

CHAPTER 7506
DEPARTMENT OF PUBLIC SAFETY
BOARD OF PRIVATE DETECTIVE AND PROTECTIVE
AGENT SERVICES
PRIVATE DETECTIVES AND PROTECTIVE AGENTS

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7506.0100 DEFINITIONS.

Subpart 1 **Scope.** For the purposes of this chapter, the following terms have the meanings given them in this part.

[For text of subp 2, see M R]

Subp 2a. **Employee.** "Employee" means a private detective or protective agent who is employed by a license holder, who is under the license holder's direction and control, and who carries out or supervises licensable activities

Subp 2b. **Equivalent training.** "Equivalent training" means other continuing education training the board finds acceptable upon review.

[For text of subp 3, see M R]

Subp 3a **Certified training program.** "Certified training program" means any training course approved by the board under part 7506 2200

[For text of subp 4, see M R]

Subp 5 **Preassignment training.** "Preassignment training" means a board-certified training course that must be completed by an employee within the first 21 days of employment

Statutory Authority: *MS s 326 3361*

History: *22 SR 711*

7506.0120 [Repealed, 22 SR 711]

7506.2100 PURPOSE.

The purpose of parts 7506.2100 to 7506 2900 is to establish the minimum requirements for the training of private detectives and protective agents and the standards for board evaluation and certification of training programs to ensure compliance with Minnesota Statutes, section 326 3361

Statutory Authority: *MS s 326 3361*

History: *22 SR 711*

7506.2200 BOARD CERTIFICATION OF TRAINING PROGRAMS.

Subpart 1 **Contents of application.** A person, business, or school desiring board certification of a training program shall submit an application to the board at least 60 days before commencing the training program. The application for board certification of a training program must be on a form provided or approved by the board and must include

A the full name, business address, and telephone number of the applicant, the names and addresses of all additional persons who will be involved in conducting the training, and, if the applicant is a business, however organized, a list of the names, addresses, and telephone numbers of each owner, partner, manager, and officer,

B a description of the course work that the program will offer, with satisfactory proof that the program

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(1) will offer courses meeting the prescribed minimum requirements as outlined in part 7506 2300, subpart 1, items A to G, and

(2) has reasonable training facilities,

C the names and resumes outlining the education experience and qualifications of all course instructors employed by the applicant,

D for courses involving preassignment or weapons training, the policies for the evaluation of students;

E the location where the training will be held, the dates on which the training will be offered, and the number of training hours, with 50 minutes equaling one training hour, required for each course,

F other information requested by the board as necessary to determine whether the applicant meets the requirements for a board-certified training program, and

G the signature of the person submitting the application, verifying that the information in the application is true.

Subp 2 Program certification. Upon review of a properly filed application, the board shall determine if the training program meets the requirements set out in this chapter and shall notify the applicant in writing of its decision to grant or deny certification. The board shall certify a training program unless there is a reason to deny certification. The board shall deny certification for any of the following reasons.

A The application or the items filed with the application do not meet the requirements of subpart 1

B The course work described does not meet the training objectives approved by the board.

C The information contained in the application is false or inaccurate.

Subp 3 Changes in certified programs. Any change in the certified training program curriculum, the instructors, the location, the evaluation policies, or the dates of training must be reported to the board in advance of the changes being made, if possible, or within ten working days after a change is made if prior notice is not possible

Subp 4 Periodic review of certification. Board certification is subject to periodic review by the board or the executive director. A renewal application or reaffirmation of original information is required every two years. Certified training programs must be open for audit or on-site inspection by the board or its staff, at the discretion of the board

Subp. 5 Denial of certification. The board shall specify the reasons for denying certification and shall advise the applicant of the right to a hearing on the denial of certification. The board may allow a specified time for correction or explanation of the deficiency

Statutory Authority: *MS s 326.3361*

History: *22 SR 711*

7506.2300 MINIMUM REQUIREMENTS FOR BOARD-CERTIFIED TRAINING PROGRAMS.

Subpart 1 Subject areas. Consistent with the minimum requirements in the following subject areas, the training for armed private detectives and armed protective agents must minimally include training in the areas listed in items A to G

A firearms training, including training in the legal limitations on the justifiable use of force and deadly force as specified in Minnesota Statutes, sections 609.06 and 609.065. No license holder, qualified representative, Minnesota manager, partner, or employee may carry or use a weapon while carrying out licensable duties without having successfully completed board-certified training,

B. training in the use of weapons other than firearms (see Minnesota Statutes, section 326.3361, subdivision 1, clause (2)),

C training in alternatives to the use of force,

D standards for weapons and equipment issued, carried, or used by license holders, qualified representatives, Minnesota managers, partners, and employees,

E first aid training,

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F preassignment or on-the-job training, in the subject areas set out in part 7506 2600, and

G. continuing training for license holders and employees

Training for unarmed employees must minimally include training in the areas listed in items F and G

Subp 2 **Records.** Certified training programs shall maintain the following records for a minimum of three years

A a record of registration and attendance for all certified training courses including absences for all or any portion of a class period, with attendance records signed by the instructor conducting the training course,

B records of all students who have successfully completed a certified training program and the number of training hours completed,

C the course syllabus for each course taught, and

D current firearms training scores

Records must be made available to the board immediately upon request of the board or its staff. Students must be provided access to their attendance and course completion records upon request

Subp 3 **Minimum requirements.** Certified training programs must comply with subpart 1 and, upon request, furnish reasonable and necessary proof to the board to verify that compliance. Certified training programs shall file with the board all additional information that the board requires and cooperate with any board investigation relative to its certification status. Nothing in parts 7506 2100 to 7506 2900 precludes any certified training program from offering training that goes beyond the minimum requirements of subpart 1

Subp 4 **Firearms instructors.** Firearms instructors must be currently certified as a law enforcement or private security firearms instructor by a governmental agency, the National Rifle Association, or other nationally recognized certifying organization approved by the board

Subp 5 **First aid.** First aid instructors must have completed certified training

Statutory Authority: *MS s 326 3361*

History: *22 SR 711*

7506.2500 REVOCATION OR SUSPENSION OF CERTIFICATION STATUS.

Subpart 1 **Disciplinary action.** The board shall impose disciplinary sanctions against a certified training program that fails to comply with any of the requirements set out in this chapter and in Minnesota Statutes, sections 326 32 to 326 339.

Subp 2. **Sanctions.** Sanctions for failure to comply with the requirements set out in this chapter may be one or more of the following

A a letter of censure to the certified training program,

B formal or informal probation for the certified training program, and

C suspension, revocation, or nonrenewal of board certification of the training program

The board shall consider the factors listed in part 7506 0170, subpart 2, to determine which sanction to apply in each case

Subp 3 **Grounds for revocation or suspension of certification.** The board may suspend or revoke the certification status of a training program for good cause and upon written notification. The notification must contain the reasons for suspension or revocation. These reasons may include

A using curricula that fails to comply with the minimum requirements as outlined in part 7506 2300, subpart 1, items A to G,

B using false information in any application or other document submitted to the board,

C failing to make a timely report as required by this chapter,

D failing to maintain or submit records as required by this chapter,

E failing to cooperate fully with the board in its efforts to ensure compliance with a requirement of this chapter, or

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F violating a provision of this chapter or Minnesota Statutes, sections 326.32 to 326.339.

Subp 4 **Disciplinary proceedings.** Revocation or suspension proceedings under this part must be conducted pursuant to the Administrative Procedure Act, Minnesota Statutes, sections 14.57 to 14.62, and the rules of the Office of Administrative Hearings, parts 1400.5100 to 1400.8400

Other disciplinary proceedings must be held before a hearing examiner appointed by the commissioner of public safety

Statutory Authority: *MS s 326.3361*

History: *22 SR 711*

7506.2600 PREASSIGNMENT OR ON-THE-JOB TRAINING REQUIREMENTS.

Subpart 1 **License requirement.** A person employed as a private detective or protective agent must spend a minimum of 12 hours in preassignment training within the first 21 days of employment. An individual who leaves the profession for three years or longer and returns to employment as a private detective or protective agent must repeat the preassignment training

Subp 2 **Exemption.** A person who submits satisfactory proof to the board of actively working full time or part time as a private detective or protective agent or who has a Minnesota license or applies for a Minnesota license before July 1, 1998, is eligible for exemption from the preassignment training requirement

Subp 3 **Subject areas for protective agents.** Preassignment training for protective agents must minimally include training in the following subject areas:

- A security overview,
- B legal authority and liability issues,
- C communications,
- D ethics,
- E incident/situation assessment and emergency response, and
- F Minnesota private detective and protective agent statutes and administrative

rules

Subp 4 **Subject areas for private detectives.** Preassignment training for private detectives must minimally include training in the following subject areas:

- A private detective/investigator overview,
- B legal authority and liability issues,
- C communication,
- D rights of privacy, invasion of privacy, and data privacy,
- E situational assessment;
- F ethics, and
- G Minnesota private detective and protective agent statutes and administrative

rules

Subp 5. **Certificate of completion.** At the conclusion of each certified training course, the instructor shall provide each student who has successfully completed training with evidence of completion, showing the subject area covered by each course completed and the number of hours completed

Statutory Authority: *MS s 326.3361*

History: *22 SR 711*

7506.2700 CONTINUING EDUCATION REQUIREMENTS.

Subpart 1 **License renewal.** Every employee, as well as license holders, qualified representatives, Minnesota managers, or partners, shall complete six hours of training in board-certified continuing training programs annually. In addition, armed license holders and employees must complete an additional six hours of training in the weapons used in the course of their employment. At the time of license renewal, license holders shall submit to the board an affidavit listing all employees and attesting to the fact that they have met all training re-

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quirements A private detective or protective agent license must not be renewed without written proof that all employees have met all training requirements

Subp 2 Continuing education. Continuing education for all license holders and employees means mandatory, board-certified training directly related to the field of private detective/investigator or protective agent. Armed license holders and employees must

A complete an additional six hours of training annually in the weapons used in the course of employment, including annual certification on the firing range for those who carry a firearm,

B complete an approved first aid training course, and

C provide the board with evidence of certification in cardiopulmonary resuscitation (CPR) and first aid

Subp 3 Equivalent training. A particular subject area in subpart 1 may be waived by the board upon satisfactory evidence of approved, equivalent training

Subp 4 Certificate of completion. At the conclusion of each certified training course, each student who has successfully completed training must be provided by the presenting instructor or person administering the course with evidence of completion, showing the subject area covered by each course completed and the number of hours completed

Subp 5 Teaching credit. Continuing education credit awarded to presenting instructors for teaching in a certified course must be equivalent to the amount of time spent in preparing for and teaching the course

Statutory Authority: *MS s 326 3361*

History: *22 SR 711*

7506.2900 FAILURE TO SATISFY TRAINING REQUIREMENTS.

A license holder who fails to complete the minimum educational or reporting requirements to the satisfaction of the board is subject to the contingent or lapsed license provisions in part 7506.0130

Statutory Authority: *MS s 326 3361*

History: *22 SR 711*