

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF PRIVATE DETECTIVE & SECURITY AGENCIES
CHAPTER 509-3 MINIMUM ACCEPTABLE TRAINING PROGRAM TO BE
SUBMITTED BY LICENSEES,
RULE 509-3-.12 CONTINUING EDUCATION.
AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Private Detective & Security Agencies (hereinafter "Board") proposes amendments to the Georgia Board of Private Detective & Security Agencies Rules, Chapter 509-3 Minimum Acceptable Training Program To Be Submitted By Licensees, Rule 509-3-.12 Continuing Education (hereinafter "proposed rule amendments"). The proposed rule amendments establish Rule 509-3-.12. The Board voted to post this notice of adoption and hearing at its board meeting on October 19, 2006.

The proposed rule amendments establish Rule 509-3-.12 to provide for the regulation of the requirement in OCGA § 43-38-7 (c) (2).

This notice, together with an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Private Detective & Security Agencies' web page at <http://www.sos.state.ga.us/plb/detective/>. Copies may also be requested by contacting the Georgia Board of Private Detective & Security Agencies office at 478-207-1460.

A public hearing will be held at 9:00 a.m. on December 7, 2006 at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information for the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m.) on November 30, 2006. Written comments should be addressed to Mollie

L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Private Detective & Security Agencies, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1468.

The proposed rule amendments will be considered for adoption by the Georgia Board of Private Detective & Security Agencies at its meeting on December 7, 2006 scheduled to begin at 9:30 a.m. at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia. The Georgia Board of Private Detective & Security Agencies has the authority to adopt proposed rule amendments to Rule 509-3-.10 pursuant to authority contained in O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, and 43-38-11. The Board will consider at its meeting on December 7, 2006 whether the formulation and adoption of this proposed rule amendment imposes excessive regulatory costs on any licensee or entity and whether any cost to comply with the proposed rule amendment could be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, and 43-38-11.

Additionally, at its meeting on December 7, 2006, the Board will consider whether it is legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, and 43-38-11 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The Board will consider whether the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of private detective and security.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This _____ day of _____, 2006.

**Mollie Fleeman
Division Director
Professional Licensing Boards**

Posted: _____

**SYNOPSIS OF PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF PRIVATE DETECTIVE & SECURITY AGENCIES
RULES,
CHAPTER 509-3 MINIMUM ACCEPTABLE TRAINING PROGRAM TO BE
SUBMITTED BY LICENSEES, RULE 509-3-.12 CONTINUING EDUCATION**

Rule 509-3-.12 Continuing Education is hereby proposed for amendment and adoption.

Purpose: The purpose of the proposed amendments is to establish Rule 509-3-.12 to provide for regulation of the requirement for continuing education in OCGA § 43-38-7 (c) (2).

Main Features: The main features of the proposed amendments to the rule are establishment of the number of hours and topics of required continuing education, provision for exemption for new registrants, establishment of criteria for identifying acceptable continuing education providers, establishment of requirements for acceptable continuing education providers, establishment of requirements for maintaining records of continuing education hours completed, and provision for waiver of the requirements to obtain continuing education under certain circumstances.

**DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF PRIVATE DETECTIVE & SECURITY AGENCIES
RULES,
CHAPTER 509-3 MINIMUM ACCEPTABLE TRAINING PROGRAM TO BE
SUBMITTED BY LICENSEES, RULE 509-3-.12 CONTINUING EDUCATION**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

509-3-.12 Continuing Education

(1) Requirement. Any registered employee who renews a registration after September 1, 2007 must comply with continuing education requirements contained in this rule.

(2) Exemption for Newly-Registered Employees. Private detective and security employees who obtain their first registration by the Board within the second year of the renewal cycle (after September 1 of the even-numbered year) will not be required to obtain continuing education hours for the first renewal of their registrations.

(3) Hours. Registered security employees must have eight (8) hours of continuing education prior to renewal of employee registrations. Registered private detective employees must have sixteen (16) hours of continuing education prior to renewal of employee registrations. Employees registered as private detective and security guards must have sixteen (16) hours of continuing education prior to renewal of employee registrations.

(a) Security Continuing Education: 2 hours in Homeland Security, to include, but not limited to, indicators of terrorism, and cooperation with Homeland Security agencies; 2 hours in Firearms-related training; 4 hours in industry-related training.

(b) Private Detective Continuing Education: 2 hours in Homeland Security, to include, but not limited to, indicators of terrorism, and cooperation with Homeland Security agencies; 2 hours in ethics; 12 hours in industry-related training, which may include up to 4 hours of firearms-related training.

(c) Acceptable Continuing Education Providers. The purpose of this chapter is to identify acceptable sources for providing continuing training and to establish guidelines for designating those providers as Acceptable Continuing Education Providers (ACEP's). As such, it is not the Board's intent to require providers or registrants to seek pre-approval of specific training programs. Continuing education documentation should not be submitted to the Board, unless specifically requested by the Board. An acceptable Continuing Education Provider (ACEP) is defined as any individual, organization, institution, association, firm, or other entity that provides ongoing training services to the private detective or security profession that directly relates to the scope of practice. This training must be facilitated or provided by an instructor licensed by the Board.

1. Associations. The board will accept continuing education credits for instruction provided by legitimate private detective &/or security associations. This shall include, but is not limited to, state and national associations which are properly incorporated and in good standing with the appropriate incorporating body.

2. Company training. Companies may develop continuing education courses to provide training solely for their own registered employees.

3. Institutions. Institutions that provide training for profit must meet the criteria as listed in Rule 509-3-.12 (4.)

(d) Distance learning. Distance learning shall include, but is not limited to, online Internet-based training and correspondence courses. Institutions that provide training for profit must meet the criteria as listed in Rule 509-3-.12 (4.)

(e) Individuals and Firms. Individual instructors and firms that provide training for profit must meet the criteria as listed in 509-3-.12 (4.)

(4) Requirements of Approved Continuing Education Providers. An ACEP must meet the following requirements to be in compliance with Board rules:

(a) Mandatory attendance sheet or roster to be signed or initialed by the participant. Electronic signatures are acceptable for distance learning purposes.

(b) A written agenda, course outline, or syllabus must be developed that covers the subject matter presented.

(c) A certificate must be presented to each participant upon successful completion of the training. The certificate must contain (but is not limited to) the name of the participant, course topic, number of continuing education hours achieved, name and signature of provider or facilitator, and date(s) of training. In lieu of a certificate, the Board, in its sole discretion, may require or accept other appropriate documentation.

(d) Training offered by instructors who are not licensed by the Board, including POST-certified instructors and subject-matter experts, must be provided under the direction of an instructor licensed by the Board.

(5) Records. It is the sole responsibility of the registrant and the registrant's employer to provide proof to the Board, upon request, of completion of the required continuing education hours. Providers must retain records of training for a minimum of five (5) years. The Board reserves the right to conduct an audit of registered

employees to determine compliance with continuing education requirements. Proof of continuing education hours should not be submitted to the Board, unless an individual employee is audited by the Board.

(6) Waivers. In the sole discretion of the Board, waivers of the requirement of continuing education may be granted in cases of hardship, disability, illness, or under such circumstances as the Board deems appropriate. Such waiver must be requested in writing to the Board and must be accompanied by acceptable documentation.

Authority: OCGA §§ 43-1-19, 43-1-24, 43-1-25, 43-38-4, 43-38-6, 43-38-7, 43-38-10, 43-38-10.1, and 43-38-11.