

## PRIVATE DETECTIVES: CONTINUING EDUCATION

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### House Bill 5658

**Sponsor: Rep. Larry Julian**

**Committee: Regulatory Reform**

**Complete to 5-24-04**

## A SUMMARY OF HOUSE BILL 5658 AS INTRODUCED 3-17-04

House Bill 5658 would amend Public Act 474 of 2002, the Private Detective License Act, by adding a new Section 26a to require a licensed private detective to successfully complete at least 18 clock hours of continuing education in order to renew a license. Private detective licenses are issued for a three-year period.

Clock hours requirement: In the license cycle beginning in the calendar year 2004, clock hours may be earned at any time during the license cycle; however, beginning January 1, 2007, at least two hours of continuing education must be earned in each year of the license cycle. Each licensee could select courses in the area of expertise as long as the course was approved by the Department of Labor and Economic Growth and was at least two hours in duration. The department could make exceptions to the continuing education requirements if a licensee provided satisfactory evidence of good cause for noncompliance. Service as a lecturer or discussion leader in an approved course could count toward the education requirement, but only for no more than six hours in each three-year license cycle.

Course topics: The department would be required to determine acceptable subject matter areas that would contribute to the professional competence of the individual. Such topics would include: accounting, management, computer science, communications arts law, ethics, accident investigation, background investigation, business taxes, criminal investigation, court testimony, employee theft, process service, personnel law, product liability, public records availability and access, report writing, substance abuse in the workplace, surveillance techniques, wage and hour law, worker's compensation law, and executive protection.

Qualifying courses: Beginning on the effective date of this bill and until otherwise determined by rule of the department, the existing courses offered by the Michigan Council of the Private Investigators, Incorporated, (or the council courses that supercede them) would be considered adequate to qualify as continuing education. Updated state council courses would require departmental approval. In addition, the department could approve courses or programs offered by national or state private investigation organizations, universities and colleges and any other provider or organization offering accounting, industrial, legal, or related education programs. Distance, intra- or inter-firm

education could also be considered eligible to qualify as continuing education. The department would be required to seek advice from recognized industry association and educational institutions regarding course approval.

Continuing education: Continuing education courses would be required to include all of the following for department approval: a clear statement of the rationale, purpose, and goals of each course; a course administration description including a system for verifying satisfactory course completion, including a verified list of each licensee awarded credit, each licensee receiving a certificate, and the department's assigned course number; department-approved instructors, based upon training, background, education, and experience; a syllabus; and all course changes that affect the accuracy of the application for approval or accompanying documentation, including the detailed content outline.

Distance learning: Continuing education courses delivered through distance learning would have to be approved by the department before being offered to licensees and would have to contain all department-accepted course topics together with the approved continuing education courses criteria listed above.

Distance learning courses would be required to include: the individual modules of instruction on a computer or other interactive program; at least one learning objective (with the learning objective to ensure that if all the objectives are met, the content of the course is understood); a structured learning method to enable the student to attain each learning objective; a method of assessment of student performance; and a method of remediation so that a student could repeat the module until he or she understands the content material. [*Note: "Distance learning" means either of the following: 1) approved courses where the instructor and student may be apart and instruction takes place through some type of electronic medium, 2) approved courses where instruction is presented through interactive classrooms, computer conferencing, and interactive computer systems.*]

Course verification: Each year a sponsor would be required to complete and submit, on a department-approved form, an application and documentation necessary to demonstrate that the courses meet the criteria established by the department.

The application would have to be submitted at least 60 days before the first date of instruction. An application would have to include all of the following: the course title; the date, time, and location of the tentative course offerings; the names, addresses and telephone numbers of the sponsoring entities; coordinators and the qualifications of the instructors; a detailed outline of the course offerings; a list of instructional materials; the method for verifying and monitoring attendance; a sample of the certificate of completion; and a sample of the announcements or brochures of course offerings and the student syllabus.

Certificate of completion: The sponsor would be required to submit to the department the names of the students who successfully completed a course within five calendar days after its completion. The sponsor would issue a certificate of completion that would have

to include at least all of the following: the name of the course and the course sponsor; the name of the student; the number of clock hours completed by the student; the date of course completion; and a signed certificate of completion. [Note: “clock hours” means a period of no fewer than 50 minutes of actual classroom instruction, excluding outside assignments and reading. For distance learning, clock hours means the amount of material a student can process in 50 minutes of computerized instruction.]

Legislative Analyst: E. Best/Chris Couch

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