

COPE Procedures for Members with Self-Reported Criminal Convictions

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Section A: General.

1. The National Athletic Trainers' Association, hereafter referred to as the “Association” or “NATA,” is dedicated to promoting the professional development of athletic trainers, advocating for the profession, and ensuring ethical, culturally-inclusive practices that protect those using athletic training services.
2. The Association, in furthering its objectives, administers the NATA Code of Ethics and NATA Membership Standards and Sanctions, which has been approved by the NATA Board of Directors.
3. This *COPE Procedures for Members with Self-Reported Criminal Convictions* document provides guidance and procedures for handling membership applications (this refers to both new and renewing memberships) that have criminal convictions. It sets forth: the applicant’s adherence to the NATA Membership Standards and Sanctions and NATA Code of Ethics, applicant’s duty to notify NATA of felony convictions, and the processing of the membership application.

Section B: Responsibilities of the Applicant

A. Reporting Felonies

- i. The applicant must report to NATA if convicted of a felony related to minors, health care, athletics or education.
- ii. Such individuals shall be ineligible for membership application until one year after the exhaustion of court appeals, completion of court appointed sentence(s), or completion of parole, whichever is later. This includes but is not limited to felonies of a sexual nature; threatened or actual use of a weapon or violence; and the prohibited sale, distribution of or possession with intent to distribute controlled or illegal substances.
- iii. Also included in this prohibition are convictions where an athletic trainer has used his or her position improperly to influence, or try to influence, the score or outcome of an athletic event, or in connection with gambling activity.

- iv. If the nature of the felony conviction warrants, the COPE may open a case file and deliberate as to whether sanctions must be imposed.

B. Consideration of Application

When an application for membership is under consideration, the applicant bears the burden of demonstrating by clear and convincing evidence that the individual has been rehabilitated, does not pose a danger to others, and meets all the NATA membership eligibility requirements.

Section C: Membership Sanctions

When joining NATA, a member assumes certain obligations and responsibilities to the NATA and the athletic training profession. Sanctions may be imposed if a member does not properly fulfill those obligations and responsibilities.

A. Grounds for Sanctions

- i. A member may be subject to sanctions set forth below if s/he submits fraudulent information or in any other way attempts to improperly obtain NATA membership.
- ii. Misrepresents membership or certification status, or other professional qualifications or credentials.
- iii. Is convicted of a felony for the crimes described in §I D. of the Membership Standards or others.
- iv. Commits serious or repeated violations of the NATA bylaws, the NATA Code of Ethics and NATA Membership Standards, rules, and state or federal regulations.
- v. Is subject to license, certification, or registration revocation or suspension by a state regulatory agency overseeing the practice of Athletic Training.

B. Sanctions

- i. Sanctions for violations of any membership standard shall be reasonable.
- ii. Sanctions may include: denial of eligibility, non-renewal, suspension or expulsion of membership; public censure; and/or private reprimand.
- iii. In cases where sanctions are imposed, the earliest that reconsideration could occur is one year from the date of the NATA final ruling, a court decision, completion of sentence, or completion of parole, whichever is later.

Section D: General Factors

In determining whether a criminal conviction (felony) should be granted membership, the following factors are considered:

- Date of conviction;
- the nature and seriousness of the crime;
- Sentence, including date probation or parole will end, or completion date if sentence has been completed; and
- Any additional facts provided to demonstrate your ability to uphold the NATA Code of Ethics and the NATA Membership Standards.

Section E: Review Process

1. To consider an application, the COPE Chair shall appoint a Membership Eligibility Review Panel (MERP) to review the membership application.
2. Applicants will be asked to submit additional information including evidence of rehabilitation, completion of sentence, or completion of parole. The MERP deliberations will be guided by the premise that membership approval must be in the best interests of the Association, the professions, and the persons served professionally. The MERP may inquire as relevant about restitution, rehabilitation, continuing education, remediation, substance abuse, employment, change(s) in lifestyle, health considerations (if health considerations have been raised or relied upon by the Respondent at any stage of the proceeding), and acknowledgment of violations found. The MERP may set any conditions subsequent or any requirements that it deems necessary for the protection and benefit of the public and the professions, including an ethics education.
3. The MERP will review the application and the criminal history information provided by the applicant. Failing to provide criminal history or providing false information may result in the COPE to deny an application.
4. If the MERP concludes that the applicant has met their burden, it will advise the applicant and NATA's Member Service department of this fact in writing and specify the date on which the applicant's membership becomes effective. A letter will be sent by electronic delivery and/or mail detailing the approval and the date on which the member's membership becomes effective.
5. If the MERP concludes that the applicant has not met their burden, it will advise the applicant and NATA's Member Service department of this fact in writing. A letter will be sent by electronic delivery and/or mail.
6. NATA will refund any membership dues paid at the time of application, if the membership is denied.
7. Multiple violations may reflect a pattern of behavior that renders the applicant ineligible for membership to the Association.