

**RULES
OF
THE TENNESSEE DETECTION SERVICES LICENSING PROGRAM
PRIVATE INVESTIGATOR AND INVESTIGATION COMPANY**

**CHAPTER 1175-03
PRIVATE INVESTIGATOR TRAINING**

TABLE OF CONTENTS

1175-03-.01	Definitions	1175-03-.06	Minimum Certified Training Program Requirements
1175-03-.02	Certified Trainer Applicant Requirements	1175-03-.07	Monitoring of Training Programs
1175-03-.03	Certified Trainer Application	1175-03-.08	Withdrawal of Certification
1175-03-.04	Appointment of Assistant Trainers	1175-03-.09	Completion of Training
1175-03-.05	Certified Training Company Applicant Requirements	1175-03-.10	Prohibited Representations
		1175-03-.11	Limitations on Field Work

1175-03-.01 DEFINITIONS.

- (1) As used in this chapter:
 - (a) “Commissioner” means the Commissioner of the Tennessee Department of Commerce and Insurance and/or the Commissioner’s designee.
 - (b) “Course” shall mean an individual subject of study.
 - (c) “Training Program” shall mean a program comprised of one or more courses 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, 62-26-226, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.02 CERTIFIED TRAINER APPLICANT 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 Commissioner;
 - (c) Have at least three (3) years of supervisory experience, satisfactory to the Commissioner, 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 investigator license;
 - (e) Be personally qualified to conduct the training the applicant intends to offer;
 - (f) Not have been convicted of a felony or of a misdemeanor involving moral turpitude;

(Rule 1175-03-.02, continued)

- (g) Not be addicted to alcohol or drugs to the extent that it interferes with the applicant's ability or capacity to perform his or her professional duties or responsibilities as a certified trainer; and
- (h) Have a set of classifiable fingerprints on file with the Commissioner.

Authority: T.C.A. §§ 62-26-226, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.03 CERTIFIED TRAINER APPLICATION.

- (1) An application for a certified trainer certificate shall be filed with the Commissioner 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 resume outlining the education and experience of the applicant;
 - (d) Documentary evidence that the qualifications required in 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, T.C.A. §§ 62-26-201 et seq., as well as the rules related to the Private Investigators Licensing and Regulatory Act.
- (2) The Commissioner 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, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.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.

(Rule 1175-03-.04, continued)

- (2) Any certified trainer appointing an assistant shall at the time of such appointment submit to the Commissioner documentation that the assistant is in compliance with T.C.A. § 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, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.05 CERTIFIED TRAINING COMPANY APPLICANT 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 Commissioner 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, T.C.A. §§ 62-26-201 et seq., and the related rules and regulations.
- (2) The Commissioner 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, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendment filed September 19, 2003; effective December 3, 2003. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.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,

(Rule 1175-03-.06, continued)

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.
- (2) Maintain a record of each student enrolled in the training program for a period of three (3) years after the student's completion thereof. Such records shall be made available to the Commissioner 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, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.07 MONITORING OF TRAINING PROGRAMS.

By applying for certification as a trainer and/or training company, an applicant agrees to permit periodic monitoring of his/her/its training program by the Commissioner 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, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.08 WITHDRAWAL OF CERTIFICATION.

- (1) The Commissioner may revoke or suspend the certification of a trainer or training company if, after reasonable notice and opportunity for hearing, the Commissioner 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 related to the Private Investigators Licensing and Regulatory Act;
 - (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 Commissioner 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

(Rule 1175-03-.08, continued)

- (g) Is guilty of misconduct or gross negligence in the operation of a training program.
- (2) If an individual wishes to terminate his or her status as a certified trainer, he or she shall notify the Commissioner 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, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.09 COMPLETION OF TRAINING.

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

Authority: T.C.A. §§ 62-26-226, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.10 PROHIBITED REPRESENTATIONS.

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

Authority: T.C.A. §§ 62-26-226, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendments filed March 22, 2023; effective June 20, 2023.

1175-03-.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 his or her training program as apprentice investigators without prior approval of the Commissioner.

Authority: T.C.A. §§ 62-26-226, 62-35-129, and 62-35-143. **Administrative History:** Original rule filed March 3, 1995; effective May 17, 1995. Amendments filed March 22, 2023; effective June 20, 2023.