



SUBJECT: NBCC CERTIFICATION ELIGIBILITY POLICY - ETHICS

APPLIES TO: ALL NBCC APPLICANTS AND CERTIFICANTS

The National Board for Certified Counselors requires all NBCC certification applicants and certificants to disclose all criminal, legal and other disciplinary matters when applying for certification or within sixty (60) days of their knowledge of such matters, respectively, unless otherwise specified by NBCC in writing.

Due to the nature of the professional relationship, clients often place counselors in positions of high trust. Therefore, NBCC has an obligation to carefully review all disclosures relating to an applicant's eligibility for certification, and a certificant's eligibility to maintain certification, consistent with this policy.

I. PRESUMPTIVE ELIGIBILITY DENIAL

A. Criminal Matters (convictions, guilty pleas or deferred adjudications)

An applicant who has been convicted of a serious crime will be presumptively ineligible for NBCC certification, and his/her application will be rejected. Specifically, crimes involving the following types of criminal matters usually will result in presumptive ineligibility and an application denial decision.

An ineligibility and application rejection decision will be issued by NBCC with respect to any of the serious criminal matters identified below, unless the applicant is able to show significant and extraordinary circumstances supporting certification, and that a period of ten (10) years has elapsed since the completion of all court-ordered requirements; and significant rehabilitative actions have been taken by the applicant.

1. Crimes involving death, physical harm, or the threat of physical harm to another person (e.g., murder, domestic violence, assault, communicating threats)
2. Sex crimes
3. Crimes involving the abuse of children, the elderly, or individuals of diminished mental or physical capacity
4. Crimes involving intimidation, involuntary enslavement or restraint (e.g., hate crimes, terroristic threats, kidnapping, human trafficking)
5. Crimes against the property of others, or involving the deception of others (e.g., theft, arson, forgery, fraud)

6. Crimes involving the manufacture or distribution of controlled, dangerous substances
7. Crimes involving possession of a schedule I or II controlled substance (e.g., heroin, cocaine, oxycodone)
8. Multiple offenses related to operating a motor vehicle when ability was impaired

In order to request an exemption from a presumptive eligibility denial, the applicant will be required to submit written documentation supporting the request, consistent with this policy section. Such information will be reviewed consistent with NBCC policies and procedures.

B. Submission of Inaccurate or False Application Information

An applicant who submits inaccurate or false information to NBCC in connection with his/her application will be presumptively ineligible for NBCC certification, and his/her application will be rejected. The applicant will remain ineligible for certification for a minimum period of five (5) years following such application denial.

Once the certification ineligibility period has ended, an applicant may submit a request to re-apply for NBCC certification. Based on NBCC's review of such request, the applicant may be required to submit additional information or documentation relevant to NBCC's consideration of the re-application request. Such information will be reviewed consistent with NBCC policies and procedures.

II. DISCRETIONARY ELIGIBILITY DENIAL

An applicant who has been involved in any of the following matters may be ineligible for NBCC certification, and his/her application may be rejected:

- The applicant has been convicted or pled guilty to a crime, or received a deferred adjudication concerning a criminal charge, not identified in Section I, above.
- The applicant has been, or is currently, named as a defendant in a legal action relating to his/her counseling activities.
- The applicant has been, or is currently, the subject of a complaint matter or disciplinary review by a government entity or professional organization.
- The applicant has been terminated or discharged from employment for conduct reasons.
- The applicant has been terminated by, or has been the subject of academic discipline by, a graduate counseling degree program for conduct reasons.

The following criteria will be considered in determining whether an applicant involved in such a matter is eligible for NBCC certification.

1. The seriousness of the disclosed matter.
2. The relationship of the disclosed matter to the applicant's academic conduct, counseling activities, or ethical responsibilities.
3. The amount of time that has passed since the matter occurred.
4. The completion of any court, government entity, employer, organizational, or educational institution conditions or requirements.
5. The amount of time that has passed since the completion of all court, government entity, employer, organizational, or educational institution conditions or requirements.
6. Whether certification of the individual would negatively affect the public's trust of NBCC certification and the counseling profession.

All applicable criteria will be considered when reviewing an applicant's eligibility for certification under this policy section.

III. APPLICANT AND CERTIFICANT CONDUCT MATTERS

An applicant or certificant who engages in any of the following conduct with NBCC staff or representatives will be subject to sanctions by NBCC, including certification revocation, certification application rejection, and/or certification conditions:

- Communicating with NBCC repeatedly by telephone, electronic means, or in person for the purpose of harassing, abusing, or threatening NBCC staff or representatives
- Using any language of a profane or vulgar nature during in person, telephonic or electronic communications with NBCC staff or representatives.

IV. ELIGIBILITY AND CONDUCT DECISIONS

All decisions made pursuant to this policy will be communicated to the applicant or certificant in writing. NBCC reserves the right to publish or release decisions made under this policy to appropriate individuals, agencies, or organizations, as determined by NBCC.

Certification application fees will not be refunded for applications that are rejected by NBCC pursuant to this policy.

APPROVED BY THE NBCC BOARD OF DIRECTORS: JUNE 12, 2009

REVISED: JUNE 8, 2012; FEBRUARY 8, 2013; FEBRUARY 6, 2016; OCTOBER 7, 2016