

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

**CHAPTER 1110-08
PART-TIME/TEMPORARY/RESERVE/AUXILIARY LAW ENFORCEMENT OFFICERS
AND SPECIAL DEPUTIES**

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1110-08-.01 RESERVED.

Authority: T.C.A. §§ 38-8-101, 38-8-104, and 38-8-106. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002. Amendments filed January 7, 2021; effective April 7, 2021.

1110-08-.02 PRE-EMPLOYMENT REQUIREMENTS.

- (1) After May 1, 2021, any person employed or utilized as a part-time/temporary/reserve/auxiliary law enforcement officer or as a special deputy shall:
 - (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 shall 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 or other alcoholic beverage, 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) Have fingerprints on file with the TBI;
 - (g) Have passed a physical examination by a licensed physician. This physical examination may also be performed by a nurse practitioner or physician assistant no more than six (6) months prior to employment or start date, 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;

(Rule 1110-08-.02, continued)

- (h) Have good moral character as determined by a thorough investigation conducted by the employing agency;
 - (i) 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 edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) 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;
 - (j) Not have been previously decertified as a law enforcement officer by the Commission; and
 - (k) Not have previously voluntarily surrendered his/her certification as a law enforcement officer.
- (2) If a part-time/temporary/reserve/auxiliary law enforcement officer or special deputy fails to meet any of the aforementioned pre-employment requirements, the officer's employing agency shall submit a request for the applicable waiver(s) pursuant to Tenn. Comp. R. & Regs. 1110-09.
- (3) A part-time/temporary/reserve/auxiliary law enforcement officer or special deputy who was employed prior to January 1, 1989, and has had continuous service is exempt from pre-employment requirements if he/she remains on active service with the department that originally employed him/her. Any part-time/temporary/reserve/auxiliary law enforcement officer or special deputy who has a break in service of any length whatsoever shall be required to meet pre-employment and training standards.

Authority: T.C.A. §§ 38-8-101, 38-8-104, and 38-8-106. **Administrative History:** Original rule 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 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.

1110-08-.03 TRAINING REQUIREMENTS.

- (1) After October 1, 2021, any person newly employed or utilized as a part-time/temporary/reserve/auxiliary law enforcement officer or special deputy shall receive one hundred twenty-eight (128) hours of training in whatever duties he/she is required to perform by the employing agency. This training shall be accomplished during the first calendar year of employment. During this initial period, prior to receiving one hundred twenty-eight (128) hours of training, the part-time/temporary/reserve/auxiliary law enforcement officer or special deputy shall be paired with a field Training Officer or other certified officer.
- (2) Any part-time/temporary/reserve/auxiliary law enforcement officer or special deputy who is hired within five (5) years of having served as a full-time, certified law enforcement officer may continue to be exempt from the requirement that he/she be paired with a full-time, certified officer as long as he/she completes in-service training each year and has no break in service.
- (3) The one hundred twenty-eight (128) hour training requirement may be waived if the officer successfully completes a Basic Law Enforcement Course within two (2) years of the date of employment or utilization.

(Rule 1110-08-.03, continued)

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective December 16, 2006. Amendments filed January 7, 2021; effective April 7, 2021. Amendments filed September 3, 2021; effective December 2, 2021.

1110-08-.04 IN-SERVICE TRAINING REQUIREMENTS.

- (1) After the initial training has been completed, all part-time/temporary/reserve/auxiliary law enforcement officers and special deputies shall be required to attend forty (40) hours of in-service training each calendar year.
- (2) This training may be spread over a twelve (12) month period; however, the in-service training shall be completed during the calendar year.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002. Amendments filed January 7, 2021; effective April 7, 2021.

1110-08-.05 RECORDS KEPT BY EMPLOYING AGENCY.

- (1) All records pertaining to pre-employment shall be kept by the employing agency or its human resources department. The following data and information shall be on file at the law enforcement agency:
 - (a) Birth verification;
 - (b) Proof of citizenship;
 - (c) Copy of high school diploma, GED certificate, or official high school transcript;
 - (d) Background investigation report;
 - (e) Application for certification;
 - (f) Confidential psychological evaluation report;
 - (g) Physical examination; and
 - (h) Copies of all military DD-214s, DD-215s, DD-875s, or NGB-22s (if applicable).
- (2) All records pertaining to initial training and subsequent in-service training shall be kept by the employing agency. These records shall contain but not be limited to the following information:
 - (a) Dates and location of training;
 - (b) Type of training and instructors; and
 - (c) Test and firearm scores.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendments filed January 7, 2021; effective April 7, 2021.

1110-08-.06 AUDIT.

- (1) All employment and training records shall be on file with the law enforcement agency or its human resources department and available for inspection and audit by any member of the Commission or a designated representative.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendments filed January 7, 2021; effective April 7, 2021.