

NATIONAL ENRICHMENT TEACHERS ASSOCIATION

STANDARDS FOR THE CERTIFICATION OF ENRICHMENT PROVIDERS APPLICATION AND GUIDE



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PREAMBLE

The National Enrichment Teachers Association, Inc. (NETA) and its founders have long been leaders in the enrichment and after school programming industry in the United States. Its mission to protect the safety and welfare of children and commitment to elevating the profession as a whole in concert with those of like-minded organizations and individuals has helped to raise the public's estimation of the industry. In a relatively short period of time, there has been a seismic shift in the scope and nature of the industry. Whereas after school programs were once treated as something of a curiosity, they are now the norm, with families, schools and communities throughout the nation utilizing them in record numbers. Furthermore, there has been a surge in the sheer variety of classes and courses offered to children. Not surprisingly, there has been an explosion in the number of enrichment program providers and organizations to meet the demand. While this rise in demand has been a boon to this industry, it falls upon its leaders to be vigilant as to not lose sight of our duty to serve the needs of the public in a safe and responsible manner.

Originally introduced in 1996 as Enrichment Instructor Competency Education, a California state-registered vocational program, NETA's groundbreaking enrichment teacher certification program has helped raise awareness within the industry and the public of the importance of having a certified population of enrichment teachers who are well versed not just in their respective areas of expertise, but also in matters including but not limited to legal liabilities and professional conduct, ethics, classroom management, properly transferring custody of children, creating a safe environment, student safety, etc.

With its enrichment teacher certification program firmly established, NETA realized yet another phase of its multi-tiered agenda of elevating and bringing innovation to the industry by the creation of the Enrichment Providers Certification. This certification is based on a set of Standards premised on sound business practices, business ethics, utilization of certified teachers, curriculum and performance analysis, all of which are designed to facilitate best practice, safety and securing the public trust. Enrichment program providers that demonstrate compliance with the Standards earn the right to bear the designation of being "NETA Certified" on their literature, website and press materials, thereby affirming to the public they serve the efficacy and integrity of their business practices.

Development of the Standards

The impetus for NETA to develop the Standards for the Certification of Enrichment Providers was based on the following:

- NETA's mission to continue to foster the culture of enrichment and elevate the industry as a whole.
- The need to further secure the public safety and trust.
- The need to establish a forum in which the enrichment industry is provided the means to regulate itself.

Historically, government-enforced licensure is introduced to an industry because (A) the industry fails to provide meaningful self-regulation, and/or (B) the lack of self-regulation precipitates a significant threat to or results in injury to the public. The National Enrichment Teachers Association has taken the initiative to introduce and implement self-regulation in the enrichment industry as a means to reduce risk and build public reputation and trust. The adoption of industry-wide standards coupled with certification has proven to be a viable, reasonable and effective alternative to government intervention for many public-service industries and is a must for our industry if enrichment is to continue to thrive in today's educational landscape.

The Standards were developed, guided and premised to address the question: "What constitutes best practice for enrichment providers?" As enrichment providers vary in scope, character, and services offered, the challenge was to distill the elements common to all enrichment providers and further refine them into the standards of practice presented here today. The seventeen standards are organized into the following domains: (1) Purpose and Organization, (2) Risk Assessment and Insurance, (3) Taxes and Financial Governance, (4) Non-discriminatory Hiring Practices, (5) Utilization of Certified Enrichment Teachers and Training of Teaching Staff, (6) Curriculum and Teacher Performance Analysis, and (7) Fair and Ethical Business Practices.

The Standards are numbered sequentially. Each Standard is accompanied by a subset of commentary which further defines and/or clarifies the Standard for the reader. Each Standard is then completed by an affirmation the enrichment provider must comply with as a condition of certification. The enrichment provider must be in compliance with all Standards to attain and maintain NETA certification status.

ENRICHMENT PROVIDERS CERTIFICATION BENEFITS, FEES & POLICIES

An Enrichment Providers Certification is valid for a period of one year and can be renewed annually.

When an application is approved, a certified enrichment provider may immediately begin marketing their corporation as "NETA CERTIFIED" or "Certified by the National Enrichment Teachers Association". Approved applicants will be provided with (i) the service marked NETA logo which may be displayed on their website, literature, press materials and other marketing tools, and (ii), a NETA certificate suitable for framing for display in their offices. In addition, certified enrichment providers receive a NETA Program Provider's Association Membership and will enjoy the benefits of membership which include job posting privileges, access to a database of certified enrichment teachers, newsletters and discounted rates on other NETA services.

FIRST TIME ENRICHMENT PROVIDERS CERTIFICATION FEE \$500

ANNUAL CERTIFICATION RENEWAL FEE \$300

NETA will only consider enrichment provider candidates that submit a signed and completed application, all required supporting documentation and the remittance fee.

To renew certification, enrichment providers must submit a newly signed and completed Enrichment Providers Certification Application, required supporting documentation and the annual certification renewal fee of \$300. The \$300 annual certification renewal fee is applicable only if the enrichment provider renews their certification within one month of their then current certification's expiration date. Enrichment providers whose certification has lapsed beyond the one month period must submit a new application, required supporting documentation and the first-time certification fee of \$500.

Payments may be made in the form of check, money order or major credit card (Visa or MasterCard only). Checks or money orders are to be made payable to: National Enrichment Teachers Association, Inc. Applications with a returned check will incur an additional fee of \$50.

NETA Enrichment Providers Certification fees, certification renewal fees and fees for other NETA programs, classes and services are subject to increase without notice.

Enrichment Providers Certification Application

- Part One – Contact Information and Payment Information
- Part Two – The Definition of an Enrichment Provider
- Part Three – 17 Standards, Commentaries and Affirmations
- Part Four – Disclaimer & Indemnification
- Part Five – Enrichment Providers Code of Ethics
- Part Six – Professional Conduct and Disciplinary Action

PART ONE **CONTACT INFORMATION**

COMPANY NAME: _____

STATE RECOGNIZED BUSINESS ENTITY FORM: _____
(i.e., corporation, limited liability company, non-profit, etc.)

[] PRESIDENT [] LLC MANAGER [] CEO: _____
(FULL NAME)

COMPANY PHYSICAL ADDRESS: _____

MAILING ADDRESS (if different) _____

PHONE: () _____

FAX: () _____

WEBSITE: _____

EMAIL: _____

PAYMENT INFORMATION

[] FIRST TIME APPLICATION \$500 [] RENEWAL APPLICATION \$300

PAYMENT METHOD: [] CASHIERS CHECK/MONEY ORDER to: **National Enrichment Teachers Association, Inc.**

[] COMPANY CHECK: check number _____

[] CREDIT CARD [] Visa [] MasterCard Charge Amount \$ _____

Name as it appears on card: _____

Billing Address of Credit Card: _____

Card # _____ Exp. Date _____

Cv2 # _____

Card Holder's Signature

PART TWO

THE DEFINITION OF AN ENRICHMENT PROVIDER:

An enrichment provider is an entity which offers elective-style (non-graded) classes and/or workshops to children/minors. Enrichment providers may conduct classes at public and private school campuses as well as at non-school venues. The students of an enrichment provider participate in enrichment classes on a voluntary basis; hence, their progress and/or performance are not subject to grade-based assessment and the teachers of these classes are not subject to credentialing requirements.

Certification may only be granted to an enrichment provider demonstrating compliance with the terms set forth in NETA's Standards for the Certification of Enrichment Providers.

NETA's enrichment provider certification does NOT replace state-issued licensing, bonding and/or credentialing required of an individual/entity wishing to conduct daycare services in addition to enrichment classes. It is the sole responsibility of each individual/entity working with children in an enrichment provider capacity to determine if their services are classified as "daycare services" in their state. Any entity offering daycare services to the public must comply with all federal regulations governing daycare as well as all regulations particular to their state.

PART THREE

17 STANDARDS, COMMENTARIES AND AFFIRMATIONS

STANDARD 1

NETA certified enrichment providers must be a state recognized business entity, (i.e., corporation, LLC, partnership, etc.) Providers seeking certification must supply documentation to prove they are a business entity and to verify type of business classification. Corporations, for-profit or non-profit, must include articles of incorporation as documentation. Limited Liability Companies must include articles of organization or certificate of formation as documentation. The franchise headquarters of an incorporated entity is ineligible for certification; incorporated, individual franchisees are eligible.

Commentary:

- A. In the interest of securing the public the trust, the decision was made to certify state recognized business entities only, due to the positive public perception that these entities enjoy long term stability, have the resources to be properly insured, and provide a measure of recourse to the public should the need occur due to litigation, mediation, etc. See also Standard 3.
- B. NETA's decision to only certify providers who are state recognized business entities is also derived from the fact that these entities provide better shielding to their officers, directors, employees, representatives, agents, and staff from personal liability than would providers operating as DBAs, sole proprietorships, and general partnerships.
- C. A state recognized business entity can survive its founders (if ongoing state and federal filings and paperwork is maintained) better enabling the long-term sustainment of business activities. See also Standard 15.
- D. Franchise headquarters are ineligible for certification as it would not be feasible to grant a blanket certification to all members of a franchise based on one organization (franchise headquarters). NETA certifies individual franchisees based on individually demonstrated compliance with the Standards for the Certification of Enrichment Providers.

AFFIRMATION:

[] I hereby certify that I and/or my company are a state recognized business entity.

Type of incorporation/company: _____

Required Documentation (indicate type submitted)

- [] ARTICLES OF INCORPORATION
- [] ARTICLES OF ORGANIZATION
- [] CERTIFICATE OF FORMATION

IS THE CORPORATION/COMPANY INDIVIDUALLY OPERATED? [] yes [] no

IS THE CORPORATION/COMPANY A FRANCHISEE? [] yes [] no
(Franchise Headquarters ineligible)

STANDARD 2

Enrichment providers must identify the population they serve, the types of activities/course offerings they engage in, and declare their company vision/mission.

Commentary:

- A. Enrichment providers are to identify the population they serve (i.e. age levels, grade levels served) and the activities/courses offered to the public for NETA to better understand the nature and scope of the program as well as gauge the appropriateness of activities for specific age and grade levels. See also Standard 15.
- B. Inclusion of a company mission statement and/or company vision is required in order for NETA to determine if the goals and objectives of the program provider are consistent with NETA Standards for the Certification of Enrichment Providers.

AFFIRMATION:

IDENTIFY THE TYPE OF ENRICHMENT PROVIDER YOU ARE
(i.e., arts, sports, performing arts, academics, foreign language, chess, etc.)

List all that apply:

IDENTIFY THE AGE LEVEL(S) YOU SERVE AND LIST THE COURSES OFFERED TO EACH GROUP:

[] PRE-K: _____

[] ELEMENTARY: _____

[] MIDDLE: _____

[] HIGH: _____

PROVIDE THE COMPANY MISSION STATEMENT: _____

STANDARD 3

Enrichment providers must adequately address the operational risks inherent to their specific business activities and at all times maintain the requisite liability insurance as well as errors and omissions insurance for business activity-related risks and contingencies. The enrichment provider must also be in compliance with any additional minimum insurance requirements as dictated by schools, school districts or facilities utilized, as well as listing the school/facility as “additionally insured” on their certificate of insurance when required to do so. The provider is required to provide NETA with the name of its insurance carrier and policy number(s). If it is brought to NETA’s attention that the enrichment provider’s liability insurance and/or errors and omissions insurance has lapsed, certification shall be revoked.

Commentary

- A. Liability and errors and omissions insurance is compulsory for all enrichment providers operating at schools and/or other enrichment venues.
- B. The policy minimums an enrichment provider is insured for must be sufficient to cover all risks inherent with the operation of the business of an enrichment provider. Most states and/or school districts set policy minimums. Consult your insurance carrier for further details.
- C. Such required insurance coverages should provide some level of protection to the public in the event that the public is harmed or damaged by the actions or omissions of enrichment providers. Likewise, liability and errors and omissions insurance should provide a certain level of protection (depending upon the policy limits) to the enrichment provider if a claim is filed against the provider.

AFFIRMATION:

[] Initial

I hereby certify that I and/or my company has both LIABILITY INSURANCE and ERRORS & OMISSIONS INSURANCE and meets the policy minimums as set by our State and/or school districts and/or facilities.

Provider _____

Policy # _____

Policy Effective Dates: _____ to _____

STANDARD 4

Enrichment providers must at all times be in compliance with federal and state workers compensation laws. Enrichment providers must also provide workers compensation insurance for employees as well as teachers working as independent contractors. The provider must provide the name of its workers compensation insurance carrier and policy number as documentation. If it is brought to NETA’s attention that the enrichment provider’s workers compensation insurance policy has lapsed, certification shall be revoked.

Commentary:

- A. Businesses are required by law in all fifty states to pay for the medical treatment and lost wages of employees who suffer job related injuries or illnesses. The purpose of workers compensation laws are to ensure employees who are injured or disabled on the job are provided with fixed monetary awards which limits or eliminates the need for litigation.
- B. NETA Certified Enrichment Providers are required to provide workers compensation coverage to their entire teaching staff, both employees and/or independent contractors. See also Standard 5.
- C. When hiring or partnering with a company as a subcontractor, the responsibility of providing workers compensation insurance falls upon the entity which pays the teacher’s wage.

AFFIRMATION:

[] Initial

I hereby certify that I and/or my company has WORKERS COMPENSATION INSURANCE FOR EMPLOYEES AND TEACHING STAFF and meets the policy minimums as set by our State and/or school districts and/or facilities.

Provider _____

Policy # _____

Policy Effective Dates: ____ ____ ____ to ____ ____ ____

STANDARD 5

Employment status of teachers must be in compliance with all state and federal laws pertaining to the hiring of employees versus engaging the services of independent contractors. In complying with such laws enrichment providers are required to determine the particular status of their teaching staff by examining behavioral, financial and type of working relationship between the provider and teaching staff.

Commentary:

- A. Standard 5 is designed as a protective measure for both the enrichment provider and the public. Programs may be ordered to cease operations by government labor commissions if there is a dispute regarding the legal employment status of an enrichment provider's workforce. Therefore, it is imperative that an enrichment provider accurately determine the legal employment status of its teachers.
- B. The employment status of teachers in the employ of or contracted by an enrichment provider is determined by a number of factors which may vary from state to state, and such factors are subject to change and/or susceptible to differing interpretations. Enrichment providers are strongly urged to consult an attorney, and/or state employment development department and/or labor commission with questions regarding the legal employment status of its teachers.

AFFIRMATION:

[] Initial

BY MY SIGNATURE TO THIS APPLICATION, I HEREBY CERTIFY THAT I, AND/OR MY COMPANY AM IN COMPLIANCE WITH ALL STATE AND FEDERAL LAWS WHICH DEFINE THE WORKING RELATIONSHIP STATUS BETWEEN EMPLOYERS AND WORKERS (EMPLOYEES VS INDEPENDENT CONTRACTORS) FOR BOTH MY AND/OR COMPANY, OFFICE PERSONNEL AND TEACHING STAFF.

STANDARD 6

NETA certified enrichment providers are required to be in compliance with and not delinquent in the payment of all federal, state and local (where applicable) company business income, property and other taxes, assessments and filings. Enrichment providers with current tax delinquencies/liens are not eligible for certification.

Commentary:

- A. Enrichment providers, like any other on-going revenue generating business concern are required to file federal income tax returns and in most cases, state and local tax returns.
- B. Standard 6 is premised on sound business practice; an enrichment provider that is not delinquent in the filing and payment of federal (and if applicable, state and local) taxes, demonstrates a greater likelihood and ability to sustain long term business operations, fulfilling their obligations to the public and the government.

AFFIRMATION:

[] Initial

BY MY SIGNATURE TO THIS APPLICATION I HEREBY CERTIFY THAT I AND/OR MY COMPANY AM IN COMPLIANCE WITH AND NOT DELINQUENT IN THE FILING AND/OR PAYMENT OF ANY LOCAL, STATE AND FEDERAL TAX FILINGS AND OR TAXES.

STANDARD 7

NETA certified enrichment providers are required to be in compliance with and not delinquent in the payment of all state, federal and local payroll taxes filings for employees and/or independent contractors. Enrichment providers with current payroll tax delinquencies/liens are not eligible for certification.

Commentary:

- A. Enrichment providers, like any other business concern with employees, are required by law to comply with all federal and state payroll tax laws regarding their employees. Generally, withholdings include state and federal income tax, social security and Medicare taxes. Other employment related taxes may include the payment of a matching amount of social security and Medicare taxes in connection with state and federal unemployment taxes.
- B. When utilizing the services of independent contractors, enrichment providers and other business concerns are required to file an IRS Form 1096 Annual Summary and Transmittal as well as an IRS Form 1099 for each contractor who earns \$600 or more during the tax year.
- C. Standard 7, like Standard 6, is premised on sound business practice; a program provider that is not delinquent on federal and state payroll tax and/or independent contractor tax filings and payments demonstrates the greater likelihood and ability to sustain long term business operations, fulfilling their obligations to the public and the government.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY AM IN COMPLIANCE WITH AND NOT DELINQUENT IN THE FILING AND/OR PAYMENT OF ANY LOCAL, STATE AND FEDERAL PAYROLL TAXES FOR EMPLOYEES AND/OR INDEPENDENT CONTRACTORS.

STANDARD 8

NETA certified enrichment providers are required to be in compliance with: Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act.

Commentary:

- A. NETA is committed to the principles of equal opportunity in education and employment by requiring NETA certified enrichment providers to base the engagement of employees and/or independent contractors on each respective candidate's qualifications, knowledge, skills and other related attributes.
- B. Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, sex or national origin.
- C. The Americans with Disabilities Act prohibits discrimination and requires equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation.
- D. The Age Discrimination in Employment Act prohibits employment discrimination (both employees and job applicants) on the basis of age for workers who are forty years of age or older.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT IN REVIEWING EMPLOYMENT/INDEPENDENT CONTRACTOR APPLICATIONS AND/OR HIRING TEACHING STAFF OR EMPLOYEES I AND/OR MY COMPANY DO NOT DISCRIMINATE ON THE BASIS OF SEX, RACE, COLOR, RELIGION, CREED, AGE, NATIONAL ORIGIN, ANCESTRY, PREGNANCY, MARITAL STATUS OR PARENTAL STATUS, SEXUAL ORIENTATION, OR DISABILITY AND I AND/OR MY COMPANY AM IN COMPLIANCE WITH EACH OF: TITLE VII OF THE CIVIL RIGHTS ACT; THE AMERICANS WITH DISABILITIES ACT; AND THE AGE DISCRIMINATION IN EMPLOYMENT ACT.

STANDARD 9

NETA certified enrichment providers are required to engage/employ only certified enrichment teachers in any capacity where such individuals will be working directly with children. With respect to uncertified enrichment teachers, NETA certified enrichment providers are required to impose a 90-day deadline for any uncertified enrichment teacher to procure enrichment teacher certification (through NETA or other comparable enrichment teacher certification body). During such 90-day probationary period any such uncertified enrichment teachers are required to be provided with training by the enrichment provider in the skills, knowledge and tasks which are necessary in order to adequately perform the tasks of a

competent enrichment teacher in a safe and effective manner prior to their commencement of their working directly with children (see also Standard 12). No uncertified enrichment teacher may continue to work directly with children in the event that (i) such teacher fails to diligently participate in enrichment provider training during the 90-day probationary period, or (ii) beyond the 90-day probationary period, such teacher fails to successfully procure enrichment teacher certification (through NETA or other comparable enrichment teacher certification body).

Commentary:

- A. One of the cornerstones of best practice for enrichment providers is the utilization of certified enrichment teachers. In procuring certification, certified enrichment teachers have met certain standards and requirements which demonstrate their knowledge of the skills and tasks necessary to work directly with children safely and effectively. NETA's requirement that NETA certified enrichment providers' engage/employ certified enrichment teachers minimizes risk to the public, enhances the enrichment provider's professional image and further secures the public trust.
- B. The 90-day probationary period is available to provide a mechanism by which qualified, but uncertified enrichment teachers who have been or are currently performing their duties in a competent, professional manner are afforded the opportunity to procure certification.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY SHALL REQUIRE A CURRENT ENRICHMENT TEACHERS CERTIFICATION (FROM NETA OR A COMPARABLE ENRICHMENT TEACHER CERTIFICATION BODY) FROM ALL ENRICHMENT TEACHERS I AND/OR MY COMPANY UTILIZE, PLACE OR HIRE TO WORK DIRECTLY WITH CHILDREN, AND I AND/OR MY COMPANY SHALL (A) PROVIDE ENRICHMENT TEACHER TRAINING FOR ALL UNCERTIFIED ENRICHMENT TEACHERS PRIOR TO THE COMMENCEMENT OF THEIR WORKING DIRECTLY WITH CHILDREN AND (B) IMPOSE A 90-DAY PROBATIONARY PERIOD WITHIN WHICH AN UNCERTIFIED ENRICHMENT TEACHER MUST PROCURE ENRICHMENT TEACHER CERTIFICATION. I AND/OR MY COMPANY AGREE THAT ALL TEACHING PRIVILEGES WILL BE REVOKED FOR ANY TEACHER WHO FAILS TO (A) DILIGENTLY PARTICIPATE IN THE MANDATORY TRAINING PRIOR TO THE COMMENCEMENT OF THEIR WORKING DIRECTLY WITH CHILDREN, AND (B) PROCURE ENRICHMENT TEACHER CERTIFICATION (THROUGH NETA OR OTHER COMPARABLE ENRICHMENT TEACHER CERTIFICATION BODY) WITHIN THE 90-DAY PROBATIONARY PERIOD. I AND/OR MY COMPANY FURTHER AGREE TO MAINTAIN ACCURATE PERSONNEL FILES ON EACH TEACHER INCLUDING BUT NOT LIMITED TO: JOB APPLICATION, CRIMINAL BACKGROUND REPORT, PROFESSIONAL/PERSONAL REFERENCE RESULTS, TAX FORM, PROOF OF CERTIFICATION AND BI-ANNUAL RE-CERTIFICATION.

STANDARD 10

NETA certified enrichment providers are required to conduct a criminal background check on all teachers, volunteers, or any individual who will work directly with or be placed in proximity to children as a representative of the enrichment provider including, without limitation, utilizing the fingerprinting/LiveScan method of the U.S. Department of Justice or a national search utilizing county-to-county criminal records conducted by a licensed and bonded agency operating under the Fair Credit Reporting Act. In addition, NETA certified enrichment providers are required to be in compliance with any and all federal and state laws which pertain to the mandated requirements of conducting criminal background checks on adults placed in proximity to children in a professional capacity.

Commentary:

- A. In the interest of minimizing risk and securing the public trust, NETA certified enrichment providers are required to have their teachers, volunteers, or any adult who will work with or be placed in proximity to children to undergo and successfully clear a criminal background check. The National Child Protection Act of 1993 provides for federal criminal background checks of individuals who work for, own, or operate a business that is responsible for the care and safety of children even when a state does not have an authorizing statute or regulations.
- B. LiveScan is digitized, electronic fingerprinting. The resultant fingerprints are transmitted electronically to the Department of Justice, in connection with the criminal background check process. Traditional ink and paper fingerprinting performed under the auspices of a law enforcement agency are also acceptable as a means of conducting criminal background checks as are national searches utilizing county-to-county criminal records conducted by a licensed and bonded agency operating under the Fair Credit Reporting Act.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY WILL ONLY PLACE ENRICHMENT TEACHERS TO WORK DIRECTLY WITH OR BE PLACED IN THE PROXIMITY OF CHILDREN AFTER THEY HAVE SUCCESSFULLY CLEARED A CRIMINAL BACKGROUND CHECK CONDUCTED UTILIZING THE FINGERPRINTING/LIVESCAN METHOD WITH THE U.S. DEPARTMENT OF JUSTICE OR A NATIONAL SEARCH UTILIZING COUNTY-TO-COUNTY CRIMINAL RECORDS CONDUCTED BY A LICENSED AND BONDED AGENCY OPERATING UNDER THE FAIR CREDIT REPORTING ACT.

STANDARD 11

NETA certified enrichment providers are required to utilize the following applicant screening and placement criteria for both office employees and teaching staff: A minimum of one in depth, in-person interview; a minimum of three non-family member professional references verified by direct phone contact; a minimum of two non-family member personal references verified by direct phone contact; a minimum of three hours of enrichment teacher training given by the enrichment provider in the skills, knowledge and tasks which are necessary in order to adequately perform the tasks of a competent enrichment teacher in a safe and effective manner (see Standard 12); and the successful clearance of a criminal background check.

Commentary:

- A. Standard 11 is included as a condition of certification in the interest of public safety. For an enrichment provider to determine that a job candidate possesses the prerequisites, qualities, and skills to perform the job in a safe, competent manner, the enrichment provider must subject the candidate to an in-person interview process, and consult the candidate's professional and personal references providing a mechanism for independent verification of the candidate's work history and qualifications.
- B. The office employees of an enrichment provider must also undergo and clear a criminal background check. Office employees routinely handle documents and information that are private and/or sensitive in nature. In addition, office employees may on occasion be required to go to schools/facilities which would place them in proximity to children.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY'S EMPLOYEE AND/OR ENRICHMENT TEACHER APPLICANT SCREENING AND PLACEMENT CRITERIA INCLUDE: A MINIMUM OF ONE IN DEPTH, IN-PERSON INTERVIEW; A MINIMUM OF THREE NON-FAMILY MEMBER PROFESSIONAL REFERENCES VERIFIED BY DIRECT PHONE CONTACT; A MINIMUM OF TWO NON-FAMILY MEMBER PERSONAL REFERENCES VERIFIED BY DIRECT PHONE CONTACT; A MINIMUM OF THREE HOURS OF TRAINING (see Standard 12); AND THE SUCCESSFUL CLEARANCE OF A CRIMINAL BACKGROUND CHECK.

STANDARD 12

NETA certified enrichment providers are required to conduct a minimum of three hours of enrichment teacher training and a continuing teacher instruction program for all teaching staff on an annual basis. The training/instruction must include at a minimum an overview of teaching responsibilities/job domains and enrichment teacher performance standards generally acknowledged as being common to enrichment

teaching as well as tasks, duties and regulations particular to the enrichment provider.

Commentary:

- A. The job/performance categories listed in the affirmation below constitute the scope of skills, tasks and knowledge which are acknowledged by NETA as necessary for an individual to teach in the enrichment environment safely and effectively. Requiring training and annual continuing instruction of teaching staff reinforces concepts, improves efficiency, minimizes risk to the public and the provider, while increasing safety.
- B. Please note that providing training in the job/performance categories listed below does not constitute or substitute for certification for enrichment teachers. Enrichment teachers can only procure certification by taking and passing a certification exam (administered by NETA or other comparable enrichment teacher certification body).

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY PROVIDE A MINIMUM OF 3 HOURS OF ANNUAL TRAINING/CONTINUING INSTRUCTION FOR ALL TEACHERS ON STAFF REGARDING SUBJECTS INCLUDING BUT NOT LIMITED TO:

SCHOOL POLICIES AND SAFETY REQUIREMENTS
LEGAL LIABILITIES & PROFESSIONAL ON-SITE CONDUCT
COMPANY SAFETY PROCEDURES
COMPANY REGULATIONS AND POLICIES
CURRICULUM REVIEW AND IMPARTING CURRICULUM EFFECTIVELY TO STUDENTS
CLASSROOM MANAGEMENT
CREATING A SAFE CLASSROOM ENVIRONMENT
PROPER USE OF EQUIPMENT AND FACILITIES
RELEASING STUDENTS & TRANSFERRING CUSTODY OF CHILDREN
APPROPRIATE DISCIPLINE TECHNIQUES
UNDERSTANDING CORPORAL PUNISHMENT
SUPERVISION OF CHILDREN
BEING A MANDATED REPORTER OF SUSPECTED CHILD ABUSE
PROCEDURES FOR REPORTING SUSPECTED CHILD ABUSE
REGULATIONS REGARDING: FOOD, MEDICATION & INJURIES TO CHILDREN
COMPANY AND TEACHER ETHICS AND FAIR BUSINESS PRACTICES
LEGAL RIGHTS OF CHILDREN AND PARENTS
STUDENT SAFETY AND CONFIDENTIALITY
STUDENT MANAGEMENT TECHNIQUES
COMPANY POLICY ON STUDENT DISCIPLINE
COMPANY POLICY WORKING WITH SPECIAL NEEDS STUDENTS AND AIDES.

STANDARD 13

NETA certified enrichment providers are required to be in compliance with the Federal Labor Standards Act and pay their employees, independent contractors, and subcontractors on a timely basis.

Commentary:

- A. Enrichment providers must operate their businesses in a manner consistent with fair and ethical business practices. Wages that are due to teachers, employees and contractors must be disbursed on the regular payday for the pay period covered, or, in the case of subcontractors, on the date(s) agreed upon.
- B. States have varying payment schedule requirements; consult your state's labor commission for more details.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT ALL OFFICE EMPLOYEES AND/OR ENRICHMENT TEACHERS HIRED BY ME OR MY COMPANY AS EITHER EMPLOYEES OR AS INDEPENDENT CONTRACTORS ARE PAID ON A TIMELY BASIS.

- [] WEEKLY minimum standard
- [] BI-WEEKLY recommended standard
- [] BI-MONTHLY maximum standard

OR

THAT WHEN UTILIZING THE SERVICES OF A SUBCONTRACTOR OR OF AN ENRICHMENT PROVIDER OPERATING CLASSES FOR OUR COMPANY ON CONTRACT, ALL PAYMENTS ARE MADE ON A TIMELY BASIS.

- [] HALF PAYMENT AT MID-POINT OF CONTRACTED CLASSES WITH SECOND HALF WITHIN ONE WEEK OF COMPLETED CLASSES
- [] FULL PAYMENT WITHIN ONE WEEK OF COMPLETED CLASSES

STANDARD 14

NETA certified enrichment providers are required to conduct a job performance review analysis of all teaching staff at the conclusion of each school term. The performance review analysis will assess a teacher's achievement level in imparting curriculum, as well as assessing a teacher's proficiency in tasks necessary to the position, their reliability and professional conduct. The performance review analysis will be the basis for determining each teacher's continuing/future working relationship and placement with the enrichment provider.

Commentary:

- A. Enrichment providers must exercise quality control and in so doing fulfill their responsibility to minimize risk to the public. Regular performance review assessments of teaching staff allows the enrichment provider to determine a teacher's ability to impart curriculum in a safe and effective manner, reinforce proven teaching methods and concepts, and address areas of performance where improvements can be made.
- B. An additional benefit of regular performance review assessments of teaching staff is that it should foster improvements in relation to staff responsibility, commitment and motivation.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY SHALL ANNUALLY CONDUCT A PERFORMANCE REVIEW ANALYSIS FOR ALL ENRICHMENT TEACHERS ON STAFF IN ORDER TO MAINTAIN THE HIGHEST STANDARDS OF ENRICHMENT TEACHER SAFETY AND EFFECTIVENESS. THE PERFORMANCE REVIEW ANALYSIS WILL BE USED TO DETERMINE EACH TEACHER'S CONTINUING/FUTURE WORKING RELATIONSHIP AND PLACEMENT WITH ME AND/OR MY COMPANY AND/OR ADDITIONAL TRAINING REQUIREMENTS.

STANDARD 15

NETA certified enrichment providers are required to perform an analysis of all course offerings/curriculums, prior to implementation/instruction, to determine age appropriateness, assessment of risk to participants, and efficacy of the curriculum as an educational tool, and that the curriculum is an accurate representation of what is advertised to the public.

Commentary:

- A. Enrichment providers must exercise quality control in order to fulfill their responsibility to minimize risk to the public, and securing the public trust via truth in advertising.
- B. Analysis of curriculums/course offerings can consist of a variety of methods including but not limited to: scholastic research, past precedent, focus groups, direct observation, interviews, questionnaires, etc.
- C. Once the initial evaluation has been performed and the course/curriculum is offered to the public, the enrichment provider must conduct continuing evaluations to verify and confirm that the initial/prior evaluations continue to be validated. If a curriculum (or an aspect of curriculum) is determined to be flawed or failing, it is to be redesigned, replaced or no longer utilized/implemented.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY CONDUCT AN ANALYSIS OF ALL COURSE(S) AND CURRICULUM(S) PRIOR TO THEIR IMPLEMENTATION OR THE INSTRUCTION OF CHILDREN IN ORDER TO CONFIRM THAT EACH SUCH COURSE AND CURRICULUM IS APPROPRIATE FOR THE PURPOSES INTENDED AFTER THE CONSIDERATION OF EACH OF THE REQUIRED ELEMENTS BELOW:

[] THE PROPER AGE LEVEL EACH CURRICULUM MAY SERVICE

[] THE APPROPRIATENESS OF THE CURRICULUM FOR THAT AGE LEVEL

[] SAFETY OF THE CURRICULUM IN RELATIONSHIP TO THE PARTICIPANTS

[] CORRECTNESS AND EFFICACY OF THE CURRICULUM CONTENT AS AN EDUCATIONAL TOOL

[] THE CURRICULUM IS AN ACCURATE REPRESENTATION OF WHAT IS ADVERTISED TO THE PUBLIC.

STANDARD 16

NETA certified enrichment providers are required to have and maintain adequate financial resources to carry through to completion all programs/classes at any school or facility once the determination has been made that the programs/classes have generated sufficient tuition monies and/or minimum enrollment numbers. In accordance with fair business practices, each NETA certified enrichment provider must deliver the number of lessons as advertised or refund unused tuition monies or issue credits to clients in the event a program/class is not or cannot be carried through to completion.

Commentary:

- A. Standard 16 is premised on fair and ethical business practices, and the need for enrichment providers to secure the public trust. Whenever an enrichment program provider commences business operations and offers services to the public, they are in effect, engaged in a social compact with the public. This compact between the enrichment provider and public is governed by laws, regulations and de facto rules of conduct in which the provider assumes the responsibility of administering programs/classes ethically and effectively.
- B. The importance of an enrichment provider fulfilling its obligations to the public (students, schools, facilities, families) cannot be overstated. Failure to do so damages the public trust, ruins the reputation of the offending enrichment provider, and by perceived association, tarnishes the image of other enrichment providers and the enrichment industry.

- C. In the event an enrichment provider is forced to cancel programs or is unable to conduct classes through to completion, the provider must refund unused tuition monies or issue credits to clients. Violation of this standard will result in revocation of NETA enrichment provider certification.

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT I AND/OR MY COMPANY CURRENTLY POSSESSES AND WILL MAINTAIN ADEQUATE FINANCIAL RESOURCES TO CARRY THROUGH TO COMPLETION ALL PROGRAMS/CLASSES AT ANY SCHOOL OR FACILITY PROVIDED THE PROGRAM/CLASS HAS GENERATED SUFFICIENT TUITION MONIES AND/OR MINIMUM ENROLLMENT NUMBERS TO OPERATE AND THE PROGRAM/CLASS HAS COMMENCED. FURTHERMORE, I AND/OR MY COMPANY WILL DELIVER THE NUMBER OF PROGRAMS/CLASSES ADVERTISED OR REFUNDS OF UNUSED TUITION MONIES OR CREDITS WILL BE PROVIDED TO CLIENTS IN THE EVENT A PROGRAM/CLASS IS NOT OR CANNOT BE CARRIED THROUGH TO COMPLETION.

STANDARD 17

NETA certified enrichment providers are required to employ ethical business practices when developing and/or implementing curriculum. Curriculum must be developed independently; or, if curriculum is derived in whole or in part from proprietary source materials belonging to another enrichment provider, then written consent must first be procured from the owner/provider of the proprietary source materials in question. Proprietary source materials may include but are not limited to curriculum, written materials, digital/computer files, trade secrets, etc. It is unethical and in violation of NETA Standards/Codes of Conduct for enrichment providers to coerce, compel or induce teachers, employees, and contractors to utilize another enrichment provider's proprietary source materials and/or trade secrets without prior written permission/consent. In the event that NETA receives notification that a NETA certified enrichment provider has committed any such unethical act then NETA certification shall be revoked.

Commentary:

- A. Standard 17 is premised on ethical business practices. Development of enrichment provider curriculum is a cost and labor intensive process, involving research, experimentation, test marketing, analysis and evaluation. The curriculum development process, from conceptualization to realization, has a quantifiable monetary value if one calculates and accounts for the time, man-hours, and materials involved. The unauthorized use of another enrichment provider's developed curriculum is patently unethical and is a clear violation of NETA standard and Codes of Conduct which will result in the revocation of the violator's NETA certification.

- B. Acquiring trade secrets through unethical means is also prohibited under Standard 17. Examples of misconduct can include coercing teachers, employees, and contractors to divulge the trade secrets of a competing enrichment provider, using trade secrets gleaned from teachers, employees, contractors who knowingly violate confidentiality agreements held with another employer, "employee raiding," etc.
- C. Under Standard 17 it is unethical for enrichment providers to ask, coerce, compel, or induce a teacher, employee or contractor to violate NETA codes of conduct/codes of ethics for the purposes of acquiring another provider's proprietary source materials, gaining a competitive business advantage, and/or advancing the business agenda of an unethical enrichment provider to the detriment of other enrichment providers and the enrichment industry.
- D. The NETA Code of Ethics for Enrichment Teachers states: "Teachers are to maintain and safeguard the integrity of an employer's business by not divulging confidential information, inner workings or trade secrets to a competing individual, business, agency, organization or entity."

AFFIRMATION:

[] Initial

I HEREBY CERTIFY THAT ALL CLASS CURRICULUM IMPARTED TO OUR STUDENTS HAS BEEN DEVELOPED SOLELY BY ME AND/OR MY COMPANY AND THAT I AND/OR MY COMPANY DO NOT ENGAGE IN UNFAIR OR UNETHICAL BUSINESS PRACTICES SUCH AS UTILIZING THE CURRICULUM, WRITTEN MATERIALS OR TRADE SECRETS OF ANOTHER ENRICHMENT PROVIDER WITHOUT EXPRESS PRIOR WRITTEN PERMISSION. I ALSO CERTIFY THAT I AND/OR MY COMPANY DO NOT AND WILL NOT SOLICIT, REQUEST, COERCE, COMPEL, OR INDUCE TEACHERS, EMPLOYEES AND CONTRACTORS TO VIOLATE NETA CODES OF CONDUCT/CODES OF ETHICS FOR THE PURPOSES OF ACQUIRING ANOTHER PROVIDER'S PROPRIETARY SOURCE MATERIALS OR TRADE SECRETS TO GAIN A COMPETITIVE BUSINESS ADVANTAGE AND/OR TO ADVANCE AN UNETHICAL/UNFAIR BUSINESS AGENDA TO THE DETRIMENT OF OTHER ENRICHMENT PROVIDERS AND THE ENRICHMENT INDUSTRY.

PART FOUR
DISCLAIMER & INDEMNIFICATION

By my signature below I hereby (i) affirm that the information contained in my NETA registration form is true, complete and correct to the best of my knowledge, (ii) acknowledge and accept the conditions set forth in the NETA **Standards for the Certification of Enrichment Providers Application and Guide** concerning NETA's standards, the administration of the certification process, policies and **Code of Professional Conduct and Disciplinary Action**, and (iii) agree to provide to NETA any information which may be in any way relevant to NETA's certification or recertification. I hereby acknowledge and agree that if any such information is later determined to be incorrect or false, NETA reserves the right to immediately revoke any certification that has been granted on the basis thereof. On behalf of my company, I acknowledge, accept and agree that our company will adhere to **NETA's Code of Professional Conduct and Disciplinary Action**. I further acknowledge and agree that NETA does not in any way guarantee the level of performance or quality of our company's work, or what curriculum or subject(s) my company will provide to the public or the procurement of employment in the enrichment industry. By my signatures below, both in my personal, individual capacity, on the one hand, and also on behalf of my company, on the other hand, I and my company, jointly and severally hereby agree to indemnify, defend and hold harmless NETA, its officers, directors, employees, representatives, agents and staff (collectively, "Indemnitees") from and against any and all damages, claims, losses, demands, costs, expenses (including attorneys' fees and costs), obligations, liabilities, actions and causes of action, threatened or actual, which Indemnitees, or any of them, may suffer or incur arising out of or in any way related to NETA's certification and/or recertification of our company, including, without limitation, the acts, omissions, conduct, negligence, or lack of service that I, my company and/or any of the company's employees, agents or representatives may provide, or fail to provide to the public, students, employers, schools, facilities, employees, independent contractors, subcontractors as a NETA Certified Enrichment Provider. Lastly, on behalf of my company, I hereby acknowledge and agree that NETA is not and will not be in any way responsible for any personal injury and/or property damage which may be incurred by any third parties arising out of or in any way connected with my company's work as a NETA Certified Enrichment Provider.

Individual Signature: _____

Date: _____

Print or Type Name: _____

I certify that I am the authorized signer for my company

CEO President LLC MANAGER
(Check the box representing your company title)

Company Signature: _____

Date: _____

Print or Type Name: _____

PART FIVE
ENRICHMENT PROVIDERS CODE OF ETHICS

Enrichment Providers Code of Ethics

NETA Certified Enrichment Providers are required to adhere to the following Code of Ethics:

- Comply with and not be in violation of the 17 Standards set forth in NETA's Standards for the Certification of Enrichment Providers Application and Guide.
- Foster a working environment in which enrichment teachers are given the training and guidance necessary to create and maintain a safe environment in the classroom setting; provide children with safe and effective instruction regardless of the curriculum and venue in which they teach.
- Provide each child with fair and equitable treatment regardless of their age, race, creed, religion, ethnicity, economic background, mental or physical ability.
- Decline or refuse any gift, bribe or other inducement which causes undue influence or affects the impartiality with which the enrichment provider serves children within their classes and programs.
- That all enrichment teachers (as are all individuals who work with children in a professional capacity), are mandated reporters of suspected child abuse and will notify the appropriate law enforcement agency and their supervisor if they suspect a child in their care has been, is being, or is in imminent danger of being abused within the reporting time period as may be required by the respective state and local laws.
- To maintain and safeguard the privacy rights and the confidential information of their client parents and their children attending the classes. Except for that child's parents and teachers, NETA certified enrichment providers will also not discuss the conduct, behavior, or progress of a child with third parties without the parents' prior written permission. If the conduct of a child is being discussed as an example for teacher training and instruction purposes, the enrichment provider will do so in a manner that the child's identity is kept anonymous and the child's right to privacy is safeguarded.

PART SIX

PROFESSIONAL CONDUCT AND DISCIPLINARY ACTION

Professional Conduct and Disciplinary Action

The purpose of NETA's code of Professional Conduct and Disciplinary Action is to provide NETA-certified enrichment teachers, enrichment providers, prospective candidates and the general public of the NETA application and certification standards relative to professional conduct and disciplinary action.

Waiver and Release

As a condition precedent to any NETA certification and/or recertification each individual/company automatically releases, discharges and exonerates NETA, its officers, directors, employees, committee members, agents and any other person or individual furnished with documents, records and other information relating to the individual's/company's eligibility, certification or recertification from any and all liability of any nature and kind, arising out of the furnishing or inspection of such documents, records or other information, and any level of investigation, evaluation and communication regarding the individual's/company's eligibility, certification or recertification made by NETA.

NETA reserves the right to revoke certification status or reject the application of an individual or program provider in the case of:

- Ineligibility for certification.
- Failure to satisfy NETA's requirements for certification or recertification.
- Incorrect, false or misleading application information, material misrepresentations, willful or intentional misconduct and/or fraud including without limitation any statements made to NETA or the public, such as any such statements made by the applicant or candidate in applying for, to obtain or retain certification.
- Unauthorized possession, use, access, or distribution of NETA trademarks, logos, written materials, answer sheets, certificates, applicant files or other confidential or proprietary NETA documents or materials.
- Negligent, wrongful and/or intentional misconduct in the provision of enrichment provider services to the public, including, but not limited to, physical or emotional abuse, disregard for personal safety, or unauthorized release of confidential personal information.
- A criminal conviction, plea of guilty or plea of no contest in connection with a felony or misdemeanor which is directly related to public health, instruction, or education which impairs competent and objective enrichment provider performance, including, without limitation, rape, sexual abuse, child endangerment, the actual or threatened use of a weapon of violence, and the prohibited sale, distribution or possession of a controlled substance.

Appeals Policy and Procedures

Professional practice and disciplinary procedures of the National Enrichment Teachers Association are intended to assist and inform NETA-certified enrichment teachers, NETA-certified enrichment providers and prospective teacher and provider candidates of the NETA code of ethics relative to professional conduct and disciplinary procedures. The NETA appeals policy and procedures are subject to revision without notice.

It is expected that candidates for certification and all certified members be familiar with the NETA code of ethics as provided in the NETA certification guide.

Disciplinary Process

NETA has appointed an ethics review committee comprised of members from the certified population (certified enrichment providers and certified enrichment teachers) to consider alleged violations of any of the code of ethics or complaints received from consumers.

NETA's Ethics Committee will be composed of five certified members whose terms shall run for one year. A member of the Ethics Committee may not participate in any situation or hearing in which his/her impartiality may reasonably be subject to question or where an actual or apparent conflict of interest might exist. A quorum consists of three members and committee action shall be determined by a majority vote. The Ethics Committee shall otherwise be responsible for determining its other operating rules and procedures.

Review Process

Whenever NETA receives an allegation of a violation of the code of ethics or rules, or a violation of the code of professional conduct rule or rules, such allegation shall be forwarded to the Ethics Committee. If the committee determines that there is a lack of good cause or evidence to question a candidate's eligibility or a certified member's alleged violation of the NETA Standards and the code of ethics, no adverse action will be taken. If a quorum of committee members determines by a majority vote that good cause does exist, it shall so notify the applicant or the certified member in writing containing the details of the allegation together with a recitation of rights and procedures including that the subject applicant or certified member will be responsible to bear his/her own expenses in the event they wish to participate in a hearing concerning the committee's determination.

The applicant or certified member shall have the right to an oral hearing (which at the Ethics Committee's sole discretion may be conducted by telephone conference call) if he/she disputes the truthfulness or accuracy of the allegation. Individuals must notify the Ethics Committee within fifteen (15) days following receipt of the notification if they wish to dispute the allegations, request an oral hearing or comment regarding appropriate sanctions. Otherwise, if a quorum of Ethics Committee members determines by majority vote that the allegations are accurate and a NETA Standards and/or Code of Ethics violation exists sanctions may be imposed by the Ethics Committee. If the applicant or certified member fails to

respond to the notification or fails to dispute the allegations, the allegations will be deemed accurate and uncontested by the committee.

Hearings

If an applicant or certified member disputes the allegations or requests a hearing, the Ethics Committee shall schedule a hearing (which at the Ethics Committee's sole discretion may be conducted by telephone conference call). The Ethics Committee, the applicant or certified member may make opening and closing statements. If desired, the applicant or certified member may also submit documents and/or written briefs and/or relevant evidence to the Ethics Committee provided all such documents/briefs/evidence are received by all committee members not later than seven (7) days prior to the scheduled hearing date. The Ethics Committee shall otherwise determine and provide all evidentiary rules. Disputed issues and allegations shall be determined by majority vote of a quorum of the Ethics Committee.

Sanctions

Sanctions for violating the NETA Standards, code of ethics, code of professional conduct or application rules may include, but shall not be limited to, one or more of the following:

- Denial or suspension of eligibility
- Revocation of certification
- Censure
- Reprimand
- Suspension
- Training or other corrective action
- Reports
- Conditions relating to the above

Appeals

The applicant or certified member may appeal a final determination by the Ethics Committee to NETA's Governing Committee which appeal must be filed in writing within 30 days of the applicant's or certified member's receipt of the Ethics Committee's final determination to be accompanied by an appeal statement/brief from the applicant or certified member. The Ethics Committee may submit to the Governing Committee a written brief concerning the appeals request/statement of the applicant or certified member. The Governing Committee shall render a decision on the record without a hearing not later than ninety (90) days following its receipt of the written appeals request from the applicant or certified member. The decision of the Governing Committee shall be final and binding.

Decisions

The written determination of the Ethics Committee shall be sent to the applicant or certified member by certified mail to the address last provided by the applicant or certified member. The written determination shall contain the committee's determinations of facts, conclusions and list any sanctions imposed by the committee.

Emergency Procedures

Whenever the Ethics Committee determines based on the seriousness of any allegations received that there is reasonable cause to believe that a threat of imminent and/or irreparable injury to the health of the public exists, the Ethics Committee shall forward such allegations to the Governing Committee together with its recommendations. In such event, the Governing Committee shall promptly take the matter into consideration *en banc* and without the participation of the applicant or certified member, and otherwise as determined by the Governing Committee in its sole discretion. If the Governing Committee determines that a threat of imminent and/or irreparable injury to the public exists, certification may be withheld or suspended for up to sixty (60) days pending a full Ethics Committee hearing under the non-emergency procedures described above.

Waiver and Release

As a condition to NETA's agreement to consider and review of each applicant for certification each individual/company applicant and/or certified member jointly and severally releases, discharges and exonerates NETA, its officers, directors, employees, committee members, agents and any person furnishing documents, records and other information relating to the individual's/company's eligibility, certification or recertification from any and all liability of any nature and kind, arising out of the furnishing or inspection of such documents, records or other information, and any investigation, evaluation and communication regarding the individual's eligibility, certification or recertification made by NETA.