

**RULES
OF
THE TENNESSEE DETECTION SERVICES LICENSING PROGRAM
POLYGRAPH EXAMINER RULES**

**CHAPTER 1160-02
CONTINUING EDUCATION**

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1160-02-.01 PURPOSE.

The Polygraph Examiners Act, as amended, requires completion of certain continuing education requirements as a prerequisite for renewal of a license to administer polygraph examinations. The purposes of this chapter are to prescribe the basic continuing education requirements for present and future polygraph license holders; to establish standards by which continuing education programs will be evaluated for awarding of credit; and to assure compliance with the Act by requiring periodic reporting of educational achievements.

Authority: T.C.A. § 62-27-105 and Public Acts of 1988, Chapter No. 805, Sections 2–4. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989.

1160-02-.02 BASIC REQUIREMENTS.

Every licensed polygraph examiner seeking biennial renewal of a license shall, as a prerequisite for renewal of such license, provide satisfactory evidence of having completed at least twenty-four (24) credit hours of qualified continuing education in the subject area of polygraph examinations and/or related fields.

Authority: T.C.A. §§ 62-27-105 and 62-27-129. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989. Amendment filed February 8, 2012; effective May 8, 2012.

1160-02-.03 QUALIFYING PROGRAMS.

- (1) In order to qualify for credit toward satisfaction of the requirements of Rule 1160-02-.02, a continuing education program must be a formal program of learning which contributes directly to the professional competence of the licensee.
- (2) Formal programs requiring attendance may be considered for credit if:
 - (a) An outline is prepared and preserved;
 - (b) The program is at least one (1) hour (1 credit hour = 50 minute period) in length;
 - (c) The program is conducted by a qualified instructor, discussion leader, or lecturer; and
 - (d) A record of registration and attendance is maintained.
- (3) Subject to compliance with paragraphs (1) and (2) of this rule, the following are deemed to be qualifying programs.

(Rule 1160-02-.03, continued)

- (a) Professional development programs of the American Polygraph Association (APA), the Tennessee Polygraph Association (TPA), the American Association of Police Polygraphists (AAPP), and state polygraph societies;
- (b) Technical sessions at meetings of the APA, the TPA, the AAPP, and state polygraph societies;
- (c) University or college courses, provided that:
 - 1. For credit courses, each semester hour credit shall equal fifteen (15) continuing education credit hours, and each quarter hour credit shall equal ten (10) continuing education credit hours;
 - 2. For non-credit short courses, continuing education credit shall equal actual time in class;
- (4) Continuing education credit shall be allowed for service as an instructor, discussion leader, or speaker at any program for which participants are eligible to receive continuing education credit. Credit for such service will be awarded on the first presentation only, unless a program has been substantially revised. The amount of credit awarded shall not exceed three times the number of class hours; provided, however, that credit hours awarded under this paragraph shall not exceed fifty percent (50%) of the total number of credit hours required by this chapter within any reporting period.
- (5) The following, but not limited to, list of topics are examples of topics that will be acceptable for continuing education credits:
 - (a) The polygraph.
 - (b) Nomenclature.
 - (c) Polygraph technique.
 - (d) The relevant and irrelevant technique.
 - (e) The zone of comparison technique.
 - (f) Modified general questions test.
 - (g) General questions test.
 - (h) Sex abuse.
 - (i) Pre-test and post-test interviewing.
 - (j) Conditioning and stimulation techniques.
 - (k) Psychology.
 - (l) Specific examinations.
 - (m) Behavioral analysis.
 - (n) Question formulation.
 - (o) State laws pertaining to the polygraph.

(Rule 1160-02-.03, continued)

- (p) Federal laws pertaining to the polygraph.
 - (q) Use of drugs and the polygraph.
 - (r) Field repair of the polygraph instrument.
 - (s) Chart marking.
 - (t) Individuals rights on the polygraph.
 - (u) The history of the polygraph.
 - (v) Factual analysis.
 - (w) Legal aspects of the polygraph.
 - (x) Court testimony.
 - (y) Ethics.
 - (z) Business aspects.
 - (aa) Counter measures.
 - (bb) The examiner's legal liability.
 - (cc) Physiology.
- (6) Any program of continuing education not specifically covered by this rule may be submitted to the Commissioner for evaluation.
- (7) The Commissioner specifically reserves the right to approve or disapprove credit for continuing education claimed under this rule.

Authority: T.C.A. §§ 62-27-105, 62-27-129, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989. Amendment filed September 19, 2003; effective December 3, 2003. Amendments filed July 7, 2017; effective October 5, 2017. Amendments filed March 22, 2023; effective June 20, 2023.

1160-02-.04 CONTROL AND REPORTING SYSTEM.

- (1) Each licensee shall submit the following form as a prerequisite for renewal, which must include a signed statement setting forth the continuing education programs in which the licensee has participated during the renewal period:

VERIFICATION OF CONTINUING EDUCATION

I, _____, attest that on the following dates I attended a total of _____ hours of continuing professional education.

Date: _____ Seminar Sponsor: _____

Hours Completed: _____ Location: _____

(Rule 1160-02-.04, continued)

Date: _____ Seminar Sponsor: _____

Hours Completed: _____ Location: _____

Date: _____ Seminar Sponsor: _____

Hours Completed: _____ Location: _____

Enclosed are copies of my certificates and the seminar agendas for each session attended.

I certify that the above information is true and correct.

SIGNATURE OF POLYGRAPH EXAMINER

DATE

- (2) Such licensee shall retain documentation supporting such statement for at least two (2) years subsequent to the date of submission.
- (3) If any continuing education credit hours claimed in a statement submitted by a licensee pursuant to paragraph (1) of this rule are disapproved, the Commissioner shall notify such licensee of the reason for the disapproval. The Commissioner may allow thirty (30) days for correction of the deficiencies noted.
- (4) The Commissioner will verify information submitted by licensees under this rule on a periodic basis.

Authority: T.C.A. §§ 62-27-105, 62-27-109, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989. Amendment filed September 19, 2003; effective December 3, 2003. Amendment filed February 8, 2012; effective May 8, 2012. Amendments filed March 22, 2023; effective June 20, 2023.

1160-02-.05 EXTENSIONS OF TIME.

- (1) The Commissioner may, upon written request, extend the time within which licensees must comply with the requirements of this chapter for reasons of poor health, military service, or other reasonable and just causes.
- (2) Any licensee who requests or is granted an extension of time under this rule shall remain subject to Rule 1160-02-.04, and shall note such extension on any report required thereunder.

Authority: T.C.A. §§ 62-27-105, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989. Amendment filed September 19, 2003; effective December 3, 2003. Amendments filed March 22, 2023; effective June 20, 2023.