

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

3025 Lebanon Road
P.O. Box 140229
Donelson, Tennessee 37214

<i>Chapter</i>	<i>Title</i>
1110-01	Definitions
1110-02	Certification
1110-03	Curricula and Course of Instruction
1110-04	In-Service Training Requirements
1110-05	Forms and Documents
1110-06	Administration of Income Supplements for Law Enforcement Officers
1110-07	Basic Training Academy Minimum Standards
1110-08	Part-time/Temporary/Auxiliary Law Enforcement Officers
1110-09	Criteria for Waivers
1110-10	Firearm Certification for Retired Law Enforcement Officers

ADMINISTRATIVE HISTORY

Original chapters 1110-01 through 1110-06 filed December 20, 1982; effective January 19, 1983.

Amendments to rules 1110-02-.03, 1110-04-.05; repeal and new rule 1110-03-.03; new rules 1110-03-.04 through 1110-03-.11, 1110-04-.11 and 1110-07-.01 through 1110-07-.05 filed January 28, 1986; effective April 15, 1986.

Amendment to rules 1110-05-.01, 1110-07-.01, 1110-07-.02, 1110-07-.03 and 1110-07-.04 and new rule 1110-04-.12 filed September 24, 1986; effective December 29, 1986.

Amendments to rules 1110-02-.03, 1110-03-.03, 1110-04-.05, 1110-04-.12 and 1110-07-.01 filed September 17, 1987; effective December 29, 1987.

Amendments to rules 1110-01-.01, 1110-02-.03, 1110-02-.04, 1110-03-.01, 1110-03-.04, 1110-04-.05, 1110-04-.09 and 1110-06-.02 filed January 6, 1989; effective May 1, 1989.

Original chapter 1110-08 filed January 6, 1989; effective May 1, 1989.

Amendments to rules 1110-01-.01, 1110-02-.03, 1110-05-.01 and 1110-07-.03 filed November 13, 1989; effective February 28, 1990.

Amendments to rules 1110-01-.01, 1110-02-.03, 1110-02-.04, 1110-03-.03, 1110-03-.04, 1110-03-.07, 1110-03-.08, 1110-04-.01, 1110-04-.03, 1110-04-.05, 1110-04-.06, 1110-04-.09, 1110-05-.01, 1110-06-.01, 1110-06-.03, 1110-07-.05 and original chapter 1110-09 filed August 4, 1992; effective November 28, 1992.

Amendments to rules 1110-01-.01, 1110-02-.03, 1110-03-.04, 1110-04-.02, 1110-04-.03, 1110-04-.04, 1110-04-.06, 1110-04-.07, 1110-04-.08, 1110-04-.09, 1110-06-.02, and new rule 1110-07-.06 filed October 25, 1993; effective March 1, 1994.

Amendment to rules 1110-07-.01 through 1110-07-.06 filed June 13, 1997; effective October 28, 1997.

Amendment to rules 1110-02-.01, 1110-02-.03, 1110-02-.04, 1110-03-.01, 1110-03-.03, 1110-04-.01, 1110-04-.02, 1110-04-.03, 1110-04-.05, 1110-04-.08, 1110-04-.09, 1110-04-.11, 1110-04-.12, 1110-05-.01, 1110-06-.01, 1110-06-.02, 1110-06-.03, 1110-07-.01, 1110-07-.02, 1110-07-.03, 1110-07-.06, 1110-08-.01 through 1110-08-.04, 1110-09-.02, 1110-09-.04, and 1110-09-.06 filed April 19, 2002; effective August 28, 2002.

Amendments to 1110-01-.01, 1110-02-.01, 1110-02-.03, 1110-02-.04, 1110-03-.04, 1110-04-.03, 1110-04-.09, 1110-04-.11, 1110-04-.12, 1110-05-.01, 1110-07-.01, 1110-07-.03, 1110-08-.02, 1110-08-.03, 1110-09-.01, and 1110-09-.04 filed October 2, 2006; effective February 28, 2007.

Emergency rule 1110-02-.04 filed March 11, 2008; effective through August 23, 2008.

Emergency rule 1110-02-.04 filed March 11, 2008, expired effective August 24, 2008, and reverted to its previous status.

Amendment to 1110-02-.04 filed September 18, 2008; effective December 2, 2008.

Original chapter 1110-10 and amendments to rules 1110-01-.01, 1110-02-.03 and .04, 1110-03-.03 through .06, 1110-04-.05, .08 and .09, 1110-07-.01 and .06, and 1110-09-.01, .03 and .04 filed March 18, 2010; effective June 16, 2010.

Amendment to rules 1110-01-.01 filed March 11, 2011; effective June 9, 2011.

Amendments to rules 1110-02-.03 and .04 filed March 11, 2011; effective June 9, 2011.

Original rules 1110-03-.09 and .10 filed March 11, 2011; effective June 9, 2011.

Amendments to rules 1110-04-.05 and .08 filed March 11, 2011; effective June 9, 2011.

Amendment to rule 1110-05-.01 filed March 11, 2011; effective June 9, 2011.

Amendments to rules 1110-09-.04 and .05 filed March 11, 2011; effective June 9, 2011.

Emergency rule 1110-02-.03 filed January 28, 2014; effective through July 27, 2014.

Emergency rule 1110-08-.02 filed January 28, 2014; effective through July 27, 2014.

Emergency rule 1110-09-.04 filed January 28, 2014; effective through July 27, 2014.

Emergency rules 1110-02-.03, 1110-08-.02, and 1110-09-.04 filed January 28, 2014; effective through July 27, 2014. Emergency rules expired July 28, 2014; rules reverted to previous status.

Amendment to rule 1110-02-.03 filed July 24, 2014; effective October 22, 2014.

Amendment to rule 1110-04-.09 filed July 24, 2014; effective October 22, 2014.

Amendment to rule 1110-08-.02 filed July 24, 2014; effective October 22, 2014.

Amendment to rule 1110-09-.04 filed July 24, 2014; effective October 22, 2014.

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

**CHAPTER 1110-01
DEFINITIONS**

TABLE OF CONTENTS

1110-01-.01 Definitions

1110-01-.01 DEFINITIONS.

- (1) Law Enforcement Officer is defined as either;
 - (a) Full-time Law Enforcement Officer is defined as any person commissioned, sworn, appointed, and/or otherwise lawfully enjoined to uphold the laws of the State of Tennessee, and/or laws or ordinances of any municipality or political subdivision of the State of Tennessee; and who is employed by any municipality or political subdivision of the State of Tennessee or as a railroad police officer pursuant to § 65-6-133 and whose primary responsibility is (whether directly or as an experienced, certified, supervisor/administrator of such persons), the prevention and detection of crime, and the apprehension of offenders, and specifically assigned duties and/or job description reflect said primary responsibility for the prevention and detection of crime; or
 - (b) Part-time/Temporary/Reserve/Auxiliary Law Enforcement Officer is defined as any person employed by any municipality or any political subdivision of the State of Tennessee whose primary responsibility is to support the full-time police officer in the prevention and detection of crime, apprehension of offenders, assisting in the prosecution of the offenders for appropriate remuneration in measure with specifically assigned duties and/or job description. Part-time officers will work no more than twenty (20) hours per week or a total of no more than one week or a total of no more than one hundred (100) hours per month for any agency or combination of agency. Any law enforcement officer who works in excess of the maximum hours as specified herein will be reclassified to a full-time status and must meet all requirements for standards/training as mandated under the law and Peace Officer Standards and Training Commission rules.

Provided however, in any situation where an officer is temporarily assigned for a period of one (1) month or less, to work more than twenty (20) hours per week or a total of more than one hundred (100) hours per month, such officer shall not be reclassified to a full-time status.
- (2) Commission. The Tennessee Peace Officer Standards and Training Commission, or employees acting on its behalf.
- (3) Sub-committee. A committee appointed by the Chairman of the Commission given the authority to act on matters pertaining to substitutions of basic and in-service training, in-service and basic curriculums, training officers, police pay supplement, and any other matters directed by the Commission.
- (4) Certification. A written statement issued by the Commission testifying to the accreditation of an approved school, instructor, or trainee.

(Rule 1110-01-.01, continued)

- (5) Curriculum. A program of study that will achieve the minimum standards requirements promulgated by the Commission.
- (6) Basic Law Enforcement Course is the minimum course of study and instruction required for certification of a law enforcement officer.
- (7) Advanced Course is a course of study of instruction resulting in the development of a high degree of proficiency and expertise in a particular area of professional endeavor recognized by the Commission.
- (8) Specialized Course is a course of study or instruction related to a specific law enforcement task.
- (9) In-service Course is a course of study or instruction designed to review and update an officer in law enforcement tasks commensurate with his present rank and responsibility.
- (10) An instructor is any person employed or selected to present a course of study or instruction.
- (11) A certified instructor is any instructor certified in accordance with these rules.
- (12) Approved School is any law enforcement training unit, academy, university or college, technical or trade school, or similar school recognized by the Commission.
- (13) Training Officer. Any certified law enforcement officer who meets the requirements of the Commission and who may develop, organize, implement, or supervise any course of study or instruction.
- (14) General Departmental Instructor. The training officer who is certified and designated as a General Departmental Instructor pursuant to POST Rule 1110-03-.04(3) and 1110-04-.03.
- (15) Special Deputy is defined within this section as any person who is assigned specific law enforcement functions as to the prevention and detection of crime and general laws of the state on a volunteer basis. Full-time certified law enforcement officers may serve as special deputies. Any law enforcement officer working on a volunteer basis shall receive no pay or benefits except for honorariums and may be utilized for an unlimited number of hours. Nothing in the rule will prevent a sheriff from providing a special deputy commission to someone who is a full time certified law enforcement officer.
- (16) Department (Law Enforcement Agency) is defined as any municipal, county, airport, or public safety agency employing law enforcement officers required to be certified under the minimum standards as outlined by the Tennessee Peace Officers Standards and Training.
- (17) Grandfather/Grandfathered is defined as any officer who was hired prior to July 1, 1970, and was certified as grandfathered. Such officers are eligible for salary supplement. Upon separation as a law enforcement officer, grandfather status is lost, except as provided by POST Rule 1110-02-.03(6)(c).
- (18) Exempt/Exempted is defined as any officer who was employed after July 1, 1970, but prior to July 1, 1982. These officers are not required to be certified and not entitled to salary supplement unless they meet preemployment requirements and either attend basic police training or substitute ten (10) years of experience and successfully attend the POST's three week transition school. See POST rule 1110-02-.03(6)(d).
- (19) Waiver of Rule is defined as "an exception" to rule granted by the POST Commission which meets the established criteria as set forth in Chapter 9 of POST rules.

(Rule 1110-01-.01, continued)

- (20) Break in Service is defined as, (1) any break in “full-time law enforcement employment”, including the mere changing of employers for uncertified officers. (Uncertified officers must obtain certification in order to be reemployed), and (2) any break in “full-time law enforcement service” for certified officers.
- (21) Paired with is defined as in the presence of a field training officer of other full time certified supervisory officer.
- (22) High School Diploma is a diploma issued to one meeting the curriculum, testing and attendance requirements at the time of graduation from high school. This does not include a transition certificate or individualized education program certificate.
- (23) “Equivalent of a High School Diploma” is a General Education Development (GED) diploma.

Authority: T.C.A. §§38-8-101 and 38-8-104. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. 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 October 2, 2006; effective February 28, 2007. Amendment filed March 18, 2010; effective June 16, 2010. Amendment filed March 11, 2011; effective June 9, 2011.

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

**CHAPTER 1110-02
CERTIFICATION**

TABLE OF CONTENTS

1110-02-.01	Persons Required to be Certified	1110-02-.04	Denial, Suspension, and Revocation of Certification
1110-02-.02	Failure to Comply		
1110-02-.03	Law Enforcement Officer Certification Requirements		

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 a law enforcement officer 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.

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.

1110-02-.02 FAILURE TO COMPLY. Any person who shall appoint 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 misdemeanor and upon conviction shall be subject to a fine not exceeding one thousand dollars (\$1,000).

Authority: T.C.A. § 38-8-105. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983.

1110-02-.03 LAW ENFORCEMENT OFFICER CERTIFICATION REQUIREMENTS. All full-time commissioned law enforcement officers employed by an agency required to meet minimum standards must meet pre-employment requirements and, upon completion of the required basic training, will be issued a POST Certification.

- (1) Full-time Commissioned Law Enforcement Officer Pre-employment Requirements. The Commission shall issue a certificate of compliance to any person who meets the qualifications for employment and satisfactorily completes a POST certified Basic Law Enforcement Training Academy. All persons employed as a full-time law enforcement officer, after July 1, 1982, must be certified by POST and shall comply with the following pre-employment requirements:
 - (a) Be at least eighteen (18) years of age;
 - (b) Be a citizen of the United States;

(Rule 1110-02-.03, continued)

- (c) Be a high school graduate or possess equivalence. No waivers will be granted for minimum education requirements;
- (d) Not have been convicted of or 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 or controlled substances;
- (e) The agency must present a copy of any DD-214s, DD-215s and DD873s along with the application for certification.
 - 1. The commission may consider a waiver from pre-employment requirements for a person who has been convicted of, 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 or controlled substances when the offense was classed as a misdemeanor.
 - 2. No waiver shall be granted while officer is under the jurisdiction of the court or considered on probation, whether supervised or unsupervised, and in the case of "driving while intoxicated" the officer shall have met all the requirements of the Tennessee Department of Safety and have been restored his/her permanent driving privileges under the laws of the State of Tennessee.
 - 3. No waiver will be granted for a narcotics violation that could result in a felony charge.
 - 4. The agency must present a written request for waiver for these charges and provide a copy of the final court disposition of the case.
- (f) Not have been released or discharged under any other than honorable discharge from any of the armed forces of the United States;
- (g) Have his fingerprints on file with the Tennessee Bureau of Investigation;
- (h) Have passed a physical examination by a licensed physician;
- (i) Have good moral character as determined by a thorough investigation conducted by the employing agency; and/or the POST Commission; and
- (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 current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association 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.
 - 1. A new evaluation shall be required:
 - (i) after a six (6) month break in full-time law enforcement service; or,
 - (ii) upon the request of the employing agency, for good cause.
 - 2. If applicable, refer to Tenn. Comp. R. & Regs. 1110-09 Criteria for Waivers.

(Rule 1110-02-.03, continued)

- (k) Not have been previously decertified as a law enforcement officer by the POST Commission.
 - (l) Not have previously voluntarily surrendered their certification as a law enforcement officer.
- (2) **Training Requirements.** Any officer seeking certification under these rules who conforms to pre-employment requirements shall, within six months of initial employment as a law enforcement officer, satisfactorily complete the Basic Law Enforcement Course as established in accordance with these rules. During this initial six-month period prior to attending the Basic Law Enforcement Course, the recruit must be paired with a Field Training Officer or other certified senior officer.

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

- (3) **Application Requirement.** No officer shall be certified under these rules unless application is made at such time and in such form as the Commission may require (T.C.A. § 38-8-104).

If after enrolling in an academy an officer does not successfully complete basic police training, he/she must return to the same academy under the following circumstances:

- (a) to make up any portion not successfully completed.
 - (b) if dropped for academic or disciplinary reason.
 - (c) in the event an officer fails to successfully complete basic police training after returning for makeup he/she must retake the entire school.
- (4) **Verification Requirement.** No officer shall be certified under these rules unless (T.C.A. § 38-8-104):
- (a) The law enforcement agency employing said officer when the Basic Law Enforcement Course is begun shall submit, at such time and in such form as the Commission may require, verification that the officer (at the time the officer was employed) met the pre-employment requirements set forth in this chapter.
 - (b) The Director of the Academy where said officer satisfactorily completed Basic Law Enforcement School, established in accordance with these rules, shall submit verification, in such form as the Commission may require, that the officer has met the Basic Training requirements set forth in this chapter.
 - (c) The Commission may certify any person 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 when such person has satisfactorily complied with all other requirements (T.C.A. § 38-8-107). Established criteria shall be that which governs the requirements set forth for completion of the Basic Law Enforcement Recruit School, as outlined in Chapter 7 of POST Rules.
 - 1. Beginning July 1, 2010, any person whose basic training from another state has been substituted for Tennessee requirements must successfully attend the POST's three (3) week transition school within six (6) months of employment.

(Rule 1110-02-.03, continued)

- (5) Substitution of Experience for exempt/exempted officers. No officer shall be certified under these rules unless:
- (a) The law enforcement agency employing said officer shall submit an Application for Certification, Confirmation of Psychological Examination, and Confirmation of Physical Examination, to verify that all preemployment requirements have been met.
 - (b) Beginning July 1, 2010, any person applying for substitution of experience must successfully attend the POST's three (3) week transition school within six (6) months of employment.
- (6) Break in Full-Time Law Enforcement Service.
- (a) Beginning July 1, 2010, certified officers who have had a five-year break, but less than a ten-year break in full-time law enforcement service must successfully attend the POST's three (3) week transition school within six (6) months of employment before their certification is reinstated. Officers with over a ten-year break in full-time law enforcement service shall be required to attend a Basic Law Enforcement Academy.
 - (b) Beginning July 1, 2010, officers who were certified under the Grandfather Clause of July 1, 1970, and have attended an approved basic law enforcement school, must successfully attend the POST's three (3) week transition school within six (6) months of employment if they have a five-year break in full-time service.
 - (c) Officers who were certified under the Grandfather Clause of July 1, 1970, and have not attended an approved basic law enforcement school, lose their grandfathered status if they have a break in service. However, these officers may apply for certification if they have had ten years of full-time experience since July 1, 1970, and have had no longer than a five-year break in service. Beginning July 1, 2010, they are required to successfully attend the POST's three (3) week transition school within six (6) months of employment.

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 as long as there is no break in service.

- (d) Beginning July 1, 2010, officers who have attended an approved basic law enforcement school and who were not required to be certified at that time, may apply for certification based on this training within two (2) years of the date of completion of the basic law enforcement school. These officers must successfully attend the POST's three (3) week transition school within six (6) months of employment to qualify for certification after two (2) years and less than ten (10) years from the date of completion of the basic law enforcement school. Officers with over a ten-year break from the date of completion of the basic law enforcement school shall be required to attend a Basic Law Enforcement Academy.
- (e) An officer's certification expires after separation of full-time employment from a law enforcement agency. A new application for certification is required for each new employment as a law enforcement officer.

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;

(Rule 1110-02-.03, continued)

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 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.

1110-02-.04 DENIAL SUSPENSION, AND REVOCATION OF CERTIFICATION.

- (1) Denial of Certification. The Commission shall deny certification to any officer required to comply with the certification provisions of this Chapter 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 (T.C.A. §§ 38-8-104 and 38-8-105).
- (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 POST Commission are to be documented and if allegations are warranted, the proper investigating authority will be notified, and the proper action taken (T.C.A. §§ 38-8-104(b)).
 - (a) Grounds for Suspension or Revocation. The Commission may suspend or revoke the certification of any officer who shall, subsequent to certification under these Rules:
 1. Be convicted by any state or by federal government of any crime the punishment for which could have been imprisonment in a federal or state prison or institution; or
 2. Be convicted of or plead guilty or enter 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, or a sufficient number of misdemeanors to establish a pattern of disregard for the law;
 3. Be suspended for thirty (30) days or longer, resign in lieu of termination, resign with disciplinary action pending that could have resulted in termination, or be discharged by his employing law enforcement agency for disciplinary reasons; or
 4. Be found to have supplied or acquiesced in false information being supplied to the Commission regarding eligibility for certification;
 5. Fail to participate in a 40 hour in-service training program each calendar year; or
 6. Fail to maintain pre-employment requirements.
 - (b) Notification Required. Law enforcement agencies suspending 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, shall inform the Commission within ten (10) days. Law enforcement agencies with knowledge of a certified law enforcement officer's violation of the pre-employment standards shall inform the Commission within ten (10) days. Any change in the status of this disciplinary action should also be reported to the Commission within ten (10) days. Change of status form shall be submitted on any change in this disciplinary action.
- (3) Notice of Denial, Suspension, or Revocation (T.C.A. §§ 38-8-104 and 38-8-105).

(Rule 1110-02-.04, continued)

- (a) Notice of Denial. The Commission shall, within thirty (30) days after denying an application for certification, serve written notice upon an affected officer and his employing agency, by mail, specifying the reasons for denial of the application.
 - (b) Notice of Suspension or Revocation. The Commission shall, within ten (10) days of suspending or revoking certification, serve notice upon an affected officer, in person or by certified mail, and upon the law enforcement agency employing said officer, by certified mail, specifying the action taken and remedies available. The Commission shall stay final action until the period for requesting a hearing expires.
 - (c) Notice for Final Action. The Commission shall notify the officer and the law enforcement agency involved by certified mail of the final action regarding suspension or revocation
- (4) Suspension or Revocation Hearing (T.C.A. §§ 38-8-105 and 38-8-106). 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 by certified mail, 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 within thirty (30) days 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 request for hearing, suspension or revocation shall, without further proceedings, become final thirty (30) days after the initial notice called for in this Chapter.
- (a) Hearing Committee. The Sub-Committee shall serve as the Commission's authorized representative for conduction such hearings
 - (b) Final Commission Review. In the event of an adverse decision, said law enforcement officer may, within thirty (30) days of the initial decision, request final Commission review.
 - (c) Final Decision After Request for Hearing. The Commission shall render a final decision with thirty (30) days.
- (5) Judicial Review. All appeals shall be governed by the relevant portions of the Uniform Administrative Procedures Act.
- (6) Any and all documents which evidence certification under these Rules are the exclusive property of the Commission and shall be surrendered upon demand pursuant to the proceedings under these Rules (T.C.A. §§ 38-8-104 and 38-8-105).
- (7) Reapplication after Denial. Any officer denied certification for failure to meet pre-employment requirements may reapply at such time as the requirements are met. Officers denied certification for failure to meet the Basic Law Enforcement training requirements may reapply after satisfactory completion of the training called for by these Rules (T.C.A. §§ 38-8-104 and 38-8-105).
- (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 (T.C.A. §§ 38-8-104 and 38-8-105).

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,

(Rule 1110-02-.04, continued)

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.*

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

**CHAPTER 1110-03
CURRICULA AND COURSE OF INSTRUCTION**

TABLE OF CONTENTS

1110-03-.01	Course of Instruction	1110-03-.06	Revocation Procedure and Hearing
1110-03-.02	School Certification	1110-03-.07	Inactive Certification
1110-03-.03	Certification for General Law Enforcement Instructor	1110-03-.08	Reporting Forms
1110-03-.04	Certification for Specialized Law Enforcement Instructors	1110-03-.09	Training Guidelines of Operation of Speed Measuring Devices
1110-03-.05	Revocation of Police Instructor Certification	1110-03-.10	POST Transition School

1110-03-.01 COURSE OF INSTRUCTION.

- (1) Basic Course. The Commission shall approve a program of instruction comprising fundamental law enforcement skills and knowledge which shall be designated as the Basic Law Enforcement Course.
 - (a) Length. The Basic Law Enforcement Course shall include a minimum of 400 hours of instruction and study.
 - (b) Format. The Basic Law Enforcement Course shall have a curriculum format that contains the following elements:
 1. Each topic of instruction to be taught shall have specifically defined training objectives.
 2. Each topic of instruction to be taught shall be defined in a scope. The scope shall broadly describe the key teaching points that are to be covered.
 3. Each topic of instruction to be taught shall be assigned a minimum amount of time.
 - (c) Instructional Methods. The Basic Law Enforcement Course shall employ performance oriented instructional methods that help ensure successful achievement of the established training objectives.
 - (d) Administration. The Basic Law Enforcement Course shall be administered by a school certified (approved) by the Commission.
 - (e) Eligibility for Admission. Any officer shall be eligible for admission to the Basic Law Enforcement course who has met pre-employment requirements herein established.
 - (f) Testing for Basic Law Enforcement Course. Each Academy shall develop a system of testing which relates to training objectives.
 - (g) Certificate of Successful Completion. Each approved Academy shall issue to law enforcement officers a certificate suitable as evidence thereof.

(Rule 1110-03-.01, continued)

Authority: T.C.A. §38-8-104. **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.

1110-03-.02 SCHOOL CERTIFICATION. Other Courses. The Commission shall approve other courses of study or instruction as it may deem necessary to accomplish its objectives which may include Advanced Courses, Specialized Courses, and In-service Courses.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983.

1110-03-.03 CERTIFICATION FOR GENERAL LAW ENFORCEMENT INSTRUCTOR.

(1) Full-time or part-time General Law Enforcement Instructor Certification - The Commission requires certification of any person employed, appointed, or designated as a full-time or part-time Law Enforcement Instructor involved in teaching in a Commission approved Basic Recruit School. To be qualified for certification under these rules, the following requirements shall be met:

(a) Competency Requirements - An applicant shall possess the following training competencies which will be determined by the director of the training Academy:

1. Possession of knowledge, skills, and abilities in all assigned areas.
2. Ability to organize materials in written form (lesson plans) for teaching.
3. Presentation of knowledge and skills.

(b) Instructor Certification Requirements.

1. An applicant shall have at least four (4) years of experience as a full-time sworn law enforcement officer. One (1) year of college credit may be substituted for one (1) year of law enforcement experience, and must be in the criminal justice area, but shall not exceed two (2) years of substitution.
2. An applicant shall successfully complete a forty (40) hour instructor development program approved by the Commission.

All full-time Law Enforcement Instructors who were so employed, appointed, or designated prior to January 1, 1985, must successfully complete the program before January 1, 1986. All full-time or part-time Law Enforcement Instructors employed, appointed, or designated on or after January 1, 1985, must successfully complete the program within twelve (12) months of their assignment.

3. An applicant shall be a POST Certified Officer or possess the equivalent in state or federal law enforcement experience.
4. Any exceptions to the above rules for subject matter experts shall be approved by the Commission; however, any General Law Enforcement Instructor on (the effective date of this amendment) shall be not be required to be a POST Certified Officer or possess the equivalent in state or federal law enforcement experience.

(c) Application for Certification - Persons seeking certification shall:

1. Submit application in such form as the Commission may require.

(Rule 1110-03-.03, continued)

2. Submit all supporting materials, certificates, etc.
- (2) General Police Instructor Certification is limited to officers employed full-time by a department presenting a Basic Law Enforcement School.

Authority: T.C.A. §38-8-104, 38-8-105 and 38-8-106. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Repeal and new rule filed January 28, 1986; effective April 15, 1986. Amendment filed September 17, 1987; effective December 29, 1987. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed March 18, 2010; effective June 16, 2010.

1110-03-.04 CERTIFICATION FOR SPECIALIZED LAW ENFORCEMENT INSTRUCTORS.

- (1) Specialized Law Enforcement Instructor Certification - Those instructors, full-time or part-time, who instruct in basic classes, specialized schools, in-service training programs, or other approved training programs, desiring to obtain certification in specialized areas of instruction shall meet the following requirements:
- (a) Requirements for Certification
 1. An applicant shall have at least five (5) years of experience as a full-time sworn law enforcement officer; or, equivalent combination of education and experience as determined by the appointing authority.
 2. An applicant shall successfully complete a forty (40) hour instructor development program and/or any equivalent combination of education and experience as determined by the appointing authority and approved by the Commission.
 3. An applicant must have successfully completed a minimum of forty (40) hours of certified training in the specialized area having been approved by the POST Commission as requested by appointing authority.
 4. Any exceptions to the above rules shall be approved by the Commission.
 - (b) Application for Certification.
 1. Persons seeking certification shall submit application for Specialized Law Enforcement Instructor in such form as the Commission may require.
 2. An applicant must submit a complete lesson plan in the specialized area.
 3. An applicant must submit a Certificate of Completion of a forty (40) hour instructor development course.
 4. An applicant must submit a Certificate of Training in the Specialized Area(s).
- (2) Reserved.
- (3) General Departmental Instructor Certification. This certification shall be limited to those training officers designated as the General Departmental Instructor for their department. Departments are not limited to one training officer; however, one training officer from each department shall be designated as a General Departmental Instructor and is exempt from the written forty-hour in-service training test. The training officer designated as the General Departmental Instructor may also attend a POST workshop training session each calendar year.

(Rule 1110-03-.04, continued)

(a) Requirements for Certification.

1. An applicant shall have at least four (4) years of experience as a full-time sworn law enforcement officer. One (1) year of college credit may be substituted for one (1) year of law enforcement experience, and must be in the criminal justice area, but shall not exceed two (2) years of substitution.
2. An applicant shall successfully complete a forty (40) hour instructor development program approved by the Commission.
3. An applicant shall have at least one (1) year of experience as a departmental training officer.
4. Any exceptions to the rules shall be approved by the Commission.

(b) Application for Certification.

1. Persons seeking certification shall submit application for General Departmental Instructor in such form as the Commission may require.
2. An applicant shall submit a letter from his employing agency head on departmental letterhead which designates him as the General Departmental Instructor for the Department.
3. An applicant must submit a Certificate of Completion of a forty (40) hour instructor development course.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed January 6, 1989; effective May 1, 1989. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed October 25, 1993; effective March 1, 1994 amendment filed October 2, 2004; effective February 28, 2007. Amendment filed March 18, 2010; effective June 16, 2010.

1110-03-.05 REVOCATION OF INSTRUCTOR CERTIFICATION. Revocation of instructor certification will be considered by the Commission for the following reasons:

- (1) An instructor's employment is terminated for reason(s) detrimental to the law enforcement profession;
- (2) Failure to properly prepare and deliver adequate instruction;
- (3) Holder of instructor certification falsifies or omits information required on application for certification or on supporting document.
- (4) Holder of instructor certification is no longer a POST Certified Officer or a POST approved subject matter expert.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed January 6, 1989; effective May 1, 1989. Amendment filed March 18, 2010; effective June 16, 2010.

1110-03-.06 REVOCATION PROCEDURE AND HEARING.

- (1) Notice of Suspension or Revocation. The Commission shall, within ten (10) days of suspending or revoking certification, serve notice upon the instructor, in person or by certified

(Rule 1110-03-.06, continued)

mail, and upon the law enforcement agency employing said instructor, by certified mail, specifying the action taken and remedies available. The Commission shall stay final action until the period for requesting a hearing expires.

- (2) Notice for Final Action. The Commission shall notify the instructor and the law enforcement agency involved by certified mail of the final action regarding suspension or revocation.
- (3) Suspension or Revocation Hearing (T.C.A. §§ 38-8-105 and 38-8-106). Any instructor whose certification has been suspended or revoked may, within thirty (30) days of receipt of notice served by the Commission, request by certified mail, 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 within thirty (30) days and serve notice, by certified mail, upon the affected instructor. The instructor may appear, present information relevant to the proceedings, question those presenting information, and be represented by counsel. In the absence of request for hearing, suspension or revocation shall, without further proceedings, become final thirty (30) days after the initial notice called for in this Chapter.
 - (a) Hearing Committee. The Sub-Committee shall serve as the Commission's authorized representative for conduction such hearings
 - (b) Final Commission Review. In the event of an adverse decision, said law enforcement officer may, within thirty (30) days of the initial decision, request final Commission review.
 - (c) Final Decision After Request for Hearing. The Commission shall render a final decision with thirty (30) days.
- (4) Judicial Review. All appeals shall be governed by the relevant portions of the Uniform Administrative Procedures Act.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed March 18, 2010; effective June 16, 2010.

1110-03-07 INACTIVE CERTIFICATION. An instructor's certification becomes inactive if the holder of the certification does not instruct, within a two (2) year period, in a Commission approved course. Inactive certification may be reactivated upon written request and proof of instruction. The General and General Departmental Instructor Certification shall be placed in an inactive status upon termination from the agency requesting the certification.

Authority: T.C.A. §§38-8-107 and 38-8-111. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed August 4, 1992; effective November 29, 1992.

1110-03-08 REPORTING FORMS.

- (1) POST-PI-1 (Application) must be used for General, General Departmental, and Specialized requests for certification.
- (2) POST-PI-2 (Change of Status - Police Instructor) must be used for appointments, reassignments, dismissals, etc.

Authority: T.C.A. §§38-8-107 and 38-8-111. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed August 4, 1992; effective November 29, 1992.

1110-03-.09 TRAINING GUIDELINES FOR OPERATION OF SPEED MEASURING DEVICES.

- (1) Law enforcement officers shall receive initial or have previously attained training from a Certified Specialized Law Enforcement Instructor on use of speed measurement devices. This training shall be substantially similar to the curriculum suggested by the NHTSA guidelines found in the Speed Measuring Device Operator Training Course Management Guide (version 12/01) for speed measuring devices and shall be completed prior to any testimony in a judicial or administrative proceeding.

Authority: T.C.A. §§ 24-7-124 and 38-8-104. **Administrative History:** Original rule filed March 11, 2011; effective June 9, 2011.

1110-03-.10 POST TRANSITION SCHOOL.

- (1) POST Transition School shall be a program of instruction comprising of fundamental law enforcement skills and knowledge.
 - (a) Length. The Transition School shall be a minimum of three (3) weeks in length and include a minimum of 105 hours of instruction and study.
 - (b) Format. The Transition School shall have a curriculum format that contains the following elements:
 1. Each topic of instruction to be taught shall have specifically defined training objectives.
 2. Each topic of instruction to be taught shall be defined in a scope. The scope shall broadly describe the key teaching points that are to be covered.
 3. Each topic of instruction to be taught shall be assigned a minimum amount of time.
 - (c) Instructional Methods. The Transition School shall employ performance oriented instructional methods that help ensure successful achievement of the established training objectives.
 - (d) Administration. The Transition School shall be administered by the Tennessee Law Enforcement and Training Academy.
 - (e) Eligibility for Admission. Any officer shall be eligible for admission to the Transition School course who:
 1. has met pre-employment requirements herein established; and
 2. falls within the categories requiring attendance in Rule 1110-02-.03.
 - (f) Testing for Transition School. The Tennessee Law Enforcement and Training Academy shall develop a system of testing which relates to training objectives.
 - (g) Certificate of Successful Completion. The Tennessee Law Enforcement Training Academy shall issue to law enforcement officers a certificate suitable as evidence thereof.
- (2) Approved Departmental Lateral Schools shall be deemed equivalent to the Transition School.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed March 11, 2011; effective June 9, 2011.

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

**CHAPTER 1110-04
IN-SERVICE TRAINING REQUIREMENTS**

TABLE OF CONTENTS

1110-04-.01	Length of Training	1110-04-.08	Testing Instruments
1110-04-.02	Firearms Requalification Requirement	1110-04-.09	Approval of Specialized Schools
1110-04-.03	Appointment of Training Officer	1110-04-.10	Waivers of In-service Training
1110-04-.04	Appointment of Instructors	1110-04-.11	Approval of Law Enforcement Courses Conducted by Colleges and Universities for In-Service Credit
1110-04-.05	Course Curriculum Requirements	1110-04-.12	Successful Completion of In-Service Training for Salary Supplement Payment
1110-04-.06	Attendance Records		
1110-04-.07	Emergency Absences		

1110-04-.01 LENGTH OF TRAINING.

- (1) All full-time commissioned certified officers except those having attended the Basic Law Enforcement School within the calendar year must participate in a POST approved forty (40) hour in-service training session each calendar year. Only certified officers who successfully complete the forty (40) hour in-service training session are eligible to receive supplement pay provided their agency is in compliance with minimum standards. Sheriffs are not required to participate in annual in-service training, however, sheriffs must complete a forty-hour annual in-service to be eligible for salary supplement income under the provision of T.C.A. §38-8-111.
- (2) Certified or recognized courses must be at least forty (40) hours in duration and established by the department or agency to meet educational requirements normal to the officer's position and responsibility in accord with course curriculum requirements set forth in rule 1110-04-.05.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002.

1110-04-.02 FIREARMS REQUALIFICATION REQUIREMENT. Each in-service training session must include firearms training requalification with service handgun and any other firearm authorized by Department; at least eight (8) hours in duration. Each trainee must score at least seventy-five percent (75%) to qualify.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed April 19, 2002; effective August 28, 2002.

1110-04-.03 APPOINTMENT OF TRAINING OFFICER. Effective January 1, 1994, each law enforcement agency shall designate one Training Officer who meets the POST Commission General Departmental Instructor standards for certification. The General Departmental Instructor is responsible for coordinating in-service training programs, developing lesson plans, goals and objectives, and may be required to instruct in more than one subject area. All training officers, including a General Departmental Instructor, shall attend a POST Commission workshop at a time and place determined by the POST Commission and/or the Tennessee Law Enforcement Training Officer Association as part of their annual in-service training requirement for training officer.

(Rule 1110-04-.03, continued)

- (1) Effective January 1, 1994, all training officers who are designated as the General Departmental Instructor pursuant to this chapter must apply for and be certified as General Departmental Instructor as defined in Rule 1110-03-.04(3).
- (2) Prior to January 1, 1994, those training officers who have performed the essential duties and functions of a General Departmental Instructor as defined by this chapter shall be exempt from the Instructor Development training requirement as defined in POST Rule 1110-03-.04(3)(a)2.

Authority: T.C.A. §§ 38-8-104 and 38-8-111. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. 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.

1110-04-.04 APPOINTMENT OF INSTRUCTORS. Instructors used for in-service training sessions must be approved by the General Department Instructor and must be qualified by experience and training.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed October 25, 1993; effective March 1, 1994.

1110-04-.05 COURSE CURRICULUM REQUIREMENTS.

- (1) Course curriculums must be based on a needs survey of the area served and courses required by the Commission. All curricula must be prepared on POST Lesson Plan Forms and kept on file at the submitting agency subject to review by the POST Commission. The scope and lesson objectives for all courses to be taught, along with a letter from the Department head requesting approval of the curriculums, shall be submitted to POST for review and approval prior to the commencement of training. A copy of the schedule, the dates and location of training, the date of testing, and a copy of the test instrument and answers must be submitted to the Commission for approval.
- (2) Also to be submitted along with the curriculum shall be individual courses statements of: (1) courses objectives, (2) outline of course content, (3) teaching aids or materials list, to include all audio-visual supplements to instruction; and (4) a list of instructors with a brief description of their qualifications to teach the course.
- (3) The Commission requires that the teaching of certain subjects be mandatory. Since the mandatory hours and subjects may be changed from year-to-year, departments will be notified prior to December 1 of the current calendar year of the subject areas and the required number of hours. Effective January 1, 1991, it is incumbent upon the departmental administrator and/or training officers to monitor official federal, state, and local guidelines and/or ordinances or related directives and Commission correspondence for appropriate action.
- (4)
 - (a) Child Sexual Abuse In-Service Training Requirement: Training in child sexual abuse shall be included as a part of the annual in-service training requirement. This training is mandatory for a law enforcement officer to be eligible for the salary supplement authorized in T.C.A. §38-8-111, pursuant to T.C.A. §37-1-603(b)(4)(B).
 - (b) Emergency Vehicle Operation Training: Training in emergency vehicle operations shall be included as a part of the annual in-service training requirement. This training is mandatory for a law enforcement officer to be eligible for the salary supplement authorized in T.C.A. § 38-8-111, pursuant to T.C.A. § 55-8-194.
- (5) In-Service Training Forms:

(Rule 1110-04-.05, continued)

FORM NUMBER	NAME OF FORM
(a) Application for Training Officer	
(b) POST/LP/1	Lesson Plan
(c) POST/LP/2	Lesson Plan
(d) POST/LP/3	Lesson Plan
(e) POST/LP/4	Lesson Plan
(f) POST/LP/5	Lesson Plan
(g) POST/IST/1	In-Service Training Roster
(h) POST/IST/2	In-Service Training Firearms
(i) POST/IST/3	In-Service Training Attendance Roster
(j) POST/IST/4	Specialized Training Substitution
(k) POST/IST/5	In-Service Curriculum (Schedule)
(l) POST/IST/7	Request for College/University Law Enforcement Course to be Considered Toward Meeting POST Forty-Hour In-Service
(m) POST/IST/8	Test Answer Sheet

Authority: T.C.A. §§ 38-8-104 and 38-8-107. **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 June 6, 1989; effective May 1, 1989. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed March 18, 2010; effective June 16, 2010. Amendment filed March 11, 2011; effective June 9, 2011.

1110-04-06 ATTENDANCE RECORDS. Attendance records must be maintained on each trainee and must be submitted to the Commission. An attendance roster listing the names of all persons attending a scheduled block of training on a particular day should be maintained and kept on file by the training agency. The General Department Instructor and head of the agency conducting in-service training must certify to the Commission those officers who successfully complete the training. Such certification must include name, rank, social security number, employing agency, test score, and firearm qualification.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed October 25, 1993; effective March 1, 1994.

1110-04-07 EMERGENCY ABSENCES. Trainees must attend all classes unless temporarily excused by the General Department Instructor (court appearances, emergencies, or personal illness). Such absence may not exceed twenty percent (20%) of the course duration. Absence of more than 20% requires that the portion of the course missed be repeated within thirty (30) days of the absence. If an officer is unable to complete the make-up within thirty (30) days, he must repeat the entire course.

Authority: T.C.A. §§38-8-107 and 38-8-111. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed October 25, 1993; effective March 1, 1994.

1110-04-08 TESTING INSTRUMENTS.

- (1) Multiple test instruments must be designed to assure that the same test is not administered to two consecutive training sessions using the same curriculum. The test must include at least fifty (50) questions of an objective nature (Multiple Choice and Matching).
- (2) Test answer sheets must follow a format which must show the name, rank, social security number, and employing agency of the trainee. Test instruments which combine the questions with the answer sheet will not be accepted for grading.

(Rule 1110-04-.08, continued)

- (3) The tests should be developed, administered, and scored by the General Departmental Instructor and Instructors. Each trainee must score at least seventy-five percent (75%).

Authority: T.C.A. § 38-8-104 and 38-8-107. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed October 25, 1993; effective March 1, 1994. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed March 18, 2010; effective June 16, 2010. Amendment filed March 11, 2011; effective June 9, 2011.

1110-04-.09 APPROVAL OF SPECIALIZED SCHOOLS.

- (1) If an officer attends a specialized school appropriate to his/her rank and responsibility, the eligibility of the school must be approved by the Commission. Only schools of a law enforcement related nature will be considered for in-service credit toward meeting the forty (40) hour training requirement. A curriculum of each school and proof of successful completion by the individual attendee is required. The specialized substitution form along with a copy of the Certificate, a copy of the schedule and, if no test is given, a critique from the Attending Officer to his or her supervisor must be submitted to POST two (2) weeks after the completion of the school.
- (2) If no test is administered, the attending officer should submit to his superior officer a detailed evaluation of the course. If satisfied that the training was valid and beneficial, the superior officer should submit a statement to that effect, along with a copy of the report, to the Commission. In-service credit requests will be reviewed on an outlined in 1110-04-.02.
- (3) In some instances, the specialized training session may be combined with the regularly scheduled and POST approved 40 hour in-service training sessions. If this is done, the attending officer must be tested on those hours attended in the departmental 40 hour course. This will necessitate the local General Department Instructor being responsible for identifying the appropriate questions involved in the POST testing instrument.
- (4) Any officer moving to a specialized assignment involving the use of a specialized emergency conveyance shall receive sufficient training to meet the job requirements. Specialized emergency conveyance includes, but is not limited to, motorcycle, bicycle, horse.
- (5) Any officer being promoted into a leadership position shall, within six (6) months of promotion, receive sufficient training to meet the job requirements. The training shall include courses in: leadership and team building; first line supervisor training; and mid-level management.
- (6) All newly appointed chiefs shall, prior to or within six (6) months of appointment, complete a command level course of instruction at least thirty two (32) hours in duration approved by the Commission for Police Chiefs that includes command, management and administration components, specific to law enforcement. The hours of this course may be counted toward the required forty (40) hours of in-service training the year the course is completed.
- (7) All full time law enforcement officers, who are assigned to interdiction activities on the streets, roads, highways or interstates of Tennessee, must complete a POST approved training for highway drug interdiction within six (6) months of appointment. The six (6) month requirement will be counted cumulatively, not consecutively.
 - (a) The hours of this course may be credited toward the forty (40) hour in-service requirement for the year the course is completed.
 - (b) The POST Commission may grant training credits for drug interdiction training completed prior to this rule becoming effective.

(Rule 1110-04-.09, continued)

- (8) All full time law enforcement officers, who seize assets for purposes of forfeiture or apply for forfeiture warrants with regards to assets seized or impounded, pursuant to the Tennessee Drug Control Act of 1989, as amended, on the portions of any highway designated and known as part of the national system of interstate and defense highways ("interstate") must complete a POST approved training for highway drug interdiction within six (6) months of appointment. The six (6) month requirement will be counted cumulatively, not consecutively.
 - (a) The hours of this course may be credited toward the forty (40) hour in-service requirement for the year the course is completed.
 - (b) The POST Commission may grant training credits for drug interdiction training completed prior to this rule becoming effective.
- (9) All newly appointed drug interdiction or drug task force directors shall, prior to or within six (6) months of appointment, complete a thirty-two (32) hour command level course of instruction approved by POST. The six (6) month requirement will be counted cumulatively, not consecutively. The hours of this course may count toward the required forty (40) hours of in-service training for the year the course is completed.

Authority: T.C.A. §§ 38-8-104, 38-8-107 and 38-8-111. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed January 6, 1989; effective May 1, 1989. 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 December 16, 2006. Amendment filed October 2, 2006; effective February 28, 2007. Amendment filed March 18, 2010; effective June 16, 2010. Amendment filed July 24, 2014; effective October 22, 2014.

1110-04-10 WAIVERS OF IN-SERVICE TRAINING.

- (1) Requests for waivers of in-service training for a calendar year on the basis of medical disability should be submitted to the Commission by the chief administrative officer of the department explaining the individual case. This should be accompanied by a doctor's statement. Each request will be considered individually.
- (2) For a request for waiver of in-service for a calendar year on the basis that an officer would retire during that year; the certified officer must submit a letter to his chief administrator stating his intention to retire prior to the completion of in-service training for the calendar year. If the request is approved by his department, then a letter must be forwarded to the P.O.S.T. Commission for approval.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983.

1110-04-11 APPROVAL OF LAW ENFORCEMENT COURSES CONDUCTED BY COLLEGES AND UNIVERSITIES FOR IN-SERVICE CREDIT. Any officer who successfully completes a law enforcement course (or courses) at any accredited institution of higher education, college, or university, may be considered for annual fulfillment of all or a portion thereof of the required forty (40) hours in-service credit hours, not to include firearms training, as provided for in the provisions herein and approved by the Commission.

- (1) Course completions toward credit for the annual 40 hours in-service training requirements may be met by completing three (3) semester hours (45 classroom hours) or four (4) quarter hours (40 classroom hours) of instruction with a passing grade. The completion date of the course must be within the calendar (training) year for which in-service training credit is sought.

(Rule 1110-04-.11, continued)

- (2) Applications for in-service training credit under these provisions must have the approval of the agency head and the required POST form must be submitted to the commission for consideration. Final approval by the commission is contingent upon official notification from the institution in which the course was completed with a passing grade.
- (3) All on-line classes must be pre-approved by the POST Commission on a case by case basis.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective February 28, 2007.

1110-04-.12 SUCCESSFUL COMPLETION OF IN-SERVICE TRAINING FOR SALARY SUPPLEMENT PAYMENT. Failure of an individual certified officer to successfully complete the in-service training requirement will result in the officer's loss of eligibility for the pay supplement in §38-8-111. Failure of this individual officer to successfully complete another in-service training session during the next calendar year will result in loss of certification.

The officer must obtain a passing grade of 75% on the test and 75% on the firearms qualification. The in-service training session is not complete until the officer has taken the test and qualified with his firearm. Any officer who fails the test and firearms qualification must make up the failing score during the calendar year in order to keep their certification.

Authority: T.C.A. § 38-8-107. **Administrative History:** Original rule filed September 24, 1986; effective December 29, 1986. Amendment filed September 17, 1987; effective December 29, 1987. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective February 28, 2007.

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

**CHAPTER 1110-05
FORMS AND DOCUMENTS**

TABLE OF CONTENTS

1110-05-.01 Forms Required for Peace Officer Certification

1110-05-.01 FORMS REQUIRED FOR PEACE OFFICER CERTIFICATION. Peace officers required to be certified shall submit forms and documents in accordance with this rule. Heads of law enforcement agencies shall ensure the timely submission of forms and documents required hereby.

- (1) Law Enforcement Officers Required to be Certified. Law Enforcement officers required to be certified shall complete and deliver to the Commission the following forms and documents not later than the end of the first day on which their employment as a law enforcement officer commences. Delivery may be by hand at the Commission office or by deposit in regular mail, but must be postmarked no later than the last day before the first day of employment. No law enforcement officer shall be employed unless such forms and documents are submitted in compliance with this rule.

- (a) POST - 1. Application for Certification and Law Enforcement agency verification. Copies of: federal or state government issued document proving applicant is at least eighteen (18) years of age; federal or state government issued document proving U. S. citizenship; the applicant's high school diploma proving applicant is a high school graduate or equivalent; and any military discharge records. This form and these documents establish that pre-employment requirements have been met prior to the commencement of employment.

Supplement A to POST - 1 Confirmation of Psychological Evaluation. (All officers must have had a psychological prior to employment. If officer has had a previous psychological, it shall be the employing agency's responsibility to provide proof of past evaluation or may submit a current psychological evaluation.)

Supplement B to POST - 1 Confirmation of Medical Examination. (All newly employed officers must submit a Confirmation of Medical Examination dated no later than twelve (12) months prior to employment.)

- (b) Fingerprint Form. Two fully completed FD 258 **Applicant Fingerprint Cards** (white cards with blue printing) containing the Department's ORI number should be attached to the Application for Certification (POST - 1). **Do Not Send Fingerprints To The Tennessee Bureau Of Investigation.** The POST Commission office will forward fingerprint cards to the TBI.
- (c) An application for the Basic Law Enforcement School must accompany the Application for Certification for all newly employed uncertified officers. (The local established academies should continue the present practice of submitting all Applications for Certification when officers complete their Basic Law Enforcement School.)
- (d) All officers employed after July 1, 1983, must meet the pre-employment requirements including the Application for Certification, Confirmation of Psychological Evaluation, Physical Examination and fingerprints.

(Rule 1110-05-.01, continued)

- (2) POST - 2 Change of Status. This form shall be submitted to the Commission office immediately upon an officer's separation or immediately upon status change that will exceed thirty (30) days. Such changes shall include the following:
 - (a) Extended medical leave.
 - (b) Any other leave of absence.
 - (c) Name change.
 - (d) Suspension.
 - (e) Change to duties and/or job description no longer meeting definition of "full-time" law enforcement officer.

- (3) Data Retained by Law Enforcement Agency. The following data and information must be on file in the law enforcement agency and available for inspection and audit by any members of the Commission or its designated representatives.
 - (a) Birth verification.
 - (b) Proof of citizenship.
 - (c) Copy of high school diploma or GED certificate.
 - (d) Background investigation report.
 - (e) Copy of Application for Certification.
 - (f) Copy of Confirmation of Psychological Evaluation and original confidential psychological evaluation report.
 - (g) Copy of Confirmation of Physical Examination.
 - (h) Copies of all Military DD-214s, DD-215s and DD-873s (if applicable).

- (4) In-Service Training Forms: In-service training forms will be provided to the agency. These forms may be duplicated as needed. The following form will be used to record the POST approved forty-hour annual in-service training conducted by the agency's POST approved in-service training officers:

FORM NUMBER	NAME OF FORM
(a)	Application for Training Officer
(b)	POST/LP/1 Lesson Plan
(c)	POST/LP/2 Lesson Plan
(d)	POST/LP/3 Lesson Plan
(e)	POST/LP/4 Lesson Plan
(f)	POST/LP/5 Lesson Plan
(g)	POST/IST/1 In-Service Training Roster
(h)	POST/IST/2 In-Service Training Firearms
(i)	POST/IST/3 In-Service Training Attendance Roster
(j)	POST/IST/4 Specialized Training Substitution
(k)	POST/IST/5 In-Service Curriculum (Schedule)
(l)	POST/IST/7 Request for College/University Law Enforcement Course to be Considered Toward Meeting POST Forty-Hour In-Service Training Requirement
(m)	POST/IST/8 Test Answer Sheet

- (5) Law Enforcement Instructor Certification Forms: Forms will be provided by the agency. These forms may be duplicated as needed. The following forms will be used to process documentation for the POST approved General, General Departmental, and Specialized Instructor:
 - (a) POST/PI/1 Application for Instructor Certification (2 pages)
 - (b) POST/PI/2 Change of Status - Law Enforcement Instructor

(Rule 1110-05-.01, continued)

- (6) Salary Supplement Request Forms: Forms will be provided to the agency. These forms may be duplicated as needed. The following forms will be used to process salary supplement requests:
- (a) SNF-0931 Salary Supplement Request
 - (b) SNF-0930 Salary Supplement Report Roster

Authority: T.C.A. §§38-8-104, 38-8-106, 38-8-107, 38-8-108, and 38-8-111. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed September 24, 1986; effective December 29, 1986. Amendment filed November 13, 1989; effective February 28, 1990. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective February 28, 2007. Amendment filed March 11, 2011; effective June 9, 2011.

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

**CHAPTER 1110-6
ADMINISTRATION OF INCOME SUPPLEMENTS
FOR LAW ENFORCEMENT OFFICERS**

TABLE OF CONTENTS

1110-6-.01	Eligibility to Receive In-Service Income Supplement	1110-6-.03	Payment Procedures
1110-6-.02	Police Officer Eligibility to Receive Income Supplement	1110-6-.04	Audit

1110-6.01 ELIGIBILITY TO RECEIVE INCOME SUPPLEMENT.

- (1) A local unit of government is eligible to receive income supplement for law enforcement officers under T.C.A. §38-8-111 if it is in compliance with minimum employment and training standards enumerated in T.C.A. §§38-8-105, 38-8-106 and 38-8-107, and in compliance with the Rules and Regulations of the Commission.
 - (a) Only municipalities, counties and law enforcement agencies required and having agreed to meet minimum standards are eligible to receive income supplement for officers.
 - (b) Income supplement reporting rosters will be furnished for each law enforcement agency at the end of each calendar year. Information detailed on these forms will include the name, rank, social security number, POST Certification number, date of basic training, and date and location of in-service training for each full-time sworn law enforcement officer employed by the local unit of government. These forms are to be returned by January 15 of the following year.
 - (c) All inquires and/or contacts with the POST Commission administrative office must be made by the law enforcement agency administrative personnel or by his designee. Two (2) designees must be identified in writing when the income supplement request is submitted. This must be updated annually by January 1.

Authority: T.C.A. §§38-8-105 and 38-8-111. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002.

1110-6.02 LAW ENFORCEMENT OFFICER ELIGIBILITY FOR INCOME SUPPLEMENT. To be qualified to receive income supplement, a law enforcement officer must be certified under the Peace Officer Standards and Training Commission and must successfully complete a forty (40) hour in-service training course approved by the Commission.

- (1) Officers who attend the Basic Law Enforcement School are not eligible to receive payment during that calendar year and are not required to attend in-service training during that year. These officers will be eligible to receive payment during the following calendar year after the successful completion of forty (40) hours of in-service training.
- (2) Officers who substitute their out-of-state basic training or other training for certification are not eligible to receive payment during that calendar year; however, they are required to complete forty (40) hours of in-service during the calendar year. These officers will be eligible to receive payment during the following calendar year after they have again successfully completed forty (40) hours of in-service training.

(Rule 1110-6-.02, continued)

- (3) Officers who have not completed eight (8) months of full-time service during the calendar year are not eligible to receive payment except in the following circumstances (Officers must complete in-service training and firearms qualifications prior to the exceptions.):
 - (a) death of the officer,
 - (b) retirement,
 - (c) medical disability, and
 - (d) separation due to change in administration, (Officer must be able to substantiate).
- (4) Officers terminated for cause and/or decertified during the calendar year are not eligible for payment.
- (5) Sheriffs successfully completing and continuing such training shall receive cash salary supplements in the same manner and under the same conditions as in set forth in Rule 1110-6-.02 for police officers, except that the Commission shall make the funds for salary supplements available to the appropriate counties for payment to sheriffs.

Authority: T.C.A. §38-8-111; (Acts 1981, Ch. 455, Section 10; T.C.A. §38-11-110; Acts 1983, Ch. 270, §5).
Administrative History: Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed January 6, 1989; effective May 1, 1989. 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.

1110-6-.03 PAYMENT PROCEDURES. The Peace Officer Standards and Training Commission shall disburse, to eligible local units of government, income supplements awarded to law enforcement officers certified under the Commission for successful completion of in-service training. It will be the responsibility of the local unit of government to disburse funds to the individual officers after the deduction of applicable taxes.

- (1) The income supplement will be based on the availability of funds approved by the General Assembly.
- (2) The local unit of government is responsible for any increases in employer's contribution to social security or like program necessitated by the increase in the employee's annual base earnings.
- (3) Payment will be made in lump sum directly to the governmental entity handling salary accounts for the eligible law enforcement agency.
- (4) Payment will be made only upon request by the local unit of government and upon submission of necessary documentation by the administrative officer of the eligible department.
 - (a) Proof of successful completion of an approved forty (40) hour in-service training course within the calendar year by all eligible law enforcement officers.
- (5) Salary Supplement Forms Required:
 - (a) POST/SNF-0931 Salary Supplement Request
 - (b) POST/SNF-0930 Salary Supplement Reporting Roster

Authority: T.C.A. §38-8-111. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983. Amendment filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002.

1110-6-.04 AUDIT. All accounts shall be subject to audit by the State Comptroller. All records pertaining to income supplement shall be available for inspection by personnel of the Commission.

(Rule 1110-6-.04, continued)

Authority: T.C.A. §38-8-111. **Administrative History:** Original rule filed December 20, 1982; effective January 19, 1983.

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

**CHAPTER 1110-07
BASIC TRAINING ACADEMY MINIMUM STANDARDS**

TABLE OF CONTENTS

1110-07-.01	Minimum Curricula Requirements	1110-07-.04	Record Keeping
1110-07-.02	Staffing	1110-07-.05	Control of Environment
1110-07-.03	Buildings and Facilities	1110-07-.06	Compliance

1110-07-.01 MINIMUM CURRICULA REQUIREMENTS.

- (1) Basic Course. The Commission shall approve a program of instruction comprising fundamental law enforcement skills and knowledge, which shall be designated as the Basic Law Enforcement Course.
 - (a) Length. The Basic Law Enforcement Course shall include a minimum of 400 hours of instruction and study.
 - (b) Format. The Basic Law Enforcement Course shall have a curriculum format that contains the following elements:
 1. Firearms - 40 hours.
 - (i) Weapons safety, nomenclature and maintenance.
 - (ii) For handguns, stances and firing positions to include: Kneeling, standing, prone, off-hand, barricade, one- and two-hand grip.
 - (iii) Double or single action (depending upon Department approved weapon)
 - (iv) Fifty (50) rounds.
 - (v) Shall not be fired beyond 25 yards.
 - (vi) Student must demonstrate a proficiency of at least 75% both during day and darkness on all weapons issued or authorized by student's department.
 - (vii) Demonstrate a proficiency of at least 75% on a stress exertion course which has a laterally moving target.
 2. Emergency Medical Training - 10 hours.
 - (i) Basic First Aid and CPR; infectious diseases; pathogens.
 - (ii) Airborne and blood pathogens
 3. Patrol Procedures - 75 hours.
 - (i) Traffic accident investigation.

(Rule 1110-07-.01, continued)

- (ii) Various types.
 - (iii) Observation technique.
 - (iv) Officer survival tactics.
 - (v) Crime in progress.
 - (vi) Traffic control.
 - (vii) Crime scene and evidence protection and gathering to include chain of evidence.
 - (viii) Communication procedures.
 - (ix) Child sexual abuse investigation (minimum three (3) hours).
 - (x) Crisis intervention (domestic disputes).
4. Interpersonal Communications - 25 hours.
- (i) Interview witnesses.
 - (ii) Interview victims.
 - (iii) Basic Street Spanish.
 - (iv) Field interviews.
 - (v) Police citizen contacts.
5. Professional and Ethical Conduct - 3 hours.
- (i) IACP Code of Ethics.
 - (ii) Political influence on law enforcement.
6. Physical Defense Tactics - 40 hours.
- (i) Physical training fitness.
 - (ii) Suspect control.
 - (iii) Various unarmed self defensive tactics.
 - (iv) Baton use, if used by department.
 - (v) Control of the emotionally disturbed.
7. Criminal and Constitutional Law and Procedures - 50 hours.
- (i) Restraint of police powers vs. citizens as dictated by court decisions in the area of the 1st, 4th, 5th, 6th, 8th, and 14th Amendments.
 - (ii) Post-arrest and pre-trial statutory procedure.

(Rule 1110-07-.01, continued)

- (iii) Civil liability of police.
 - (iv) Criminal offenses (to include traffic) and local ordinances (where applicable).
- 8. Written Communications - 10 hours.
 - (i) Police reports (all types).
 - (ii) Emphasis on elements of crimes in written narratives.
 - (iii) Report writing skills.
- 9. Human Relations - 30 hours.
 - (i) Sociology of groups, ethnic and racial.
 - (ii) Psychology of human behavior.
 - (iii) Basic street gang culture.
 - (iv) Sexual harassment.
 - (v) Domestic terrorism.
- 10. Criminal Justice System - 11 hours.
 - (i) Role of courts.
 - (ii) Role of various police agencies.
 - (iii) Role of correctional system.
 - (iv) Courtroom security.
 - (v) Civil process.
- 11. Law Enforcement Stress - 9 hours.
 - (i) Recognizing the symptoms of Law Enforcement stress and coping mechanisms.
 - (ii) Law Enforcement marriages.
 - (iii) Nutrition and health management.
- 12. Administration - 3 hours.
 - (i) Director's prerogative.
- 13. Emergency Vehicle Operations - 40 hours.
 - (i) Day and night course.

(Rule 1110-07-.01, continued)

- (ii) The officer/student will drive a law enforcement equipped vehicle at constant speeds through a cone marked serpentine course using the slip steering method. Forward and Reverse
 - (iii) The officer will back a law enforcement equipped vehicle in a straight line under full acceleration.
 - (iv) The officer will bring a law enforcement equipped vehicle to a complete stop from a speed of 40 miles per hour on a dry asphalt surface within a distance of 75 feet without sliding the tires on the pavement.
 - (v) The officer will twice parallel park his vehicle in a cone marked space 24 feet long (once looking over his left shoulder and once looking over his right shoulder).
 - (vi) Given a cone marked lane 30 feet wide with two recessed areas to simulate driveways, the officer will change his direction of travel by 180 degrees two times.
 - (vii) Given a cone marked lane 12 feet wide, the officer will drive his vehicle forward, steer through the course to the adjacent lane where indicated and then return to the original lane where indicated. The officer will then back the vehicle through the same course. The officer will go forward again to get back into the stream of traffic.
 - (viii) Given a cone marked double "S" curve with a 12 foot wide lane, the officer will drive forward to the end.
 - (ix) Events v, vi, vii, and viii must be time events.
 - (x) Pursuit driving.
 - (xi) Departmental policies, where applicable.
 - (xii) Vehicle familiarization.
14. National Safety Council Defensive Driving Course or comparable safety related course.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed January 29, 1986; effective April 15, 1986. Amendment filed September 24, 1986; effective December 29, 1986. Amendment filed June 13, 1997; effective October 28, 1997. 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.

1110-07-.02 STAFFING.

- (1) Staffing Positions. The Basic Training Academies shall have a minimum staff of one (1) Director of Training/Principal Training Officer, one (1) full-time Certified Law Enforcement Instructor, and one (1) Secretary or Clerk/Typist.
 - (a) The Director of Training/Principal Training Officer shall meet the law enforcement instructor certification requirements as set forth in T.C.A. §38-8-104, Section 1110-3-.03 of the Rules of the Tennessee Peace Officer Standards and Training Commission and all other requirements as set forth by T.C.A. §38-8-104 pertaining to the

(Rule 1110-07-.02, continued)

administration of a Basic Law Enforcement Academy. The Director may have other assigned duties within the organization.

1. Responsibilities. The Director of Training/Principal Training Officer shall be responsible for, but not limited to : the development, organization, implementation, testing, and supervision of any course of study or instruction; maintaining all the necessary records pertaining to each student as required by T.C.A. §38-8; and testing materials and their administration as required by T.C.A. §38-8.
- (b) The full-time Certified Law Enforcement Instructor shall meet the law enforcement Instructor certification requirements as set forth in T.C.A. §38-8-104 and Section 1110-03-.03 of the Rules of the Tennessee Peace Officer Standards and Training Commission.
 1. Responsibilities. The full time Certified Police Instructor shall be responsible for, but not limited to: preparing lesson plans, preparing testing instruments, conducting classes, supervising class conduct at all times, assuring the safety of students, and accounting for class attendance.
- (c) The Secretary/Clerk Typist is essential for maintaining records and conducting the necessary correspondence between the Academy, the POST Commission, and law enforcement agencies. This position may be filled by an existing secretary or clerk/typist, with these responsibilities being added to their work assignment.
- (2) Instructor Specifications. The instructor shall meet certain criteria in developing and maintaining a proper learning atmosphere for students. The Basic Law Enforcement Academy shall employ performance-oriented instructional methods that will provide opportunities for each student to demonstrate successful achievement of the established training objectives. This may be accomplished by the Academy management insuring that:
 - (a) Each instructor is qualified to teach in his/her specific area of instruction.
 - (b) All instructors who teach part time for the agency which conducts a Basic Law Enforcement School, employed by the agency or employed outside the agency, must be qualified to teach in his/her specific area of instruction and, at the option of the training director, may be required to be POST Certified as an Instructor.
 - (c) Each instructor (part-time and/or outside) is given the course description and instructional objectives for his/her instructional block and informed that his/her presentation must adhere to these guidelines.
 - (d) Each instructor is periodically evaluated by Academy management to insure instructional competence.
 - (e) Each instructor enforces the rules and regulations as outlined in this document.
 - (f) Each instructor teaches from an approved and current lesson plan.
 - (g) Each instructor informs each student of the ultimate performance objectives of his/her block of instruction at the beginning of each instructional period.
 - (h) The instructor does not “teach the test.”
 - (i) Each instructor sets the example for the student to follow, by paying particular attention to the areas of preparedness, honesty and integrity, approachability, and competence.

(Rule 1110-07-.02, continued)

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed June 13, 1997; effective October 28, 1997. Amendment filed April 19, 2002; effective August 28, 2002.

1110-07-.03 BUILDINGS AND FACILITIES.

- (1) Building and Classroom Facilities. All requirements listed must be met prior to POST inspection, for new facilities.
 - (a) The academy shall be in an area devoted to law enforcement training to ensure training facilities are undisturbed by outside, unrelated activities or noises.
 - (b) Class size shall be limited to a maximum of seventy-five (75) students. However, twenty (20) percent of the total class hours in the Basic School can be taught in a seminar setting; therefore a greater number than seventy-five (75) students may be allowed. No class other than the lecture-type setting can have more than seventy-five (75) students in any one classroom.
 - (c) Have adequate facilities for physical training activities to support the curriculum, i.e. multipurpose activity area or gym.
 - (d) The building must have adequate restroom, locker, and shower facilities for male and female students to meet state law for public facilities (in accordance with T.C.A. §68-18-101 et seq. and Southern Building Codes).
 - (e) Must have administrative office space or designated area for the organization and filing of appropriate school administrative records, documents, and related school training data.
 - (f) Must have library resources available to students, adequate to support the curriculum.
 - (g) Must have adequate movie and video equipment to support the curriculum.
 - (h) Must have a video tape and film library adequate to support the curriculum.
- (2) Firing Range Facilities.
 - (a) Must have at least 20 firing points. All targets should have a minimum of four (4) foot centers.
 - (b) Must have at least 25 yard depth for firing at each point.
 - (c) Must have adequate off street parking space.
 - (d) Must have some form of combat/action-reaction course.
 - (e) Must have a laterally moving target.
 - (f) Must have a shotgun course (this can be laid out on an existing pistol course).
 - (g) Must comply with all State and local ordinances pertaining to range and firearms safety.
- (3) Police Driving Skill Range.

(Rule 1110-07-.03, continued)

- (a) Must have adequate area available to teach basic police driving, stopping and parking maneuvers.
- (b) Must have an adequate area available to teach advanced driving techniques.
- (c) Must have adequate off street parking space.
- (d) Must meet all state and city ordinances and laws.

Authority: T.C.A. §§38-8-104 and 68-18-101 et seq. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed November 13, 1989; effective February 28, 1990. Amendment filed June 13, 1997; effective October 28, 1997. Amendment filed April 19, 2002; effective August 28, 2002. amendment filed October 2, 2006; effective February, 28, 2007.

1110-07-.04 RECORD KEEPING.

- (1) All Training Academies will maintain a permanent training record file on each student attending the Academy. This file shall include all records pertaining to that student while attending that Academy.
- (2) Every Academy shall maintain an administrative file that pertains to each class it conducts. This file shall include, but not be limited to: curriculum, attendance records, discipline records, counseling records, tests and test answer sheets..
- (3) Each Academy shall maintain all lesson plan files for each class and shall review for revisions annually. All training records shall be maintained in the administrative building of the academy.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed September 24, 1986; effective December 29, 1986. Amendment filed June 13, 1997; effective October 28, 1997.

1110-07-.05 CONTROL OF ENVIRONMENT.

- (1) Student Environment. Basic Training Academies must control the student environment in order to promote efficient learning through a controlled atmosphere.
 - (a) A specified set of policies, procedures, and rules, as set forth by the POST Commission (which govern the behavior expected and required by students attending Basic Academy courses and to which each student must adhere if success in a course of instruction is completed), shall be adopted.
 - 1. These rules should establish in a definitive manner the minimal acceptance level of performance regarding the following areas or controls:
 - (i) Attendance
 - (ii) Tardiness
 - (iii) Dress code
 - (iv) Classroom demeanor
 - (v) Study
 - (vi) Guidelines for classroom discussion, Question and Answer Sessions, and disagreement with instructors.
 - (vii) Examination and Testing procedures
 - (viii) An Honor System for examinations
 - (ix) Classroom intrusions
 - (x) Specific procedures for students who fail to meet minimum requirements.

(Rule 1110-07-.05, continued)

- (b) These rules shall be printed, handed out, and gone over with students prior to commencement of instruction in any given course.
- (c) A printed schedule of classes, along with accompanying course descriptions shall be adopted. This schedule should inform the student as to the course of study and general content of each instructional block.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed January 28, 1986; effective April 15, 1986. Amendment filed June 13, 1997; effective October 28, 1997.

1110-07-.06 COMPLIANCE. All basic training academies approved by the POST Commission shall meet the minimum standards as set forth in this chapter.

- (1) Initial Compliance. All new academies approved after the effective date of these rules, shall comply with the Basic Training Academy minimum standards as set forth in this chapter.
 - (a) The POST Commission shall verify full compliance of all standards specified in this chapter prior to certification. Such verifications shall include, but not be limited to, an on-site inspection. A POST Commission designee shall conduct an initial on-site inspection prior to verification of compliance.
 - (b) Basic academies operated by a department for that department's personnel must demonstrate a need for an annual enrollment of 100 recruits.
 - (c) Basic academies for more than one (1) agency must have a total immersion training atmosphere with at least 400 hours in a dormitory environment.
 - (d) Upon verification of compliance with the standards set forth in this chapter, the POST Commission shall certify the academy.
 - (e) Annually, the Director of the Donelson Academy will schedule a meeting of all Training Directors and administrators of Basic Law Enforcement Academies statewide who shall attend for the purpose of curriculum review and standardization.
- (2) Continuing Compliance. All Basic Training Academies certified by the Post Commission shall continue to meet the Basic Training Academy minimum standards as set forth in this chapter, and each academy has a continuing duty to notify the Commission when out of compliance at any time.
 - (a) Annual Report. Each academy shall submit an annual report to the Commission outlining continued compliance with minimum standards as set forth in this chapter on or before January 31 of the new year.
 - (b) Annual On-site Visit. Upon receipt of the annual report from a Basic Training Academy a POST Commission designee shall conduct an on-site visit to review continued compliance in all major areas of initial approval.
 - (c) Status Letter. Upon review of a Basic Training Academy's annual report and the completion of an on-site visit, the Commission shall issue a letter advising the academy of the status of its compliance.
- (3) Non-Compliance.
 - (a) Each academy shall notify the Commission when out of compliance at any time.

(Rule 1110-07-.06, continued)

- (b) The Commission may consider, on a case-by-case basis, a request for waiver to provide the agency the opportunity to return to full compliance. In no case shall a waiver exceed one (1) year from the date of the request.

Authority: T.C.A. §38-8-104. **Administrative History:** Original rule filed October 25, 1993; effective March 1, 1994. Amendment filed June 13, 1997; effective October 28, 1997. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed March 18, 2010; effective June 16, 2010.

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

**CHAPTER 1110-08
PART-TIME/TEMPORARY/AUXILIARY LAW ENFORCEMENT OFFICERS**

TABLE OF CONTENTS

1110-08-.01	Definitions	1110-08-.04	In-Service Training Requirements
1110-08-.02	Preemployment Requirements	1110-08-.05	Records Kept by Employing Agency
1110-08-.03	Training Requirements	1110-08-.06	Audit

1110-08-.01 DEFINITIONS.

- (1) Part-time/Temporary/Reserve/Auxiliary Law Enforcement Officer is defined as any person employed by any municipality or any political subdivision of the state of Tennessee whose primary responsibility is to support the full-time law enforcement officers in the prevention and detection of crime, apprehension of offenders, assisting in the prosecution of offenders for appropriate remuneration in measure with specifically assigned duties and/or job description. Part-time law enforcement officers will work no more than twenty (20) hours per week or a total of no more than one hundred hours per month. Any law enforcement officer who works in excess of the maximum hours as specified herein will be reclassified to a full-time status and must meet all requirements for standards/training as mandated under the law and Peace Officer Standards and Training Commission rules.

Provided however, in any situation where an officer is temporarily assigned for a period of one (1) month or less, to work more than twenty (20) hours per week or a total of more than one hundred (100) hours per month, such officer shall not be reclassified to a full-time status.

- (2) Special Deputy is defined within this section as any person who is assigned specific law enforcement functions as to the prevention and detection of crime and general laws of this state on a volunteer basis, whether working alone or with other law enforcement officers. Any law enforcement officer working on a volunteer basis shall receive no pay or benefits except for honorariums and may be utilized for an unlimited number of hours.

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

1110-08-.02 PRE-EMPLOYMENT REQUIREMENTS.

- (1) After January 1, 1989, any person employed/utilized as 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;
 - (c) Be a high school graduate or possess equivalence. No waivers will be granted for minimum education requirements;
 - (d) Not have been convicted of or 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 controlled substances;

(Rule 1110-08-.02, continued)

1. The commission may consider a waiver from pre-employment requirements for a person who has been convicted of, or entered a plea of nolo contendere to any violation of any federal or state laws or city ordinances (excluding felony charges) relating to force, violence, theft, dishonesty, gambling, liquor (including driving while intoxicated), or controlled substances when the offense was classed as a misdemeanor.
 2. No waiver shall be granted while officer is under the jurisdiction of the court or considered on probation, whether supervised or unsupervised, and in the case of "driving while intoxicated" the officer shall have met all the requirements of the Tennessee Department of Safety and have been restored his/her permanent driving privileges under the laws of the State of Tennessee.
 3. A person who has had misdemeanor charges expunged may be considered for certification. It is the responsibility of the officer and employing agency to present information and court documents relating to expungement to the Commission.
 4. No waiver will be granted for felony convictions or a narcotics violation that could result in a felony charge.
 5. The agency must present a written request for waiver for these charges and provide a copy of the final court disposition of the case.
- (e) Not have been released or discharged under any other than honorable discharge from any of the armed forces of the United States;
 - (f) Have his fingerprints on file with the Tennessee Bureau of Investigation;
 - (g) Have passed a physical examination by a licensed physician;
 - (h) Have good moral character as determined by a thorough investigation conducted by the employing agency; and
 - (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 current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association 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. If applicable, refer to Tenn. Comp. R. & Regs. 1110-09 Criteria for Waivers.
- (2) Part-time/temporary/reserve/auxiliary law enforcement officers and special deputies who were employed prior to January 1, 1989 and have had continuous service are exempt from pre-employment requirements as long as they remain on active service with the department by which they are originally employed. Any part-time/temporary/reserve/auxiliary law enforcement officer or special deputy who has a break in service of any length whatsoever will be required to meet pre-employment and training standards.

Authority: T.C.A. §§ 38-8-101 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.

1110-08-03 TRAINING REQUIREMENTS. Training Requirements. After January 1, 1989, any person newly employed/utilized as a part-time/temporary/reserve/auxiliary law enforcement officer or special deputy shall receive eighty (80) hours of training in whatever duties they are 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 eighty (80) hours of training, the part-time/temporary/reserve/auxiliary law enforcement officer must be paired with a field training officer or other certified officer. Any part-time/temporary/reserve/auxiliary law enforcement officer who is hired within five years of having served as a full-time, certified law enforcement officer will 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.

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.

1110-08-04 IN-SERVICE TRAINING REQUIREMENTS. After the initial training has been completed, all part-time/temporary/reserve/auxiliary law enforcement officers and special deputies will be required to attend forty (40) hours of in-service training each calendar year. This training may be spread over a twelve (12) month period; however, it must 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.

1110-08-05 RECORDS KEPT BY EMPLOYING AGENCY. All records pertaining to preemployment must be kept by the employing agency. The following data and information should be on file at the law enforcement agency:

- (1) Birth verification.
- (2) Proof of citizenship.
- (3) Copy of high school diploma or GED certificate.
- (4) Background investigation report.
- (5) Application for certification.
- (6) Confidential Psychological Evaluation report.
- (7) Physical Examination.
- (8) Copies of all Military DD-214s, DD215s, DD-875s (if applicable).

All records pertaining to initial training and subsequent in-service training must be kept by the employing agency. This information should include (but not be limited to):

- (a) Dates and location of training.
- (b) Type of training and instructors.
- (c) Test and firearm scores.

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

1110-08-.06 AUDIT. All employment and training records must be on file at the law enforcement agency and available for inspection and audit by any member of the Commission or designated representative.

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

**RULES
OF
THE TENNESSEE PEACE OFFICER STANDARDS**

**CHAPTER 1110-09
CRITERIA FOR WAIVERS**

TABLE OF CONTENTS

1110-09-.01 Submission of Waiver Requests	1110-09-.04 Waivers of Preemployment Requirements
1110-09-.02 Waivers of Basic Training	1110-09-.05 Waivers of In-service Training
1110-09-.03 Waivers of POST Transition School	1110-09-.06 Waivers of Eight (8) months Full-Time Service

1110-09-.01 SUBMISSION OF WAIVER REQUEST. Request for waiver (except for those preemployment requirements) must be submitted by the agency currently employing the person requiring a waiver. Request for waiver of preemployment requirements must be submitted by the agency having an interest in hiring a person requiring such waiver prior to that person's employment. Request for waiver filed/submitted by an individual will not be accepted by the Commission. The requesting department shall be represented at the hearing by its designee. Once a waiver has been granted for a previous preemployment requirement, that requirement shall be considered waived for future applications for certification.

Authority: T.C.A. §§ 38-8-104 and 38-8-106. **Administrative History:** Original rule filed August 4, 1992; effective November 29, 1992. Amendment filed October 2, 2006; effective February 28, 2007. Amendment filed March 18, 2010; effective June 16, 2010.

1110-09-.02 WAIVER OF BASIC TRAINING. The Commission may not consider a waiver of basic training requirements, however, a Substitution of Basic Training may be considered under the following circumstances as requested by the employing agency:

- (1) Substitution of Basic Training - may be granted for a law enforcement officer meeting the following criteria:
 - (a) having less than a five (5) year break in service from previous law enforcement employment in the State of Tennessee; and
 - (b) having left previous employment as a certified officer in good standing; and
 - (c) having at least forty (40) hours of in-service training that is in compliance with Chapter 7 and POST Rule 1110-02-.03 (4)(c)(1); or, having completed a federal, state, or local basic law enforcement training course.

Authority: T.C.A. §§ 38-8-104 and 38-8-106. **Administrative History:** Original rule filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002.

1110-09-.03 WAIVER OF POST TRANSITION SCHOOL. A waiver of the POST Transition School may be considered on an individual basis upon review of education and previous law enforcement experience and training in the following circumstances:

- (1) Upon separation from employment as a state officer who completed basic training and enters employment as a full-time sworn commissioned law enforcement officer with an agency required to meet minimum standards.
- (2) Upon separation from employment as a federal law enforcement officer who has completed equivalent training for basic training.

(Rule 1110-09-.03, continued)

Authority: T.C.A. §§ 38-8-104 and 38-8-106. **Administrative History:** Original rule filed August 4, 1992; effective November 29, 1992. Amendment filed March 18, 2010; effective June 16, 2010.

1110-09-.04 WAIVER OF PREEMPLOYMENT REQUIREMENTS. A waiver of preemployment requirements may be granted under the following circumstances:

- (1) No person may be employed as a law enforcement officer, who requires a waiver under this section, until such waiver is granted. "Any person who shall appoint any applicant, who, to the knowledge of the appointee, 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 law enforcement officer as provided herein or required by the Commission, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding one thousand dollars (\$1,000)".
 - (a) Military History - The Commission may waive preemployment requirements relating to the military history on an individual basis and depending on the circumstances.
 1. Waivers may be granted from preemployment requirements for the following separations from military service:
 - (i) an Entry Level Separation
 - (ii) a General Discharge under Honorable Conditions.
 2. Waivers will not be granted from preemployment requirements for the following separation from military service:
 - (i) Dishonorable Discharge
 - (ii) Bad Conduct Discharge
 - (iii) Other Than Honorable Discharge
 - (b) Criminal Activity - The Commission may consider a waiver from preemployment requirements relating to criminal activity on an individual basis and depending on the circumstances.
 1. Waivers may be granted if the officer has been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge or to any violation of any federal or state law or city ordinance (excluding domestic violence) with the following charges:
 - (i) relating to force, violence, theft, dishonesty, gambling, liquor and other alcoholic beverages;
 - (ii) or controlled substances, as defined in the Tennessee Drug Control Act compiled in Title 39, Chapter 17, Part 4, when the offense was classed as a misdemeanor.
 2. The employing agency requesting waiver must present a copy of the final court disposition of the case.
 3. Some of the factors to be considered when determining whether to grant a waiver shall be:

(Rule 1110-09-.04, continued)

- (i) the amount of time since the offense;
 - (ii) the amount of time since completion of the sentence;
 - (iii) the type, circumstances and severity of the offense;
 - (iv) the applicant's activities since the offense; and
 - (v) the applicant's ability to carry a fire arm pursuant to federal and state law.
- (c) Mental Impairment - A waiver shall not be granted from preemployment requirements for a mental impairment that would affect the person's ability to perform an essential function of the job, with or without a reasonable accommodation.
- (d) Education - A waiver will not be granted from preemployment requirements relating to minimum education requirements.
- (e) Previous decertification or voluntary surrender of certification as a law enforcement officer – The Commission may waive preemployment requirements relating to previous decertification or voluntary surrender of certification as a law enforcement officer on an individual basis and depending on the circumstances.
1. Some of the factors to be considered when determining whether to grant a waiver shall be:
- (i) the circumstances surrounding and which lead to the previous decertification or voluntary surrender of certification as a law enforcement officer;
 - (ii) the amount of time since the previous decertification or voluntary surrender of certification as a law enforcement officer;
 - (iii) the applicant's activities since the offense; and
 - (iv) the applicant's ability to carry a fire arm pursuant to federal and state law

Authority: T.C.A. §§ 38-8-104, 38-8-105, and 38-8-106. **Administrative History:** Original rule filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 6, 2006; effective February 28, 2007. Amendments filed March 18, 2010; effective June 16, 2010. Amendments filed March 11, 2011; effective June 9, 2011. 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.

1110-09-.05 WAIVER OF IN-SERVICE TRAINING. Failure of an individual officer to successfully complete the in-service training requirements annually will result in the officer's loss of eligibility for the pay supplement during the calendar year. Failure of this individual officer to successfully complete another in-service training session within one (1) year will result in loss of certification. A waiver of in-service training may be granted under the following circumstances:

- (1) Medical Disability - Requests for waivers of in-service training for a calendar year on the basis of medical disability should be submitted to the Commission by the chief administrative officer of the department explaining the individual case. This should be accompanied by a doctor's statement. Each request will be considered on an individual basis.

(Rule 1110-09-.05, continued)

- (2) Retirement. Requests for waivers of in-service training for a calendar year on the basis that an officer will retire during that year, the certified officer must submit a letter to his chief administrator stating his intention to retire prior to the completion of in-service training for the calendar year. If the request is approved by his department, then a letter must be forwarded to the Commission for approval.
- (3) Failure to Complete - All full-time commissioned officers are required to complete annual in-service. Failure to complete annual in-service, for whatever reason, must be reported to the POST Commission by submitting a request for waiver and written explanation documenting the reason the officer failed to comply. It is not considered failure to complete the required in-service if an officer misses twenty percent (20%) or less of the course duration due to an approved emergency absence pursuant to Rule 1110-04-.07.

Authority: T.C.A. §§ 38-8-104 and 38-8-106. **Administrative History:** Original rule filed August 4, 1992; effective November 29, 1992. Amendment filed March 11, 2011; effective June 9, 2011.

1110-09-.06 WAIVER OF EIGHT (8) MONTHS' FULL-TIME SERVICE. The Commission may consider a waiver of the eight (8) months' full-time service during the calendar year under the following conditions providing in-service training has been completed during the calendar year:

- (1) Death of the officer.
- (2) Retirement.
- (3) Medical disability.
- (4) Separation due to change of administration (officer must be able to substantiate).
- (5) Military duty in the event of a national emergency.

Authority: T.C.A. §§ 38-8-104 and 38-8-106. **Administrative History:** Original rule filed August 4, 1992; effective November 29, 1992. Amendment filed April 19, 2002; effective August 28, 2002.

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

**CHAPTER 1110-10
FIREARM CERTIFICATION FOR RETIRED LAW ENFORCEMENT OFFICERS**

TABLE OF CONTENTS

1110-10-.01	Retired Law Enforcement Officer Firearms Certification Applications	1110-10-.03	Training Certification Obtained from the POST Commission
1110-10-.02	Private Firearms Instructor Certification		

1110-10-.01 RETIRED LAW ENFORCEMENT OFFICER FIREARMS CERTIFICATION APPLICATIONS.

- (1) A retired law enforcement officer seeking certification from the Commission to carry a concealed firearm shall submit:
 - (a) A signed letter from the chief law enforcement officer of the retired officer's law enforcement agency that the officer retired in good standing with their initial application;
 - (b) Proof of having met the annual training and qualification standards for active law enforcement officers to carry a firearm of the same type as the concealed weapon they intend to carry signed by a current POST certified fire arms instructor or a instructor at the Tennessee Law Enforcement Training Academy; and
 - (c) An annual certification fee of ten dollars (\$10) payable by check.
- (2) A retired law enforcement officer firearms certification issued by the Commission shall expire one (1) year from the date the retired officer successfully met the annual training and qualification standards for active law enforcement officers to carry a firearm of the same type as the concealed weapon.

Authority: T.C.A. §§ 38-8-116. **Administrative History:** Original rule filed March 18, 2010; effective June 16, 2010.

1110-10-.02 CERTIFICATION FOR PRIVATE FIREARMS INSTRUCTOR.

- (1) Certification for Private Firearms Instructor - Those instructors desiring to provide firearms training pursuant to § 38-8-116 must obtain certification as a private firearms instructor and shall meet the following requirements:
 - (a) Requirements for Certification
 - (i) An applicant shall have at least five (5) years of experience as a full-time sworn law enforcement officer; or, equivalent combination of education and experience as determined by the Commission.
 - (ii) An applicant shall successfully complete a forty (40) hour instructor development program and/or any equivalent combination of education and experience as determined by the Commission.

(Rule 1110-10-.02, continued)

- (iii) An applicant must have successfully completed a minimum of forty (40) hours of certified training in the specialized area having been approved by the POST Commission.
 - (iv) Any exceptions to the above rules shall be approved by the Commission.
 - (b) Application for Certification
 - (i) Persons seeking certification shall submit an application for Private Firearms Instructor in such form as the Commission may require.
 - (ii) An applicant must submit a complete lesson plan in the specialized area.
 - (iii) An applicant must submit a Certificate of Completion of a forty (40) hour instructor development course.
 - (iv) An applicant must submit a Certificate of Training in the Specialized Area(s).
 - (v) An applicant must submit a certification fee of ten dollars (\$10) [payable by check].
- (2) Revocation of instructor certification will be considered by the Commission for the following reasons:
 - (a) An instructor's employment is terminated for reason(s) detrimental to the law enforcement profession;
 - (b) Failure to properly prepare and deliver adequate instruction;
 - (c) Holder of instructor certification falsifies or omits information required on application for certification or on supporting document.
- (3) An instructor's certification becomes inactive if the holder of the certification does not instruct, within a two (2) year period. Inactive certification may be reactivated upon written request and proof of instruction.

Authority: T.C.A. §§ 38-8-116. **Administrative History:** Original rule filed March 18, 2010; effective June 16, 2010.

1110-10-.03 TRAINING CERTIFICATION OBTAINED FROM THE POST COMMISSION.

A retired law enforcement officer seeking to obtain the annual training and qualification standards for active law enforcement officers to carry a firearm of the same type as the concealed weapon from the Commission shall be required to pay the standard firing range tuition rate and fees charged by the Tennessee Law Enforcement Training Academy.

Authority: T.C.A. §§ 38-8-116. **Administrative History:** Original rule filed March 18, 2010; effective June 16, 2010.