involvement for alleged conduct violations, the case will be forwarded to the PPC to determine responsibility and appropriate sanctions as appropriate.

Appeals Process

An individual who is found responsible through the disciplinary hearing process or who wishes to appeal a specific situation involving policy or procedure of the ECB may appeal the outcome of the hearing or situation. The appeal is not a rehearing of a case, and requires a written appeal (see Appeals Form at www.NESTpft.com/forms.html) to the ECB specifically stating grounds for desired appeal and any supporting documentation or information deemed necessary.

The only grounds by which an appeal may be made are:

- In situations where new information has become available following the hearing or situational outcome that may change the decision for disciplinary sanction or action
- Involving procedural errors within the hearing or certification process which substantially affect the fairness of the hearing or situational outcome
- Where the determination of responsibility is inconsistent with the weight of the information/evidence available

The Policies and Procedures Committee (PPC) will review the appeal, hearing documentation, and any other information or evidence included in the hearing or specific situation. In cases of certification denial, suspension or revocation as a result of a disciplinary hearing, the accused individual(s) may make a written request (on the Appeal Form) to meet with the PPC in person or by means determined between the PPC chairperson and the accused (phone, internet chatroom, etc.). If granted, the accused individual(s) will meet privately in a predetermined communication format with the PPC or committee designated by the ECB chairperson (of at least three people). This appeals committee may then consult with other ECB members or involved parties in order to substantiate appropriate grounds for the appeal and seek further information, evidence or clarification.

If the grounds for appeal are substantiated, the committee substantiating the appeal may determine a final resolution to the case or refer the case to the ECB chairperson for further review and/or determination of a new hearing. If the case is referred for a new hearing, the committee hearing and substantiating the appeal may recommend that alternative actions be considered (denial, suspension or revocation of certification). A written decision will be delivered to the student and ECB chairperson within 10 business days from reception of appeal unless the individual submitting appeal is otherwise notified by an ECB representative.

Appeals will not be considered beyond appeals submission more than 90 days from an Executive Board Decision to revoke or deny certification or beyond 90 days from exam date for exam score appeals.

NESTA will not discuss or respond to questions or concerns regarding the exam without written appeal. Appeals will not be considered for rescoring or for adjustments to completed exams. Appeals and concerns will be considered for future examination content only.

Requests for correct and incorrect answers

In order to preserve the integrity and validity of the PFT exam, exam candidates will not be informed of questions answered correctly or incorrectly. Only overall scores will be made known. Exam candidates can request a hand-scored answer sheet for \$25 (specific exam questions and correct answers will not be given) to view correctness of exam scoring. Such requests can be made completing and submitting the Hand Scored Exam Request Form available at www.NESTApft.com/forms.html.

Confidentiality Policy

All confidential NESTA member and student information (phone number, address, e-mail, application status and exam scores) is secure and not shared with other entities or organizations without specific written consent from the individual member or student. Individuals who wish to release their information to outside parties must fill out the Consent for Information Release Form available at www.NESTApft.com/forms.html.

NESTA collects and holds information which may include: Name, address, phone number, company of ownership or employment, e-mail, certification information, educational background, and exam results.

Only the necessary NESTA staff involved with customer service and certification processes will have access to personal information in determining eligibility, certification and examination status, compliance with NESTA and NESTA ECB standards of conduct and behavior, and for purposes of identity verification when confidential information is requested and to ensure that information is accurate and complete.

Changes made to existing personal information should be made by filling out the Address/Information Change Form available at www.NESTApft.com/forms.html.

Information for each NESTA member or student that is available to the public includes certification status (pass/fail ONLY, scores will not be disclosed to the public), certificate number/identification (where applicable), and NESTA certification and continuing educational program completion status.

Confidential information may be disclosed by order of a court of law or in situations involving misconduct or behavioral violations as deemed by the NESTA ECB. Extenuating circumstances will be evaluated by NESTA staff and NESTA ECB members on an individual basis.

Individual information is available only on secure database access at NESTA headquarters where hard copies are also located and filed in locked cabinets. Thomson Prometric also maintains encrypted, password protected secure databases of exam candidate information.

Records are maintained and kept on a continuous and ongoing basis as long as an individual maintains NESTA ECB certification and recertification standards. Individual records for which certification and recertification standards are not maintained will be held for a period no less than three years.

Exam candidates are expressly forbidden to request or discuss exam item information with individuals who have already taken the NESTA PFT exam. Such conduct may result in denial, suspension or revocation of NESTA PFT Certification for all parties involved. The disciplinary process in such situations is outlined in the Exam Candidate Handbook and course of action will be determined by the ECB. Exam candidates or non-related parties aware of exam information sharing between exam candidates are encouraged to notify the NESTA ECB in order to preserve the integrity, validity and professional meaningfulness of the NESTA PFT exam for ensuring basic level competency measures to ultimately protect public members from harm.

Exam candidates must pass the NESTA PFT exam on the basis of their own knowledge, skills and preparation. By registering and taking the NESTA PFT exam, exam candidates assume this responsibility for themselves. Any other action is considered a ethical and professional misconduct and may result in denial, suspension or revocation of NESTA PFT certification.

NESTA preparation materials in the form of the NESTA PFT manual, audio CDs, DVD videos, and other resource and reference information are available for those who require or desire such study and exam preparation materials to improve their base knowledge and professional skills. A listing of these study preparation resources and research materials are listed in the Exam Candidate Handbook available at www.NESTApft.com/forms.html.

All exam forms and items are the exclusive property of NESTA and the NESTA ECB and are therefore not allowed for usage in any form outside of the actual examination process for each individual exam candidate.

Certification Grandfathering

Grandfathering is a procedure which allows professionals currently working in a field to be certified without having to take the exam as long as they meet all of the established criteria set up by the certifying body. NESTA utilizes objective, established and statistically valid information to ensure basic level competency through the passing of the NESTA PFT exam

which shall serve as the sole measure of such competency and certification.

This policy of grandfathering is unacceptable and not approved by NESTA or the NESTA ECB. All individuals who wish to be NESTA Certified Personal Fitness Trainers must adequately complete and pass the NESTA PFT certification exam. All currently certified NESTA Certified Personal Fitness Trainers must complete recertification requirements as outlined in the NESTA ECB Recertification Guide in order to maintain their certification and remain in good standing with NESTA.

NESTA PFT Certification will not be granted by the NESTA ECB based upon any one or combinations of the following:

- Prior work experience in the field of personal training
- Academic performance or background in kinesiology, physical education or related field
- Clinical research in an academic or non-academic setting

V. Recertification Policies and Procedures

Recertification Policy Requirements

Current NESTA Certified PFTs may apply for recertification at any time, application submissions are preferred within the final 90 days prior to the expiration of PFT Certification.

The NESTA ECB requires and will review the following prior to approving recertification:

- Payment of Recertification Fees
- Completed Application
- Petition materials if coursework is not specifically listed as a NESTA ECB Approved Provider

The NESTA ECB may and/or NESTA support staff may randomly perform an individual audit to verify authenticity of certification or recertification coursework completion.

Complete applications and recertification granting

If application is submitted on time, complete and the individual applicant is granted recertification, a new certificate will be awarded and mailed within 30 days of individual recertification deadline.

Incomplete or late recertification application submissions

Incomplete applications may be subject to resubmission of recertification application materials and payment of a late fee if materials are not submitted on or before the recertification date. Submitting late or incomplete may result in additional delays in recertification granting as applicants who submit on time will be given priority in processing. Applications submitted between 1 and 90 days later than date of required recertification will be required to pay late fees. Applications submitted after a 90 day period beyond the required date of recertification will not be granted recertification and will be required to retake the PFT exam in order to obtain official and valid NESTA ECB awarded PFT Certification.

In order to maintain NESTA PFT certification and become recertified, NESTA PFTs are required to complete 4.0 CEUs within the four year certification period.

This four year period of NESTA PFT certification has been approved by the NESTA ECB. NESTA PFTs are required to recertify with the NESTA ECB in order to ensure sufficient development of knowledge and application skills while allowing sufficient time to perform the necessary coursework to maintain certification and professional competency.

Work and anecdotal (personal) experiences alone are not adequate determinants of professional ability or competency and are therefore not acceptable means for recertification.

What is a CEU?

A CEU or Continuing Education Unit is the accepted basic unit of measurement for credit hours of study within the fitness industry. A CEU is expressed as 0.1 CEUs and is roughly equivalent to either one hour of live workshop or seminar attendance or its rough equivalent in home study or self-learning program hours.

How many CEUs must I complete to maintain NESTA PFT certification?

4.0 CEUs

How long do I have to complete my required CEUs?

4 years

How can I determine how many CEUs a live workshop, seminar, college or home study course is worth?

An approved listing of NESTA ECB Approved CEU Providers is provided on the NESTA PFT webpage. If your coursework is not specifically listed as a NESTA Approved Provider you will need to complete the petition process if you want to receive CEU credit for your work.

What is the cost for recertification with NESTA?

\$149 if recertification application is submitted complete and on time.

Are there late fees and how late is too late?

If recertification materials are not received by the NESTA ECB on or before the individual's recertification deadline, a \$25 late fee will be assessed for each 30 days of delayed submission (\$25 for 0-30 days late, \$50 for 31-60 days late, and \$95 for 61-90 days late). If recertification materials and payment are not received within 90 days, recertification applicants will be required to pay initial exam fees, retake and pass the PFT exam.

Continuing Education Coursework Petitions

Any coursework that is not expressly listed as a CEU provider on the NESTA ECB Approved Provider List will require completion of a petition to the NESTA ECB for approval of completed coursework. Payment of a petition fee is required to review petitioned coursework for approval.

The following information must be included in the petition:

- Copy of the lecture/seminar course materials or a Table of Contents for home study materials

- Resume and/or specific educational and experiential biography of course instructors or program writers/presenters (all non-approved CEU providers by the NESTA ECB must either be NESTA PFT certified and/or have an advanced degree (masters or higher) in a field of study specific to the content of coursework submitted for CEU approval)
- Certificate of workshop, live training or program completion

This petition must be submitted by mail or fax to the NESTA ECB.

Petition Requests for Review of Non-NESTA ECB Approved Continuing Education Coursework

After reception of completed petition materials, the petition process may take up to 10-15 business days (2-3 weeks) for review. In the event of an incomplete petition, candidates for recertification will be required to complete the petition in a timely manner to avoid late fees. If completed petition materials are not complete within 90 days of recertification deadline, recertification will not be granted and individual PFT certification will no longer be valid.

Petitioners will be notified by phone or e-mail within 10-15 business days (2-3 weeks) of petition status granting or refusal. Petitioners must take the petition processing time into account in order to avoid late fees if additional materials are required or petition is incomplete.

Petition Denial Appeals

In the event a petition is denied and petitioned coursework is not acceptable for NESTA CEUs and recertification, the petitioner will have 30 days to appeal the decision. The petitioner must provide additional documentation as requested by NESTA recertification support staff and written explanation by the petitioner to appeal the denial of acceptable coursework.

NESTA PFT certified individuals are expected to complete coursework that is clearly and expressly consistent with the knowledge and skill base required for professional competency as a professional personal fitness trainer. Any concerns over validity or acceptability of coursework demands the initiative of the NESTA PFT applying for recertification to obtain clearance for desired coursework with NESTA recertification and continuing education support staff prior to undertaking a course which may not be acceptable for NESTA CEUs.

VI. Continuing Education Providership Policies and Procedures

The NESTA ECB will accept applications for providership throughout the year.

Accepted Providership Applications will begin NESTA CEU Providership on the following dates (allowing up to 30 days for program or course review):

- January 1st when submitted between May 1st and November 30th
- June 1st when submitted between December 1st and April 30th

Providership is valid for one year from January 1st or June 1st depending upon submission dates as described above.

Providership Application Requirements

- Complete lesson plan and course materials including exam or evaluation process for completion of coursework
- Resume and brief bio of instructor(s) and/or writer(s) of coursework
- Providership Payment Fee

Review of continuing education providership applications requires up to 30 days for review.

Performance Standards of Providership Coursework

In order for coursework or programs to be accepted as a NESTA ECB Continuing Education Provider it must deliver the following:

- Specifically address content listed within the PFT Exam content domains as described in the Exam Candidate Handbook
- Provide intermediate to advanced level educational and/or professional development content
- Instructors or program writers must either be NESTA PFT certified and/or have an advanced degree in a content area specific to the PFT exam content domains
- Scientifically referenced coursework or program materials
- Content reflecting research and/or professional development information updated within the last five years
- Practical applications within the scope and standard of practice for personal fitness trainers

Awarding CEU Providership

Once performance standards of providership coursework are found to be acceptable, CEU providership will be official when a course provider number has been assigned and delivered to the providership applicant. This providership is valid for one year from the date listed on the providership acceptance letter (either June 1st or January 1st as described above).

Please review the Approved Provider Guide for further guidelines.

Approved providers will be listed on the NESTA PFT webpage and information will be updated on a monthly basis for changes or requested information updates as necessary and deemed acceptable by NESTA continuing education support staff.

Denied Providership Appeals

Providership applicants will have 30 days to appeal denial for providership. Applicants may be required to submit further documentation for approval at the request of the NESTA ECB and the Exam Development and Recertification Committee. If providership is denied or refused a second time, applicants will be required to repay providership fees and resubmit a new providership application. The same course description will not be accepted for review after a second denial of providership application.

The Exam Development and Recertification Committee will review all appeals for providership. Once the committee has accepted the providership application, it will be taken to the entire Executive Certification Board (ECB) for approval.

VII. Professional Code of Ethics and Reporting of Conduct Violations

NESTA Certified Personal Fitness Trainer Code of Ethics

When you order any NESTA (or NESTA affiliate) educational or business program, you accept and agree to adhere to the NESTA Code of Ethics. You hereby certify that the information given to NESTA is true, complete and correct. You further understand if any of this information is later determined to be false, NESTA reserves the right to revoke any certification (or certificate) that has been granted on the basis hereof. You further understand that NESTA certification does not certify or in any way guarantee the quality of your work as an NESTA-certified professional. You therefore agree to indemnify and hold harmless NESTA, its officers, directors and staff from any claims due to negligence, omission or faulty advice that you may give to clients as a NESTA certified professional. You further recognize that NESTA is not responsible for any actions or damages incurred or taken by any person arising out of your work, intentions or actions as a NESTA certified professional.

As a NESTA Certified Personal Fitness Trainer you must recognize the importance of a set standard and scope of professional and ethical conduct in providing personal training services to clientele and the general public.

Professional and ethical concerns or issues arise when professionalism and ethics are either not known or not fully understood. The NESTA Certified Personal Fitness Trainer Code of Ethics represents a professional standard that must be upheld at all times when performing the duties of a professional personal fitness trainer.

Certified Personal Fitness Trainers must:

- 1) Provide the highest level of professional fitness training services on the basis of objective and unbiased research and scientific information in accordance with local, state and federal laws
- 2) Respect the rights, opinions and decisions of other certified personal fitness trainers and members of the general public
- 3) Provide a safe and enjoyable training environment through meaningful and appropriately challenging programming
- 4) Distinguish between personal convictions and professional duties and responsibilities by not allowing personal beliefs and biases to interfere with the greater goals of health, fitness and performance
- 5) Pursue efforts that serve the needs of clientele, fellow professionals and public members, not those which merely advance private and personal interest or gain
- 6) Accept responsibility for their own actions in success and in failure

- 7) Refer clients to appropriately qualified professionals when client need is greater than the trainer's abilities
- 8) Seek to research and learn on a daily and continuous basis in professional development and fitness practice applications
- 9) Maintain the confidentiality of personal client information and written records
- 10) Strive to provide fair and equitable treatment to all individuals and groups both personally and professionally

Reporting of Conduct Violations

In order to ensure the validity and professional meaningfulness of the NESTA PFT Certification and processes, certified and non-related or non-certified individuals are asked to report concerns of ethical or professional misconduct by NESTA Certified Personal Fitness Trainers to the Executive Certification Board's Policies and Procedures Committee for consideration. This will help to ensure the professional fitness practice of NESTA Certified Personal Fitness Trainers and fair treatment for public members, employers and clientele.

Report conduct violations and concerns by completing and submitting the Report of Conduct Violations Form available at www.NESTApft.com/html.

All involved parties either reporting ethical or professional misconduct or accused of such misconduct will remain private and undisclosed to any other individual or entity unless legal ramifications require such disclosure. Factual evidence must be discovered and revealed in order for any disciplinary action to be mandated by the Executive Certification Board.

All responses to the Policies and Procedures Committee regarding professional and ethical misconduct must be in writing. Correspondences from the ECB will also be provided in writing.

In the event a disciplinary action is determined necessary, the accused individual or party will have 30 days to file an appeal to the Policies and Procedures Committee for consideration.

The goal of the Policies and Procedures Committee is to ensure ethical and professional practice and conduct by setting forth fair and reasonable expectations for NESTA Certified Personal Fitness Trainers and creating an avenue for enforcement of these expectations.

It is the policy of the NESTA Executive Certification Board that no exam candidate for personal fitness trainer certification be discriminated against based upon race, religion, creed, gender, age, national origin or ethnicity.

Please view all necessary documentation and forms at www.NESTApft.com/forms.html for pertinent information regarding NESTA and NESTA ECB standards, guidelines, policies, procedures and necessary forms.