

American Association of Sexuality Educators, Counselors and Therapists

Code of Conduct for AASECT Certified Members

Article I: Preamble

Recognizing its responsibilities to society and given its own national and international objectives, the American Association of Sexuality Educators, Counselors and Therapists (AASECT) has adopted the following Code of Conduct (Code). The Code applies to all Certified AASECT members and encompasses any activity that directly or indirectly relates to professional identity or training. The Code does not replace or modify the requirements for or purposes of certification as a sex educator, counselor, therapist or Supervisor.

As a professional association, AASECT has a duty to advocate and enforce both high quality services from and proper conduct/professionalism by its members in order to ensure both. Through setting forth standards of ethical conduct for practice-related conditions, qualities, skills and services, the Code is intended to assist AASECT Certified members with judgments made in the course of their professional services.

Certified members of AASECT, in the conduct of all aspects of their life that relates to their professional work and identity, are expected to honor the Code, and AASECT certification is predicated upon adherence thereto.

Article II: Conditions of Certification

AASECT Certification may be terminated for sufficient cause as outlined in the Bylaws and the formal Application for Certification.

Those applying for AASECT Certification must submit the following as part of the application process:

1. Notification in writing to the AASECT Office of:
 - a. denial of an application *for* or disciplinary action taken *against* any professional license or certification by a state or federal entity, or by a private certification entity;
 - b. conviction, guilty plea, or no contest plea of a felony;
 - c. conviction, guilty plea, or no contest plea of a misdemeanor directly related to public health or the provision of safe and competent sexual health counseling or therapy;

2. a. Current AASECT Certified members are required to notify the AASECT Board of Directors (Board) in writing within thirty (30) days should an action listed in paragraphs (a) – (c) of the above Section 1 occur.
- b. In the event any professional licensing board or certification entity initiates charges against a current AASECT Certified member, that member shall provide the Board with written notification of the charges, along with any related documentation. Such notification must be made within thirty (30) days of the Certified member's knowledge of the charges and any request from AASECT for information or documentation related to such charges must be satisfied within thirty (30) days of such request.
- c. Decisions on all applications for AASECT certification or recertification may be suspended until the adjudicatory outcome of charges has been determined. Denial of applications shall be by two-thirds vote of the entire Board in accordance with the policies and procedures established by the Bylaws and the Formal Application for Certification.

Article III: Grounds for Corrective Action:

Actions that may constitute grounds for discipline involving a Certified member include, but are not limited to:

1. violation of AASECT Practice Guidelines, Code of Conduct and/or other policies developed and implemented from time to time by the Board (collectively, AASECT Standards);
2. violation of guidelines and ethical standards established by the sexual health community;
3. denial of an application *for* or disciplinary action taken *against* any professional license or certification by a state or federal entity, or by a private certification entity;
4. conviction, guilty plea, or no contest plea of a felony;
5. conviction, guilty plea, or no contest plea of a misdemeanor directly related to public health or the provision of safe and competent sexual health education, counseling or therapy;
6. failure to promote the safety and welfare of the public, whether through negligent acts or omission, or through misrepresentation;

7. misuse or reproduction of AASECT certification materials, logos, abbreviations, or emblems that are the exclusive property of AASECT without the express written permission of AASECT;
8. failure to relinquish and/or refrain from using AASECT Certificates, the AASECT logo and/or emblems, the AASECT name, and/or AASECT abbreviations, when so directed by AASECT;
9. misrepresentation or falsification of material information in connection with an application, credentials, assessment documentation, continuing education reports, or other materials or information submitted to AASECT;
10. engaging in inappropriate conduct in connection with the certification or certification renewal processes, including, but not limited to:
 1. noncompliance with assessment procedures or instructions;
 2. violation of confidentiality agreements signed in accordance with the candidate application and/or assessment administration; or
 3. publishing, reproducing, or distributing assessment materials or information.
11. termination from an employment position involving the use of AASECT certification and where the conduct leading to such termination involved:
 1. child or elder abuse;
 2. sexual abuse;
 3. substance abuse; or
 4. job-related crimes.
12. filing a complaint with AASECT deemed to be false, frivolous or intended to harm a member, certified member or applicant and not intended to protect the public;
13. discipline by or expulsion from a grievance board of a university, college, governmental agency, or professional organization to which the Certified member belongs;
14. failure to comply with a duly entered order of the Board;
15. failure to cooperate with an investigation conducted by the Board;

16.failure to report known or suspected violations of AASECT Standards within thirty (30) days of such knowledge or suspicion;

17.unprofessional conduct as determined by the Board.

The information available to, as well as the deliberations of the Board, shall be deemed confidential. The outcomes, negative determinations and sanctions may be published on the AASECT website. Any action taken regarding continued or terminated membership, with concomitant conditions made by the Board is final and cannot be appealed. The Certified member will be notified in a timely fashion by the Board in writing of any decision regarding membership or certification status.

Article IV: Administrative Sanctions

Sanctions imposed by AASECT may include, but are not limited to:

1. Temporary or permanent loss of eligibility for certification or membership.
2. Suspension of Certificate or membership.
3. Probation of Certificate or membership.
4. Revocation of Certificate or membership.
5. Assessment of monetary sanctions to recover costs associated with the investigation and administrative prosecution by AASECT.

Article V: Additional AASECT Authority and Disclosure

In the interest of protecting the public and the integrity of the profession, AASECT shall have the authority to:

1. Disclose an individual's certification and/or membership status on its website.
2. Disclose a member and/or certified member's AASECT disciplinary history on its website.
3. Provide AASECT disciplinary history and/or complaints filed regarding a Certified member to the agency(s) responsible for state licensure, employers, and/or other professional certification or credentialing organizations.

Please see Disciplinary Procedures for concerns related to enquiries or complaints.

Article VI: Code Of Conduct

Principle One: Competence and Integrity

Competence

AASECT Certified members shall be committed to maintaining high standards of scholarship and practice and shall be accountable as an individual to the AASECT Standards. Additionally, Certified members shall perform any professional service in accord with the prevailing standards of performance in professional activities when measured against generally prevailing peer performance.

The Certified member shall have training in sexuality education, counseling, therapy, and/or supervision that is in accord with AASECT Standards and the laws relevant to the jurisdiction in which the Certified member practices.

The Certified member shall recognize the necessity and benefit of professional growth by participating in continuing education as determined by the Practice Guidelines and by the Certification standards.

Informed Consent

The Certified member shall recognize his/her limits of competence and shall communicate them at the earliest possible time and at any time thereafter to the consumer. When the Certified member's level of competence does not afford optimal benefits to the consumer, the Certified member shall, in a timely and efficient manner, recommend referral to better-qualified sources.

The Certified member shall not knowingly permit any consumer to misunderstand the Certified member's competency and shall clarify credentials, training, affiliations, experiences and skills in an honest and accurate manner.

Aiding/Abetting Unqualified Practice

The Certified member shall not enter into association for professional practice with or assist, aid, or promote in any manner the practice of an unqualified or incompetent person which shall include any person whom the Certified member knows or has reason to believe, does not adhere to the Code or is in violation of any law. This shall include, but is not limited to, making a referral to an unqualified or incompetent person.

The Certified member shall not provide any remuneration, regardless of form, to any source for receiving the referral of a consumer for professional services unless the source of the referral maintains continued involvement in the care of the consumer. Conversely, the Certified member shall not receive any remuneration regardless of form from any source for providing the referral of a consumer for professional services unless the Certified member maintains continued involvement in the care of the consumer. Any

such financial arrangement must be disclosed to and approved and acknowledged in writing by the consumer.

The Certified member who becomes emotionally, physically or otherwise impaired or disabled to a degree that it impacts on the best interest of the consumer shall, in a timely and efficient manner, make a referral of the consumer to a qualified and appropriate professional source so as to avoid any undue abandonment of the consumer.

Principle Two: Moral, Ethical, and Legal Standards

The Certified member shall accept that the quality of his/her professional services (are) is dependent upon both personal morality and professional ethics and on the ability to maintain legal standards.

The Certified member shall be aware of and monitor the fact that his/her personal needs may influence judgments and actions in the therapeutic relationship and shall, regardless of experience or training, have a qualified review source such as a supervisor available to assist in safeguarding against unwise or inappropriate judgments and acts.

The Certified member shall not enter into any dual relationship regardless of nature that jeopardizes the well-being of the consumer.

The Certified member shall avoid any action that might violate or diminish the legal and civil rights of the consumer.

The Certified member shall not engage in or condone practices by any source that are inhumane or that result in illegal or unjustifiable action relevant to race, handicap, age, gender, sexual orientation, religion or national origin.

The Certified member shall make only factual, honest, and clearly stated (not misleading) public announcements, statements or communications such as (but not limited to) for advertising or promotional purposes.

The Certified member shall not set forth identification with AASECT such as (but not limited to) membership or certification status in an announcement statement, or communication, whatever the form, that also includes a college or university degree, unless that degree is based on academic merit and is from an appropriately accredited higher education institution.

The Certified member shall act in accord with AASECT ethics, standards and guidelines related to education, counseling, therapy, supervision and research.

The Certified member shall act in accord with the standards and guidelines for the protection of consumers promulgated by other professional associations with which the Certified member is affiliated and the laws of the jurisdiction(s) in which the Certified member provides professional services.

The Certified member shall report any ethical, regulatory, or legal complaint or judgment relevant to their practice filed against the member with this report being submitted in writing within thirty (30) days of knowledge to the Chair of the AASECT Disciplinary Committee.

Principle Three: Welfare of the Consumer

Given that consumers are in unique and vulnerable positions with respect to the sensitive nature of services related to sexuality education, counseling, therapy, research and supervision, Certified members shall constantly be mindful of the responsibility for protection of the consumer's welfare, rights and best interests and for the rigorous maintenance of the trust implicit in the consumer relationship.

1. The member shall, from the onset of professional contact with a consumer or a potential consumer, clarify:
 - a. Professional training, experiences and competencies;
 - i. AASECT's mission includes responsibility for providing education and certification for sexual health professionals. One of AASECT's objectives is consumer protection and to ensure that the public is not misled by inaccurate claims of those AASECT members.
 - ii. If a Certified member lists certification among his/her credentials, that member must specify the area of certification (i.e., as a sexuality educator, sexuality counselor, sex therapist or supervisor) in any manner, media or forum. For example, a certified sexuality counselor may not advertise him or herself as a certified sexuality educator. Only AASECT Certified Supervisors may advertise themselves as offering AASECT supervision.
 - iii. AASECT members who are candidates for degrees, certification or supervisor may not state their candidacy as part of their identification in any manner, media or forum. For example, a candidate for a degree program such as a doctorate or for AASECT sex therapy certification may not advertise that status. Consumers can be misled by titles such as "Ph.D Candidate" or "Sex Therapy Certification Candidate".
 - b. The nature of the professional services available to the consumer (with an explanation of mutual roles and duties);
 - c. The limits of intervention effectiveness;

- d. Personal values or professional preferences that reflect biases rather than being responsive to the needs and well-being of the consumer;
 - e. Any exceptions to confidentiality and privileged communications (e.g. duty to warn, mandatory reporting, etc.); and
 - f. Any financial issues, especially the payment obligations of the consumer.
 2. The Certified member shall treat all information received about a consumer as confidential including, but not limited to, the mere existence of an educational counseling or therapeutic relationship with the consumer. Where required by law, the Certified member will develop a policy consistent with reporting requirements under HIPAA/ PIPPA and follow all legal requirements protecting consumer privacy.
 3. The Certified member shall advocate the consumer's privileged communication as granted by the laws of the jurisdiction applicable to the consumer and/or the Certified member. In the event that there is uncertainty about the effectiveness or validity of the consumer's consent to release information that is potentially confidential and/or privileged, the Certified member shall obtain appropriate legal determination.
 4. The Certified member shall divulge information received from a consumer or prospective consumer to the extent required only in the following circumstances:
 - a. When the consumer provides written and informed consent, which indicates:
 - i. The type and nature of information to be released;
 - ii. Knowledge of the purpose for which the information will be used;
 - iii. Designation of the source that will receive the information;
 - iv. That the consent is given voluntarily and with competency; and
 - v. The consumer's name and the date on which the consent is given.
 - b. When there is clear and imminent danger of bodily harm or to the life or safety of the consumer or another person; such disclosure shall be made in accord with the laws of the jurisdiction in which the member practices.
 - c. When applicable law declares that such information may be released.
 5. The Certified member may only use identifiable information about the consumer for purposes of education, training, research or publication, but may not do so without the consumer's written informed consent.

6. The Certified member may reveal information about a consumer's treatment and treatment plan only to the extent that such is revealed in consultation with another professional, such as a supervisor or coworker, for treatment purposes. Such information may not include any confidential or identifying information about the consumer, unless the consumer provides written consent.
7. The Certified member shall keep meaningful records relevant to the professional services provided to and contacts (of any nature) with the consumer and shall have a secure system for the preservation of records with the minimal contents and duration of retention being in accord with the laws that are applicable to the jurisdiction in which the Certified member practices, but no less than the following:
 - a. A full record shall be retained intact for no less than 7 years after completion of the last date of professional services or contact or more as required by applicable provincial, state or federal/national law. In the case of minor clients, a full record shall be retained intact for no less than 7 years after the client reaches the age of majority and after completion of the last date of professional services or contact or more as required by applicable provincial, state or federal law;
8. The Certified member shall have a formal (written) arrangement for the preservation of consumer records upon his/her ceasing of practice, death or incapacity. This arrangement must be in accord with the laws of the jurisdiction in which the Certified member practices.
9. The Certified member shall, when providing professional services in a group context or to a couple or family, make a reasonable effort to promote safeguarding of confidentiality on the part of each consumer in the group, couple or family.
10. The Certified member shall orient the minor consumer to the limits of confidentiality pertaining to a parent's right to know as defined by the laws of the jurisdiction in which the member practices.
11. The Certified member shall, regardless of the reasons for which the consumer sought professional services and regardless of the theory or technique being used by the Certified member, predicate every sex counseling or therapy intervention with an assessment and a meaningful discussion with the consumer(s) as to planning for counseling or therapy. Such plan shall be consistently documented in writing, justified academically, evaluated for effectiveness, monitored for strengths and weaknesses and periodically modified accordingly.
12. The Certified member shall not engage in any dual relationship, regardless of nature or circumstances, with a consumer or with persons who have a primary relationship with a consumer served by the Certified member if such dual

relationship could potentially be detrimental to or jeopardize the well-being of a consumer. A dual relationship occurs when a Certified member is in a professional role with a person and (1) is simultaneously in another role with the same person, and/or (2) is simultaneously in a relationship with a person closely associated with or related to the person with whom the Certified member has the professional relationship, and/or (3) promises to enter into another relationship in the future with the person or a person closely associated with or related to the consumer.

13. The Certified member practicing education, counseling or therapy shall not engage, attempt to engage or offer to engage a potential, current, or former consumer in sexual behavior whether the consumer consents to such behavior or not. Sexual behavior includes, but is not limited to, kissing; sexual intercourse and/or the touching by either the Certified member or the consumer of the other's breasts or genitals; sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, that occurs in connection with the Certified member's activities or roles as an educator, counselor or therapist, and that either (1) is unwelcome, is offensive, or creates a hostile workplace or educational environment, and the Certified member knows or is told this or (2) is sufficiently severe or intense to be abusive to a reasonable person in the context.
14. The Certified member shall terminate professional services to the consumer when it is reasonably evident or should be evident that the consumer is not obtaining benefits sufficient to justify continued services by such Certified member. Upon termination, the Certified member shall make referral to another professional source and/or offer reasonable follow-up to further the best interests of the consumer.

Principle Four: Welfare of Students, Trainees and Others

The Certified member shall respect the rights and dignity of students, trainees and others (such as employees), maintain high standards of scholarship and preserve academic freedom and responsibility.

1. The Certified member shall, from the onset of professional contact with students, trainees and others over whom the Certified member has administrative, educational or supervisory authority clarify: the Certified member's professional qualifications and competencies; the objectives, responsibilities and duties of all concerned and any financial issues, especially any payment obligations.
2. The Certified member shall maintain in confidence personal information regarding a student, trainee, or others obtained in his/her professional role; the provision of confidentiality does not, however, preclude fulfilling a professional responsibility or duty to consumers, educational or training institutions or programs, professional associations or governmental/regulatory or legal sources.

3. The Certified member shall maintain high standards of scholarship and present information that is accurate and timely in all administrative, educational and supervisory activities.
4. The Certified member shall keep meaningful and systematic records of all administrative, educational and supervisory activities.
5. The Certified member shall not coerce or require a student, trainee or other to serve as a subject for a research project.
6. The Certified member shall not provide diagnosis, therapeutic counseling or therapy or any other clinical service to students or trainees or those over whom the Certified member has administrative, educational or supervisory authority.
7. The Certified member shall not harass in any manner a student, trainee or other person over whom the Certified member has administrative, educational or supervisory authority. Certified members do not engage in sexual relationships with students or supervisees who are in their department, agency, or training center, or over whom Certified members have, or are likely to have, evaluative authority.
8. The Certified member shall not, during the administrative, educational or supervisory period enter into any dual relationship, regardless of nature, that jeopardizes the well-being of the student, trainee or other.
9. The Certified member shall not, during the administrative, educational or supervisory period, engage, attempt to engage or offer to engage the student, trainee or other in sexual behavior.
10. The Certified member shall be cognizant that a dual relationship subsequent to the administrative, educational or supervisory period may potentially jeopardize the well being of the student, trainee or other.

Principle Five: Welfare of Research Subjects

Certified members shall conduct their investigations with respect for the dignity, rights and welfare of the subjects. Research must be ethical and legal at its inception and throughout the course of the investigation, with Certified members being mindful of not justifying investigative techniques that are solely considered by the intended or achieved outcome.

1. The Certified member shall be involved only with sex research that is carried out by persons qualified to perform such investigations or under the direct supervision of persons so qualified.

2. The Certified member shall be involved only with sex research that designates and identifies (in writing) to the potential subjects the names and professional qualifications of the person(s) or persons with ethical scientific and legal responsibility for the conduct of the investigation.
3. The Certified member shall be involved only with sex research that provides adequate protection(s) to human subjects at risk. Any research project must:
 - a. Include the voluntary and informed consent of each subject; and
 - b. Be in accord with applicable legal authority of the jurisdiction within which such research is being conducted.
4. The Certified member shall only be involved with sex research that protects the confidentiality of research data including the identity of participants or others revealed during the investigation.
5. The Certified member shall only be involved with sex research that requires all investigators to be honest and accurate in their dealings with research subjects and all persons receiving information about the research.
6. The Certified member shall only be involved with sex research that offers to provide an explanation of the purpose of the investigation and of the individual and collective results to each person who serves as a research subject.
7. The Certified member shall only be involved with sex research that has been prefaced by the submission of a research proposal for peer review with special reference to ethical and legal safeguards for the potential research subjects. This peer review may occur in different forms, such as an institutional review board for evaluation for ethical propriety, and must be in accord with all relevant laws.
8. The Certified member shall not engage in any type of sexual relationship or sexual behavior with research subjects as defined above in Principle Three (3), paragraph thirteen (13).

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