

**RULES  
OF  
TENNESSEE PRIVATE INVESTIGATION COMMISSION**

**CHAPTER 1175-3  
PRIVATE INVESTIGATOR TRAINING**

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**1175-3-.01 DEFINITIONS.**

- (1) As used in this chapter:
  - (a) "Commission" shall mean the Tennessee Private Investigation and Polygraph Commission.
  - (b) "Course" shall mean an individual subject of study.
  - (c) "Training Program" shall mean a program comprised of one or more courses, to training individuals to become private investigators for a fee.
- (2) As used in this chapter and in *Tenn. Code Ann.* §62-26-226, both "Proprietary Entity" and "Proprietary Agency" shall mean a training school for profit owned by a sole proprietor, partnership, corporation or other legally recognized business entity in this state.

**Authority:** *T.C.A. §§62-26-202, 62-26-203, 62-26-226(f), and 62-26-303. Administrative History: Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003.*

**1175-3-.02 CERTIFIED TRAINER APPLICANTS-REQUIREMENTS.**

- (1) Each individual applicant for a certified trainer certificate must:
  - (a) be at least twenty-one (21) years of age;
  - (b) hold a four (4) year degree from an accredited college or university acceptable to the Commission;
  - (c) have at least three (3) years of supervisory experience, satisfactory to the Commission, with an investigative company, proprietary entity or any federal, United States military, state, county or municipal law enforcement agency;
  - (d) have an active Tennessee Private Investigators license;
  - (e) be personally qualified to conduct the training they intend to offer;
  - (f) not have been convicted of a felony or of a misdemeanor involving moral turpitude;
  - (g) not be suffering from habitual drunkenness and/or narcotics addiction; and
  - (h) have a set of classifiable fingerprints on file with the Commission.

(Rule 1175-3-.02, continued)

**Authority:** T.C.A. §62-26-226(f). **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995.

### 1175-3-.03 CERTIFIED TRAINER APPLICATION.

- (1) An application for a certified trainer certificate shall be filed with the Commission in the prescribed form. The application shall include:
  - (a) the full name and business address of the applicant;
  - (b) date and place of birth;
  - (c) a resumé outlining the education and experience of the applicant;
  - (d) documentary evidence that the qualifications required in subsections (b), (c) and of Rule 1175-3-.02 have been met;
  - (e) the name, age, and experience qualifications of any assistant trainer whom the applicant intends to appoint to assist in the implementation of the training program; and
  - (f) certification that the applicant has read and is familiar with the Private Investigators Licensing and Regulatory Act, *Tenn. Code Ann. §62-26-201 et seq.* as well as the Rules of the Private Investigation Commission.
- (2) The Commission shall be notified in writing within ten (10) days of any material change in information furnished in connection with an application for trainer certification.
- (3) The nonrefundable application fee for certification as a trainer shall be one hundred fifty dollars (\$150.00). Upon the approval of a certified trainer application, the applicant shall pay a fee of two hundred fifty dollars (\$250.00) for certification. Certification shall expire two (2) years after the date of issuance and shall be renewable biennially for a fee of two hundred fifty dollars (\$250.00).

**Authority:** T.C.A. §§62-26-226(f) and 62-26-303. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003.

### 1175-3-.04 APPOINTMENT OF ASSISTANT TRAINERS.

- (1) A certified trainer shall ensure that each appointed assistant trainer:
  - (a) is a college graduate and holds a four (4) year degree; however, two (2) years of experience in a related field may be substituted for each single year of college;
  - (b) is qualified in his/her field of instruction by educational background or work experience; and
  - (c) is of good moral character.
- (2) Any certified trainer appointing an assistant shall at the time of such appointment submit to the Commission documentation that the assistant is in compliance with *Tenn. Code Ann. §62-26-226(c)*.
- (3) Assistant trainers shall be under the supervision and control of the certified trainer by whom they were appointed. The certified trainer shall be held accountable for the performance of each assistant trainer.

**Authority:** T.C.A. §§62-26-226(f) and 62-26-303. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003.

**1175-3-.05 CERTIFIED TRAINING COMPANY APPLICANTS - REQUIREMENTS.**

- (1) Any sole proprietor, partnership, corporation or other legally recognized business entity in this state, not presently licensed as a private investigation company by this state and desiring to offer private investigator training for a fee, shall submit to the Commission an application for certification as a training company which shall include:
  - (a) the full name and business address of the applicant; if the applicant is a partnership, the name and address of each partner, if a corporation, the name and address of a designated agent for the corporation;
  - (b) the name and certificate number of each certified trainer to be employed by the company; and
  - (c) certification that the applicant or the designee thereof has read and is familiar with the Private Investigators Licensing and Regulatory Act, Tenn. Code Ann. §§62-26-201 et seq. and the Rules of the Tennessee Private Investigation and Polygraph Commission.
- (2) The Commission shall be notified in writing within ten (10) days of any material change in information furnished in connection with an application for company certification.
- (3) The non-refundable application fee for company certification shall be five hundred dollars (\$500.00). Upon the approval of a company application, the applicant shall pay a company certification fee of five hundred dollars (\$500.00). Certification shall expire two (2) years after the date of issuance and shall be renewable biennially for a fee of one thousand dollars (\$1,000.00).

**Authority:** T.C.A. §§62-26-226, 62-26-226(f), and 62-26-303. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003.

**1175-3-.06 MINIMUM CERTIFIED TRAINING PROGRAM REQUIREMENTS.**

Each certified trainer or training company shall:

- (1) Provide each student a syllabus/outline prior to their enrollment in a training program. This syllabus/outline shall include:
  - (a) the number and type of course(s) to be taught in the training program;
  - (b) the amount of time to be devoted to each course;
  - (c) the title and author of each textbook to be utilized by the certified or assistant trainer(s) in their instruction. If students are required to purchase texts for a program or course, information as to where such text(s) may be purchased and the approximate price thereof should also be included;
  - (d) the name of each certified trainer responsible for the administration of the training program and the name of each certified or assistant trainer to be utilized in the implementation of the program;
  - (e) all fees to be charged to enroll in and complete the training program;
  - (f) the maximum number of students to be enrolled in the program at any one time; and
  - (g) a statement informing prospective students that the training to be provided is not required in order to obtain a private investigator's license.

(Rule 1175-3-.06, continued)

- (2) Maintain a record of each student enrolled in the training program for a period of three (3) years after their completion thereof. Such records shall be made available to the Commission upon reasonable request.
- (3) Provide classroom space to adequately accommodate students. Students should be seated at individual desks, tables or in a proper learning environment.

**Authority:** T.C.A. §62-26-226(f). **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995.

#### **1175-3-.07 MONITORING OF TRAINING PROGRAMS.**

By applying for certification as a trainer and/or company, an applicant agrees to permit periodic monitoring of his/her/its training program by the Commission for the purpose of evaluating the program content, instructor performance, or any other relevant aspect of the administration and conduct of such training program.

**Authority:** T.C.A. §62-26-226(f). **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995.

#### **1175-3-.08 WITHDRAWAL OF CERTIFICATION.**

- (1) The Commission may revoke or suspend the certification of a trainer, or company if, after reasonable notice and opportunity for hearing, the Commission finds that such trainer or company:
  - (a) has violated any provision of the Private Investigators Licensing and Regulatory Act, this chapter, or any other chapter of the Rules of the Private Investigation Commission;
  - (b) has become certified through fraud or misrepresentation;
  - (c) has falsified any statement or record required to be submitted or kept hereunder;
  - (d) has been convicted by a court of competent jurisdiction of a felony or a misdemeanor, if the Commission finds that such conviction reflects unfavorably on the trainer's fitness for certification;
  - (e) is demonstrably incompetent to conduct private investigator training;
  - (f) has made any material misrepresentation as to the information contained in the syllabus/outline provided to prospective students, or
  - (g) is guilty of misconduct or gross negligence in the operation of a training program.
- (2) If an individual wishes to terminate his/her status as a certified trainer, he/she shall notify the Commission in writing. The notice shall include the effective date of the desired termination, and shall be accompanied by the certified trainer's original certificate.

**Authority:** T.C.A. §62-26-226(f). **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995.

#### **1175-3-.09 COMPLETION OF TRAINING.**

Upon the completion of each training program, the certified trainer shall submit to the Commission a certified list of the names and addresses of those individuals successfully completing the program.

(Rule 1175-3-.09, continued)

**Authority:** T.C.A. §62-26-226(f). **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995.

#### **1175-3-.10 PROHIBITED REPRESENTATIONS.**

No certified trainer, company or assistant trainer shall represent that it (he/she) or any aspect of its (his/her) business or activity, has been recommended or endorsed by the Commission.

**Authority:** T.C.A. §62-26-226(f). **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995.

#### **1175-3-.11 LIMITATIONS ON FIELD WORK.**

- (1) Students of Private Investigation Training Programs may not participate in actual private investigation fieldwork. They may, however, participate in mock fieldwork exercises supervised by a certified or assistant trainer.
- (2) No certified trainer or assistant trainer may utilize students in their training program as apprentice investigators without prior approval of the Commission.

**Authority:** T.C.A. §62-26-226(f). **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995.