

TEXAS COMMISSION ON FIRE PROTECTION
January 23, 2020, 9:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

The Texas Commission on Fire Protection may discuss and/or take action on any of the following agenda items. The Commission may go into executive session on any agenda item listed below as authorized by the Open Meetings Act, Texas Government Code Chapter 551.

1. Call to order with invocation and pledge of allegiance.
2. Roll call and excuse of Commission Member absences.
3. Public Comment.
4. Introduction of new Executive Director.
5. Commission meeting minutes of October 24, 2019.
6. The Budget and Strategic Plan Subcommittee may meet on January 23, 2020 during the commission meeting and provide a report relating to any recommendations developed by the subcommittee relating to modifications to the agency operating budget and strategic plan.
7. Appointment of new members to the Budget and Strategic Plan Subcommittee.
8. Reports from fire service interest groups and agencies on matters relating to their specific organizational purposes, functions, activities, and objectives, including reports from the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal's Office.
9. Report by the commission representative to the Texas Fire School Advisory Board or by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).
10. Appointment of a commission representative to the Homeland Security Council.
11. Report from the Health and Wellness Ad Hoc committee.
12. Subjects for future commission meeting agendas.
13. Future meeting dates.
14. Matters referred from the Fire Fighter Advisory Committee (FFAC):
 - Possible final adoption of proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 427, Training Facility Certification.
15. Addition of classes or courses to the A List and B List for higher levels of certification.
16. National Fire Protection Association (NFPA) 1851 Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting.

17. Matters from the Interim Executive Director.

- A. Decisions of Interim Executive Director in contested cases and consent orders.**
- B. Status regarding division functions:**
 - a. Training Approval & Testing – test administered, training approvals, record reviews and online training audits**
 - b. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests**
 - c. Compliance – biennial inspections, compliance officers training, issues involving regulated entities**
 - d. Information Technology – public website design, FARM and FIDO improvements, CAPPs (Central Accounting Payroll/Personnel System), IT security policy, service requests**

18. Personnel matters regarding the appointment, employment, compensation, evaluation, reassignment and duties of the Executive Director and Interim Executive Director.

19. Public comment.

20. Adjourn meeting.

Any invocation that may be offered before the official start of the commission meeting shall be voluntary offering of a chaplain, to and for the benefit of the commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the commission and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the commission. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the commission Clerk.

1. **Call to order with invocation and pledge of allegiance.**

2. Roll call and excuse of Commission Member absences.

3. Public Comment.

4. Introduction of new Executive Director.

5. Commission meeting minutes of October 24, 2019.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 10:06 a.m. called the October 24, 2019 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Tommy Anderson* Mike Jones Steve Tull	Carlos Cortez Robert Moore Kelly Vandygriff	Sue De Villez Bob Morgan Rusty Wilson	Kelly Doster Mala Sharma	Paul Hamilton J. P. Steelman
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*absent entire meeting
**absent part of meeting

Staff	Paul Maldonado Veena Mohan, Assistant Attorney General	Deborah Cowan	Sylvia Miller Rosalind Hunt, Assistant Attorney General	Servando Sanchez
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Guests	Randy Liedtke David Brown Randall Prevninger Thomas McMonigle J. Pete Laney Kyle McAfee Dominique Artis	Marcus Trexler Jason Blackman Mike Wisko Glenn DeShields Bill Pearsen Scott Collard Randall Alexander	Steve Pinkston Frankie Joe Salinas Stuart Blasingame Leonard Chan Pat English Mark Cantrell	Troy Wenzel Kyle Mills Sean Fay David Wilson J. R. Jones Jerry Duffield	Javier Crespo Lee Glen Frank Tamayo Keith Moore Dave Lowe
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1. Invocation
Presentation of
Colors and
Pledge of
Allegiance

The invocation was given by Jeremy Mikeska, the Pledge of Allegiance was given by Commissioner J. P. Steelman. There was no presentation of colors.

2. Introduction of
new
Commissioners

Presiding Officer Robert Moore asked the four new commissioners to introduce themselves and the area they serve. New Commissioners are: Sue De Villez, Georgetown, Paul Hamilton, Amarillo, Kelly Vandygriff, Abernathy and Rusty Wilson, Katy.

3. Roll call

Commissioner, Steve Tull called roll and a quorum was present.

4. Election of
Officers

A motion was made by Mike Jones and seconded by Kelly Doster to nominate J. P. Steelman, Assistant Presiding Officer and Steve Tull, Secretary. The motion carried.

5. Adoption of
Minutes

A motion to approve the minutes of the July 18, 2019 commission meeting was made by Kelly Doster and seconded by J.P. Steelman. The motion carried.

6. Report from
the Budget
and Strategic
Plan Subcommittee

Nothing to report.

7. Reports from
Interest Groups

A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, and the Center for Public Safety Excellence.

8. Report from Tx. Fire School Advisory Board & TEEX
 Commission Representative Juan Gloria was unable to attend. Presiding Officer, Robert Moore gave a brief update on activities to date.

9. Appointment of Homeland Security Representative
 A motion was made by Steve Tull and seconded by Robert Moore to nominate Mike Jones as the agency representative. After further discussion the motion was withdrawn.
 A motion was made by Steve Tull and seconded by Robert Moore to table the issue for further review until the January 2020 commission meeting. The motion carried.

10. Report from Health & Wellness Ad Hoc Committee
 Commissioner Sharma, committee Chair said a presentation would be given at the January 2020 commission meeting.

11. Subjects for future commission meeting agendas
 Appointment of Homeland Security Council Representative and committee for review of Chapter 437, Fees

12. Future meeting Dates
 The commission set the following for its 2020 meetings:
 January 22, workshop at 10:00 a.m. (conduct interviews for executive director position)
 January 23, commission meeting at 9:00 a.m.
 April 23, commission meeting at 10:00 a.m.
 July 15, workshop at 1:00 p.m.
 July 16, commission meeting at 9:00 a.m.
 October 29, commission meeting at 10:00 a.m.

13. Matters from Advisory Committee
 A. 1. A motion to approve for final adoption 37 TAC, Chapter 403, §403.3, §403.11 and §403.15 as discussed was made by Kelly Doster and seconded by Mala Sharma. The motion carried.
 2. A motion to approve for final adoption 37 TAC, Chapter 421, §421.11 as discussed was made by Steve Tull and seconded by J. P. Steelman. The motion carried.
 3. A motion to approve for final adoption 37 TAC, Chapter 433, §433.207 as discussed was made by Steve Tull and seconded by J. P. Steelman. The motion carried.
 4. A motion was made by Mike Jones and seconded by Steve Tull to leave fees at current rate and to conduct a study then recommend any changes if necessary. After further discussion, the motion was withdrawn.
 A motion was made by Mike Jones and seconded by Steve Tull to repeal the proposed amendments to 37 TAC, Chapter 437, §437.3 as discussed. The motion carried (7 for, 5 against)
 5. A motion was made by Rusty Wilson and seconded by Steve Tull to repeal the proposed amendments to 37 TAC, Chapter 445, §445.1, 445.7, 445.9 and new §445.11 as discussed. The motion carried.
 6. A motion was made by J. P. Steelman and seconded by Steve Tull to approve for final adoption 37 TAC, Chapter 453, §453.207 as discussed. The motion carried.

7. A motion was made by Mike Jones and seconded by J. P. Steelman to approve for final adoption 37 TAC, Chapter 457, §457.7 as discussed. The motion carried.

B. A motion was made by Rusty Wilson and seconded by Mike Jones to approve the recommended changes to the Head of Department Curriculum effective immediately and the recommended changes to the Driver Operator Curriculum effective January 1, 2020 as discussed. The motion carried.

14. 37 TAC, Chapter 427, Training Facility
 A motion was made by Mike Jones and seconded by J. P. Steelman to approve for publication proposed amendments to 37 TAC, Chapter 427, §427.13, §427.203 and §427.305 as discussed. The motion carried.

15. 37 TAC, Chapter 435, Fire Fighter Safety
 After discussion, no action taken.

16. Matters from Executive Director
 a. Paul Maldonado, Acting Executive Director reported the agency had nothing to report.
 b. Mr. Maldonado provided commissioners information regarding agency division functions.

17. Hiring Process for Executive Director
 Presiding Officer, Robert Moore announced the process by which the commission would select a new Executive Director. A committee of three commissioners will review all applications received and select top 3 to 5 individuals for the commission as a whole to interview.
 After discussion, a motion was made by Mike Jones and seconded by Rusty Wilson to appoint the review committee with Commissioners Steve Tull, J. P. Steelman and Robert Moore to review applications and select candidates to interview. The motion carried.

18. Executive Session 551.074
 Presiding Officer, Robert Moore called for Executive Session at 12:30 p.m.

19. Open Session
 Presiding Officer, Robert Moore called the commission back to order in open session at 1:14 p.m.
 A motion was made by Steve Tull and seconded by Bob Morgan to appoint Paul Maldonado, Interim Executive Director until a permanent executive director is identified with a salary increase of 10 percent above his current salary. The motion carried.

20. Adjournment
 A motion to adjourn was made by Kelly Doster and seconded by Rusty Wilson. The motion carried.

- 6. The Budget and Strategic Plan Subcommittee may meet on January 23, 2020 during the commission meeting and provide a report relating to any recommendations developed by the subcommittee relating to modifications to the agency operating budget and strategic plan.**

Texas Commission on Fire Protection
Fiscal Year 2020 - Operating Budget
1/2/2020

Summary

	FY20		Balance	Remaining
	Budget	Expended		
Goals:				
Education, Information and Assistance	112,008.00	37,336.00	74,672.00	
Fire Department Standards	942,952.56	309,846.06	633,106.50	
Indirect Administration	613,304.00	183,810.72	429,493.28	
1001 - Salaries & Wages:	1,668,264.56	530,992.78	1,137,271.78	68%
Education, Information and Assistance	1,680.00	700.00	980.00	
Fire Department Standards	22,932.00	6,624.00	16,308.00	
Indirect Administration	41,960.00	13,364.24	28,595.76	
1002 - Other Personnel Costs	66,572.00	20,688.24	45,883.76	69%
Education, Information and Assistance	100.00	108.26	(8.26)	
Fire Department Standards	1,000.00	958.82	41.18	
Indirect Administration	2,800.00	479.42	2,320.58	
2001 - Professional Fees and Services:	3,900.00	1,546.50	2,353.50	60%
Education, Information and Assistance	495.00	82.87	412.13	
Fire Department Standards	4,000.00	1,559.23	2,440.77	
Indirect Administration	3,000.00	669.42	2,330.58	
2003 - Consumable Supplies:	7,495.00	2,311.52	5,183.48	69%
Education, Information and Assistance	10.00	0.00	10.00	
Fire Department Standards	3,260.00	0.00	3,260.00	
Indirect Administration	40.00	0.00	40.00	
2004 - Utilities:	3,310.00	0.00	3,310.00	100%
Education, Information and Assistance	4,426.00	1,142.67	3,283.33	
Fire Department Standards	87,856.00	24,479.68	63,376.32	
Indirect Administration	19,275.80	5,391.04	13,884.76	
2005 - Travel:	111,556.80	31,013.39	80,543.41	72%
Education, Information and Assistance	10.00	3.39	6.61	
Fire Department Standards	90.00	29.79	60.21	
Indirect Administration	325.00	134.88	190.12	
2006 - Rent - Building (storage):	425.00	168.06	256.94	60%
Education, Information and Assistance	290.32	77.98	212.34	
Fire Department Standards	2,903.23	690.71	2,212.52	
Indirect Administration	1,306.45	345.36	961.09	
2007 - Rent - Machine and Other:	4,500.00	1,114.05	3,385.95	75%
Education, Information and Assistance	5,972.09	956.06	5,016.03	
Fire Department Standards	47,475.17	11,894.68	35,580.49	
Indirect Administration	31,306.67	4,683.66	26,623.01	
2009 - Other Operating Expense:	84,753.93	17,534.40	67,219.53	79%
Fire Department Standards	7,467.0	7,467.04	0.00	
4000 - Grants:	7,467.04	7,467.04	0.00	0%
TOTAL - ALL EXPENDITURES		612,835.98		
APPROVED APPROPRIATION	1,975,777.30		1,345,408.38	68%

Fiscal Year 2020 - Operating Budget 13008
1/2/2020

Appr. 3008

PCA

4001

Goal A: Education, Info and Assistance

	Library	Total	%
Salaries and Wages:			
7002- Salaries	37,336.00	37,336.00	
	Budget:	112,008.00	112,008.00
	Expended:	37,336.00	37,336.00
1001 - Balance Salaries & Wages:	74,672.00	74,672.00	67%
Other Personnel Costs:			
7022- Longevity Pay	700.00	700.00	
	Budget:	1,680.00	1,680.00
	Expended:	700.00	700.00
1002 - Balance Other Personnel Costs	980.00	980.00	58%
Professional Fees and Services:			
7253- Other Professional Fees (EAP)	108.26	108.26	
	Budget:	100.00	100.00
	Expended:	108.26	108.26
2001 - Balance Professional Fees and Services:	(8.26)	(8.26)	-8%
Consumables:			
7300- Consumables	82.87	82.87	
	Budget:	495.00	495.00
	Expended:	82.87	82.87
2003 - Balance Consumable Supplies:	412.13	412.13	83%
Utilities:			
	Budget:	10.00	10.00
	Expended:	0.00	0.00
2004 - Balance Utilities:	10.00	10.00	100%
Travel:			
7101- Travel I/S - Public Transportation Fares	185.00	185.00	
7102- Mileage	9.28	9.28	
7105- Travel I/S - Incidental Expenses	170.08	170.08	
7106- Travel I/S - Meals & Lodging	778.31	778.31	
	Budget:	4,425.00	4,425.00
	Expended:	1,142.67	1,142.67
2005 - Balance Travel:	3,282.33	3,282.33	74%
Rent:			
7470- Rent Space - storage	3.39	3.39	
	Budget:	10.00	10.00
	Expended:	3.39	3.39
2006 - Balance Rent - Building (storage):	6.61	6.61	66%
Rent - Machine and Other:			
7406- Rental - Furnishings & Equipment (copier)	77.98	77.98	
	Budget:	290.32	290.32
	Expended:	77.98	77.98
2007 - Balance Rent - Machine and Other:	212.34	212.34	73%

**Fiscal Year 2020 - Operating Budget 13008
1/2/2020**

Appr. 3008

PCA

4001

Goal A: Education, Info and Assistance

	<u>Library</u>	<u>Total</u>	<u>% Remaining</u>
Other Operating Expense:			
7040- ERS-Retirement Contribution	186.68	186.68	
7042- ERS Insurance Payment	373.36	373.36	
7291- Postage & Postal Services	70.00	70.00	
7299- Purchased Contracted Services	39.06	39.06	
7947- Workers Compensation Transfer (SORM)	114.90	114.90	
7961- STS Transfers-Telecommunications (TexAn)	85.40	85.40	
7962- Capitol Complex (CCTS)	86.66	86.66	
Budget:	5,972.09	5,972.09	
Expended:	956.06	956.06	
2009 - Balance Other Operating Expense:	5,016.03	5,016.03	84%
Budget:	124,990.41	124,990.41	
Expended:	40,407.23	40,407.23	
TOTAL BALANCE - 3008	84,583.18	84,583.18	68%
% Remaining	68%	68%	

Fiscal Year 2020- Operating Budget - 13800
1/2/2020

Apr. 3800

PCA

4801

4802

4803

Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	Remaining	%
Salaries and Wages:						
7001- Salaries & Wages - Exempt	9,417.70	0.00	0.00	9,417.70		
7002- Salaries & Wages - Non-Exempt	118,993.02	55,400.00	0.00	174,393.02		
Budget:	462,738.00	166,200.00	0.00	628,938.00		
Expended:	128,410.72	55,400.00	0.00	183,810.72		
1001 - Balance Salaries & Wages:	334,327.28	110,800.00	0.00	445,127.28		71%
Other Personnel Costs:						
7022- Longevity Pay	840.00	640.00	0.00	1,480.00		
7023- Lump Sum Termination	11,884.24	0.00	0.00	11,884.24		
Budget:	23,020.00	1,440.00	0.00	24,460.00		
Expended:	12,724.24	640.00	0.00	13,364.24		
1002 - Balance Other Personnel Costs	10,295.76	800.00	0.00	11,095.76		45%
Professional Fees and Services:						
7253- Other Professional Fees (EAP)	324.77	154.65	0.00	479.42		
Budget:	1,866.67	933.33	0.00	2,800.00		
Expended:	324.77	154.65	0.00	479.42		
2001 - Balance Professional Fees and Services:	1,541.90	778.68	0.00	2,320.58		83%
Consumables:						
7300- Consumables	492.73	176.69	0.00	669.42		
Budget:	2,000.00	1,000.00	0.00	3,000.00		
Expended:	492.73	176.69	0.00	669.42		
2003 - Balance Consumable Supplies:	1,507.27	823.31	0.00	2,330.58		78%
Utilities:						
Budget:	26.67	13.33	0.00	40.00		
Expended:	0.00	0.00	0.00	0.00		
2004 - Balance Utilities:	26.67	13.33	0.00	40.00		100%
Travel:						
7101- Travel I/S - Public Transportation Fares	0.00	0.00	1,855.32	1,855.32		
7102- Mileage	0.00	0.00	568.51	568.51		
7105- Travel I/S - Incidental Expenses	75.09	0.00	380.08	455.17		
7106- Travel I/S - Meals & Lodging	492.50	0.00	280.00	772.50		
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	1,676.88	1,676.88		
7135- Travel I/S - State Occupancy Tax	20.66	0.00	42.00	62.66		
Budget:	1,927.58	0.00	17,348.22	19,275.80		
Expended:	588.25	0.00	4,802.79	5,391.04		
2005 - Balance Travel:	1,339.33	0.00	12,545.43	13,884.76		72%
Rent:						
7470- Rent Space - storage	130.08	4.80	0.00	134.88		
Budget:	216.67	108.33	0.00	325.00		
Expended:	130.08	4.80	0.00	134.88		
2006 - Balance Rent - Building (storage):	86.59	103.53	0.00	190.12		58%
Rent - Machine and Other:						
7406- Rental - Furnishings & Equipment (copier)	233.95	111.41	0.00	345.36		
Budget:	870.97	435.48	0.00	1,306.45		
Expended:	233.95	111.41	0.00	345.36		
2007 - Balance Rent - Machine and Other:	637.02	324.07	0.00	961.09		74%

Revenue Comparison by Month 2019/2020
Thursday, January 2, 2020
YTD Comparisons

FY19 Revenue				FY20 Revenue					
Appr 99906 - General Revenue		Appr 13014 Fund 0001- IFSAC		Appr 99906 - General Revenue		Appr 13014 Fund 0001 - IFSAC			
Sep-18	\$ 328,639.34	10.5%	\$ 7,920.00	22.2%	Sep-19	\$ 312,100.00	9.8%	\$ 9,360.00	23.4%
Oct-18	\$ 1,931,970.00	61.5%	\$ 8,640.00	24.2%	Oct-19	\$ 2,019,765.00	63.6%	\$ 10,492.33	26.2%
Nov-18	\$ 696,102.50	22.2%	\$ 9,435.00	26.5%	Nov-19	\$ 634,767.50	20.0%	\$ 9,615.00	24.0%
Dec-18	\$ 185,283.87	5.9%	\$ 9,660.00	27.1%	Dec-19	\$ 211,447.50	6.7%	\$ 10,590.00	26.4%
Jan-19		0.0%		0.0%	Jan-20	\$ -	0.0%	\$ -	0.0%
Feb-19		0.0%		0.0%	Feb-20	\$ -	0.0%	\$ -	0.0%
Mar-19		0.0%		0.0%	Mar-20	\$ -	0.0%	\$ -	0.0%
Apr-19		0.0%		0.0%	Apr-20	\$ -	0.0%	\$ -	0.0%
May-19		0.0%		0.0%	May-20	\$ -	0.0%	\$ -	0.0%
Jun-19		0.0%		0.0%	Jun-20	\$ -	0.0%	\$ -	0.0%
Jul-19		0.0%		0.0%	Jul-20	\$ -	0.0%	\$ -	0.0%
Aug-19		0.0%		0.0%	Aug-20	\$ -	0.0%	\$ -	0.0%
Totals	\$ 3,141,995.71	100.0%	\$ 35,655.00	100.0%	Totals	\$ 3,178,080.00	100.0%	\$ 40,057.33	100.0%

FY19 Revenue Collected **\$ 3,177,651 84.61%** FY20 Revenue Collected **\$ 3,218,137 84.79%**

Revenue for Biennium:
 Annual GR & Appropriated Receipts
 IFSAC Seals
 GAA Other Direct & Indirect
 Budget Rider
 Subtotal
 5% Contingency
 Total Req'd

FY19		FY20	
\$ 1,883,402	\$ 1,885,777		
\$ 55,000	\$ 65,000		
\$ 888,408	\$ 914,072		
\$ 750,000	\$ 750,000		
\$ 3,576,810	\$ 3,614,849		
\$ 178,841	\$ 180,742		
\$ 3,755,651	\$ 3,795,591		

Amount Over or (Under) Required Revenue **\$ (578,000) \$ (577,454)**

FY19		FY20		Percentage of Revenue Collected
Collected	84.61%	84.79%		
As of Date	1/2/2019	1/2/2020		

Performance Measures

Texas Commission on Fire Protection Key Performance Measures.
Verification Report as of 1/7/2020 3:41 PM for Fiscal Year 2020.
Run by Deborah Cowan.

Metric	Method of Calculation				
* - Reported to ABEST quarterly, Q1 - Quarter 1, Q2 - Quarter 2, Q3 - Quarter 3, Q4 - Quarter 4, FY YTD - Year to date based on fiscal year					
Number of inspections of regulated entities (Cumulative): <u>201</u>	Total number of inspections of regulated entities conducted within the reporting period is obtained from the commission's data system. The total number includes biannual inspections, inspections of training programs in progress (also called audits), an inspection of an entity as part of an investigation, and meetings associated with inspections.				
	Q1	Q2	Q3	Q4	FY YTD
Inspection	171	N/A	N/A	N/A	171
Investigation	0	N/A	N/A	N/A	0
Training Audits	5	N/A	N/A	N/A	5
Inspection Related	25	N/A	N/A	N/A	25
*Total Inspections	201	N/A	N/A	N/A	201
Number of examinations administered (Cumulative): <u>4504</u>	Each written examination is counted. The measure records the total number of examinations administered for fire service certification purposes. A retest, usually conducted due to failure of an initial exam, is counted as an examination as well.				
	Q1	Q2	Q3	Q4	FY YTD
*Exams Administered	4504	N/A	N/A	N/A	4504
Exam pass rate (Non-Cumulative): <u>84.57%</u>	The total number of individuals who passed their examination as reflected in the agency data management system (numerator) is divided by the total number of individuals examined (denominator) and then multiplied by 100 to achieve a percentage. Persons taking an examination multiple times are counted each time they take the exam.				
	Q1	Q2	Q3	Q4	FY YTD
# Examined	4504	2859	0	0	7363
# Passed	3857	2370	0	0	6227
Pass Rate	85.63%	82.9%	0%	0%	84.57%
Number of individuals certified (Non-cumulative):	The total number of individuals holding one or more certifications with the agency is obtained from the data system at the end of the reporting period. An individual who holds more than one certification is counted only once. The measure records the number of certified persons, regardless of whether the individuals are associated with a fire protection entity.				
	Q1	Q2	Q3	Q4	
# Individuals	32782	N/A	N/A	N/A	
Number of Training Providers Certified (Non-cumulative):	The total number of training providers with one or more active certifications is counted. A training provider that holds more than one certification is counted only once.				
	Q1	Q2	Q3	Q4	
# Providers	324	N/A	N/A	N/A	
Average cost per inspection of regulated Facilities: <u>\$447.42</u>	Total cost related to inspection activities for the reporting period (numerator) is divided by the total number of inspections conducted during the same period (denominator) to determine the average cost. Costs used to perform the calculation include salaries of inspection personnel (including 25% of compliance manager's salary); travel costs directly related to inspections and inspection-related meetings with regulated entities; supplies; document review and handling; and notifications. Indirect costs are excluded.				
	Q1	Q2	Q3	Q4	FY YTD
Cost entered	\$89,931.16	N/A	N/A	N/A	\$89,931.16
*Total Inspections	201	N/A	N/A	N/A	201
*Avg cost per	\$447.42	N/A	N/A	N/A	\$447.42

Report was run on 1/7/2020 3:41 PM

7. Appointment of new members to the Budget and Strategic Plan Subcommittee.

- 8. Reports from fire service interest groups and agencies on matters relating to their specific organizational purposes, functions, activities, and objectives, including reports from the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal's Office.**

9. **Report by the commission representative to the Texas Fire School Advisory Board or by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**

10. Appointment of a commission representative to the Homeland Security Council.

11. Report from the Health and Wellness Ad Hoc committee.

12. Subjects for future commission meeting agendas.

13. Future meeting dates.

14. Matters referred from the Fire Fighter Advisory Committee (FFAC):

Possible final adoption of proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 427, Training Facility Certification.



Texas Commission on Fire Protection
Agenda Item Summary

MEETING: Commission
DATE: 01/23/2020

Agenda Item #: 13

Agenda Title: Chapter 427, Training Facility Certification

Action to be taken: Discussion and possible final adoption

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is for discussion and possible action regarding requirements for skills testing.

2. DESCRIPTION/ JUSTIFICATION

The agenda item allows for discussion and possible action regarding documentation of instructional skills as well as testing skills.

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose final adoption

5. RECOMMENDATION

Recommend final adoption

6. REFERENCES

37 Tex. Administrative Code, Part 13, Chapter 427, Training Facility Certification

CHAPTER 427
TRAINING FACILITY CERTIFICATION
SUBCHAPTER A
ON-SITE CERTIFIED TRAINING PROVIDER

§427.13. Records.

(a) Training records shall be maintained by the onsite training facility that reflect:

(1) who was trained, subject, instructor, and date of instruction. (Note: Individual records are required rather than class record); and

(2) individual trainee test scores to include performance testing.

(3) All skills listed in the applicable curriculum skills manual shall be practiced and documented on the provided skill sheets including any shown as instructional skills in addition to the listed testing skills.

(b) All training records must be maintained by the onsite training facility for a minimum of three years or in accordance with the requirement of the Texas State Library and Archives Commission, State and Local Records Management Division, whichever is greater.

CHAPTER 427
TRAINING FACILITY CERTIFICATION
SUBCHAPTER B
DISTANCE TRAINING PROVIDER

§427.203. Records.

(a) Training records shall be maintained by the distance training provider that reflect:

(1) Who was trained, subject, instructor, and date of instruction. (Note: Individual records are required rather than class records);

(2) Individual trainee test scores to include performance testing; and

(3) Evidence to substantiate the test scores received by each trainee to include performance testing. Such records will include materials (completed tests and/or answer sheets, other documents, video or audio recording, etc.), and will provide identification of the examinee, identification of the evaluating field examiner, and the observer as defined in Chapter 439 of this title (relating to Examinations for Certification).

(4) All skills listed in the applicable curriculum skills manual shall be practiced and documented on the provided skill sheets including any shown as instructional skills in addition to the listed testing skills.

(b) All distance training provider records must be maintained by the distance training provider for commission review for a minimum of three years or in accordance with the requirement of the Texas State Library and Archives Commission, State and Local Records Management Division, whichever is greater.

(c) A master copy of tests will be maintained for review by commission representatives. The certified distance training provider shall maintain copies of all tests for a minimum of three years.

CHAPTER 427
TRAINING FACILITY CERTIFICATION
SUBCHAPTER C
TRAINNG PROGRAMS FOR ON-SITE AND DISTANCE TRAINING PROVIDER

§427.305. Procedures for Testing Conducted by On-Site and Distance Training Providers.

(a) The requirements and provisions in this section apply to procedures for periodic and final testing conducted by training providers. For procedures regarding examinations for certification that occur after a training program is completed, see Chapter 439 of this title (relating to Examinations for Certification).

(b) Periodic and comprehensive final tests shall be given by the training provider in addition to the commission examination required in Chapter 439 of this title.

(c) Periodic tests shall be administered at the ratio of one test per 50 hours of recommended training, or portion thereof. An average score of 70% must be achieved on all required periodic tests.

(d) In addition to periodic tests, a comprehensive final test must be administered. The final test must be conducted in a proctored setting. For purposes of this section, a proctor can be an approved TCFP Field Examiner, or a member or testing center of an educational institution. A passing score of 70% must be achieved. **The final test must be successfully completed by the examinee before they will be allowed to take any written certification exam.**

(e) If a course is taught in phases, a comprehensive exam for each phase shall be administered upon completion of each phase and a passing score of 70% must be achieved.

15. Addition of classes or courses to the A List and B List for higher levels of certification.

Proposed Additions to B List

B List Course:	Course #	Provider	Length-Hours
Emergency Response Diver I	NA	Emergency Response Diving International	14
Emergency Response Diver II	NA	Emergency Response Diving International	12
Swift Water Technician I	NPFA 1670 1006 compliant	Garland Fire Dept	18-24
Swift Water Technician II	NFPA 1670 & 1006 compliant	Garland Fire Dept	18-24

16. National Fire Protection Association (NFPA) 1851 Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting.

17. Matters from the Interim Executive Director.

A. Decisions of the Interim Executive Director in contested cases and consent orders.

17. Matters from the Interim Executive Director.

B. Status regarding division functions:

a. Training Approval & Testing – test administered, training approvals, record reviews and online training audits

b. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests

c. Compliance – biennial inspections, compliance officers training, issues involving regulated entities

d. Information Technology – public website design, FARM and FIDO improvements, CAPPS (Central Accounting Payroll/Personnel System), IT security policy, service requests

**Executive Office Report
1st Quarter FY2020**

Activities:

- Conducted new Commissioner training as required
- Attended Firefighter Advisory Committee meeting on December 4
- Attended Homeland Security Council Meeting on December 11
- Replied to Governor's letter related to directive on reforming occupational licensing rules
- Requested and received approval of deadline extension for the agency's submittal to the 2020 Agency Homeland Security Strategic Plan
- Assisted staff with the biennial customer service survey now available on agency's web site

Active TCFP Committees and Members (valid and current as of January 2020)**I. Curriculum and Testing Ad Hoc Committee**

- a. Pat McAuliff (chair)
- b. Robert Louis Havens (vice-chair)
- c. Sam Baucom
- d. Richard Bahena
- e. Martin Davila
- f. Daniel DeYear
- g. Chuck French
- h. Bill Ho-Gland
- i. Daryl Maretka
- j. Randy Pearson
- k. Chris Watson

II. Aircraft and Rescue Fire Fighter Ad Hoc (ARFF) Committee

- a. Sam Baucom (chair)
- b. Bill Ho-Gland (shadowing)
- c. Jason Ingram
- d. Ron Tocci
- e. Tommy Prevost
- f. Mike Panzsa
- g. Jerod Vontz

III. Hazmat Ad Hoc Committee

- a. Robert Louis Havens (chair)
- b. Vince Abrigo
- c. Butch Hayes
- d. Kip Hilgers
- e. Jason Ingram
- f. Scott Kerwood
- g. Richard Lawhorn
- h. Bret Storck
- i. Nathan Zaleski

IV. Inspector Ad Hoc Committee

- a. Randie Frisinger (chair)
- b. Joseph Brysch
- c. Buddy Rice
- d. Robert Ford
- e. Mike Montgomery
- f. Norman Williamson, Jr.

V. Investigator Ad Hoc Committee

- a. Timothy Dedear (chair)
- b. Reggie Alexander
- c. Harvie Cheshire
- d. Stan Galloway
- e. George Malone
- f. Kelly Kistner
- g. Bryan Parker
- h. Mike Brown

VI. Marine Ad Hoc Committee

- a. Robert Louis Havens (chair)
- b. Mike Stallings
- c. Edward Bill Bayliss
- d. William Buck
- e. Glen Trahan
- f. Kirk Beverung
- g. James Pitt

VII. Firefighter Health and Wellness Committee

- a. Mala Sharma (chair)
- b. Daniel DeYear
- c. Brett Ellis
- d. Doug Boeker
- e. Scott Thompson
- f. Michael Mire
- g. Sara Janke
- h. Christopher Kahl
- i. Steven Green
- j. Lucas Garcia
- k. Homer Javier Salinas
- l. Roy Rubio
- m. Lauren Johnson

VIII. Firefighter Advisory Committee

- a. Michael Wisko (chair)
- b. Daniel DeYear
- c. Jim Reidy
- d. Daniel Buford
- e. Vince Abrigo
- f. Jason Collier
- g. Keith Schmidt
- h. Ken Swindle
- i. Daniel Anderson

Commission Quarterly Report

Training Approval and Testing Section

Test Administration, Training Approvals, Record Reviews, and Training Audits

Statistics – 1st Quarter, FY 2020

- Test Administration – 4504 exams (1068 were online) were administrated during this quarter with a pass rate of 85.63%.
- Training Approvals – Total of 704 training approvals were submitted with start dates during this quarter in the commission’s Training Facility Management System.
- Record Reviews – One hundred twelve (112) record reviews for equivalency were conducted (43 SFFMA/17 out of state or education/52 WFF). One hundred eighty-one (181) Qual numbers were issued in the Training Facility Management System.
- Training and Skill Testing Audits – Fifteen (15) online training audits were conducted during the 1st quarter. Only issue found was expired passwords which prevented TCFP access to courses. All were resolved. Two (2) onsite audits were conducted with no issues found.

Activities for the Next Quarter

- Continue to work with IT staff resolve any remaining issues encountered with test scheduling procedures, payment processes, audits, web-based testing and implementing changes to applications, TPAs and Skills.
- Continue to scout for additional testing centers to fill “gaps” throughout the state.
- Strong promotion of online testing using agency Facebook page, agency website, information included in all written test booklets/proctor script and “word of mouth”.

**Certification and Professional Development
1st Quarter-FY2020**

	Q1	Q2	Q3	Q4
Certification/Renewal:				
Professional Development Training Applications	2,864			
Issued: IFSAC Seals	1,938			
Certifications	3,934			
Criminal History	400			
Medical documents:	725			
Confirmation of Commissions (Peace Officer)	71			
Service time applications	86			
Department Renewals	29,992			
Individual Renewals	2,459			
Registered Seals: IFSAC	547			
TEEX Proboard	413			
Total number of Training Facilities	324			

Curriculum Development:

September 2019 – November 2019

Meetings

September 19: Fire Fighter Advisory Committee

October 24: Commission Meeting

November 11-13: Curriculum and Testing Committee

Meetings: Detail

- **Fire Fighter Advisory Committee**
 - Approved revised reference list updates for the following curriculum:
 - Head of Department
 - Approved revised course instructor, overview and outline information and revised reference list updates for the following curricula:
 - Driver-Operator/Pumper
 - Driver-Operator/Aerial
- **Commission Meeting**
 - Approved revisions to Texas Administrative Code (TAC) regarding:
 - Driver Operator
 - Hazardous Materials
 - Minimum Standards for Incident Safety Officer Certification
 - Gave final approval for reference list updates to the following curricula:
 - Head of Department
 - Driver Operator

- **Curriculum and Testing Committee**
 - Discussed:
 - NFPA and skills updates for:
 - Driver-Operator/Pumper
 - Driver-Operator/Aerial
 - Fire Instructor
 - Separation of Hazardous Materials-related questions from Basic Fire Suppression exam
 - Separation of Inspector/Plan Examiner curriculum manual and skill sheets
 - Certification for:
 - Hazardous Materials Incident Commander
 - Selected/approved candidate(s) for:
 - Aircraft Rescue Firefighter Ad Hoc Committee
 - Investigator Ad Hoc Committee

Test Development and Test Bank Maintenance

- Made changes to the following test banks:
 - Firefighter I
- Created questions for:
 - New Plan Examiner II discipline
 - Updated (NFPA 1041, 2019) Fire Instructor I, II and III disciplines
- Researched examinee comments on test questions

Emerson Library:	Q1	Q2	Q3	Q4
<i>Items loaned</i>				
A/V items	5			
Print items	12			
New borrowers	4			
Responses to borrower follow-up surveys	0			
<i>Items cataloged</i>				
A/V items	16			
Print items	10			
Desk copies	0			
<i>Research and reference requests</i>				
Internal requests (count)	12			
External requests (count)	29			
Hours (total)	24			
<i>Other duties</i>				
Job postings	206			

Compliance Report First Quarter FY2020

- The compliance team attended multiple meetings across the state including the North East, Texas Fire Chiefs Association meeting in Hallsville, Texas in November which was attended by Compliance Officers Joe Don James and Rick Wallace. They provided information and answered questions related to NFPA 1851, 2020 edition updates and changes. They provided other compliance program updates and answered questions related to TCFP issues and concerns.
- Compliance Officer Tim Gardner attended and manned a booth at the P.E.E.R. Safety and Wellness Summit in McAllen September 30th-October 2nd. He and Online Testing and Training Officer Cliff Grant provided information and answered questions related to the compliance and testing divisions of TCFP.
- The interim Executive Director, Interim Compliance Manager and Compliance Officer Tim Gardner had a phone conference with representatives from SCOTT to discuss delays in the NIOSH and NFPA certification process of the 2019 edition of NFPA 1981. NIOSH has changed the process in which they award SCBA manufacturer certifications.
- Compliance Officer Brian Meroney, the compliance team, and Austin office staff conducted a bi-annual compliance inspection of Dallas Fire Department in October. Brian was the lead compliance officer for the inspection and did a great job at organizing the inspection activities.
- Compliance Team members participated in periodic Skype meetings to train on and discuss issues affecting the compliance program and to review other general TCFP updates.
- The Interim Compliance Manager received seven reports indicating a SOP or PPE failure from the Injury Reporting Program Specialist and upon further review three separate investigations were opened and assigned to regional compliance officers. One investigation resulted in a letter of Alleged Violations being initiated and the compliance officer is working with the agency to resolve the violations.
- The Interim Executive Director and Interim Compliance Manager met with the IT team to discuss the compliance divisions needs related to compliance inspection data, training audit data, and investigation data capture and processing. A preliminary action plan was discussed including information and data needs from both divisions along with possible future dates to implement a project based on priority needs.
- The interim Compliance Manager met with the testing and curriculum team to discuss revisions in several curricula, skill testing, and rule changes affecting the audit process relating to the compliance divisions procedures.
- The compliance team completed training, revisions of the Compliance Inspection Guide, and Risk Assessment templates affected by the 2020 edition update of NFPA 1851 Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting. The NFPA 1851, 2020 Edition includes new and changed standards that may require regulated departments to modify or change internal protective clothing policies to incorporate new procedures and practices in order to comply with the new edition. The updated Compliance Inspection Guide TCFP Form-066, risk assessment templates, informational statement from the Interim Executive Director, and the annual SOP submittal due date were placed on the TCFP web site simultaneously with the TCFP home web page notice, on the department page of FIDO, and across all TCFP's social media accounts. All six compliance officers also sent out email notices to every agency head in their region. Request were also made to other special interest and stakeholder groups to add our link to their web pages.
- Compliance Officer Tim Gardner attended the Testing and Curriculum Committee meeting to answer any questions relating to compliance program updates and answered questions related to TCFP issues and concerns.

- The Interim Compliance Manager and compliance team began the training and Compliance Inspection Guide revision process for the 2020 edition of NFPA 1561 Standard on Emergency Services Incident Management System and Command Safety.

Information Technology 1st Quarterly Report FY 2020

- TCFP Websites and Web Applications Uptime 98%
 - Experienced some downtime due to DIR scheduled Network maintenance work
- Implement tuning on all production databases on SQL server 2016
- Backend/Middleware development of TCFP travel system adopting microservices infrastructure completed.
- Assessing and formulating IT training, workflow and methodology change and adoption
 - Assessing Kanban vs Scrum adoption
 - Formulating single coding conventions
 - Formulating single code check-in and check-out strategy
- FARM and FIDO updated
 - Performed bug fixes
- Public Website Management module in docs updated
 - Performed bug fixes
- Addressed 292 Service Request (Tickets)
 - Addressing access issues: forgot username; email changed etc.
 - Merging records
 - Feature requests

18. Personnel matters regarding the appointment, employment, compensation, evaluation, reassignment and duties of the Executive Director and Interim Executive Director.

19. Public Comment.

20. Adjourn meeting.