

**RULES  
OF  
THE TENNESSEE PEACE OFFICER STANDARDS  
AND TRAINING COMMISSION**

**CHAPTER 1110-02  
CERTIFICATION**

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**1110-02-.01 PERSONS REQUIRED TO BE CERTIFIED.**

- (1) All persons, who are employed as full-time law enforcement officers on or after July 1, 1982, shall comply with and maintain the pre-employment standards and meet the Basic Law Enforcement Training requirements before being certified as law enforcement officers.
- (2) All presently uncertified persons who were employed as law enforcement officer(s) prior to July 1, 1982, are exempt from the pre-employment and basic training requirements; however, they cannot be certified unless they meet the pre-employment and basic training requirements.
- (3) Part-time law enforcement officers, as defined in Tenn. Comp. R. & Regs. 1110-01-.01, shall comply with and maintain pre-employment standards as well as meet the basic training requirements outlined in Tenn. Comp. R. & Regs. 1110-08 before being employed or utilized as law enforcement officers.

**Authority:** T.C.A. § 38-8-105. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective February 28, 2007. Amendments filed January 7, 2021; effective April 7, 2021.

**1110-02-.02 FAILURE TO COMPLY.**

- (1) Any person who appoints any applicant who to the knowledge of the appointor fails to meet the minimum standards as set forth herein or required by the Commission, and any person who signs the warrant or check for the payment of the salary of any person who to the knowledge of the signer fails to meet the qualifications as a police officer as provided herein or required by the Commission, shall be guilty of a Class A misdemeanor and upon conviction shall be subject to a fine not exceeding one thousand dollars (\$1,000). Further, any person who makes any false statement on a required state document, such as an Application for Certification, under oath or under penalty of perjury commits the offense of perjury under T.C.A. § 39-16-702 and may be subject to the penalties of T.C.A. § 38-8-124.

**Authority:** T.C.A. §§ 38-8-105, 38-8-124, and 39-16-702. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendments filed January 7, 2021; effective April 7, 2021.

**1110-02-.03 LAW ENFORCEMENT OFFICER CERTIFICATION REQUIREMENTS.**

- (1) All full-time law enforcement officers employed by an agency required to meet minimum standards must meet pre-employment requirements and, upon successful completion of the required basic training, shall be issued a Certification or Certificate of Compliance, unless otherwise provided.

(Rule 1110-02-.03, continued)

- (2) Full-time Law Enforcement Officer Pre-Employment Requirements. The Commission will issue a Certificate of Compliance to any person who meets the qualifications for employment and satisfactorily completes a certified Basic Law Enforcement Officer Course. Any person employed as a full-time law enforcement officer, after July 1, 1982, must be certified and must comply with the following pre-employment requirements:
- (a) Be at least eighteen (18) years of age;
  - (b) Be a citizen of the United States or a permanent legal resident of the United States who is an honorably discharged veteran of the United States armed forces pursuant to T.C.A § 38-8-105(d);
  - (c) Be a high school graduate or possess the equivalent of a high school diploma pursuant to Tenn. Comp. R. & Regs. 1110-01-.01. No waivers will be granted for minimum education requirements;
  - (d) Not have been convicted of, pleaded guilty to, or entered a plea of nolo contendere to any felony charge or to any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor and other alcoholic beverages, controlled substances, imitation controlled substances, or controlled substance analogues;
  - (e) Not have been released or discharged from any of the armed forces of the United States under any conditions other than honorable;
  - (f) If the applicant has prior military experience, the agency must present a copy of any DD- 214s, DD-215s and DD873s along with the application for certification;
  - (g) Have fingerprints on file with the TBI;
  - (h) Have passed a physical examination by a licensed physician. This physical examination may also be performed by a nurse practitioner or physician assistant, so long as the examination is expressly included in a written protocol developed jointly by the supervising physician and the nurse practitioner or physician assistant, whichever is applicable, setting forth the range of services that may be performed by the nurse practitioner or physician assistant. This examination must be performed no more than six (6) months prior to entering the Commission-approved Basic Law Enforcement Course;
  - (i) Have good moral character as determined by a thorough investigation conducted by the employing agency or the Commission;
  - (j) Have been certified by a Tennessee licensed health care provider qualified in the psychiatric or psychological fields as being free from any impairment as set forth in the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association current at the time of the examination that would, in the professional judgment of the examiner, affect the person's ability to perform an essential function of the job, with or without a reasonable accommodation. This certification must be obtained no more than six (6) months prior to entering the Commission-approved Basic Law Enforcement Course. A new evaluation will be required:
    - 1. After a six (6) month break in full-time law enforcement service; or,
    - 2. Upon the request of the employing agency, for good cause;

(Rule 1110-02-.03, continued)

- (k) Not have been previously decertified as a law enforcement officer by the Commission; and
  - (l) Not have previously voluntarily surrendered his/her certification as a law enforcement officer.
  - (m) If a law enforcement applicant or certified law enforcement officer fails to meet any of the aforementioned certification requirements, a waiver pursuant to Tenn. Comp. R. & Regs. 1110-09, will be required.
  - (n) All certified officers must ensure that their current addresses and contact information are always on file with the Commission.
- (3) Training Requirements. Any officer seeking certification under these rules who conforms to pre-employment requirements must enroll in the Basic Law Enforcement Course as established in accordance with these rules within six (6) months of initial employment as a law enforcement officer. During the initial period prior to attending the Basic Law Enforcement Course, the recruit must be paired with a field Training Officer or other certified officer.

Commencing July 1, 1982, any time served as a full-time law enforcement officer in any Tennessee law enforcement agency is cumulative and will count as part of the six-month time limit.

- (4) Application Requirement. No officer will be certified under these rules unless application is made at such time and in such form as the Commission requires.

If after enrolling in an academy, an officer does not successfully complete basic police training, unless a waiver to attend another academy pursuant to Tenn. Comp. R. & Regs 1110-09-.07 is obtained from the Commission, he/she must return to the same academy under the following circumstances:

- (a) If dropped for academic or disciplinary reasons; or
  - (b) To make up any portion not successfully completed. In the event an officer fails to complete successfully any portion of basic police training after returning for makeup, he/she must retake the entire course.
- (5) Verification Requirement. No officer will be certified under these rules unless:
- (a) The law enforcement agency employing the officer submits verification to the Commission, in such form as required by the Commission, showing that the officer met the pre-employment requirements prior to enrollment in the Basic Law Enforcement Course; and
  - (b) The Director of the academy where the officer satisfactorily completed the Basic Law Enforcement Course, established in accordance with these rules, submits verification in such form as required by the Commission that the officer met the basic training requirements set forth in these rules; or
  - (c) The Commission chooses to certify an officer who has received training in another state when the Commission has determined that such training was at least equivalent to that required by the Commission for approved law enforcement education and training programs in this state and that such officer has satisfactorily complied with all other requirements. Established criteria is that which aligns with the requirements of the Basic Law Enforcement Course, as outlined in Tenn. Comp. R. & Regs. 1110-07.

(Rule 1110-02-.03, continued)

- (6) Substitution of Experience for exempt/exempted officers. No officer shall be certified under these rules unless:
  - (a) The law enforcement agency employing the officer submits an Application for Certification, Confirmation of Psychological Examination, and Confirmation of Physical Examination to verify that all pre-employment requirements have been met; and
  - (b) Beginning July 1, 2010, the officer applying for substitution of experience or basic training obtained in another state enrolls in the Commission-approved three (3) week Transition School within six (6) months of employment.
- (7) Break in Full-Time Law Enforcement Service.
  - (a) Beginning May 1, 2021, certified officers who have had more than a three (3) year break, but less than a seven (7) year break in full-time law enforcement service shall enroll in the Commission-approved three (3) week Transition School within six (6) months of returning to full-time employment before their certification is reactivated. Officers with a seven (7) year or longer break in full-time law enforcement service shall be required to re-attend a Basic Law Enforcement Course.
  - (b) Officers who were certified under the Grandfather Clause of July 1, 1970 and have not attended an approved Basic Law Enforcement Course lose their grandfathered status if they have a break in service. These officers may separate directly from one law enforcement agency and be employed as a full-time law enforcement officer by another law enforcement agency with no loss of certification if there is no break in service as set forth in Tenn. Comp. R. & Regs. 1110-01-.01.
  - (c) Beginning May 1, 2021, officers who have attended an approved Basic Law Enforcement Course and who were not required to be certified at that time, may apply for certification based on this training within three (3) years of the date of completion of the Basic Law Enforcement Course. These officers must enroll in a Commission-approved three (3) week Transition School within six (6) months of returning to full-time employment to qualify for certification after three (3) years and less than seven (7) years from the date of completion of the Basic Law Enforcement Course. Officers with a seven (7) year or longer break in service shall be required to re-attend the Basic Law Enforcement Course.
  - (d) An officer's certification becomes inactive after separation from full-time employment by a law enforcement agency. A new application for certification is required for each new employment as a law enforcement officer.
- (8) Any officer affected by these rules may be eligible to petition the Commission for a waiver in accordance with Tenn. Comp. R. & Regs. 1110-09.
- (9) All certified law enforcement officers shall notify the Commission of any change of residence, employing law enforcement agency, or office address within thirty (30) days of the change.

**Authority:** T.C.A. §§ 38-8-104, 38-8-105, 38-8-106, 38-8-107, 38-8-111, and 38-8-111(f). **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed January 28, 1986; effective April 15, 1986. Amendment filed September 17, 1987; effective December 29, 1987. Amendment filed January 6, 1989; effective May, 1, 1989. Amendment filed November 13, 1989; effective February 28, 1990. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed October 25, 1993; effective March 1, 1994. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective February 28, 2007. Amendment filed March 18, 2010; effective June 16, 2010. Amendments filed March 11, 2011; effective June 9, 2011. Emergency rule filed

(Rule 1110-02-.03, continued)

*January 28, 2014; effective through July 27, 2014. Emergency rule expired effective July 27, 2014; rule reverted to previous status. Amendment filed July 24, 2014; effective October 22, 2014. Amendments filed January 7, 2021; effective April 7, 2021.*

#### **1110-02-.04 DISCIPLINARY ACTIONS.**

- (1) Denial of Certification. The Commission shall deny certification to any officer required to comply with the certification provisions who fails to do so. The Commission may deny certification to any officer supplying false information or acquiescing to false information being supplied to the Commission regarding eligibility for certification.
- (2) Suspension or Revocation of Certification. The Commission may initiate disciplinary action upon receipt of a complaint or on its own initiative. Complaints received by the Commission are to be documented, and if allegations are warranted, the proper investigating authority will be notified, and the proper action will be taken.
  - (a) Grounds for Disciplinary Action. The Commission may suspend or revoke the certification of any officer who has:
    1. Been convicted by any state or the federal government of any crime where the punishment was or could have been imprisonment in a federal or state prison, institution, or jail;
    2. Been convicted of, pleaded guilty to, or entered a plea of nolo contendere to any felony charge; to any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor and other alcoholic beverages, controlled substances; to a sufficient number of misdemeanors to establish a pattern of disregard for the law; to a charge for domestic violence; or to any offense set forth in 18 U.S.C § 922(g) that would make the possession of a firearm or weapon a prohibited act;
    3. Been suspended for thirty (30) days or longer, resigned in lieu of termination, resigned with disciplinary action pending that could have resulted in termination, or been discharged by his/her employing law enforcement agency for disciplinary reasons;
    4. Been found to have supplied or acquiesced in false information being supplied to the Commission regarding eligibility for certification;
    5. Failed to participate in a forty (40) hour in-service training program each calendar year;
    6. Failed to maintain pre-employment requirements; or
    7. Failed to comply with reporting requirements set forth in Tenn. Comp. R. & Regs. 1110-01 through 1110-10 and T.C.A. Title 38, Chapter 8.
  - (b) Notification Required. Law enforcement agencies suspending certified law enforcement officers for fifteen (15) days or longer, discharging certified law enforcement officers for disciplinary reasons, or accepting the resignation in lieu of termination of certified law enforcement officers must inform the Commission within ten (10) days of such action. Law enforcement agencies with knowledge of a certified law enforcement officer's violation of the pre-employment standards must inform the Commission within ten (10) days of obtaining such knowledge. Any change in the status of a disciplinary action must also be reported to the Commission within ten (10) days. A change of status form must be submitted on any change in a disciplinary action. Change of status forms are

(Rule 1110-02-.04, continued)

available on the Commission's website and shall be submitted to the Commission electronically.

- (3) Notice of Denial, Suspension, or Revocation.
  - (a) Notice of Denial. The Commission shall, within thirty (30) days of denying an application for certification, or as soon as is reasonably practicable, serve written notice upon an affected officer and the employing agency specifying the reasons for denial of the application.
  - (b) Notice of Suspension or Revocation. The Commission shall, within thirty (30) days of suspending or revoking certification, or as soon as is reasonably practicable, serve notice upon an affected officer and upon the law enforcement agency employing the officer, specifying the action taken, the officer's current status, and the remedies available. The Commission shall stay final action until the period for requesting a hearing expires.
  - (c) Notice of Final Action. The Commission shall notify the officer and the law enforcement agency involved of the final action regarding suspension or revocation.
- (4) Suspension or Revocation Hearing. Any law enforcement officer whose certification has been suspended or revoked may, within thirty (30) days of receipt of notice served by the Commission, request a hearing which shall be granted by the Commission. Upon receipt of such request, the Commission shall set a date, time, and place for hearing and serve notice, by certified mail, upon the affected law enforcement officer. The affected officer may appear, present information relevant to the proceedings, question those presenting information, and be represented by counsel. In the absence of a request for hearing, the suspension or revocation will, without further proceedings, become final thirty (30) days after the initial notice.
  - (a) Hearing Committee. The disciplinary sub-committee serves as the Commission's authorized representative for conducting preliminary hearings.
  - (b) Formal Commission Review. In the event of an adverse decision at the disciplinary sub-committee, any affected law enforcement officer may, within thirty (30) days of the initial decision, request a formal Commission review.
  - (c) Final Decision After Request for Hearing. The Commission shall render a final decision within ninety (90) days pursuant to the Uniform Administrative Procedures Act in T.C.A. §§ 4-5-301 to -502.
- (5) Judicial Review. All appeals from the Commission's final decision shall be to Chancery Court and governed by the relevant portions of the Uniform Administrative Procedures Act in T.C.A. §§ 4-5-301 to -502.
- (6) Any and all documents which evidence certification are the exclusive property of the Commission and shall be surrendered to the Commission upon demand after the proceedings.
- (7) Reapplication after Denial. Any officer denied certification for failure to meet pre-employment requirements may reapply when the requirements are met. Officers denied certification for failure to meet the Basic Law Enforcement Course requirements may reapply after satisfactory completion of the training.

(Rule 1110-02-.04, continued)

- (8) Reinstatement after Suspension. Any officer whose certification is suspended in accordance with these rules may upon expiration of the period of suspension, petition the Commission for reinstatement.

**Authority:** T.C.A. §§ 38-8-104, 38-8-104(b), 38-8-105, and 38-8-106. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective February 28, 2007. Emergency rule filed March 11, 2008, effective through August 23, 2008. Emergency rule filed March 11, 2008; expired effective August 24, 2008; rule reverted to its previous status. Amendment filed September 18, 2008; effective December 2, 2008. Amendment filed March 18, 2010; effective June 16, 2010. Amendment filed March 11, 2011; effective June 9, 2011. Amendments filed January 7, 2021; effective April 7, 2021.