

TEXAS COMMISSION ON FIRE PROTECTION
January 20, 2022, 9:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

The meeting of the Texas Commission on Fire Protection will be held in-person at the physical location above. If you are not feeling well or were possibly exposed to COVID-19, please stay at home.

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 Commissioner absences.
3. Acknowledgement and Recognition of an individual's dedication to the Fire Service.
4. Commission meeting minutes of October 28, 2021.
5. The Budget and Strategic Plan Subcommittee may meet on January 20, 2022, 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.
6. 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 Firefighters 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, the State Fire Marshal's Office, and the National Fallen Fire Fighters Foundation.
7. Report from 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).
8. Report from commission representative to the Homeland Security Council.
9. Report from the Health and Wellness ad-hoc committee.
10. Update from the Chapter 435 and Chapter 427 ad-hoc committees.
11. Subjects for future commission meeting agendas.
12. Future meeting dates.
13. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:
 - A. Possible final adoption of the proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.
 - B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum Manual regarding Fire Officer I, Fire Officer II, Fire Officer III, and Fire Officer IV.
14. 37 Tex. Administrative Code, Part 13, Chapter 435, Fire Fighter Safety.

15. 37 Tex. Administrative Code, Part 13, Chapter 461, Incident Commander.
16. Proposed rule review for the following:
 1. 37 Tex. Administrative Code, Part 13, Chapter 403, Criminal Convictions and Eligibility For Certification.
 2. 37 Tex. Administrative Code, Part 13, Chapter 423, Fire Suppression
 3. 37 Tex. Administrative Code, Part 13, Chapter 425, Fire Service Instructors
 4. 37 Tex. Administrative Code, Part 13, Chapter 439, Examinations For Certification
17. Report from ad-hoc committee regarding advisory committees including but not limited to committee make up, term limits, and meeting requirements.
18. Certificate and other fees.
19. Matters from the Agency Chief.
 - A. Decisions of Agency Chief 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
20. Personnel matters regarding the appointment, employment, compensation, evaluation, reassignment, and duties of the Agency Chief.
21. 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 Commissioner absences.

3. Acknowledgement and Recognition of an individual's dedication to the Fire Service.

4. Commission meeting minutes of October 28, 2021.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, J. P. Steelman, at 10:00 a.m. called the October 28, 2021, meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Chris Cantu Mike Jones J. P. Steelman	David Coatney Clyde Loll Kelly Vandygriff*	Sue De Villez Bob Morgan Rusty Wilson	Michael Glynn Mala Sharma**	Paul Hamilton Tim Smith*
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*absent entire meeting
**absent part of meeting

Staff	Mike Wisko Paul Maldonado	Deborah Cowan Rosalind Hunt, Assistant Attorney General	Grace Wilson	Cliff Grant	Tara Youngblood
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Guests See Guest List attached.

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| 1. Invocation and Pledge of Allegiance | The invocation was given by Chaplain Adam Winningham and the Pledge of Allegiance was lead by Presiding Officer, J. P. Steelman. |
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| 2. Roll call and excuse of Commissioner absences | Secretary, Bob Morgan called the roll, and a quorum was present.

A motion was made by Paul Hamilton and seconded by Mike Jones to excuse the absences of Commissioners Kelly Vandygriff and Tim Smith. The motion carried. |
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| 3. Recognition of Retiring employee | Commissioners and agency staff recognized employee Paul Maldonado on his retirement. |
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| 4. Adoption of Minutes | A motion to approve the minutes of the July 14, 2021 & July 15, 2021, commission meeting was made by Mike Jones and seconded by David Coatney. The motion carried. |
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| 5. Report from Budget and Strategic Plan Subcommittee | No action necessary. |
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| 6. Reports from Interest Groups | A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, State Firefighter's and Fire Marshals' Office, Texas A&M Forest Service, National Fire Protection Association, Texas State Association of Fire and Emergency Districts (SAFE-D), and Center for Public Safety Excellence. |
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| 7. Subjects for future meeting agendas | certification process for out-of-state (timeline) |
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| 8. Future meeting Dates | The commission scheduled the following meeting dates for 2022:
January 19 (workshop), January 20 commission meeting; April 21 commission meeting
July 13 (workshop) July 14 commission meeting; and October 27 commission meeting |
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| 9. Report from Homeland Security Council Representative | No report given. Agency representative was unavailable to attend commission meeting. |
| 10. Report from Health and Wellness Ad Hoc Committee | No report given. |
| 11. Report from Curriculum and Testing Committee | Pat McCauliff, committee Chair gave a brief report. After discussion, a motion was made to appoint Harold "Buddy" Rice and Douglas Matthijetz to the committee. The motion carried. |
| 12. Update from Chapter 427 & Chapter 435 Ad-hoc committees | Chair, Paul Hamilton gave a brief report on committee progress on the review of Chapter 427 and Chair, Mike Jones gave a brief report on committee progress on the review of Chapter 435. No action necessary. |
| 13. Final Adoption of proposed amendments | <p>1. A motion was made by Mike Jones and seconded by David Coatney to approve for final adoption amendments to §421.1 as discussed. The motion carried.</p> <p>2. A motion was made by Chris Cantu and seconded by Paul Hamilton to approve for final adoption amendments to §441.5 as discussed. The motion carried.</p> |
| 14. Request from Brandon Seery | Mr. Seery was unable to attend meeting. Request will be added to the next scheduled commission meeting. |
| 15. 37 TAC, Chapter 437, Fees | A motion was made by Mike Jones and seconded by Bob Morgan to approve for publication amendments to §437.15 as discussed. The motion carried. |
| 16. 37 TAC, Chapter 455, Minimum Standards For Wildland Protection Certification | A motion was made by Paul Hamilton and seconded by Russell Wilson to approve for publication amendments to §455.3 as discussed. The motion carried. |
| 17. Rule Reviews | <p>1. A motion was made by Bob Morgan and seconded by Mike Jones to send to the fire fighter advisory committee for review and recommendations. The motion carried.</p> <p>2. After discussion, a motion was made by David Coatney and seconded by Mike Jones to review rules for Chapters 403, 423, 425 and 439 at the January 2022 workshop. The motion carried.</p> |

18. Report from ad-hoc committee regarding advisory committees No action taken. After discussion, item will be added to the January 2022 workshop agenda.
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19. Fee amount for certificates After discussion, topic will be added to the January 2022 workshop agenda
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20. Matters from Agency Chief
- a. Mike Wisko, Agency Chief informed the commissioners the agency had no contested cases or consent orders to report.
 - b. Mr. Wisko, reported on Form F-5 Separation of License. Executive Director Kim Vickers from the Texas Commission on Law Enforcement gave a report on the issue. After discussion no action was taken.
 - c. Mr. Wisko provided commissioners the new agency organizational chart, reported on agency regional meetings conducted to date, provided information on plan to review the Sunset recommendations, and reported on agency division functions.
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21. Executive Session
- Presiding Officer, J. P. Steelman called for an Executive Session at 2:09 p.m. and closed executive session at 2:38 p.m.
- Presiding Officer, J. P Steelman called the commission back into open session at 2:40 p.m.
- A motion was made by Mike Jones and seconded by Michael Glynn, Jr. to approve a pay increase for the agency chief to \$140,000 annually to bring it into line with similar size state agencies and which would remain within the range stipulated by the General Appropriations Act. The motion carried.
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22. Adjournment A motion to adjourn was made by Bob Morgan and seconded by Rusty Wilson. The motion carried.

J. P. Steelman, Presiding Officer

5. **The Budget and Strategic Plan subcommittee may meet on January 20, 2022, 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.**

Performance Measures

Texas Commission on Fire Protection Key Performance Measures.
Initial Report as of 1/5/2022 9:06 AM for Fiscal Year 2022.
 Run by **Servando Sanchez.**

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): 252						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	200	N/A	N/A	N/A	200	
Investigation	2	N/A	N/A	N/A	2	
Training Audits	8	N/A	N/A	N/A	8	
Inspection Related	42	N/A	N/A	N/A	42	
*Total Inspections	252	N/A	N/A	N/A	252	
Number of examinations administered (Cumulative): 6515						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	6515	N/A	N/A	N/A	6515	
Exam pass rate (Non-Cumulative): 83.03%						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	6515	3624	0	0	10139	
# Passed	5432	2986	0	0	8418	
Pass Rate	83.38%	82.4%	0%	0%	83.03%	
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	33858	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	355	N/A	N/A	N/A		
Average cost per inspection of regulated Facilities: \$360.07						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	\$90,738.26	N/A	N/A	N/A	\$90,738.26	
*Total Inspections	252	N/A	N/A	N/A	252	
*Avg cost per	\$360.07	N/A	N/A	N/A	\$360.07	
Report was run on 1/5/2022 9:06 AM						

Texas Commission on Fire Protection
Fiscal Year 2022 - Operating Budget
1/1/2022

Summary

Goals:	FY22	FY22	Balance	Remaining
	Budget	Expended		
Education, Information and Assistance	80,000.00	20,250.00	59,750.00	
Fire Department Standards	942,952.56	307,095.59	635,856.97	
Indirect Administration	552,402.00	185,414.01	366,987.99	
1001 - Salaries & Wages:	1,575,354.56	512,759.60	1,062,594.96	67%
Education, Information and Assistance	1,680.00	540.00	1,140.00	
Fire Department Standards	23,172.00	26,963.25	(3,791.25)	
Indirect Administration	41,960.00	1,800.00	40,160.00	
1002 - Other Personnel Costs	66,812.00	29,303.25	37,508.75	56%
Education, Information and Assistance	100.00	101.15	(1.15)	
Fire Department Standards	1,000.00	895.90	104.10	
Indirect Administration	2,800.00	447.95	2,352.05	
2001 - Professional Fees and Services:	3,900.00	1,445.00	2,455.00	63%
Education, Information and Assistance	495.00	176.54	318.46	
Fire Department Standards	4,000.00	4,607.42	(607.42)	
Indirect Administration	3,000.00	468.48	2,531.52	
2003 - Consumable Supplies:	7,495.00	5,252.44	2,242.56	30%
Education, Information and Assistance	10.00	0.00	10.00	
Fire Department Standards	3,260.00	1,335.18	1,924.82	
Indirect Administration	40.00	0.00	40.00	
2004 - Utilities:	3,310.00	1,335.18	1,974.82	60%
Education, Information and Assistance	4,425.00	409.62	4,015.38	
Fire Department Standards	87,856.00	26,152.84	61,703.16	
Indirect Administration	19,274.82	5,468.32	13,806.50	
2005 - Travel:	111,555.82	32,030.78	79,525.04	71%
Education, Information and Assistance	10.00	0.00	10.00	
Fire Department Standards	90.00	0.00	90.00	
Indirect Administration	325.00	60.00	265.00	
2006 - Rent - Building (storage):	425.00	60.00	365.00	86%
Education, Information and Assistance	290.32	202.00	88.32	
Fire Department Standards	2,903.23	812.59	2,090.64	
Indirect Administration	1,306.45	406.31	900.14	
2007 - Rent - Machine and Other:	4,500.00	1,420.90	3,079.10	68%
Education, Information and Assistance	5,972.09	1,153.50	4,818.59	
Fire Department Standards	47,475.17	17,496.34	29,978.83	
Indirect Administration	31,306.67	30,489.02	817.65	
2009 - Other Operating Expense:	84,753.93	49,138.86	35,615.07	42%
Education, Information and Assistance	0.00	0.00	0.00	
Fire Department Standards	6,924.3	6,924.34	0.00	
Indirect Administration	0.00	0.00	0.00	
4000 - Grants:	6,924.34	6,924.34	0.00	0%
TOTAL - ALL EXPENDITURES		639,670.35		
APPROVED APPROPRIATION	1,881,488.00		1,225,360.33	65%

Texas Commission on Fire Protection
Fiscal Year 2022 - Operating Budget
1/1/2022

Summary		01	02	03	04			
Goals:		Sept	Oct	Nov	Dec	TOTALS	% Remaining	Budget
1001 - Salaries & Wages:	Education	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,250.00	\$ 20,250.00	74.69%	\$ 80,000
	Standards	\$ 80,523.47	\$ 79,845.68	\$ 73,629.91	\$ 73,096.53	\$ 307,095.59	67.43%	\$ 942,953
	Admin	\$ 45,658.92	\$ 45,658.92	\$ 45,658.92	\$ 48,437.25	\$ 185,414.01	66.43%	\$ 552,402
						\$ 512,759.60	67%	\$ 1,575,355
1002 - Other Personnel Costs	Education	\$ 120.00	\$ 140.00	\$ 140.00	\$ 140.00	\$ 540.00	67.86%	\$ 1,680
	Standards	\$ 1,676.25	\$ 7,707.97	\$ 2,146.73	\$ 15,432.30	\$ 26,963.25	-16.36%	\$ 23,172
	Admin	\$ 440.00	\$ 440.00	\$ 460.00	\$ 460.00	\$ 1,800.00	95.71%	\$ 41,960
						\$ 29,303.25	56%	\$ 66,812
2001 - Professional Fees/Services:	Education	\$ -	\$ -	\$ 101.15	\$ -	\$ 101.15	-1.15%	\$ 100
	Standards	\$ -	\$ -	\$ 895.90	\$ -	\$ 895.90	10.41%	\$ 1,000
	Admin	\$ -	\$ -	\$ 447.95	\$ -	\$ 447.95	84.00%	\$ 2,800
						\$ 1,445.00	63%	\$ 3,900
2003 - Consumable Supplies:	Education	\$ 0.98	\$ 101.94	\$ 26.31	\$ 47.31	\$ 176.54	64.34%	\$ 495
	Standards	\$ 770.40	\$ 741.42	\$ 1,114.47	\$ 1,981.13	\$ 4,607.42	-15.19%	\$ 4,000
	Admin	\$ 4.33	\$ 195.32	\$ 126.71	\$ 142.12	\$ 468.48	84.38%	\$ 3,000
						\$ 5,252.44	30%	\$ 7,495
2004 - Utilities:	Education	\$ -	\$ -	\$ -	\$ -	\$ -	100.00%	\$ 10
	Standards	\$ 445.24	\$ 444.97	\$ 444.97	\$ -	\$ 1,335.18	59.04%	\$ 3,260
	Admin	\$ -	\$ -	\$ -	\$ -	\$ -	100.00%	\$ 40
						\$ 1,335.18	60%	\$ 3,310
2005 - Travel:	Education	\$ 3.98	\$ 118.45	\$ 57.64	\$ 229.55	\$ 409.62	90.74%	\$ 4,425
	Standards	\$ 1,830.66	\$ 5,307.44	\$ 5,000.21	\$ 14,014.53	\$ 26,152.84	70.23%	\$ 87,856
	Admin	\$ 129.78	\$ 565.99	\$ 1,054.79	\$ 3,717.76	\$ 5,468.32	71.63%	\$ 19,275
						\$ 32,030.78	71%	\$ 111,556

Texas Commission on Fire Protection Fiscal Year 2022 - Operating Budget 1/1/2022

Summary		01	02	03	04			
Goals:		Sept	Oct	Nov	Dec	TOTALS	% Remaining	Budget
2006 - Rent - Building (storage):	Education	\$ -	\$ -	\$ -	\$ -	\$ -	100.00%	\$ 10
	Standards	\$ -	\$ -	\$ -	\$ -	\$ -	100.00%	\$ 90
	Admin	\$ 60.00	\$ -	\$ -	\$ -	\$ 60.00	81.54%	\$ 325
						\$ 60.00	86%	\$ 425
2007 - Rent - Machine and Other:	Education	\$ -	\$ 30.38	\$ 171.62	\$ -	\$ 202.00	30.42%	\$ 290
	Standards	\$ -	\$ 269.00	\$ 543.59	\$ -	\$ 812.59	72.01%	\$ 2,903
	Admin	\$ -	\$ 134.51	\$ 271.80	\$ -	\$ 406.31	68.90%	\$ 1,306
						\$ 1,420.90	68%	\$ 4,500
2009 - Other Operating Expense:	Education	\$ 338.89	\$ 238.53	\$ 326.06	\$ 266.48	\$ 1,169.96	80.41%	\$ 5,972
	Standards	\$ 4,051.62	\$ 4,354.03	\$ 4,305.31	\$ 4,931.20	\$ 17,642.16	62.84%	\$ 47,475
	Admin	\$ 25,723.51	\$ 1,381.22	\$ 1,922.20	\$ 1,535.00	\$ 30,561.93	2.38%	\$ 31,307
						\$ 49,374.05	42%	\$ 84,754
4000 - Grants:	Standards	\$ -	\$ 2,579.46	\$ 2,009.28	\$ 2,335.60	\$ 6,924.34	0%	\$ 6,924
		\$ 166,778.03	\$ 155,255.23	\$ 145,855.52	\$ 172,016.76	\$ 639,905.54	66%	\$ 1,865,031
Education, Information and Assistance						\$ 22,849.27	75%	\$ 92,982.41
Fire Department Standards						\$ 385,504.93	65%	\$ 1,112,708.96
Indirect Administration						\$ 224,627.00	66%	\$ 652,414.94

Fiscal Year 2022 - Operating Budget 13008
1/1/2022

Appr. 3008

PCA

4001

Goal A: Education and Assistance

	<u>Education & Assistance</u>	<u>Total</u>	<u>% Remaining</u>
Salaries and Wages:			
7002- Salaries	20,250.00	20,250.00	
	Budget:	80,000.00	80,000.00
	Expended:	20,250.00	20,250.00
1001 - Balance Salaries & Wages:	59,750.00	59,750.00	75%
Other Personnel Costs:			
7022- Longevity Pay	540.00	540.00	
	Budget:	1,680.00	1,680.00
	Expended:	540.00	540.00
1002 - Balance Other Personnel Costs	1,140.00	1,140.00	68%
Professional Fees and Services:			
7253- Other Professional Fees (EAP)	101.15	101.15	
	Budget:	100.00	100.00
	Expended:	101.15	101.15
2001 - Balance Professional Fees and Services:	(1.15)	(1.15)	-1%
Consumables:			
7300- Consumables	176.54	176.54	
	Budget:	495.00	495.00
	Expended:	176.54	176.54
2003 - Balance Consumable Supplies:	318.46	318.46	64%
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	0.00	0.00	
7102- Mileage	8.85	8.85	
7105- Travel I/S - Incidental Expenses	26.55	26.55	
7106- Travel I/S - Meals & Lodging	362.70	362.70	
	Budget:	4,425.00	4,425.00
	Expended:	409.62	409.62
2005 - Balance Travel:	4,015.38	4,015.38	91%
Rent:			
7470- Rent Space - storage	0.00	0.00	
	Budget:	10.00	10.00
	Expended:	0.00	0.00
2006 - Balance Rent - Building (storage):	10.00	10.00	100%
Rent - Machine and Other:			
7406- Rental - Furnishings & Equipment (copier)	202.00	202.00	
	Budget:	290.32	290.32
	Expended:	202.00	202.00
2007 - Balance Rent - Machine and Other:	88.32	88.32	30%

**Fiscal Year 2022 - Operating Budget 13008
1/1/2022**

Appr. 3008

PCA

4001

Goal A: Education and Assistance

	Education & Assistance	Total	% Remaining
Other Operating Expense:			
7040- ERS-Retirement Contribution	101.25	101.25	
7042- ERS Insurance Payment	202.50	202.50	
7947- Workers Compensation Transfer (SORM)	112.69	112.69	
7961- STS Transfers-Telecommunications (TexAn)	318.02	318.02	
7962- Capitol Complex (CCTS)	126.03	126.03	
	Budget:	5,972.09	
	Expended:	1,153.50	
2009 - Balance Other Operating Expense:	4,818.59	4,818.59	81%
	Budget:	92,982.41	
	Expended:	22,832.81	
TOTAL BALANCE - 3008	70,149.60	70,149.60	75%
	% Remaining	75%	75%

Fiscal Year 2022 - Operating Budget - 13014
1/1/2022

Appr. 3014

PCA

4005

4006

4007

4008

**Goal B: Fire Department
Standards**

	<u>Compliance</u>	<u>Certification</u>	<u>Testing</u>	<u>Curriculum</u>	<u>Total</u>	<u>% Remaining</u>
Salaries and Wages:						
7002- Salaries	117,495.20	63,505.20	119,795.19	4,000.00	304,795.59	
7007- Salaries - Part-time			2,300.00			
	Budget:	380,641.32	214,615.80	299,695.44	48,000.00	942,952.56
	Expended:	117,495.20	63,505.20	122,095.19	4,000.00	307,095.59
1001 - Balance Salaries & Wages:	263,146.12	151,110.60	177,600.25	44,000.00	635,856.97	67%
Other Personnel Costs:						
7022- Longevity Pay	1,440.00	1,280.00	2,020.00	20.00	4,760.00	
7023- Lump Sum Termination	13,956.47	0.00	6,091.72	690.48	20,738.67	
7033- Employee Retirement - Other expenses	1,464.58	0.00	0.00	0.00	1,464.58	
	Budget:	8,640.00	9,492.00	4,800.00	240.00	23,172.00
	Expended:	16,861.05	1,280.00	8,111.72	710.48	26,963.25
1002 - Balance Other Personnel Costs	(8,221.05)	8,212.00	(3,311.72)	(470.48)	(3,791.25)	-16%
Professional Fees and Services:						
7253- Other Professional Fees (EAP)	346.80	144.50	346.80	57.80	895.90	
	Budget:	388.89	222.22	333.33	55.56	1,000.00
	Expended:	346.80	144.50	346.80	57.80	895.90
2001 - Balance Professional Fees and Services:	42.09	77.72	(13.47)	(2.24)	104.10	10%
Consumables:						
7300- Consumables	1,216.70	393.18	2,944.98	52.56	4,607.42	
	Budget:	1,555.56	888.89	1,333.33	222.22	4,000.00
	Expended:	1,216.70	393.18	2,944.98	52.56	4,607.42
2003 - Balance Consumable Supplies:	338.86	495.71	(1,611.65)	169.66	(607.42)	-15%
Utilities:						
7516- Telecom-Other (reg voice/internet)	1,067.18	134.00	134.00	0.00	1,335.18	
	Budget:	2,282.00	489.00	489.00	0.00	3,260.00
	Expended:	1,067.18	134.00	134.00	0.00	1,335.18
2004 - Balance Utilities:	1,214.82	355.00	355.00	0.00	1,924.82	59%
Travel:						
7101- Travel I/S - Public Transportation Fares	1,553.58	0.00	731.37	0.00	2,284.95	
7102- Mileage	8,921.20	290.64	11.20	0.00	9,223.04	
7105- Travel I/S - Incidental Expenses	1,557.05	40.52	719.26	0.00	2,316.83	
7106- Travel I/S - Meals & Lodging	9,748.01	0.00	1,504.15	0.00	11,252.16	
	Budget:	74,677.60	4,392.80	8,785.60	0.00	87,856.00
	Expended:	22,094.57	747.44	3,310.83	0.00	26,152.84
2005 - Balance Travel:	52,583.03	3,645.36	5,474.77	0.00	61,703.16	70%
Rent:						
7470- Rent Space - storage	0.00	0.00	0.00	0.00	0.00	
	Budget:	35.00	20.00	30.00	5.00	90.00
	Expended:	0.00	0.00	0.00	0.00	0.00
2006 - Balance Rent - Building :	35.00	20.00	30.00	5.00	90.00	100%
Rent - Machine and Other:						
7406- Rental - Furnishings & Equipment (copier)	314.55	131.07	314.55	52.42	812.59	
	Budget:	1,129.03	645.16	967.74	161.29	2,903.23
	Expended:	314.55	131.07	314.55	52.42	812.59
2007 - Balance Rent - Machine and Other:	814.48	514.09	653.19	108.87	2,090.64	72%

Fiscal Year 2022- Operating Budget - 13800

1/1/2022

Appr. 3800

PCA

4801

4802

4803

Goal C: Indirect Administration

%

	<u>Exec Office</u>	<u>Fin Svcs</u>	<u>Commis</u>	<u>Total</u>	<u>Remaining</u>
Salaries and Wages:					
7001- Salaries & Wages - Exempt	40,729.32	0.00	0.00	40,729.32	
7002- Salaries & Wages - Non-Exempt	88,701.35	55,983.34	0.00	144,684.69	
	Budget:	386,202.00	166,200.00	0.00	552,402.00
	Expended:	129,430.67	55,983.34	0.00	185,414.01
1001 - Balance Salaries & Wages:	256,771.33	110,216.66	0.00	366,987.99	66%
Other Personnel Costs:					
7022- Longevity Pay	920.00	880.00	0.00	1,800.00	
	Budget:	38,654.00	3,306.00	0.00	41,960.00
	Expended:	920.00	880.00	0.00	1,800.00
1002 - Balance Other Personnel Costs	37,734.00	2,426.00	0.00	40,160.00	96%
Professional Fees and Services:					
7253- Other Professional Fees (EAP)	303.45	144.50	0.00	447.95	
	Budget:	2,488.89	311.11	0.00	2,800.00
	Expended:	303.45	144.50	0.00	447.95
2001 - Balance Professional Fees and Services:	2,185.44	166.61	0.00	2,352.05	84%
Consumables:					
7300- Consumables	290.35	178.13	0.00	468.48	
	Budget:	2,666.67	333.33	0.00	3,000.00
	Expended:	290.35	178.13	0.00	468.48
2003 - Balance Consumable Supplies:	2,376.32	155.20	0.00	2,531.52	84%
Utilities:					
	Budget:	35.56	4.44	0.00	40.00
	Expended:	0.00	0.00	0.00	0.00
2004 - Balance Utilities:	35.56	4.44	0.00	40.00	100%
Travel:					
7101- Travel I/S - Public Transportation Fares	818.09	0.00	74.00	892.09	
7102- Mileage	403.79	0.00	916.79	1,320.58	
7105- Travel I/S - Incidental Expenses	389.16	0.00	493.13	882.29	
7106- Travel I/S - Meals & Lodging	295.00	0.00	0.00	295.00	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	1,981.79	1,981.79	
	Budget:	1,927.48	0.00	17,347.34	19,274.82
	Expended:	1,917.56	0.00	3,550.76	5,468.32
2005 - Balance Travel:	9.92	0.00	13,796.58	13,806.50	72%
Rent:					
7470- Rent Space - storage	60.00	0.00	0.00	60.00	
	Budget:	288.89	36.11	0.00	325.00
	Expended:	60.00	0.00	0.00	60.00
2006 - Balance Rent - Building (storage):	228.89	36.11	0.00	265.00	82%
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	275.24	131.07	0.00	406.31	
	Budget:	1,161.29	145.16	0.00	1,306.45
	Expended:	275.24	131.07	0.00	406.31
2007 - Balance Rent - Machine and Other:	886.05	14.09	0.00	900.14	69%

Fiscal Year 2022- Operating Budget - 13800

1/1/2022

Appr. 3800

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4801

4802

4803

Goal C: Indirect Administration

%

	<u>Exec Office</u>	<u>Fin Svcs</u>	<u>Commis</u>	<u>Total</u>	<u>Remaining</u>
Other Operating Expense:					
7040- ERS Retirement Contribution	535.62	279.91	0.00	815.53	
7042- ERS Insurance Payment	1,294.32	559.84	0.00	1,854.16	
7201- Membership Dues	75.00	0.00	0.00	75.00	
7262- Maint & Repair - Computer Software	11,898.87	150.50	0.00	12,049.37	
7267- Maint & Repair - Computer Equipment	401.10	191.00	0.00	592.10	
7299- Purchased Contracted Services	52.50	25.00	0.00	77.50	
7380- Computer Software - Expensed	12,240.00	0.00	0.00	12,240.00	
7947- Workers Compensation Transfer (SORM)	338.07	160.99	0.00	499.06	
7961- STS Transfers-Telecommunications (TexAn)	954.05	454.30	0.00	1,408.35	
7962- STS transfer to GR (CCTS)	378.16	180.07	0.00	558.23	
Budget:	27,828.15	3,478.52	0.00	31,306.67	
Expended:	28,327.47	2,161.55	0.00	30,489.02	
2009 - Balance Other Operating Expense:	(499.32)	1,316.97	0.00	817.65	3%
Budget:	461,252.92	173,814.68	17,347.34	652,414.94	
Expended:	161,524.74	59,478.59	3,550.76	224,554.09	
TOTAL - BALANCE Remaining 3800	299,728.18	114,336.09	13,796.58	427,860.85	66%

Texas Commission on Fire Protection
Fiscal Year 2022 - Operating Appropriations
Saturday, January 1, 2022

Summary		BT01	BT04	BT11	BT12	BT13	BT15	BT16	
Appropriations		Appr Original Budget	Appr Transfers In	Est. Coll. Revenue	Cash Revenue	Excess Collected Revenue	Cash Expenditures	Cash Reserves - Payroll	Appr Cash Avail.
13008	Fire Safety Information	118,972.00	-	-	-	-	17,380.52	5,468.75	\$ 96,122.73
13014	Certify & Regulation	1,085,101.00	-	65,000.00	42,600.00	1,635.00	295,984.31	89,795.77	\$ 676,920.92
13800	Indirect Admin	652,415.00	-	-	-	-	175,031.06	49,595.94	\$ 427,788.00
23102	Benefit Replacement	-	1,500.00	-	-	-	-	-	\$ 1,500.00
90327	State Retirement	-	140,000.00	-	-	-	34,602.57	11,304.56	\$ 94,092.87
91142	OASI, State Match	-	120,000.00	-	-	-	28,870.09	10,369.43	\$ 80,760.48
97768	Convenience Fees	-	-	-	34,695.24	34,695.24	34,541.64	-	\$ 153.60
99327	Group Insurance	-	235,000.00	-	-	-	57,341.39	18,698.09	\$ 158,960.52
99906	Unappropriated General Rev	-	-	-	231,723.87	-	-	-	\$ 231,723.87
Totals		\$ 1,856,488.00	\$ 496,500.00	\$ 65,000.00	\$ 308,964.11	\$ 36,330.24	\$ 643,751.58	\$ 185,232.54	\$ 1,767,967.99

Revenue Comparison by Month 2021/2022

Saturday, January 1, 2022
YTD Comparisons

FY21 Revenue					FY22 Revenue								
	Appr 99906 - General Revenue		Appr 13014 Fund 0001- IFSAC			Appr 99906 - General Revenue		Appr 13014 Fund 0001 - IFSAC					
Sep-20	\$	442,435.00	13.7%	\$	11,220.00	28.6%	Sep-21	\$	356,057.50	10.6%	\$	10,275.00	24.1%
Oct-20	\$	1,994,050.00	61.8%	\$	9,510.00	24.3%	Oct-21	\$	1,903,302.50	56.7%	\$	9,300.00	21.8%
Nov-20	\$	610,523.62	18.9%	\$	7,950.00	20.3%	Nov-21	\$	867,508.41	25.8%	\$	9,885.00	23.2%
Dec-20	\$	179,706.46	5.6%	\$	10,530.00	26.9%	Dec-21	\$	231,723.87	6.9%	\$	13,140.00	30.8%
Jan-21			0.0%			0.0%	Jan-22	\$	-	0.0%	\$	-	0.0%
Feb-21			0.0%			0.0%	Feb-22	\$	-	0.0%	\$	-	0.0%
Mar-21			0.0%			0.0%	Mar-22	\$	-	0.0%	\$	-	0.0%
Apr-21			0.0%			0.0%	Apr-22	\$	-	0.0%	\$	-	0.0%
May-21			0.0%			0.0%	May-22	\$	-	0.0%	\$	-	0.0%
Jun-21			0.0%			0.0%	Jun-22	\$	-	0.0%	\$	-	0.0%
Jul-21			0.0%			0.0%	Jul-22	\$	-	0.0%	\$	-	0.0%
Aug-21			0.0%			0.0%	Aug-22	\$	-	0.0%	\$	-	0.0%
Totals	\$	3,226,715.08	100.0%	\$	39,210.00	100.0%		\$	3,358,592.28	100.0%	\$	42,600.00	100.0%

FY21 Revenue Collected **\$ 3,265,925 97.38%**

FY22 Revenue Collected **\$ 3,401,192 104.39%**

Revenue for Biennium:

	FY21	FY22
Annual GR & Appropriated Receipts	\$ 1,888,152	\$ 1,791,488
IFSAC Seals	\$ 65,000	\$ 65,000
GAA Other Direct & Indirect	\$ 491,003	\$ 496,500
Budget Rider	\$ 750,000	\$ 750,000
Subtotal	\$ 3,194,155	\$ 3,102,988
5% Contingency	\$ 159,708	\$ 155,149
Total Reqd	\$ 3,353,863	\$ 3,258,137

Amount Over or (Under) Required Revenue **\$ (87,938) \$ 143,055**

FY21		FY22	
Collected	97.38%	104.39%	Percentage of Revenue Collected
As of Date	1/1/2021	1/1/2022	

- 6. Reports from fire service interest groups and agencies on matters relating to their specific organizational purposes, functions, and objectives, including, but not limited to, Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firefighters 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, the State Fire Marshal's Office, and the National Fallen Fire Fighters Foundation.**

- 7. Report from 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).**

8. Report from commission representative to the Homeland Security Council.

9. Report from the Health and Wellness ad-hoc committee.

10. Update from the Chapter 435 and Chapter 427 ad-hoc committees.

11. Subjects for future commission agendas.

12. Future meeting dates.

13. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:

- A. Possible final adoption of the proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.**



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 01/20/2022

Agenda Item #: 13-A

Agenda Title: Chapter 455, Minimum Standards for Wildland Fire Protection Certification

Action to be taken: Discussion and possible final adoption

Origin of Item: Texas A&M Forest Service

1. INTRODUCTION/PURPOSE

The purpose of the item is for discussion regarding request from Texas A&M Forest Service for approval of on-line courses.

2. DESCRIPTION/ JUSTIFICATION

The agenda item allows for discussion regarding the approval of an online hybrid course for (I-100, S-130, S-190 & L-180).

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

This proposal is for possible final adoption.

5. RECOMMENDATION

Propose for final adoption.

6. REFERENCES

Title 37, Chapter 455, Minimum Standards for Wildland Fire Protection Certification

Chapter 455

Minimum Standards for Wildland Fire Protection Certification

§455.3. Minimum Standards for Basic Wildland Fire Protection Certification.

In order to be certified as Basic Wildland Fire Protection personnel, an individual must:

(1) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Wildland Fire Fighter Level I; or

(2) complete a commission approved Basic Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Basic Wildland Fire Protection training program shall consist of one of the following:

(A) completion of the commission approved Basic Wildland Fire Fighter training program, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or

(B) completion of the following National Wildfire Coordinating Group (NWCG) courses:

(i) S-130: Firefighter Training;

(ii) S-190: Introduction to Wildland Fire Behavior;

(iii) L-180: Human Factors on the Fireline; and

(iv) I-100: Introduction to the Incident Command System, or an equivalent basic incident command system course such as NIMS IS-100; **or**

(C) Completion of a Texas A&M Forest Service approved online Hybrid (I-100, S-130, S-190 & L-180) with in-person test and field day.

13. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum Manual regarding Fire Officer I, Fire Officer II, Fire Officer III, and Fire Officer IV.

CERTIFICATION CURRICULUM MANUAL

CHAPTER NINE

FIRE OFFICER

NFPA 1021, ~~2014-2020~~ 2020 Edition

Effective ~~January-June~~ June 1, ~~2015~~ 2022



Texas Commission on Fire Protection
P.O. Box 2286 Austin, Texas 78768-2286 (512) 936-3838

CERTIFICATION CURRICULUM MANUAL – CHAPTER NINE

FIRE OFFICER I

OVERVIEW **Fire Officer I**

A Fire Officer I is required to meet the Job Performance Requirements (JPRs) of chapter 4 of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020 edition.

The following items are included in the Fire Officer I section of Chapter 9 of the curriculum manual:

- Course Overview
- Course Outline (establishes the recommended hours for teaching this course)
- Equipment List
- Skills List
- Reference List (textbooks and other recommended course materials)
- Instructor Information

This is a voluntary (non-mandatory) certification, therefore a formal “curriculum” is not provided. Please use chapter 4 of NFPA 1021 as a guide when creating your own course curriculum.

Performance skills are available in Chapter 9 of the Skills Manual.

All documents in this curriculum manual, and in the skills manual, are available free of charge to download, copy and distribute as necessary. The TCFP does not provide printed copies.

Definition of a Fire Officer I

A Fire Officer I is a first-line supervisory officer who has met all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and has previously met all the job performance and certification requirements of Fire Fighter II as defined in NFPA 1001, *Standard for Fire Fighter Professional Qualifications*, and Fire Instructor I as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*. An individual at the Fire Officer I level, as part of his or her duties and responsibilities performs the following:

- Uses human resources to accomplish assignments in accordance with safety plans in an efficient manner, evaluates member task performance, supervises personnel during emergency, and non-emergency work periods
- Deals with inquiries from the community, projects the role of the department to the public, delivers safety, injury prevention and fire prevention education programs
- Performs general administrative functions and implements departmental policies and procedures at the unit/company level

- Performs a fire investigation to determine preliminary cause, secures the incident scene, and preserves evidence
- Supervises emergency operations, conducts pre-incident planning, and deploys assigned resources in accordance with the local emergency plan
- Integrates safety plans, policies, and procedures into the daily activities as well as on the emergency scene, including the donning of appropriate levels of personal protective equipment to ensure a safe work environment, in accordance with health and safety plans, for all assigned members

CHAPTER NINE
FIRE OFFICER I
CURRICULUM OUTLINE

SECTION	SUBJECT	RECOMMENDED HOURS
901-4.1	General	4
901-4.2	Human Resources Management	6
901-4.3	Community and Government Relations	6
901-4.4	Administration	4
901-4.5	Inspection and Investigation	4
901-4.6	Emergency Service Delivery	10
901-4.7	Health and Safety	8
	Performance Skills*	18
	TOTAL RECOMMENDED HOURS	60

*The recommended hours for skills evaluation is based on 12 students. Actual hours needed will depend on the number of students, the number of examiners, availability of equipment, and the student skill level.

Fire Officer I Equipment List

Instructor developed scenarios

Writing equipment

Agency purchasing forms

Actual or generic department organization chart

Actual or generic department goals and mission

Actual or generic department or agency policies & procedures

AHJ Information Management System (can be simulated)

Facility for a pre-incident plan

Pre-planning policies, procedures and forms

Incident information sheet

Emergency response/run reports

ICS and/or PIA forms or checklists

Visual aids equipment (i.e. PowerPoint, computer, projector)

Departmental forms

Discipline	Objective	Skill No.	Functional Name	NFPA 1021 #
Officer I	Human Resource Management	4-1	Recommending Action for Member-Related Problems	4.2.4
Officer I	Human Resource Management	4-2	Human Resource Policies and Procedures	4.2.5
Officer I	Human Resource Management	4-3	Non-Emergency Coordination of Assigned Tasks	4.2.2, 4.2.6
Officer I	Community and Gov't Relations	4-4	Initiating Action on a Community Need	4.3.1
Officer I	Community and Gov't Relations	4-5	Initiating Action to a Citizen's Concern and Responding to a Public Inquiry	4.3.2, 4.3.3
Officer I	Administration	4-6	Recommending Policy or Procedure Changes	4.1.2, 4.4.1
Officer I	Administration	4-7	Preparing a Budget Request	4.1.2, 4.4.3
Officer I	Administration	4-8	Purpose of Each Management Component of the Organization and Benefits of Collecting Incident Response Data	4.1.2, 4.4.4, 4.4.5
Officer I	Inspection and Investigation	4-9	Describing the Procedures for Conducting Fire Inspections	4.5.1
Officer I	Inspection and Investigation	4-10	Developing a Pre-Incident Plan	4.5.2
Officer I	Inspection and Investigation	4-11	Executing Routine Unit-Level Administrative Functions and Securing a Scene	4.4.2, 4.5.3
Officer I	Emergency Service Delivery	4-12	Emergency Operation - Developing and Implementing Action Plans and Assigning Tasks or Responsibilities to Unit Members	4.1.2, 4.2.1, 4.6.1, 4.6.2
Officer I	Emergency Service Delivery	4-13	Developing and Conducting a Post-Incident Analysis	4.6.3
Officer I	Health and Safety	4-14	Applying Safety Regulations at the Unit Level and Directing Training Evolutions	4.2.3, 4.7.1
Officer I	Health and Safety	4-15	Conducting an Initial Accident Investigation	4.7.2
Officer I	Health and Safety	4-16	Benefits of Wellness and Fitness Programs	4.7.3
Officer II	Human Resource Management	5-1	Maximizing or Correcting Performance	5.2.1
Officer II	Human Resource Management	5-2	Evaluating the Job Performance of Assigned Members	5.2.2, 5.2.3
Officer II	Community and Gov't Relations	5-3	Benefits of Cooperating with Allied Organizations	5.3.1, 5.3.2
Officer II	Administration	5-4	Developing a Policy or Procedure	5.4.1
Officer II	Administration	5-5	Developing a Project or Divisional Budget	5.4.2
Officer II	Administration	5-6	Describing the Process of Purchasing	5.4.3
Officer II	Administration	5-7	Preparing a MediaNews Release	5.4.4
Officer II	Administration	5-8	Preparing a Concise Report for Transmittal to a Supervisor and Recommend the Needed Change	5.4.5, 5.4.6
Officer II	Inspection and Investigation	5-9	Origin and Cause of a Fire	5.5.1
Officer II	Emergency Service Delivery	5-10	Emergency Operational Plans for Multi-Unit Operations	5.6.1
Officer II	Emergency Service Delivery	5-11	Developing and Conducting a Post-Incident Analysis	5.6.2
Officer II	Emergency Service Delivery	5-12	Analyzing Service Demand Needs	5.6.3
Officer II	Health and Safety	5-13	Analyzing a Member's Accident, Injury or Health Exposure History	5.7.1
Officer III	All	6-1	Written Project and Oral Presentation	All - Chap. 6
Officer IV	All	7-1	Written Project and Oral Presentation	All - Chap. 7

REFERENCE LIST FOR THE FIRE OFFICER I CURRICULUM

Certified Training Facilities approved to teach this curriculum, must have the following reference materials:

| *Fire and Emergency Services Company Officer* (~~65~~⁶th Ed.) (201~~9~~⁴) Stillwater, OK: International Fire Service Training Association

| *Fire Officer: Principles and Practice* (~~4~~³rd Ed.) (20~~20~~¹⁵) Sudbury, MA: Jones and Bartlett Publishers, Inc.

| *NFPA 1021: Standard for Fire Officer Professional Qualifications* (20~~20~~¹⁴ Ed.) Quincy, MA: National Fire Protection Association NFPA Publications

Standards Manual for Fire Protection Personnel Austin, TX: Texas Commission on Fire Protection.

COURSE INSTRUCTOR INFORMATION

FIRE OFFICER I

Overview

The Fire Officer curriculum is designed to provide clear guidance that ensures adequate presentation of the information required to meet the Job Performance Requirements (JPRs) of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020~~14~~ edition.

The Fire Officer curriculum is Chapter 9 of the Texas Commission on Fire Protection (TCFP) Curriculum Manual.

Certification Level	TCFP Section Number	NFPA 1021 Chapter
Fire Officer I	901	4
Fire Officer II	902	5
Fire Officer III	903	6
Fire Officer IV	904	7

Layout

~~The NFPA numbering sequence is mirrored to allow easy correlation between this document and the NFPA Standard. For example, 901-4.2.1 identifies the section in the Fire Officer I Curriculum that corresponds to NFPA section 4.2.1.~~

~~When a section references information from “Annex A Explanatory Material” in the NFPA Standard, it is identified by adding an “A” to the section number. For example, 901-A.4.1 identifies the section in the Fire Officer I Curriculum that corresponds to NFPA 1021 Annex A information for NFPA section 4.1.~~

TCFP Standards Manual

It is critical that the Course Instructor review the chapters in the TCFP Standards Manual that apply to this curriculum. Of primary importance are the following chapters: Chapter 421, Standards for Certification; Chapter 435, Fire Fighter Safety; Chapter 437, Fees; and Chapter 451, Fire Officer Certification. These chapters do not address every issue that could impact this curriculum; therefore, the Course Instructor is encouraged to become familiar with the TCFP Standards Manual.

Instructor Qualifications

Fire Officer Courses must be taught by a person meeting the requirements described in Chapter 427.307 of the TCFP Standards Manual.

Prerequisite Knowledge and Skills

The General sections (4.1, 5.1, 6.1, and 7.1) include prerequisite knowledge and skills. Although this information is labeled as prerequisite, instructors should ensure that the material is covered as needed. This material is not optional and may be included in Texas Commission on Fire Protection certification written examinations.

Supplemental Information

Instructors are expected to provide supplemental information if the main reference text does not provide adequate information to ensure successful completion of the Job Performance Requirements as listed in the curriculum.

Components of the Curriculum

Each section of the curriculum identifies the NFPA Job Performance Requirement (JPR) and subdivides the requisite knowledge requirements into learning components. For example:

Curriculum	Explanation
901-4.7.3 Explain the benefits of being physically and medically capable of performing assigned duties and effectively functioning during peak physical demand activities, given current fire service trends and agency policies, so that the need to participate in wellness and fitness programs is explained to members.	Section Number and NFPA JPR
Requisite Knowledge: National death and injury statistics; fire service safety and wellness initiatives; agency policies.	Requisite Knowledge Statement
1) National death and injury statistics	First part of Requisite Knowledge
a) NIOSH reports b) NFPA reports c) US Fire Administration/National Fire Academy	Associated learning components
2) Fire service safety and wellness initiatives	Second part of Requisite Knowledge
a) National Fallen Firefighters Foundation, Courage To Be Safe b) International Association of Firefighters/International Association of Fire Chiefs Joint Wellness Initiative	Associated learning components
3) Agency policies	Third part of Requisite Knowledge
a) Local b) State c) Federal	Associated learning components

Skills

~~NFPA Requisite Skill requirements are addressed in the corresponding Skill Sheets.~~

Certification Testing

Testing for certification in the state of Texas will be based on the knowledge and skills requirements of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020 edition. All training programs must strictly adhere to the NFPA standard.

All test questions and performance skills evaluations will be based on the NFPA Job Performance Requirements (JPRs), requisite knowledge objectives, and requisite skills objectives found in the NFPA standard. Additionally, questions and performance skill evaluations may include information found in, or derived from, the NFPA standard annex, particularly Annex A, which includes explanatory material that may further clarify JPRs. The following is an example from NFPA 1021, section 4.2.5:

<u>NFPA Standard/Curriculum</u>	<u>Explanation</u>
<u>4.2.5 Apply human resource policies and procedures, given an administrative situation requiring action, so that policies and procedures are followed.</u>	<u>NFPA JPR number 4.2.5</u>
<u>(A) Requisite Knowledge: Human resource policies, procedures, applicable laws, and legal concepts.</u>	<u>Requisite knowledge objectives for 4.2.5</u> <u>Written test questions and/or performance skills will be used to test these knowledge components on the state certification exam.</u>
<u>(B) Requisite Skills: The ability to communicate and to relate interpersonally.</u>	<u>Requisite skills objectives for 4.2.5</u> <u>Only performance skills will be used to test these objectives on the state certification exam.</u>
<u>A.4.2.5: The Fire Officer I should be able to deal with administrative procedures that might include transfers, promotions, compensation/member benefits, sick leave, vacation, requests for pay or benefits while acting in a</u>	<u>Appendix A: Explanatory Material for 4.2.5</u>

<u>temporary position, change in member benefits, commendations, disciplinary actions, and grievances.</u>	
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Descriptions of Certification Levels

For additional information, see Chapter 4521 of the Texas Commission on Fire Protection Standards Manual for Fire Protection Personnel.

Fire Officer I:

A Fire Officer I is a first-line supervisory officer who has met all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and has previously met all the job performance and certification requirements of Fire Fighter II as defined in NFPA 1001, *Standard for Fire Fighter Professional Qualifications*, and Fire Instructor I as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer II:

A Fire Officer II is a midlevel supervisor who performs both supervisory and first-line managerial functions who has met the certification requirements for Fire Officer II, in addition to previously meeting all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

Fire Officer III:

A Fire Officer III is a midlevel supervisor who performs both managerial and first-line administrative functions who has met all the job performance and certification requirements of Fire Officer III, in addition to previously meeting all the job performance and certification requirements of Fire Officer II as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and Fire Instructor II as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer IV:

A Fire Officer IV is an upper level supervisor who performs administrative functions who has met all the job performance and certification requirements of Fire Officer IV, in addition to previously meeting all the job performance and certification requirements of Fire Officer III as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

CERTIFICATION CURRICULUM MANUAL – CHAPTER NINE

FIRE OFFICER II

OVERVIEW

Fire Officer II

A Fire Officer II is required to meet the Job Performance Requirements (JPRs) of chapter 5 of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020 edition.

The following items are included in the Fire Officer II section of Chapter 9 of the curriculum manual:

- Course Overview
- Course Outline (establishes the recommended hours for teaching this course)
- Equipment List
- Skills List
- Reference List (textbooks and other recommended course materials)
- Instructor Information

This is a voluntary (non-mandatory) certification, therefore a formal “curriculum” is not provided. Please use chapter 5 of NFPA 1021 as a guide when creating your own course curriculum.

Performance skills are available in Chapter 9 of the Skills Manual.

All documents in this curriculum manual, and in the skills manual, are available free of charge to download, copy and distribute as necessary. The TCFP does not provide printed copies.

Definition of a Fire Officer II

A Fire Officer II is a midlevel supervisor who performs both supervisory and first-line managerial functions who has met the certification requirements for Fire Officer II, in addition to previously meeting all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*. An individual at the Fire Officer II level as part of his or her duties and responsibilities:

- Evaluates member job performance
- Prepares a project or divisional budget, news releases, and/or new policy or changes in existing policies
- Conducts inspections to identify hazards and addresses violations and conducts fire investigations to determine origin and preliminary causes
- Supervises multi-unit emergency operations, deploys assigned resources, and develops and conducts post-incident analysis
- Reviews injury, accident, and health exposure reports, identifies unsafe work environments or behaviors, and takes approved action to prevent their reoccurrence

CHAPTER NINE
FIRE OFFICER II
CURRICULUM OUTLINE

SECTION	SUBJECT	RECOMMENDED HOURS
902-5.1	General	1
902-5.2	Human Resources Management	10
902-5.3	Community and Government Relations	3
902-5.4	Administration	10
902-5.5	Inspection and Investigation	10
902-5.6	Emergency Service Delivery	8
902-5.7	Health and Safety	6
	Performance Skills*	12
	TOTAL RECOMMENDED HOURS	60

*The recommended hours for skills evaluation is based on 12 students. Actual hours needed will depend on the number of students, the number of examiners, availability of equipment, and the student skill level.

Fire Officer II Equipment List

Instructor developed scenarios

Actual or generic department or agency policies & procedures

Simulated personnel records

Agency personnel evaluation forms

Agency mission and goals document(s)

Example multi-unit implementation of a community risk reduction (CRR) programs

Writing equipment

Budget forms and potential revenue sources

Budget policies and procedures

Purchasing forms and purchasing policies and procedures

Departmental forms

Current editions of NFPA 1600, 1700, 1710 and 1720

AHJ approved safety procedures

Emergency response/run reports

ICS and/or PIA forms or checklists

Health and safety policies and procedures

Injury/illness reports

Discipline	Objective	Skill No.	Functional Name	NFPA 1021 #
Officer I	Human Resource Management	4-1	Recommending Action for Member-Related Problems	4.2.4
Officer I	Human Resource Management	4-2	Human Resource Policies and Procedures	4.2.5
Officer I	Human Resource Management	4-3	Non-Emergency Coordination of Assigned Tasks	4.2.2, 4.2.6
Officer I	Community and Gov't Relations	4-4	Initiating Action on a Community Need	4.3.1
Officer I	Community and Gov't Relations	4-5	Initiating Action to a Citizen's Concern and Responding to a Public Inquiry	4.3.2, 4.3.3
Officer I	Administration	4-6	Recommending Policy or Procedure Changes	4.1.2, 4.4.1
Officer I	Administration	4-7	Preparing a Budget Request	4.1.2, 4.4.3
Officer I	Administration	4-8	Purpose of Each Management Component of the Organization and Benefits of Collecting Incident Response Data	4.1.2, 4.4.4, 4.4.5
Officer I	Inspection and Investigation	4-9	Describing the Procedures for Conducting Fire Inspections	4.5.1
Officer I	Inspection and Investigation	4-10	Developing a Pre-Incident Plan	4.5.2
Officer I	Inspection and Investigation	4-11	Executing Routine Unit-Level Administrative Functions and Securing a Scene	4.4.2, 4.5.3
Officer I	Emergency Service Delivery	4-12	Emergency Operation - Developing and Implementing Action Plans and Assigning Tasks or Responsibilities to Unit Members	4.1.2, 4.2.1, 4.6.1, 4.6.2
Officer I	Emergency Service Delivery	4-13	Developing and Conducting a Post-Incident Analysis	4.6.3
Officer I	Health and Safety	4-14	Applying Safety Regulations at the Unit Level and Directing Training Evolutions	4.2.3, 4.7.1
Officer I	Health and Safety	4-15	Conducting an Initial Accident Investigation	4.7.2
Officer I	Health and Safety	4-16	Benefits of Wellness and Fitness Programs	4.7.3
Officer II	Human Resource Management	5-1	Maximizing or Correcting Performance	5.2.1
Officer II	Human Resource Management	5-2	Evaluating the Job Performance of Assigned Members	5.2.2, 5.2.3
Officer II	Community and Gov't Relations	5-3	Benefits of Cooperating with Allied Organizations	5.3.1, 5.3.2
Officer II	Administration	5-4	Developing a Policy or Procedure	5.4.1
Officer II	Administration	5-5	Developing a Project or Divisional Budget	5.4.2
Officer II	Administration	5-6	Describing the Process of Purchasing	5.4.3
Officer II	Administration	5-7	Preparing a MediaNews Release	5.4.4
Officer II	Administration	5-8	Preparing a Concise Report for Transmittal to a Supervisor and Recommend the Needed Change	5.4.5, 5.4.6
Officer II	Inspection and Investigation	5-9	Origin and Cause of a Fire	5.5.1
Officer II	Emergency Service Delivery	5-10	Emergency Operational Plans for Multi-Unit Operations	5.6.1
Officer II	Emergency Service Delivery	5-11	Developing and Conducting a Post-Incident Analysis	5.6.2
Officer II	Emergency Service Delivery	5-12	Analyzing Service Demand Needs	5.6.3
Officer II	Health and Safety	5-13	Analyzing a Member's Accident, Injury or Health Exposure History	5.7.1
Officer III	All	6-1	Written Project and Oral Presentation	All - Chap. 6
Officer IV	All	7-1	Written Project and Oral Presentation	All - Chap. 7

REFERENCE LIST FOR THE FIRE OFFICER II CURRICULUM

Certified Training Facilities approved to teach this curriculum, must have the following reference materials:

| *Fire and Emergency Services Company Officer* (~~65~~⁶th Ed) (201~~9~~⁴) Stillwater, OK:
International Fire Service Training Association

| *Fire Officer: Principles and Practice* (~~4~~³rd Ed.) (20~~20~~¹⁵) Sudbury, MA: Jones and
Bartlett Publishers, Inc.

| *NFPA 1021: Standard for Fire Officer Professional Qualifications* (20~~20~~¹⁴ Ed.) Quincy,
MA: National Fire Protection Association. NFPA Publications

Standards Manual for Fire Protection Personnel Austin, TX: Texas Commission on Fire
Protection.

COURSE INSTRUCTOR INFORMATION

FIRE OFFICER II

Overview

The Fire Officer curriculum is designed to provide clear guidance that ensures adequate presentation of the information required to meet the Job Performance Requirements (JPRs) of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020~~14~~ edition.

The Fire Officer curriculum is Chapter 9 of the Texas Commission on Fire Protection (TCFP) Curriculum Manual.

Certification Level	TCFP Section Number	NFPA 1021 Chapter
Fire Officer I	901	4
Fire Officer II	902	5
Fire Officer III	903	6
Fire Officer IV	904	7

Layout

~~The NFPA numbering sequence is mirrored to allow easy correlation between this document and the NFPA Standard. For example, 902-5.2.1 identifies the section in the Fire Officer II Curriculum that corresponds to NFPA section 5.2.1.~~

~~When a section references information from “Annex A Explanatory Material” in the NFPA Standard, it is identified by adding an “A” to the section number. For example, 902-A.5.1.1 identifies the section in the Fire Officer II Curriculum that corresponds to NFPA 1021 Annex A information for NFPA section 5.1.1.~~

TCFP Standards Manual

It is critical that the Course Instructor review the chapters in the TCFP Standards Manual that apply to this curriculum. Of primary importance are the following chapters: Chapter 421, Standards for Certification; Chapter 435, Fire Fighter Safety; Chapter 437, Fees; and Chapter 451, Fire Officer Certification. These chapters do not address every issue that could impact this curriculum; therefore, the Course Instructor is encouraged to become familiar with the TCFP Standards Manual.

Instructor Qualifications

Fire Officer courses must be taught by a person meeting the requirements described in Chapter 427.307 of the TCFP Standards Manual.

Prerequisite Knowledge and Skills

The General sections (4.1, 5.1, 6.1, and 7.1) include prerequisite knowledge and skills. Although this information is labeled as prerequisite, instructors should ensure that the material is covered as needed. This material is not optional and may be included in Texas Commission on Fire Protection certification written examinations.

Supplemental Information

Instructors are expected to provide supplemental information if the main reference text does not provide adequate information to ensure successful completion of the Job Performance Requirements as listed in the curriculum.

~~Components of the Curriculum~~

~~Each section of the curriculum identifies the NFPA Job Performance Requirement (JPR) and subdivides the requisite knowledge requirements into learning components. For example:~~

Curriculum	Explanation
902-5.4.1 — Develop a policy or procedure, given an assignment, so that the recommended policy or procedure identifies the problem and proposes a solution.	Section Number and NFPA JPR
Requisite Knowledge: Policies and procedures and problem identification.	Requisite Knowledge Statement
1) Policies and procedures	First part of Requisite Knowledge
(a) Develop policies/procedures (b) Train members (c) Implement policies/procedures (d) Evaluate/revise policies/procedures	Associated learning components
2) Problem identification	Second part of Requisite Knowledge
(a) Be attentive (b) Ask questions (c) Encourage subordinates to report problems	Associated learning components

Skills

~~NFPA Requisite Skill requirements are addressed in the corresponding Skill Sheets.~~

Certification Testing

~~Testing for certification in the state of Texas will be based on the knowledge and skills requirements of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020 edition. All training programs must strictly adhere to the NFPA standard.~~

~~All test questions and performance skills evaluations will be based on the NFPA Job Performance Requirements (JPRs), requisite knowledge objectives, and requisite skills~~

objectives found in the NFPA standard. Additionally, questions and performance skill evaluations may include information found in, or derived from, the NFPA standard annex, particularly Annex A, which includes explanatory material that may further clarify JPRs. The following is an example from NFPA 1021, section 5.6.2:

<u>NFPA Standard/Curriculum</u>	<u>Explanation</u>
<p><u>5.6.2 Develop and conduct a post-incident analysis, given multi-unit incident and post-incident analysis policies, procedures, and forms, so that all required critical elements are identified and communicated and the approved forms are completed and processed.</u></p>	<p><u>NFPA JPR number 5.6.2</u></p>
<p><u>(A) Requisite Knowledge: Elements of a fire- or rescue-related post-incident analysis, basic building construction, basic fire protection systems and features, basic water supply, basic fuel loading, fire growth and development, and departmental procedures relating to dispatch response, strategy tactics and operations, sources of any emergency operations controlling authority, including EMS protocols, if applicable, and customer service.</u></p>	<p><u>Requisite knowledge objectives for 5.6.2</u></p> <p><u>Written test questions and/or performance skills will be used to test these knowledge components on the state certification exam.</u></p>
<p><u>(B) Requisite Skills: The ability to write reports, to communicate orally, and to evaluate skills.</u></p>	<p><u>Requisite skills objectives for 5.6.2</u></p> <p><u>Only performance skills will be used to test these objectives on the state certification exam.</u></p>
<p><u>A.5.6.2(A): The Fire Officer II should be aware of all legal authority, parameters, and constraints of operations on the emergency scene.</u></p>	<p><u>Appendix A: Explanatory Material for 5.6.2</u></p>

Descriptions of Certification Levels

For additional information, see Chapter 4521 of the Texas Commission on Fire Protection Standards Manual for Fire Protection Personnel.

Fire Officer I:

A Fire Officer I is a first-line supervisory officer who has met all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and has previously met all the job performance and certification requirements of Fire Fighter II as defined in NFPA 1001, *Standard for Fire Fighter Professional Qualifications*, and Fire Instructor I as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer II:

A Fire Officer II is a midlevel supervisor who performs both supervisory and first-line managerial functions who has met the certification requirements for Fire Officer II, in addition to previously meeting all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

Fire Officer III:

A Fire Officer III is a midlevel supervisor who performs both managerial and first-line administrative functions who has met all the job performance and certification requirements of Fire Officer III, in addition to previously meeting all the job performance and certification requirements of Fire Officer II as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and Fire Instructor II as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer IV:

A Fire Officer IV is an upper level supervisor who performs administrative functions who has met all the job performance and certification requirements of Fire Officer IV, in addition to previously meeting all the job performance and certification requirements of Fire Officer III as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

CERTIFICATION CURRICULUM MANUAL – CHAPTER NINE

FIRE OFFICER III

OVERVIEW

Fire Officer III

A Fire Officer III is required to meet the Job Performance Requirements (JPRs) of chapter 6 of National Fire Protection Association (NFPA) 1021, *Standard for Incident Fire Officer Professional Qualifications*, 2020 edition.

The following items are included in the Fire Officer III section of Chapter 9 of the curriculum manual:

- Course Overview
- Course Outline (establishes the recommended hours for teaching this course)
- Equipment List
- Skills List
- Reference List (textbooks and other recommended course materials)
- Instructor Information

This is a voluntary (non-mandatory) certification, therefore a formal “curriculum” is not provided. Please use chapter 6 of NFPA 1021 as a guide when creating your own course curriculum.

Performance skills are available in Chapter 9 of the Skills Manual.

All documents in this curriculum manual, and in the skills manual, are available free of charge to download, copy and distribute as necessary. The TCFP does not provide printed copies.

Definition of a Fire Officer III

A Fire Officer III is a midlevel supervisor who performs both managerial and first-line administrative functions who has met all the job performance and certification requirements of Fire Officer III, in addition to previously meeting all the job performance and certification requirements of Fire Officer II as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and Fire Instructor II as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*. An individual at the Fire Officer III level as part of his or her duties and responsibilities:

- Establishes procedures for hiring, assigning, promoting, and encouraging professional development of members
- Develops programs that improve and expand service and build partnerships with the public
- Prepares a divisional or departmental budget, develops a budget management system, solicits bids, plans for resource allocation and works with information management systems
- Evaluates inspection programs to determine effectiveness and develops public safety plans

- Manages multi-agency planning, deployment, and operations
- Develops, manages and evaluates a departmental safety program

CHAPTER NINE
FIRE OFFICER III
CURRICULUM OUTLINE

SECTION	SUBJECT	RECOMMENDED HOURS
903-6.1	General	2
903-6.2	Human Resource Management	10
903-6.3	Community and Government Relations	4
903-6.4	Administration	10
903-6.5	Inspection and Investigation	4
903-6.6	Emergency Service Delivery	6
903-6.7	Health and Safety	4
903-6.8	Emergency Management	4
	Performance Skills*	12
	TOTAL RECOMMENDED HOURS	56

*The recommended hours for skills evaluation is based on 12 students. Actual hours needed will depend on the number of students, the number of examiners, availability of equipment, and the student skill level.

Fire Officer III Equipment List

AHJ SOPs

Personal computer with word processing and spreadsheet software

Printer with paper

Report forms, templates, and example documents

Instructor developed scenarios

Discipline	Objective	Skill No.	Functional Name	NFPA 1021 #
Officer I	Human Resource Management	4-1	Recommending Action for Member-Related Problems	4.2.4
Officer I	Human Resource Management	4-2	Human Resource Policies and Procedures	4.2.5
Officer I	Human Resource Management	4-3	Non-Emergency Coordination of Assigned Tasks	4.2.2, 4.2.6
Officer I	Community and Gov't Relations	4-4	Initiating Action on a Community Need	4.3.1
Officer I	Community and Gov't Relations	4-5	Initiating Action to a Citizen's Concern and Responding to a Public Inquiry	4.3.2, 4.3.3
Officer I	Administration	4-6	Recommending Policy or Procedure Changes	4.1.2, 4.4.1
Officer I	Administration	4-7	Preparing a Budget Request	4.1.2, 4.4.3
Officer I	Administration	4-8	Purpose of Each Management Component of the Organization and Benefits of Collecting Incident Response Data	4.1.2, 4.4.4, 4.4.5
Officer I	Inspection and Investigation	4-9	Describing the Procedures for Conducting Fire Inspections	4.5.1
Officer I	Inspection and Investigation	4-10	Developing a Pre-Incident Plan	4.5.2
Officer I	Inspection and Investigation	4-11	Executing Routine Unit-Level Administrative Functions and Securing a Scene	4.4.2, 4.5.3
Officer I	Emergency Service Delivery	4-12	Emergency Operation - Developing and Implementing Action Plans and Assigning Tasks or Responsibilities to Unit Members	4.1.2, 4.2.1, 4.6.1, 4.6.2
Officer I	Emergency Service Delivery	4-13	Developing and Conducting a Post-Incident Analysis	4.6.3
Officer I	Health and Safety	4-14	Applying Safety Regulations at the Unit Level and Directing Training Evolutions	4.2.3, 4.7.1
Officer I	Health and Safety	4-15	Conducting an Initial Accident Investigation	4.7.2
Officer I	Health and Safety	4-16	Benefits of Wellness and Fitness Programs	4.7.3
Officer II	Human Resource Management	5-1	Maximizing or Correcting Performance	5.2.1
Officer II	Human Resource Management	5-2	Evaluating the Job Performance of Assigned Members	5.2.2, 5.2.3
Officer II	Community and Gov't Relations	5-3	Benefits of Cooperating with Allied Organizations	5.3.1, 5.3.2
Officer II	Administration	5-4	Developing a Policy or Procedure	5.4.1
Officer II	Administration	5-5	Developing a Project or Divisional Budget	5.4.2
Officer II	Administration	5-6	Describing the Process of Purchasing	5.4.3
Officer II	Administration	5-7	Preparing a MediaNews Release	5.4.4
Officer II	Administration	5-8	Preparing a Concise Report for Transmittal to a Supervisor and Recommend the Needed Change	5.4.5, 5.4.6
Officer II	Inspection and Investigation	5-9	Origin and Cause of a Fire	5.5.1
Officer II	Emergency Service Delivery	5-10	Emergency Operational Plans for Multi-Unit Operations	5.6.1
Officer II	Emergency Service Delivery	5-11	Developing and Conducting a Post-Incident Analysis	5.6.2
Officer II	Emergency Service Delivery	5-12	Analyzing Service Demand Needs	5.6.3
Officer II	Health and Safety	5-13	Analyzing a Member's Accident, Injury or Health Exposure History	5.7.1
Officer III	All	6-1	Written Project and Oral Presentation	All - Chap. 6
Officer IV	All	7-1	Written Project and Oral Presentation	All - Chap. 7

REFERENCE LIST FOR THE FIRE OFFICER III CURRICULUM

Certified Training Facilities approved to teach this curriculum must have the following reference materials:

| *Chief Officer: Principles and Practice* (~~3rd~~^{2nd} Ed) (20~~21~~¹⁷). Burlington, MA: Jones and Bartlett Learning.

| *Chief Officer* (~~4th~~^{3rd} Ed) (201~~9~~⁴). Stillwater, OK: International Fire Service Training Association.

National Incident Management System: Principles and Practice (2nd Ed) (2012). Sudbury, MA: Jones and Bartlett Publishers, Inc.

| *NFPA 1021: Standard for Fire Officer Professional Qualifications* (20~~20~~¹⁴ Ed.). Quincy, MA: National Fire Protection Association. NFPA Publications

Officer Development Handbook (2nd Ed) (2010). Fairfax, VA: International Association of Fire Chiefs.

Standards Manual for Fire Protection Personnel. Austin, TX: Texas Commission on Fire Protection.

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COURSE INSTRUCTOR INFORMATION

FIRE OFFICER III

Overview

The Fire Officer curriculum is designed to provide clear guidance that ensures adequate presentation of the information required to meet the Job Performance Requirements (JPRs) of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 202014 edition.

The Fire Officer curriculum is Chapter 9 of the Texas Commission on Fire Protection (TCFP) Curriculum Manual.

Certification Level	TCFP Section Number	NFPA 1021 Chapter
Fire Officer I	901	4
Fire Officer II	902	5
Fire Officer III	903	6
Fire Officer IV	904	7

Layout

~~The NFPA numbering sequence is mirrored to allow easy correlation between this document and the NFPA Standard. For example, 903-6.2.1 identifies the section in the Fire Officer III Curriculum that corresponds to NFPA section 6.2.1.~~

~~When a section references information from “Annex A Explanatory Material” in the NFPA Standard, it is identified by adding an “A” to the section number. For example, 903-A.6.1.1 identifies the section in the Fire Officer III Curriculum that corresponds to NFPA 1021 Annex A information for NFPA section 6.1.1.~~

TCFP Standards Manual

It is critical that the Course Instructor review the chapters in the TCFP Standards Manual that apply to this curriculum. Of primary importance are the following chapters: Chapter 421, Standards for Certification; Chapter 435, Fire Fighter Safety; Chapter 437, Fees; and Chapter 451, Fire Officer Certification. These chapters do not address every issue that could impact this curriculum; therefore, the Course Instructor is encouraged to become familiar with the TCFP Standards Manual.

Instructor Qualifications

Fire Officer Courses must be taught by a person meeting the requirements described in Chapter 427.307 of the TCFP Standards Manual.

Prerequisite Knowledge and Skills

The General sections (4.1, 5.1, 6.1, and 7.1) include prerequisite knowledge and skills. Although this information is labeled as prerequisite, instructors should ensure that the material is covered as needed. This material is not optional and may be included in Texas Commission on Fire Protection certification written examinations.

Supplemental Information

Instructors are expected to provide supplemental information if the main reference text does not provide adequate information to ensure successful completion of the Job Performance Requirements as listed in the curriculum.

Components of the Curriculum

Each section of the curriculum identifies the NFPA Job Performance Requirement (JPR) and subdivides the requisite knowledge requirements into learning components. For example:

Curriculum	Explanation
903-6.6.1—Prepare an action plan, given an emergency incident requiring multiple agency operations, so that the required resources are determined and the resources are assigned and placed to mitigate the incident.	Section Number and NFPA JPR
Requisite Knowledge. Policies, procedures, and standards, including the current edition of NFPA 1600, and resources, capabilities, roles, responsibilities, and authority of support agencies.	Requisite Knowledge Statement
1. Policies, procedures and standards, including the current edition of NFPA 1600	First part of Requisite Knowledge
a. AHJ policies, procedures, rules, regulations b. NFPA 1600, Standard on Disaster/Emergency management and Business Continuity Programs c. Local emergency management plan d. Automatic aid agreements e. Mutual aid agreements i. State ii. Regional iii. Local f. Texas Intrastate Fire Mutual Aid System (TIFMAS)	Associated learning components
2—The following will be primarily dictated by the local emergency management plan:	Second part of Requisite Knowledge
a. Resources of support agencies b. Capabilities of support agencies c. Roles of support agencies d. Responsibilities of support agencies	Associated learning components

e. Authority of support agencies	
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Skills

NFPA Requisite Skill requirements are addressed in the corresponding Skill Sheets.

Certification Testing

Testing for certification in the state of Texas will be based on the knowledge and skills requirements of National Fire Protection Association (NFPA) 1021, Standard for Fire Officer Professional Qualifications, 2020 edition. All training programs must strictly adhere to the NFPA standard.

All test questions and performance skills evaluations will be based on the NFPA Job Performance Requirements (JPRs), requisite knowledge objectives, and requisite skills objectives found in the NFPA standard. Additionally, questions and performance skill evaluations may include information found in, or derived from, the NFPA standard annex, particularly Annex A, which includes explanatory material that may further clarify JPRs. The following is an example from NFPA 1021, section 6.3.1:

<u>NFPA Standard/Curriculum</u>	<u>Explanation</u>
<u>6.3.1 Develop a community risk reduction (CRR) program, given risk assessment data, so that program outcomes are met.</u>	<u>NFPA JPR number 6.3.1</u>
<u>(A) Requisite Knowledge: Community demographics, resource availability, community needs, customer service principles, and program development.</u>	<u>Requisite knowledge objectives for 6.3.1</u> <u>Written test questions and/or performance skills will be used to test these knowledge components on the state certification exam.</u>
<u>(B) Requisite Skills: The ability to relate interpersonally, to communicate , and to analyze and interpret data.</u>	<u>Requisite skills objectives for 6.3.1</u> <u>Only performance skills will be used to test these objectives on the state certification exam.</u>
<u>A.6.3.1: Community needs are viewed to include, but not be limited to, fire, large-scale disasters, emergency medical, and public health problems.</u>	<u>Appendix A: Explanatory Material for 6.3.1</u>

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Descriptions of Certification Levels

For additional information, see Chapter 4521 of the Texas Commission on Fire Protection Standards Manual for Fire Protection Personnel.

Fire Officer I:

A Fire Officer I is a first-line supervisory officer who has met all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and has previously met all the job performance and certification requirements of Fire Fighter II as defined in NFPA 1001, *Standard for Fire Fighter Professional Qualifications*, and Fire Instructor I as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer II:

A Fire Officer II is a midlevel supervisor who performs both supervisory and first-line managerial functions who has met the certification requirements for Fire Officer II, in addition to previously meeting all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

Fire Officer III:

A Fire Officer III is a midlevel supervisor who performs both managerial and first-line administrative functions who has met all the job performance and certification requirements of Fire Officer III, in addition to previously meeting all the job performance and certification requirements of Fire Officer II as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and Fire Instructor II as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer IV:

A Fire Officer IV is an upper level supervisor who performs administrative functions who has met all the job performance and certification requirements of Fire Officer IV, in addition to previously meeting all the job performance and certification requirements of Fire Officer III as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

CERTIFICATION CURRICULUM MANUAL – CHAPTER NINE

FIRE OFFICER IV

OVERVIEW

Fire Officer IV

A Fire Officer IV is required to meet the Job Performance Requirements (JPRs) of chapter 7 of National Fire Protection Association (NFPA) 1021, *Standard for Incident Fire Officer Professional Qualifications*, 2020 edition.

The following items are included in the Fire Officer IV section of Chapter 9 of the curriculum manual:

- Course Overview
- Course Outline (establishes the recommended hours for teaching this course)
- Equipment List
- Skills List
- Reference List (textbooks and other recommended course materials)
- Instructor Information

This is a voluntary (non-mandatory) certification, therefore a formal “curriculum” is not provided. Please use chapter 7 of NFPA 1021 as a guide when creating your own course curriculum.

Performance skills are available in Chapter 9 of the Skills Manual.

All documents in this curriculum manual, and in the skills manual, are available free of charge to download, copy and distribute as necessary. The TCFP does not provide printed copies.

Definition of a Fire Officer IV

A Fire Officer IV is an upper level supervisor who performs administrative functions who has met all the job performance and certification requirements of Fire Officer IV, in addition to previously meeting all the job performance and certification requirements of Fire Officer III as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*. An individual at the Fire Officer IV level as part of his or her duties and responsibilities:

- Administers job performance requirements, and evaluates and improves the department
- Projects a positive image of the fire department to the community
- Develops long-range plans and fiscal projections
- Develops plans for major disasters
- Administers a comprehensive risk management program

CHAPTER NINE
FIRE OFFICER IV
CURRICULUM OUTLINE

SECTION	SUBJECT	RECOMMENDED HOURS
904-7.1	General	2
904-7.2	Human Resource Management	12
904-7.3	Community and Government Relations	6
904-7.4	Administration	12
904-7.5	Inspection and Investigation	No performance requirements at this level
904-7.6	Emergency Services Delivery	12
904-7.7	Health and Safety	6
	Performance Skills*	6
	TOTAL RECOMMENDED HOURS	56

*The recommended hours for skills evaluation is based on 12 students. Actual hours needed will depend on the number of students, the number of examiners, availability of equipment, and the student skill level.

Fire Officer IV Equipment List

AHJ SOPs

Personal computer with word processing and spreadsheet software

Printer with paper

Report forms, templates, and example documents

Instructor developed scenarios

Discipline	Objective	Skill No.	Functional Name	NFPA 1021 #
Officer I	Human Resource Management	4-1	Recommending Action for Member-Related Problems	4.2.4
Officer I	Human Resource Management	4-2	Human Resource Policies and Procedures	4.2.5
Officer I	Human Resource Management	4-3	Non-Emergency Coordination of Assigned Tasks	4.2.2, 4.2.6
Officer I	Community and Gov't Relations	4-4	Initiating Action on a Community Need	4.3.1
Officer I	Community and Gov't Relations	4-5	Initiating Action to a Citizen's Concern and Responding to a Public Inquiry	4.3.2, 4.3.3
Officer I	Administration	4-6	Recommending Policy or Procedure Changes	4.1.2, 4.4.1
Officer I	Administration	4-7	Preparing a Budget Request	4.1.2, 4.4.3
Officer I	Administration	4-8	Purpose of Each Management Component of the Organization and Benefits of Collecting Incident Response Data	4.1.2, 4.4.4, 4.4.5
Officer I	Inspection and Investigation	4-9	Describing the Procedures for Conducting Fire Inspections	4.5.1
Officer I	Inspection and Investigation	4-10	Developing a Pre-Incident Plan	4.5.2
Officer I	Inspection and Investigation	4-11	Executing Routine Unit-Level Administrative Functions and Securing a Scene	4.4.2, 4.5.3
Officer I	Emergency Service Delivery	4-12	Emergency Operation - Developing and Implementing Action Plans and Assigning Tasks or Responsibilities to Unit Members	4.1.2, 4.2.1, 4.6.1, 4.6.2
Officer I	Emergency Service Delivery	4-13	Developing and Conducting a Post-Incident Analysis	4.6.3
Officer I	Health and Safety	4-14	Applying Safety Regulations at the Unit Level and Directing Training Evolutions	4.2.3, 4.7.1
Officer I	Health and Safety	4-15	Conducting an Initial Accident Investigation	4.7.2
Officer I	Health and Safety	4-16	Benefits of Wellness and Fitness Programs	4.7.3
Officer II	Human Resource Management	5-1	Maximizing or Correcting Performance	5.2.1
Officer II	Human Resource Management	5-2	Evaluating the Job Performance of Assigned Members	5.2.2, 5.2.3
Officer II	Community and Gov't Relations	5-3	Benefits of Cooperating with Allied Organizations	5.3.1, 5.3.2
Officer II	Administration	5-4	Developing a Policy or Procedure	5.4.1
Officer II	Administration	5-5	Developing a Project or Divisional Budget	5.4.2
Officer II	Administration	5-6	Describing the Process of Purchasing	5.4.3
Officer II	Administration	5-7	Preparing a MediaNews Release	5.4.4
Officer II	Administration	5-8	Preparing a Concise Report for Transmittal to a Supervisor and Recommend the Needed Change	5.4.5, 5.4.6
Officer II	Inspection and Investigation	5-9	Origin and Cause of a Fire	5.5.1
Officer II	Emergency Service Delivery	5-10	Emergency Operational Plans for Multi-Unit Operations	5.6.1
Officer II	Emergency Service Delivery	5-11	Developing and Conducting a Post-Incident Analysis	5.6.2
Officer II	Emergency Service Delivery	5-12	Analyzing Service Demand Needs	5.6.3
Officer II	Health and Safety	5-13	Analyzing a Member's Accident, Injury or Health Exposure History	5.7.1
Officer III	All	6-1	Written Project and Oral Presentation	All - Chap. 6
Officer IV	All	7-1	Written Project and Oral Presentation	All - Chap. 7

REFERENCE LIST FOR THE FIRE OFFICER IV CURRICULUM

Certified Training Facilities approved to teach this curriculum must have the following reference materials:

| *Chief Officer: Principles and Practice* (~~3rd~~^{2nd} Ed) (20~~11~~¹⁷). Burlington, MA: Jones and Bartlett Learning.

| *Chief Officer* (~~4th~~^{3rd} Ed) (201~~9~~⁴). Stillwater, OK: International Fire Service Training Association.

National Incident Management System: Principles and Practice (2nd Ed) (2012). Sudbury, MA: Jones and Bartlett Publishers, Inc.

| *NFPA 1021: Standard for Fire Officer Professional Qualifications* (20~~20~~¹⁴ Ed.). Quincy, MA: National Fire Protection Association. NFPA Publications

Officer Development Handbook (2nd Ed) (2010). Fairfax, VA: International Association of Fire Chiefs.

Standards Manual for Fire Protection Personnel. Austin, TX: Texas Commission on Fire Protection.

|

COURSE INSTRUCTOR INFORMATION

FIRE OFFICER IV

Overview

The Fire Officer curriculum is designed to provide clear guidance that ensures adequate presentation of the information required to meet the Job Performance Requirements (JPRs) of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020~~14~~ edition.

The Fire Officer curriculum is Chapter 9 of the Texas Commission on Fire Protection (TCFP) Curriculum Manual.

Certification Level	TCFP Section Number	NFPA 1021 Chapter
Fire Officer I	901	4
Fire Officer II	902	5
Fire Officer III	903	6
Fire Officer IV	904	7

Layout

~~The NFPA numbering sequence is mirrored to allow easy correlation between this document and the NFPA Standard. For example, 904-7.2.1 identifies the section in the Fire Officer IV Curriculum that corresponds to NFPA section 7.2.1.~~

~~When a section references information from “Annex A Explanatory Material” in the NFPA Standard, it is identified by adding an “A” to the section number. For example, 904-A.7.1 identifies the section in the Fire Officer IV Curriculum that corresponds to NFPA 1021 Annex A information for NFPA section 7.1.~~

TCFP Standards Manual

It is critical that the Course Instructor review the chapters in the TCFP Standards Manual that apply to this curriculum. Of primary importance are the following chapters: Chapter 421, Standards for Certification; Chapter 435, Fire Fighter Safety; Chapter 437, Fees; and Chapter 451, Fire Officer Certification. These chapters do not address every issue that could impact this curriculum; therefore, the Course Instructor is encouraged to become familiar with the TCFP Standards Manual.

Instructor Qualifications

Fire Officer courses must be taught by a person meeting the requirements described in Chapter 427.307 of the TCFP Standards Manual.

Prerequisite Knowledge and Skills

The General sections (4.1, 5.1, 6.1, and 7.1) include prerequisite knowledge and skills. Although this information is labeled as prerequisite, instructors should ensure that the material is covered as needed. This material is not optional and may be included in Texas Commission on Fire Protection certification written examinations.

Supplemental Information

Instructors are expected to provide supplemental information if the main reference text does not provide adequate information to ensure successful completion of the Job Performance Requirements as listed in the curriculum.

Components of the Curriculum

Each section of the curriculum identifies the NFPA Job Performance Requirement (JPR) and subdivides the requisite knowledge requirements into learning components. For example:

Curriculum	Explanation
904-7.4.4 — Develop a plan for a capital improvement project or program, given an unmet need in the community, so that there is adequate information to educate citizens about the needs of the department.	Section Number and NFPA JPR
Requisite Knowledge: Strategic planning, capital improvement planning and budgeting, and facility planning.	Requisite Knowledge Statement
1) Strategic planning	First part of Requisite Knowledge
a. Define the organization's mission b. Establish goals/objectives c. Identify strategic alternatives d. Formulate a strategy	Associated learning components
2) Capital improvement planning and budgeting	Second part of Requisite Knowledge
a. Establish a capital planning committee with bylaws b. Take inventory of existing capital assets c. Evaluate previously approved, unimplemented or incomplete projects d. Assess financial capacity e. Solicit, compile and evaluate new project requests f. Prioritize projects g. Develop a financing plan h. Adopt a capital improvements program i. Monitor and manage approved projects within the CIP j. Update existing/ongoing capital programs	Associated learning components

3) Facility planning	Third part of Requisite Knowledge
a. Design b. Location c. Finance	Associated learning components

Skills

~~NFPA Requisite Skill requirements are addressed in the corresponding Skill Sheets.~~

Certification Testing

~~Testing for certification in the state of Texas will be based on the knowledge and skills requirements of National Fire Protection Association (NFPA) 1021, *Standard for Fire Officer Professional Qualifications*, 2020 edition. All training programs must strictly adhere to the NFPA standard.~~

~~All test questions and performance skills evaluations will be based on the NFPA Job Performance Requirements (JPRs), requisite knowledge objectives, and requisite skills objectives found in the NFPA standard. Additionally, questions and performance skill evaluations may include information found in, or derived from, the NFPA standard annex, particularly Annex A, which includes explanatory material that may further clarify JPRs. The following is an example from NFPA 1021, section 7.2.1:~~

<u>NFPA Standard/Curriculum</u>	<u>Explanation</u>
7.2.1 Appraise the department's human resource demographics, given appropriate community demographic data, so that the recruitment, selection, and placement of human resources is effective and consistent with law and current best practices.	NFPA JPR number 7.2.1
(A) Requisite Knowledge: Policies and procedures; local, state/provincial, and federal regulations; community demographics; community issues; and formal and informal community leaders.	Requisite knowledge objectives for 7.2.1 Written test questions and/or performance skills will be used to test these knowledge components on the state certification exam.

<p><u>(B) Requisite Skills:</u> <u>The ability to communicate, to relate interpersonally, to delegate authority, to analyze issues, and to solve problems.</u></p>	<p><u>Requisite skills objectives for 7.2.1</u></p> <p><u>Only performance skills will be used to test these objectives on the state certification exam.</u></p>
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Descriptions of Certification Levels

For additional information, see Chapter 4521 of the Texas Commission on Fire Protection Standards Manual for Fire Protection Personnel.

Fire Officer I:

A Fire Officer I is a first-line supervisory officer who has met all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and has previously met all the job performance and certification requirements of Fire Fighter II as defined in NFPA 1001, *Standard for Fire Fighter Professional Qualifications*, and Fire Instructor I as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer II:

A Fire Officer II is a midlevel supervisor who performs both supervisory and first-line managerial functions who has met the certification requirements for Fire Officer II, in addition to previously meeting all the job performance and certification requirements of Fire Officer I as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

Fire Officer III:

A Fire Officer III is a midlevel supervisor who performs both managerial and first-line administrative functions who has met all the job performance and certification requirements of Fire Officer III, in addition to previously meeting all the job performance and certification requirements of Fire Officer II as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications* and Fire Instructor II as defined in NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.

Fire Officer IV:

A Fire Officer IV is an upper level supervisor who performs administrative functions who has met all the job performance and certification requirements of Fire Officer IV, in addition to previously meeting all the job performance and certification requirements of Fire Officer III as defined in NFPA 1021, *Standard for Fire Officer Professional Qualifications*.

14.37 Tex. Administrative Code, Part 13, Chapter 435, Fire Fighter Safety.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission

DATE: 01/20/2022

Agenda Item #: 14

Agenda Title: Chapter 435, Fire Fighter Safety

Action to be taken: Discussion and possible publication

Origin of Item: Ad-Hoc committee

1. INTRODUCTION/PURPOSE

The purpose of the item is for discussion to amend 37 Tex. Administrative Code, Chapter 435 Fire Fighter Safety per the recommendation of the commission appointed ad-hoc committee.

2. DESCRIPTION/ JUSTIFICATION

The proposed amendments are the recommendations of the ad-hoc committee in accordance with the requirement that all agency rules must be reviewed for continuance per Texas Government Code, Chapter 2001.039.

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

This proposal is for possible publication.

5. RECOMMENDATION

Propose for publication

6. REFERENCES

Title 37, Chapter 435 Fire Fighter Safety

CHAPTER 435

FIRE FIGHTER SAFETY

§435.1. Protective Clothing.

(a) A regulated **entity**~~[fire department]~~ shall:

(1) purchase, rent, lease, provide, and maintain a complete set of protective clothing for **each**~~[all]~~ fire protection personnel who would be exposed to hazardous conditions from fire or other emergencies or where the potential for such exposure exists. A complete set of **properly fitting** protective clothing shall consist of garments including bunker coats, bunker pants, boots, gloves, helmets, and protective hoods, worn by fire protection personnel in the course of performing fire-fighting operations;

(2) ensure that all protective clothing ~~[which are used by fire protection personnel assigned to fire suppression duties]~~ **complies**~~[comply]~~ with the minimum standards of the National Fire Protection Association suitable for the tasks the individual is expected to perform. The National Fire Protection Association standard applicable to protective clothing is the standard in effect at the time the entity contracts for new, **repaired** ~~[rebuild]~~, or used protective clothing; and

(3) maintain, provide to the commission upon request, and comply with a departmental standard operating procedure regarding the use, selection, care, and maintenance of protective clothing which complies with NFPA 1851, Standard on Selection, Care, and Maintenance of Structural Fire Fighting Protective Ensembles **or its successor**.

(b) To ensure that protective clothing for fire protection personnel continues to be suitable for assigned tasks, risk assessments **must be** conducted in accordance with NFPA 1851 **or its successor** ~~[shall be reviewed and revised as needed, but in any case, not more than five years following the date of the last risk assessment]~~.

§435.3. Self-Contained Breathing Apparatus.

The **regulated**~~[employing]~~ entity shall:

(1) ~~[purchase,]~~ provide, and maintain a complete self-contained breathing apparatus **that complies with the minimum standards of the National Fire Protection Association identified in NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire Fighters** for each on-duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, where the atmosphere is unknown or would be exposed to hazardous atmospheres from fire or other emergencies or where the potential for such exposure exists;

~~[(2) ensure that all self-contained breathing apparatus used by fire protection personnel complies with the minimum standards of the National Fire Protection Association identified in NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire Fighters;]~~

(2) (A) the National Fire Protection Association standard applicable to a self-contained breathing apparatus is the standard in effect at the time the entity contracts for new, rebuilt, **repaired**, or used self-contained breathing apparatus;

~~(3)~~~~(B)~~ an entity may continue to use a self-contained breathing apparatus in use or contracted for before a change in the National Fire Protection Association standard, unless the commission determines that the continued use of the self-contained breathing apparatus constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;

~~(4)~~~~(3)~~ develop an air quality program that complies with the most recent edition of the NFPA 1989 Standard on Breathing Air Quality for Emergency Services Respiratory Protection;

~~(5)~~~~(4)~~ maintain and supply upon request by the commission, records and reports documenting compliance with commission requirements concerning self-contained breathing apparatus and breathing air. Records of all tests shall be made and the records shall be retained for a period of no less than three years;

~~(6)~~~~(5)~~ maintain and provide upon request by the commission, **an entity's**~~[a departmental]~~ standard operating procedure regarding the use of self-contained breathing apparatus; and

~~(7)~~~~(6)~~ maintain and provide upon request by the commission, **an entity's** ~~[a department]~~ standard operating procedure regarding the selection, care, and maintenance of self-contained breathing apparatus that complies with the most recent edition of the NFPA 1852 Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA).

(8) In any workplace where respiratory protection is necessary to protect the health of the employee or whenever respiratory protection is required by the employer, the employer shall establish and implement a written respiratory program that complies with NFPA 1500, Respiratory Protection Program. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respiratory protection use. Documents related to this rule shall be provided to the Texas Commission on Fire Protection upon request.

§435.5. Commission Recommendations.

The commission recommends that all **regulated**~~[employing]~~ entities use as a guide the National Fire Protection Standard 1500 "Fire Department Occupational Safety and Health Program".
~~[following publications:]~~

~~{(1) NFPA 1403 "Live Fire Training Evolutions";}~~

~~[(2) NFPA 1500 "Fire Department Occupational Safety and Health Program;"]~~

~~[(3) IAFF/IAFC — "Fire Service Joint Labor Management Wellness-Fitness Initiative."]~~

§435.7. Implementation of Mandatory NFPA Standards~~[Fire Department Staffing Studies].~~

~~{(a)} **Allow implementation of TCFP mandated NFPA standards at the Commissioners discretion up to 365 days from the effective date of the new NFPA standard.**~~~~[Section 419.022(a)(4) Texas Government Code provides that the commission may on request, assist in performing staffing studies of fire departments. Staffing studies must take into consideration all the objectives and missions of the fire department. Many staffing studies have been developed that can be used to assist in evaluating the needs of a fire department.]~~

~~{(b) A city should ultimately decide on the level of fire protection it is willing to provide to its citizens. The city and fire department should, as a minimum, address the needs of prevention, investigation and suppression as outlined in the appropriate National Fire Protection Association~~

~~Standards. That decision should be based on facts, the safety of its citizens, and the safety of the fire fighters providing that protection.]~~

~~[(c) The commission will assist by maintaining information pertinent to fire department staffing. The information shall be maintained in the Ernest A. Emerson Fire Protection Resource Library at the commission. Copies shall be made available, free of charge, to anyone requesting such information to the extent permitted by copyright laws.]~~

§435.9. Personal Alert Safety System (PASS).

The **regulated**~~[employing]~~ entity shall:

(1) ~~[purchase,]~~ provide~~;~~ and maintain a PASS device **complying with the minimum standards of the National Fire Protection Association identified in NFPA 1982, Standard on Personal Alert Safety Systems (PASS) for Fire Fighters** for each on duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, or where the atmosphere is unknown, or where hazardous conditions from fire or other emergencies exist, or where the potential for such exposure exists.~~;~~

(2) ensure that all PASS devices used by fire protection personnel comply with the minimum standards of the National Fire Protection Association identified in NFPA 1982, Standard on Personal Alert Safety Systems (PASS) for Fire Fighters.~~;~~ **The National Fire Protection Association standard applicable to a PASS device is the standard in effect at the time the entity contracts for new, rebuilt, repaired, or used PASS devices.**

~~[(A) the National Fire Protection Association standard applicable to a PASS device is the standard in effect at the time the entity contracts for new, rebuilt, or used PASS devices;]~~

~~[(B) an entity may continue to use a PASS device that meets the requirements of an earlier edition of NFPA 1982, unless the commission determines that the continued use of the PASS device constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;]~~

(3) ensure that the PASS device assigned to an individual user be inspected at the beginning of each duty period and before each use.

(4) maintain and provide upon request by the commission, **an entity's**~~[a departmental]~~ standard operating procedure regarding the proper use, selection, care, and maintenance of PASS devices.

§435.11. Incident Management System (IMS).

(a) The **regulated entity**~~[fire department]~~ shall develop, maintain, and use an incident management system.

(b) The incident management system shall:

(1) include a written **standard** operating procedure for the management of emergency incidents.~~;~~

(2) require that the IMS be used at all emergency incidents.~~;~~

(3) require operations to be conducted in a manner that recognizes hazards and assists in the prevention of accidents and injuries.~~;~~

(4) require that all fire protection personnel be trained in the use of the IMS; and

(5) require that the IMS be applied to all drills, exercises and all other situations that involve hazards similar to those encountered at an actual emergency.

(c) The IMS shall meet the requirements of ~~[the applicable sections of the]~~ NFPA 1561, Standard on **Emergency Services Incident Management System and Command Safety or its successor**~~[Fire Department Incident Management System].~~

~~[(d) The commission recommends departments follow the National Incident Management System (NIMS) when developing their incident management system.]~~

§435.13. Personnel Accountability System.

(a) The **regulated entity**~~[fire department]~~ shall develop, maintain, and use a personnel accountability system that provides for a rapid accounting of all personnel at an emergency incident.

(b) The accountability system shall:

- (1) require all fire protection personnel be trained in the use of the accountability system;
- (2) require that the fire protection personnel accountability system be used at all incidents;
- (3) require that all fire protection personnel operating at an emergency incident to actively participate in the personnel accountability system; and
- (4) require that the incident commander be responsible for the overall personnel accountability system for the incident.

(c) The fire department shall be responsible for developing the system components required to make the personnel accountability system effective.

(d) The personnel accountability system shall meet the minimum standards required by the National Fire Protection Association 1561, Standard on **Emergency Services Incident Management System and Command Safety or its successor**~~[Fire Department Incident Management System. If the standard is revised, the fire department shall have one (1) year from the effective date of the new standard to comply].~~

§435.15. Operating At Emergency Incidents.

(a) The fire department shall develop, maintain, and use a standard operating procedure for fire protection personnel operating at emergency incidents.

(b) The standard operating procedure shall:

- (1) specify an adequate number of personnel to safely conduct emergency scene operations~~;~~ [;]
- (2) limit operations to those that can be safely performed by personnel at the scene~~;~~ [;]
- (3) require all personnel to be trained in and use the standard operating procedures; and
- (4) comply with §435.17 (Procedures for Interior Structural Fire Fighting).

(c) The **regulated entity**~~[fire department]~~ may use standards established by the National Fire Protection Association for fire protection personnel operating at an emergency incident.

§435.17. Procedures for Interior Structural Fire Fighting (2-In /2-Out Rule).

(a) The **regulated entity shall develop, maintain, and comply with written standard operating procedures that adhere**~~[fire department shall develop written procedures that comply]~~ with the Occupational Safety and Health Administration's Final Rule, 29 CFR Section 1910.134(g)(4) by requiring:

(1) a team of at least four fire protection personnel must be assembled before an interior fire attack can be made when the fire has progressed beyond the incipient stage.~~[;]~~

(2) at least two fire protection personnel to enter the IDLH atmosphere and remain in visual or voice (not radio) contact with each other.~~[;]~~

(A) Visual means that the fire protection personnel must be close enough to see each other.

(B) Voice means that the fire protection personnel of the entry team must be close enough to speak to one another without the use of radios.

(3) at least two fire protection personnel remain located outside the IDLH atmosphere to perform rescue of the fire protection personnel inside the IDLH atmosphere.~~[;]~~

(4) all fire protection personnel engaged in interior structural fire fighting use self-contained breathing apparatus and be clothed in a complete set of protective clothing as identified in Chapter 435.~~[;]~~

(5) all fire protection personnel located outside the IDLH atmosphere be equipped with appropriate retrieval equipment where retrieval equipment would contribute to the rescue of the fire protection personnel that have entered the IDLH atmosphere.~~[;]~~

(6) one of the outside fire protection personnel must actively monitor the status of the inside fire protection personnel and not be assigned other duties. The second outside fire protection personnel may be assigned to an additional role, including, but not limited to, incident commander, safety officer, driver-operator, command technician or aide, or fire fighter/EMS personnel, so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any fire protection personnel working at the scene.~~[;]~~

(7) **All fire protection personnel entering an IDLH atmosphere must be equipped with an operable portable radio**~~[the fire protection personnel outside the IDLH atmosphere must remain in communication (including, but not limited to, radio) with the fire protection personnel in the IDLH atmosphere. Use of a signal line (rope) as a communications instrument for interior fire fighting is not permitted by the commission. This does not preclude the use of rescue guide ropes (guide line or lifeline or by what ever name they may be called) used during structural searches]; and~~

(8) each outside fire protection personnel must have a complete set of protective clothing and self-contained breathing apparatus, as identified in Chapter 435, immediately accessible for use if the need for rescue activities inside the IDLH atmosphere is necessary.

(b) The **regulated entity**~~[fire department]~~ shall comply with the 2-in/2-out rule as described in this section except in **a reasonable belief of** an imminent life-threatening situation when immediate action could prevent the loss of life or serious injury before the team of four fire protection personnel are assembled.

(c) Whenever there is a variance to these procedures, a supplemental report must be submitted to the Texas Commission on Fire Protection, documenting the rationale used to deviate from these written procedures.

§435.19. Enforcement of Commission Rules.

(a) The commission shall enforce all commission rules at any time, including, but not limited to, commission investigations, fire department inspections, or upon receiving a~~[written]~~ complaint from any~~[an identified]~~ person or entity of an alleged infraction of a commission rule.

(b) The commission shall initiate a biennial inspection with an email notifying the fire department and requesting electronic copies of the Standard Operating Procedures (SOPs), training records, and/or other documentation needed for review, be submitted within 48 business hours of notification. The e-mail will also indicate the date range for an on-site inspection within the upcoming two-week period. Compliance officers may work with the Head of Department to ensure all necessary department representatives will be present at the time of the inspection. Compliance Officers may postpone an inspection for extenuating circumstances with the Compliance Manager's approval.

(c) Upon receipt of a~~[signed]~~ complaint alleging a violation of a commission rule, the commission shall have 30 days to initiate an investigation and report back to the complainant its progress.

(d) Upon substantiating the validity of a~~[written]~~ complaint, the commission shall follow the procedures outlined in Texas Government Code, Chapter 419, §419.011(b) and (c).

§435.21. Fire Service Joint Labor Management Wellness-Fitness Initiative.

(a) A fire department shall assess the wellness and fitness needs of the personnel in the department. The procedure used to make this assessment shall be written and made available for Commission inspection.

(b) A fire department shall develop and maintain a standard operating procedure to address those needs.

(c) The approach to the fitness needs of the department shall be based on the local assessment and local resources.

(d) The standard operating procedure shall be made available to the Commission for inspection.

§435.23. Fire Fighter Injuries.

(a) A **regulated entity**~~[fire department]~~ shall report all Texas Workers' Compensation Commission reportable injuries that occur to on-duty regulated fire protection personnel on the Commission form.

(b) Minor injuries are those injuries that do not result in the **fire protection personnel**~~[fire fighter]~~ missing more than one duty period or does not involve the failure of personal protective equipment. Minor injuries shall be reported within 30 business days of the injury event.

(c) Major injuries are those that require the **fire protection personnel**~~[fire fighter]~~ to miss more than one duty period. Major injuries shall be reported within five business days of the injury event.

(d) Investigatable **fire protection personnel** injuries are those resulting from the malfunction of personal protective equipment, failure of personal protective equipment to protect the **fire protection personnel**~~[fire fighter]~~ from injury, or injuries sustained from failure to comply with any provision of Commission mandated department SOPs. Investigatable injuries shall be reported within five business days of the injury event.

(e) The regulated entity shall secure any personal protective equipment involved in **an investigatable fire protection personnel**~~[a fire fighter]~~ injury and shall be made available to the Commission for inspection.

§435.25. Courage to be Safe So Everyone Goes Home Program.

~~[(a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program be completed as part of the continuing education required for certified fire protection personnel. Individuals will be credited with four hours of continuing education credit for completing this program.]~~

(a) ~~[(b)]~~ All fire protection personnel will be required to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program training within one year following appointment to a **regulated entity**~~[fire department]~~ if the individual has not previously completed the program. **Individuals will be credited with four hours of continuing education credit for completing this program.**

(b) **Regulated entities**~~[(c) Departments]~~ will report the completion of training through the commission's **web-based**~~[web based]~~ reporting system.

(c)~~[(d)]~~ Failure to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program before the required **deadline**~~[deadlines]~~ will be considered a violation of continuing education rules found in Chapter 441 of this title (relating to Continuing Education).

§435.27. Live Fire Training Structure Evolutions.

The most current edition of NFPA 1403, Standard on Live Fire Training Evolutions **or its successor**, shall be used as a guide when developing standard operating procedures for conducting live fire training. The following requirements shall apply for all Live Fire Training Structure Evolutions conducted.

(1) The officer in charge or instructor will ensure that the water supply rate and duration for each individual Live Fire Training Structure Evolution is adequate to control and extinguish the training fire, the supplies necessary for backup lines to protect personnel, and any water needed to protect exposed property.

(2) The instructor-in-charge shall assign the following personnel:

(A) One instructor to each functional crew, which shall not exceed five students.

(B) One instructor to each backup line.

(C) Additional personnel to backup lines to provide mobility.

(D) One additional instructor for each additional functional assignment.

(3) The officer in charge or instructor will ensure that the buildings or props being utilized for live fire training are in a condition that would not pose an undue safety risk.

(4) A safety officer shall be appointed for all Live Fire Training Structure Evolutions. The safety officer shall have the authority, regardless of rank, to alter, suspend or control any aspect of the operations when, in his or her judgment, a potential or actual danger, accident, or unsafe condition exists. The safety officer shall not be assigned other duties that interfere with safety responsibilities.

(5) No person(s) shall play the role of a victim inside the building.

(6) Prior to the ignition of any fire, instructors shall ensure that all personal protective clothing and/or **self-contained**~~[-self contained]~~ breathing apparatus are NFPA compliant and being worn in the proper manner.

(7) Prior to conducting any live fire training, a pre-burn briefing session shall be conducted. All participants shall be required to conduct a walk-through of the structure in order to have a knowledge of, and familiarity with, the layout of the building and to be able to facilitate any necessary evacuation of the building.

(8) A standard operating procedure shall be developed and utilized for Live Fire Training Structure Evolutions. The standard operating procedure shall include, but not be limited to:

(A) a Personal Alert Safety System (PASS). A PASS device shall be provided for all participating in live fire training and shall meet the requirements in §435.9 of this title (relating to Personal Alert Safety System (PASS)).~~[-]~~

(B) a Personnel Accountability System that complies with §435.13 of this title (relating to Personnel Accountability System) shall be utilized.~~[-]~~

(C) an Incident Management System.~~[-]~~

(D) use of personal protective clothing and self-contained breathing apparatus.~~[-]~~

(E) an evacuation signal and procedure; and

(F) pre-burn, burn and post-burn procedures.

§435.29. Federal Highway Administration Traffic Incident Management Program.

~~[(a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission be completed as part of the continuing education required for certified fire protection personnel by December 1, 2020. Individuals will be credited with four hours of continuing education credit for completing this program.]~~

~~[(b) All regulated fire protection personnel must complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission prior to December 1, 2020.]~~

~~[(c)]~~ All fire protection personnel ~~[appointed after December 1, 2020]~~ will be required to complete the Federal Highway Administration Traffic Incident Management program training or an equivalent course that is approved by the commission within one year of appointment to a **regulated entity**~~[fire department]~~. **Individuals will be credited with four hours of continuing education credit for completing this program.**

~~[(d)]~~ Departments will report the completion of training through the commission's **web-based** ~~[web based]~~ reporting system.

~~[(e)]~~ Failure to complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission before the required deadline will be considered a violation of continuing education rules found in Chapter 441 of this title (relating to Continuing Education).

15.37 Tex. Administrative Code, Part 13, Chapter 461, Incident Commander.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission

DATE: 01/20/2022

Agenda Item #: 15

Agenda Title: Chapter 461, Incident Commander

Action to be taken: Discussion and possible publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is to remove obsolete language.

2. DESCRIPTION/ JUSTIFICATION

The agenda item allows for discussion regarding the deletion of the special temporary provision for individuals to take the commission examination for Incident Commander certification without completing an approved training course. This temporary provision expired on January 1, 2022.

3. BUDGET IMPACT

The budget impact will be minimal.

4. TIMELINE CONSIDERATIONS

This proposal is for publication, to be considered for final adoption at the commission's April 2022 commission meeting.

5. RECOMMENDATION

Propose for publication

6. REFERENCES

Title 37, Chapter 461, Incident Commander

CHAPTER 461

INCIDENT COMMANDER

MINIMUM STANDARDS FOR INCIDENT COMMANDER

§461.1. Incident Commander Certification.

(a) An Incident Commander is defined as an individual responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources, who has overall authority and responsibility for conducting and managing all incident operations at the incident site.

(b) All individuals holding an Incident Commander certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).

~~[(c) Special temporary provision. Individuals are eligible to take the commission examination for Incident Commander by:~~

~~(1) holding as a minimum, Fire Officer II certification through the commission; and~~

~~(2) providing documentation of completion of the National Incident Management System courses 100, 200, 700 and 800; and~~

~~(3) providing documentation acceptable to the commission that the individual has successfully completed Incident Commander training that meets the minimum requirements of the National Fire Protection Association Standard 1026; or~~

~~(4) providing documentation acceptable to the commission, in the form of an affidavit from the individuals Head of Department or Chief Training Officer, that the individual has met the departments requirements to perform as an Incident Commander and has demonstrated proficiency as an Incident Commander.~~

~~(5) This subsection will expire on January 1, 2022.]~~

16. Proposed rule review for the following:

- 1. 37 Tex. Administrative Code, Part 13, Chapter 403, Criminal Convictions and Eligibility For Certification**
- 2. 37 Tex. Administrative Code, Part 13, Chapter 423, Fire Suppression**
- 3. 37 Tex. Administrative Code, Part 13, Chapter 425, Fire Service Instructors**
- 4. 37 Tex. Administrative Code, Part 13, Chapter 439, Examinations For Certification**

16. Proposed rule review for the following:

- 1. 37 Tex. Administrative Code, Part 13, Chapter 403, Criminal Convictions and Eligibility For Certification**

CHAPTER 403

CRIMINAL CONVICTIONS AND ELIGIBILITY FOR CERTIFICATION

§403.1. Purpose.

(a) The purpose of this chapter is to establish policy, procedures and criteria on the eligibility of persons with a criminal conviction for a certificate or renewal of a certificate issued by the Texas Commission on Fire Protection (the commission) and to establish procedures for suspension, probation, revocation, or denial of a certificate held or applied for by persons with a criminal conviction pursuant to Chapter 53, Texas Occupations Code.

(b) The duties and responsibilities of persons who hold certifications issued by the commission each involve matters that directly relate to public safety, specifically to the reduction of loss of life and property from fire. Thus, conduct involving the injury to a person or the destruction of property by fire, relates directly to the fitness of the individual to be fire protection personnel. Fire protection personnel often have access to areas not generally open to the public. The public relies on the honesty, trustworthiness, and reliability of persons certified by the commission. Thus, crimes involving moral turpitude, including, but not limited to, fraud and dishonesty, are directly relevant. In addition, the ability of such persons to function unimpaired by alcohol or the illegal use of drugs, in dangerous or potentially dangerous circumstances, including, but not limited to, the operation of emergency vehicles is paramount in light of the duty to protect the health and safety of the public.

§403.3. Scope.

(a) The policy and procedures established in this chapter apply to a person who holds or applies for any certificate issued under the commission's regulatory authority contained in Government Code, Chapter 419.

(b) When a person is convicted of a crime of a sexual nature, the conviction of which would require the individual to be registered as a sex offender under Chapter 62 of the Code of Criminal Procedure; or

(c) When a person is convicted of a crime that is an offense under Title 7 of the Texas Penal Code, or a similar offense under the laws of the United States of America, another state, or other jurisdiction, the person's conduct directly relates to the competency and reliability of the person to assume and discharge the responsibilities of fire protection personnel. Such conduct includes, but is not limited to, intentional or knowing conduct, without a legal privilege, that causes or is intended to cause a fire or explosion with the intent to injure or kill any person or animal or to destroy or damage any property. The commission may:

(1) deny a person the opportunity to be examined for a certificate;

(2) deny the application for a certificate;

(3) grant the application for a new certificate with the condition that a probated suspension be placed on the newly granted certificate;

(4) refuse to renew a certificate;

(5) suspend, revoke or probate the suspension or revocation of an existing certificate; or

(6) limit the terms or practice of a certificate holder to areas prescribed by the commission.

(d) When a person's criminal conviction of a felony or misdemeanor directly relates to the duties and responsibilities of the holder of a certificate issued by the commission, the commission may:

- (1) deny a person the opportunity to be examined for a certificate;
- (2) deny the application for a certificate;
- (3) grant the application for a new certificate with the condition that a probated suspension be placed on the newly granted certificate;
- (4) refuse to renew a certificate;
- (5) suspend, revoke or probate the suspension or revocation of an existing certificate; or
- (6) limit the terms or practice of a certificate holder to areas prescribed by the commission.

§403.5. Access to Criminal History Record Information.

(a) Criminal history record. The commission is entitled to obtain criminal history record information maintained by the Department of Public Safety, or another law enforcement agency to investigate the eligibility of a person applying to the commission for or holding a certificate.

(b) Confidentiality of information. All information received under this section is confidential and may not be released to any person outside the agency except in the following instances:

- (1) a court order;
- (2) with written consent of the person being investigated;
- (3) in a criminal proceeding; or
- (4) in a hearing conducted under the authority of the commission.

(c) Early review. A fire department that employs a person regulated by the commission, a person seeking to apply for a beginning position with a regulated entity, a volunteer fire department, or an individual participating in the commission certification program may seek the early review under this chapter of the person's present fitness to be certified. Prior to completing the requirements for certification, the individual may request such a review in writing by following the required procedure. A decision by the commission based on an early review does not bind the commission if there is a change in circumstances. The following pertains to early reviews:

- (1) The commission will complete its review and notify the requestor in writing concerning potential eligibility or ineligibility within 90 days following receipt of all required and necessary information for the review.
- (2) A notification by the commission regarding the results of an early review is not a guarantee of certification, admission to any training program, or employment with a local government.
- (3) A fee assessed by the commission for conducting an early review will be in an amount sufficient to cover the cost to conduct the review process, as provided in §437.19 of this title (relating to Early Review Fees).
- (4) An early review request will be considered incomplete until the requestor submits all required and necessary information. Early review requests that remain incomplete for 90 days following receipt of the initial request will expire. If the request expires and an early review is still desired, a new request and fee must be submitted.

§403.7. Criminal Convictions Guidelines.

(a) The following crimes are considered to relate directly to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of persons certified by the commission:

(1) offenses under the Government Code, Chapter 419, relating to the Texas Commission on Fire Protection;

(2) offenses under the Texas Transportation Code Title 6 Roadways, which are punishable by fines greater than \$200, or imprisonment, or both fine and imprisonment;

(3) offenses under the Health and Safety Code, Chapter 481, concerning controlled substances;

(4) offenses under the Health and Safety Code, Chapter 483, concerning dangerous drugs;

(5) offenses under the following titles of the Texas Penal Code:

(A) Title 5--offenses against the person;

(B) Title 6--offenses against the family;

(C) Title 7--offenses against property;

(D) Title 8--offenses against public administration;

(E) Title 9--offenses against public order and decency;

(F) Title 10--offenses against public health, safety and morals;

(G) Title 11--offenses involving organized crime; and

(H) Title 4--inchoate offenses Chapter 15 preparatory offenses to any of the offenses in this section;

(6) the offenses listed in this subsection are not inclusive, in that the commission may consider other particular crimes in special cases in order to promote the intent of the statutes administered by the commission.

(b) In all cases the commission shall consider:

(1) the nature and seriousness of the crime;

(2) the relationship of the crime to the purposes for requiring the certificate issued by the commission;

(3) the extent to which the certificate might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved;

(4) the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the certificate holder;

(5) the level and nature of supervision of the person by others; and

(6) the level and nature of access to public, commercial, and residential properties, including access after regular business hours and access to areas not open to the general public.

§403.9. Mitigating Factors.

(a) In addition to the factors that must be considered under §403.7 of this title (relating to Criminal Convictions Guidelines), in determining the present fitness of a person who has been convicted of a crime, the commission shall consider the following evidence:

(1) the extent and nature of the person's past criminal activity;

(2) the age of the person at the time of the commission of the crime;

- (3) the amount of time that has elapsed since the person's last criminal activity;
- (4) the conduct and work activity of the person prior to and following the criminal activity;
- (5) evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release; and
- (6) other evidence of the person's present fitness, including letters of recommendation from:
 - (A) prosecution, law enforcement, and correctional officers who prosecuted, arrested, or had custodial responsibility for the person;
 - (B) the sheriff or chief of police in the community where the person resides; and
 - (C) any other persons in contact with the convicted person.

(b) It shall be the responsibility of the applicant to the extent possible to secure and provide to the commission as required the recommendations of prosecution, law enforcement, and correctional authorities as required by statute and these rules upon request by the commission staff. The applicant shall upon request also furnish:

- (1) a copy of the indictment, information or complaint;
- (2) a copy of the judgement(s) or order(s) of the court adjudicating guilt, granting probation, community supervision, deferred adjudication, or discharge from probation or community supervision;
- (3) a record of steady employment in the form of a letter from current or former employers;
- (4) a record that the applicant has supported his or her dependents in the form of a letter from a person in the applicant's community with personal knowledge of the circumstances;
- (5) evidence that the applicant has paid all outstanding court costs, supervision fees, fines, and restitution as may have been ordered in all criminal cases in which he or she has been convicted, in the form of copies of official records, documents, or a letter from the person's probation or parole officer where applicable concerning his or her current status; and
- (6) a copy of the police or offense report(s).

§403.11. Procedures for Suspension, Revocation, or Denial of a Certificate to Persons with Criminal Backgrounds.

(a) If the commission proposes to suspend, revoke, limit, or deny a certificate based on the criteria in this chapter, the division shall notify the individual per Government Code, Chapter 2001. The notice of intended action shall specify the facts or conduct alleged to warrant the intended action.

(b) If the proposed action is to limit, suspend, revoke, or refuse to renew a current certificate, or deny an application for a new certificate, a written notice of intended action shall comply with the preliminary notice requirements of Government Code §2001.054(c). The individual may request, in writing, an informal conference with the commission staff in order to show compliance with all requirements of law for the retention of the certificate, pursuant to Government Code §2001.054(c). A written request for an informal staff conference must be submitted to the division director no later than 15 days after the date of the notice of intended action. If the informal staff conference does not result in an agreed consent order, a formal hearing shall be conducted in accordance with the Administrative Procedure Act, Government Code, Chapter 2001.

(c) If the individual does not request an informal staff conference or a formal hearing in writing within the time specified in this section, the individual is deemed to have waived the opportunity for a hearing, and the proposed action will be taken.

(d) If the commission limits, suspends, revokes, or denies a certificate under this chapter, a written notice shall be provided to the person that includes:

(1) the reasons for the decision;

(2) that the person may appeal the decision of the executive director to the commission in accordance with §401.63 of this title (relating to Final Decision and Orders) within 30 days from the date the decision is final and appealable;

(3) that the person, after exhausting administrative appeals, may file an action in a district court of Travis County, Texas, for judicial review of the evidence presented to the commission and its decision; and that such petition must be filed with the court no later than 30 days after the commission action is final and appealable.

§403.15. Report of Convictions by an Individual or a Department.

(a) A certificate holder must report to the commission, any conviction, other than a minor traffic offense (Class C misdemeanor) under the laws of this state, another state, the United States, or foreign country, within 14 days of the conviction date.

(b) A fire department or local government entity shall report to the commission, any conviction of a certificate holder other than a minor traffic offense (class C misdemeanor) under the laws of this state, another state, the United States, or foreign country, that it has knowledge of, within 14 days of the conviction date.

(c) A certificate holder is subject to suspension, revocation or denial of any or all certifications for violation of the requirements of subsection (a) of this section. Each day may be considered a separate offense.

(d) A fire department or government entity regulated by the commission violating subsection (b) of this section may be subject to administrative penalties of up to \$500. Each day may be considered a separate offense.

(e) Notification may be made by mail, e-mail, or in person to the Texas Commission on Fire Protection (TCFP) Austin office. TCFP Form #014 shall be used.

16. Proposed rule review for the following:

2. 37 Tex. Administrative Code, Part 13, Chapter 423, Fire Suppression

CHAPTER 423**FIRE SUPPRESSION****SUBCHAPTER A****MINIMUM STANDARDS FOR STRUCTURE FIRE PROTECTION PERSONNEL CERTIFICATION****§423.1. Minimum Standards for Structure Fire Protection Personnel.**

(a) Fire protection personnel who are appointed to structure fire protection duties must be certified by the commission within one year from the date of their appointment.

(b) Prior to being appointed to structure fire protection duties, personnel must:

(1) complete a commission approved basic structure fire protection program;

(2) successfully pass the commission examination as required by §423.3 of this title (relating to Minimum Standards for Basic Structure Fire Protection Personnel Certification); and

(3) successfully complete a commission recognized emergency medical training program. The commission recognizes the following emergency medical training:

(A) Department of State Health Services Emergency Medical Service Personnel certification training;

(B) an American Red Cross Emergency Response course, including the optional lessons and enrichment sections;

(C) an American Safety and Health Institute First Responder course;

(D) National Registry of Emergency Medical Technicians certification; or

(E) medical training deemed equivalent by the commission.

(c) Personnel holding any level of structure fire protection personnel certification must comply with the continuing education requirements specified in Chapter 441 of this title (relating to Continuing Education).

§423.3. Minimum Standards for Basic Structure Fire Protection Personnel Certification.

(a) In order to be certified as Basic Structure Fire Protection Personnel, an individual must:

(1) possess valid documentation from the International Fire Service Accreditation Congress or the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1 of this title (relating to Requirements—General) as:

(A) Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness Level Personnel; and

(B) Hazardous Materials Operations Level Responders including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or

(C) NFPA 472 Hazardous Materials Operations prior to the 2008 edition; and

(D) meet the medical requirements outlined in §423.1 of this title (relating to Minimum Standards for Structure Fire Protection Personnel); or

(2) complete a commission approved basic structure fire protection program, meet the medical requirements outlined in §423.1(c) of this title (relating to Minimum Standards for Structure Fire Protection Personnel), and successfully pass the commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved basic structure fire suppression program shall consist of one or any combination of the following:

(A) completion of a commission approved Basic Fire Suppression Curriculum, as specified in the commission's Certification Curriculum Manual; or

(B) completion of an out-of-state, and/or military training program deemed equivalent to the commission approved Basic Fire Suppression Curriculum; or

(C) documentation of the receipt of a Fire Fighter II certificate, an advanced certificate, or confirmation of training from the State Firemen's and Fire Marshals' Association of Texas that is deemed equivalent to a commission approved Basic Fire Suppression Curriculum.

§423.5. Minimum Standards for Intermediate Structure Fire Protection Personnel Certification.

(a) Applicants for Intermediate Structure Fire Protection Personnel certification must complete the following requirements:

(1) hold, as a prerequisite, a Basic Structure Fire Protection Personnel certification as defined in §423.3 of this title (relating to Minimum Standards for Basic Structure Fire Protection Personnel Certification); and

(2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1, with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Structure Fire Protection Personnel certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§423.7. Minimum Standards for Advanced Structure Fire Protection Personnel Certification.

(a) Applicants for Advanced Structure Fire Protection Personnel certification must complete the following requirements:

(1) hold as a prerequisite an Intermediate Structure Fire Protection Personnel certification as defined in §423.5 of this title (relating to Minimum Standards for Intermediate Structure Fire Protection Personnel Certification); and

(2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Structure Fire Protection Personnel certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§423.9. Minimum Standards for Master Structure Fire Protection Personnel Certification.

(a) Applicants for Master Structure Fire Protection Personnel certification must complete the following requirements:

(1) hold as a prerequisite an Advanced Structure Fire Protection Personnel certification as defined in § 423.7 of this title (relating to Minimum Standards for Advanced Structure Fire Protection Personnel Certification); and

(2) acquire a minimum of twelve years of fire protection experience, and 60 college semester hours or an associate degree, which includes at least 18 college semester hours in fire science subjects.

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Structure Fire Protection Personnel Certification.

§423.11. Higher Levels of Certification.

(a) An individual may receive higher levels of certification in structure fire protection while being assigned to another discipline, provided all requirements for the higher level or levels of certification are met.

(b) Repetitive training cannot be used toward higher levels of certification.

§423.13. International Fire Service Accreditation Congress (IFSAC) Seal.

(a) Individuals completing a commission approved basic structure fire protection program, meeting any other NFPA requirement, and passing the applicable commission examination(s) may be granted IFSAC seal(s) for Hazardous Materials Awareness Level Personnel, Hazardous Materials Operations Level Responders (including the Mission-Specific Competencies for Personal Protective Equipment

and Product Control), Fire Fighter I, and/or Fire Fighter II by making application to the commission for the IFSAC seal(s) and paying applicable fees, provided they meet the following provisions:

(1) To receive the IFSAC Hazardous Materials Awareness Level Personnel seal, the individual must:

- (A) complete the Hazardous Materials Awareness section of a commission approved course; and
- (B) pass the Hazardous Materials Awareness section of a commission examination.

(2) To receive the IFSAC Hazardous Materials Operations Level Responders seal (including the Mission-Specific Competencies for Personal Protective Equipment and Product Control) the individual must:

- (A) complete the Hazardous Materials Operation section of a commission approved course; and
- (B) document possession of an IFSAC Hazardous Materials Awareness Level Personnel seal; and
- (C) pass the Hazardous Materials Operations section of a commission examination.

(3) To receive the IFSAC Fire Fighter I seal, the individual must:

- (A) complete a commission approved Fire Fighter I course; and
- (B) provide medical documentation as outlined in subsection (c) of this section; and
- (C) document possession of an IFSAC Hazardous Materials Awareness Level Personnel seal; and
- (D) document possession of an IFSAC Hazardous Materials Operations Level Responders seal; and
- (E) pass the Fire Fighter I section of a commission examination.

(4) To receive the IFSAC Fire Fighter II seal, the individual must:

- (A) complete a commission approved Fire Fighter II course; and
- (B) document possession of an IFSAC Fire Fighter I seal; and
- (C) pass the Fire Fighter II section of a commission examination.

(b) In order to qualify for a Fire Fighter I seal, the individual must document successful completion of an emergency medical training course or program that includes those subject areas required by NFPA 1001.

(c) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

CHAPTER 423
FIRE SUPPRESSION
SUBCHAPTER B
MINIMUM STANDARDS FOR AIRCRAFT RESCUE FIRE FIGHTING PERSONNEL

§423.201. Minimum Standards for Aircraft Rescue Fire Fighting Personnel.

(a) Aircraft rescue fire fighting personnel are employees of a local governmental entity who are appointed to aircraft rescue fire fighting duties. These duties may include fighting aircraft fires at airports, standing by for potential crash landings, and performing aircraft rescue and fire fighting duties.

(b) Personnel appointed to aircraft rescue fire fighting duties must be certified by the commission within one year from the date of their employment.

(c) Prior to being appointed to aircraft rescue fire fighting duties, all personnel must:

(1) successfully complete a commission approved basic structure fire protection program and pass the commission's examination; and

(2) successfully complete a commission approved basic aircraft rescue fire fighting program and pass the commission's examination.

(d) "Stand by" means the act of responding to a designated position in the movement area on the airfield at which initial response fire and rescue units will await the arrival of an aircraft experiencing an announced emergency.

(e) "Movement area" is comprised of all runways, taxiways, and other areas of the airport which are used for taxiing or hover taxiing, take-off, and landing of aircraft, exclusive of loading ramps and aircraft parking areas.

(f) Personnel holding any level of aircraft rescue fire fighting personnel certification shall be required to comply with the continuing education specified in Chapter 441 of this title (relating to Continuing Education).

(g) Aircraft rescue fire fighting personnel that perform structure fire protection duties must be certified, as a minimum, as basic structure fire protection personnel.

§423.203. Minimum Standards for Basic Aircraft Rescue Fire Fighting Personnel Certification.

In order to be certified as Basic Aircraft Rescue Fire Fighting Personnel an individual must:

(1) hold a Basic Structure Fire Protection Personnel certification; and

(2) possess valid documentation as an Airport Fire Fighter from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2010 or later edition of the NFPA standard applicable to this

discipline and meeting the requirements specified in §439.1 of this title (relating to Requirements—General); or

(3) complete a commission approved aircraft rescue fire fighting program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved aircraft rescue fire fighting program shall consist of one of the following:

(A) a commission approved Basic Aircraft Rescue Fire Suppression Curriculum as specified in the commission's Certification Curriculum Manual; or

(B) an out-of-state, and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Basic Aircraft Rescue Fire Suppression Curriculum.

§423.205. Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel Certification.

(a) Applicants for Intermediate Aircraft Rescue Fire Fighting Personnel certification must complete the following requirements:

(1) hold as a prerequisite a Basic Aircraft Rescue Fire Fighting Personnel certification as defined in §423.203 of this title (relating to Minimum Standards for Basic Aircraft Rescue Fire Fighting Personnel Certification); and

(2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Aircraft Rescue Fire Fighting certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§423.207. Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification.

(a) Applicants for Advanced Aircraft Rescue Fire Fighting Personnel certification must complete the following requirements:

(1) hold as a prerequisite an Intermediate Aircraft Rescue Fire Fighting Personnel certification as defined in §423.205 of this title (relating to Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel Certification); and

(2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Aircraft Rescue Fire Fighting Personnel certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§423.209. Minimum Standards for Master Aircraft Rescue Fire Fighting Personnel Certification.

(a) Applicants for Master Aircraft Rescue Fire Fighting Personnel certification must complete the following requirements:

(1) hold, as a prerequisite, an Advanced Aircraft Rescue Fire Fighting Personnel certification as defined in §423.207 of this title (relating to Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification); and

(2) acquire a minimum of twelve years of fire protection experience, and 60 college semester hours or an associate's degree, which includes at least 18 college semester hours in fire science subjects.

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Aircraft Rescue Fire Fighting Personnel Certification.

§423.211. International Fire Service Accreditation Congress (IFSAC) Seal.

Individuals completing a commission approved basic aircraft rescue fire fighting program, documenting an IFSAC seal for Fire Fighter II, and passing the applicable commission examination may be granted an IFSAC seal as an Airport Fire Fighter by making application to the commission for the IFSAC seal and paying applicable fees. In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

CHAPTER 423
FIRE SUPPRESSION
SUBCHAPTER C
MINIMUM STANDARDS FOR MARINE FIRE PROTECTION PERSONNEL

§423.301. Minimum Standards for Marine Fire Protection Personnel.

(a) Marine fire protection personnel are employees of a local governmental entity who work aboard a fire boat with a minimum pumping capacity of 2,000 gallons per minute, and fight fires that occur on or adjacent to a waterway, waterfront, channel, or turning basin.

(b) Fire protection personnel appointed to marine fire protection duties must be certified by the commission within one year from the date of their appointment.

(c) Prior to being appointed to marine fire protection duties, all personnel must:

(1) successfully complete a commission approved basic structure fire protection program and pass the commission's examination; and

(2) successfully complete a commission approved basic marine fire protection program and pass the commission's examination.

(d) Personnel holding any level of Marine Fire Protection Personnel certification shall be required to comply with the continuing education specified in Chapter 441 of this title (relating to Continuing Education).

§423.303. Minimum Standards for Basic Marine Fire Protection Personnel Certification.

In order to be certified as Basic Marine Fire Protection Personnel an individual must:

(1) hold a Basic Structure Fire Protection Personnel certification; and

(2) complete a commission approved marine fire protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved marine fire protection program shall consist of one of the following:

(A) the commission approved Basic Marine Fire Protection Curriculum as specified in Chapter 3 of the commission's Certification Curriculum Manual; or

(B) An out-of-state, and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceed the commission approved Basic Marine Fire Protection Curriculum.

§423.305. Minimum Standards for Intermediate Marine Fire Protection Personnel Certification.

(a) Applicants for Intermediate Marine Fire Protection Personnel certification must complete the following requirements:

(1) hold, as a prerequisite, a Basic Marine Fire Protection Personnel certification as defined in §423.303 of this title (relating to Minimum Standards for Basic Marine Fire Protection Personnel Certification); and

(2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in fire service, may not be counted towards this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Marine Fire Protection Personnel certification. Repeating a course, or a course of similar content, cannot be used towards this level of certification.

§423.307. Minimum Standards for Advanced Marine Fire Protection Personnel Certification.

(a) Applicants for Advanced Marine Fire Protection Personnel certification must complete the following requirements:

(1) hold as a prerequisite an Intermediate Marine Fire Protection Personnel certification as defined in §423.305 of this title (relating to Minimum Standards for Intermediate Marine Fire Protection Personnel Certification); and

(2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted towards this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Marine Fire Protection Personnel certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§423.309. Minimum Standards for Master Marine Fire Protection Personnel Certification.

(a) Applicants for Master Marine Fire Protection Personnel certification must complete the following requirements:

(1) hold, as a prerequisite, an Advanced Marine Fire Protection Personnel certification as defined in §423.307 of this title (relating to Minimum Standards for Advanced Marine Fire Protection Personnel Certification); and

(2) acquire a minimum of twelve years of fire protection experience, 60 college semester hours or an associate's degree, which includes at least 18 college semester hours in fire science subjects.

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Marine Fire Protection Personnel Certification.

16. Proposed rule review for the following:

3.37 Tex. Administrative Code, Part 13, Chapter 425, Fire Service Instructors

CHAPTER 425

FIRE SERVICE INSTRUCTORS

§425.1. Minimum Standards for Fire Service Instructor Certification.

- (a) Training programs that are intended to satisfy the requirements for fire service instructor certification must meet the curriculum and competencies based upon NFPA 1041. All applicants for certification must meet the examination requirements of this section.
- (b) Prior to being appointed to fire service instructor duties, all personnel must complete a commission approved fire service instructor program and successfully pass the commission examination pertaining to that curriculum.
- (c) Personnel who receive probationary or temporary appointment to fire service instructor duties must be certified by the commission within one year from the date of appointment to such position.
- (d) An out-of-state, military, or federal instructor training program may be accepted by the commission as meeting the training requirements for certification as a fire service instructor if the training has been submitted to the commission for evaluation and found to be equivalent to or to exceed the commission approved instructor course for that particular level of fire service instructor certification.
- (e) An individual who holds a bachelor's degree or higher in education from a regionally accredited educational institution or a teaching certificate issued by the State Board for Educator Certification or an associate's degree with twelve semester hours of education instructional courses is considered to have training equivalent to the commission's curriculum requirements for Instructor I, II and III training.
- (f) Personnel holding any level of fire service instructor certification must comply with the continuing education requirements specified in §441.21 of this title (relating to Continuing Education for Fire Service Instructor).

§425.3. Minimum Standards for Fire Service Instructor I Certification.

In order to be certified as a Fire Service Instructor I an individual must:

(1) have a minimum of three years of experience as defined in §421.5 of this title (relating to Definitions) in fire protection in one or more or any combination of the following:

- (A) a paid, volunteer, or regulated non-governmental fire department; or
- (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and

(2) possess valid documentation as a Fire Instructor I, II or III from either:

- (A) the International Fire Service Accreditation Congress (IFSAC); or
- (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2007 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

(3) have completed the appropriate curriculum for Fire Service Instructor I contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and

(4) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification).

§425.5. Minimum Standards for Fire Service Instructor II Certification.

In order to be certified as a Fire Service Instructor II, an individual must:

(1) hold as a prerequisite a Fire Instructor I certification as defined in §425.3 of this title (relating to Minimum Standards for Fire Service Instructor I Certification); and

(2) have a minimum of three years of experience as defined in §421.5 of this title (relating to Definitions) in fire protection in one or more or any combination of the following:

(A) a paid, volunteer, or regulated non-governmental fire department; or

(B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and

(3) possess valid documentation as a Fire Instructor II or III from either:

(A) the International Fire Service Accreditation Congress (IFSAC); or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2007 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

(4) have completed the appropriate curriculum for Fire Service Instructor II contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and

(5) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification).

§425.7. Minimum Standards for Fire Service Instructor III Certification.

In order to be certified as a Fire Service Instructor III an individual must:

(1) hold as a prerequisite, a Fire Instructor II Certification as defined in §425.5 of this title (relating to Minimum Standards for Fire Service Instructor II Certification); and

(2) have a minimum of three years of experience (as defined in §421.5(47) of this title (relating to Definitions)) in fire protection in one or more or any combination of the following:

(A) a paid, volunteer, or regulated non-governmental fire department; or

(B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and

(3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor III; or

(4) have completed the appropriate curriculum for Fire Service Instructor III contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in

§425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and

(5) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification) and either:

(A) hold as a prerequisite an advanced structural fire protection personnel certification, an advanced aircraft fire protection personnel certification, advanced marine fire protection personnel certification, advanced inspector certification, advanced fire investigator, or advanced arson investigator certification; or

(B) have 60 college hours from a regionally accredited educational institution; or

(C) hold an associate's degree from a regionally accredited educational institution.

§425.9. Minimum Standards for Master Fire Service Instructor III Certification.

In order to be certified as a Master Fire Service Instructor III the individual must:

(1) hold as a prerequisite a Fire Service Instructor III certification; and

(2) be a member of a paid, volunteer, or regulated non-governmental fire department; or a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and

(3) hold as a prerequisite a master structural fire protection personnel certification, a master aircraft rescue fire fighting personnel certification, master marine fire protection personnel certification, master inspector certification, master fire investigator certification, or master arson investigator certification; or

(4) hold a bachelor's degree or higher in education from a regionally accredited educational institution or a teaching certificate issued by the Texas State Board of Education.

§425.11. International Fire Service Accreditation Congress (IFSAC) Seal.

(a) Individuals completing a commission approved Fire Service Instructor I training program and passing the applicable state examination may be granted an IFSAC seal for Instructor I by making application to the commission and paying the applicable fee.

(b) Individuals holding an IFSAC Instructor I seal, completing a commission approved Fire Service Instructor II training program, and passing the applicable state examination may be granted an IFSAC seal for Instructor II by making application to the commission and paying the applicable fee.

(c) Individuals holding an IFSAC Instructor II seal, completing a commission approved Fire Service Instructor III training program, and passing the applicable state examination may be granted an IFSAC seal for Instructor III by making application to the commission and paying the applicable fee.

(d) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

16. Proposed rule review for the following:

4.37 Tex. Administrative Code, Part 13, Chapter 439, Examinations For Certification

CHAPTER 439

EXAMINATIONS FOR CERTIFICATION

SUBCHAPTER A

EXAMINATIONS FOR ON-SITE DELIVERY TRAINING

§439.1. Requirements—General.

- (a) The administration of examinations for certification, including performance skill evaluations, shall be conducted in compliance with commission rules and; as applicable, with:
- (1) International Fire Service Accreditation Congress (IFSAC) regulations; or
 - (2) National Board on Fire Service Professional Qualifications (Pro Board) regulations for examinations administered by the Texas A&M Engineering Extension Service. Only Pro Board examinations administered by the Texas A&M Engineering Extension Service will be accepted by the commission for certification. In order for a Pro Board document to be accepted for certification, it must:
 - (A) List the commission issued course approval number for which the examination was conducted;
 - (B) Indicate that the examination was conducted in English; and
 - (C) List any special accommodations provided to the examinee. The commission may not issue a certificate for an examination conducted under special accommodations other than those specified in §439.13 of this title (relating to Special Accommodations for Testing).
- (b) It is incumbent upon commission staff, committee members, training officers and field examiners to maintain the integrity of the state certification examination process (or portion thereof) for which they are responsible.
- (c) The commission shall reserve the authority to conduct an annual review of Pro Board examinations, procedures, test banks, and facilities utilized by the Texas A&M Engineering Extension Service. The commission may also conduct a review at any time for cause and as deemed necessary to ensure the integrity of the certification examination process.
- (d) Exams will be based on the job performance requirements and knowledge and skill components of the applicable NFPA standard for that discipline, if a standard exists and has been adopted by the commission. If a standard does not exist or has not been adopted by the commission, the exam will be based on curricula as currently adopted in the commission's Certification Curriculum Manual.
- (e) Commission examinations that receive a passing grade shall expire two years from the date of the examination.
- (f) An examination for Basic Structure Fire Protection shall consist of four sections: Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness Level, and Hazardous Materials Operations Level including the Mission-Specific Competencies for Personal Protective Equipment and Product Control. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.
- (g) An examination for Basic Fire Inspector shall consist of two sections: Inspector I, and Inspector II. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.

(h) An examination for Basic Structure Fire Protection and Intermediate Wildland Fire Protection shall consist of five sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, First Responder Operations, and Intermediate Wildland Fire Protection. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.

(i) All other state examinations consist of only one section.

(j) The individual who fails to pass a commission examination for state certification will be given one additional opportunity to pass the examination or section(s) thereof. This opportunity must be exercised within 180 days after the date of the first failure. An examinee who fails to pass the examination within the required time may not sit for the same examination again until the examinee has re-qualified by repeating the curriculum applicable to that examination.

(k) An individual may obtain a new certificate in a discipline which was previously held by passing a commission proficiency examination.

(l) If an individual who has never held certification in a discipline defined in §421.5 of this title (relating to Definitions), seeks certification in that discipline, the individual shall complete all certification requirements.

(m) If an individual completes a commission approved training program, or a program that has been evaluated and deemed equivalent to a certification curriculum approved by the commission, such as an out-of-state or military training program or a training program administered by the State Firemen's and Fire Marshals' Association of Texas, the individual may use only one of the following examination processes for certification:

(1) pass a commission examination; or

(2) submit documentation of the successful completion of the Pro Board examination process administered by the Texas A&M Engineering Extension Service; and

(3) meet any other certification requirements in order to become eligible for certification as fire protection personnel.

(4) An individual cannot use a combination of the two examination processes in this subsection from a single commission approved class for certification. An individual who chooses to submit to the commission examination process may not utilize the other process toward certification.

(n) An individual or entity may petition the commission for a waiver of the examination required by this section if the person's certificate expired because of the individual's or employing entity's good faith clerical error or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action. All required renewal fees including applicable late fees and all required continuing education must be submitted before the waiver request may be considered.

(1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.

(2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order, ruling or agreement restoring the applicant to employment.

§439.3. Definitions.

The following words and terms, when used in this chapter, have the following definitions unless the context clearly indicates otherwise.

(1) Certificate of Completion--A statement by the provider of training certifying that an individual has successfully completed a commission-approved certification curriculum or phase program for a particular discipline, including having been evaluated by field examiners on performance skills identified by the commission. The certificate of completion qualifies an individual to take an original certification examination. The certificate expires two years from the date of completion. If an individual does not take the certification examination prior to the expiration of the certificate of completion, he or she must again complete the curriculum in order to obtain a new certificate of completion.

(2) Curriculum--The competencies established by the commission as a minimum requirement for certification in a particular discipline.

(3) Designee--An entity or individual approved by commission staff to administer commission certification examinations and/or performance skills in accordance with this chapter.

(4) Eligibility--A determination of whether or not an individual has met the requirements set by the commission and would therefore be allowed to take a commission examination.

(5) Endorsement of eligibility--A statement testifying to the fact that an individual has met all requirements specified by the commission and is qualified to take a commission examination. An endorsement of eligibility will be issued by a member of the commission staff.

(6) Examination--A state test which an examinee must pass as one of the requirements for certification.

(7) Examinee--An individual who has met the commission requirements and therefore qualifies to take the commission examination.

(8) Field examiner--An individual authorized to evaluate performance skills in commission approved curricula. The field examiner must possess a Fire Instructor Certification or other instructor qualification as allowed by §427.307(h) and (i) of this title (relating to On-Site and Distance Training Provider Staff Requirements) for Wildland courses only, complete the on-line commission field examiner course, and sign an agreement to comply with the commission's testing procedures. The field examiner must be approved by the commission to instruct all subject areas identified in the curriculum that he or she will be evaluating. The field examiner must repeat the examiner course every two years and submit a new Letter of Intent.

(9) Lead Examiner--A member of the commission staff or a designee who has been assigned by the commission to administer a commission examination.

(10) Letter of Intent--A statement, signed by an individual applying to the commission for field examiner status, that he or she is familiar with the commission's examination procedures, and agrees to abide by the policies and guidelines as set out in Chapter 439 of this title (relating to Examinations for Certification).

(11) Sectional examination—A test that covers one section of a multiple section examination.

§439.5. Procedures.

(a) Procedures for conducting examinations are determined by the commission.

(b) All application processing fees due to the commission must be paid in a timely manner. Late payments shall be assessed a late fee in accordance with §437.13 of this title (relating to Processing Fees for Test Application).

(c) Each examination must be administered by a lead examiner.

(d) The lead examiner must:

(1) ensure that the tests remain secure and that the examination is conducted under conditions warranting honest results;

(2) monitor the examination while in progress;

(3) control entrance to and exit from the test site;

(4) assign or re-assign seating; and

(5) bar admission to or dismiss any examinee who fails to comply with any of the applicable provisions of this chapter.

(e) All official grading and notification must come from the commission or its designee. The preliminary test results shall be made available within seven (7) business days after completion of the examination.

§439.7. Eligibility.

(a) An examination may not be taken by an individual who currently holds an active certificate from the commission in the discipline to which the examination pertains, unless required by the commission in a disciplinary matter, or test scores have expired and the individual is testing for IFSAC seals.

(b) An individual who passes an examination and is not certified in that discipline, will not be allowed to test again if the original examination grade is still active, unless required by the commission in a disciplinary matter.

(c) In order to qualify for a commission examination, the examinee must:

(1) meet or exceed the minimum requirements set by the commission as a prerequisite for the specified examination;

(2) submit a test application, meet any other prerequisite requirements, and submit the appropriate application processing fee(s);

(3) receive from the commission an "Endorsement of Eligibility" letter and provide this letter to the lead examiner;

(4) bring to the test site, and display upon request, a current and valid government issued identification which contains the name and photograph of the examinee;

(5) report on time to the proper location; and

(6) comply with all the written and verbal instructions of the lead examiner.

(d) No examinee shall be permitted to:

(1) violate any of the fraud provisions of this section;

(2) disrupt the examination;

(3) bring into the examination site any books, notes, or other written materials related to the content of the examination;

(4) refer to, use, or possess any such written material at the examination site;

(5) give or receive answers or communicate in any manner with another examinee during the examination;

(6) communicate at any time or in any way, the contents of an examination to another person for the purpose of assisting or preparing a person to take the examination;

(7) steal, copy, or reproduce any part of the examination;

(8) engage in any deceptive or fraudulent act either during an examination or to gain admission to it;

(9) solicit, encourage, direct, assist, or aid another person to violate any provision of this section; or

(10) bring into the examination site any electronic devices.

(e) No person shall be permitted to sit for any commission examination who has an outstanding debt owed to the commission.

§439.9. Grading.

(a) If performance skills are required as a part of the examination, the examinee must demonstrate performance skill objectives in a manner consistent with performance skill evaluation forms provided by the Commission. The evaluation format for a particular performance skill will determine the requirements for passage of the skill. Each performance skill evaluation form will require successful completion of one of the following formats:

(1) all mandatory tasks; or

(2) an accumulation of points to obtain a passing score as indicated on the skill sheet; or

(3) a combination of both paragraphs (1) and (2) of this subsection.

(b) The minimum passing score on each written examination or section thereof shall be 70%. This means that 70% of the total possible active questions must be answered correctly. The commission may, at its discretion, invalidate any question.

(c) If the commission invalidates an examination score for any reason, it may also, at the discretion of the commission, require a retest to obtain a substitute valid test score.

§439.11. Commission-Designated Performance Skill Evaluations.

(a) The commission-designated performance evaluations are randomly selected from each subject area within the applicable curriculum containing actual skill evaluations. This applies only for curricula in which performance standards have been developed.

(b) The training provider shall test the commission designated performance skills for competency. The skill evaluations may only take place after all training on the identified subject area has been completed. The date(s), time(s) and location(s) for the commission designated skill evaluations must be submitted on the commission designated skill schedule contained within the Training Prior Approval system. The commission must be notified immediately of any deviation from the submitted commission designated skill schedule. All skills must be evaluated by a commission approved field examiner. The individual who served as the instructor of a particular subject may not evaluate the performance skill for the subject.

(c) In order to qualify for the commission certification examination, the student must successfully complete and pass all designated skill evaluations. The student may be allowed two attempts to complete each skill. A second failure during the evaluation process will require remedial training in the failed skill area with a certified instructor before being allowed a third attempt. A third failure shall require that the student repeat the entire certification curriculum.

(d) If performance skill evaluations are not conducted for a student during the course of instruction, they must be conducted within ninety days (90) following the end date of the course. In a case such as

this the training provider must also obtain a new set of commission designated skills for which to evaluate the student; the provider may not use the same set of skills provided during the original course of instruction. If performance skill evaluations are not conducted within the ninety day (90) period, the student must repeat the course. The ninety (90) day period may be extended for students who were unable to complete their performance skill evaluations due to injury, illness, military commitment, or other situation beyond their control.

(e) The training facility must maintain records (electronic or paper) of skills testing on each examinee. Test results must be recorded and saved on the applicable performance skill sheets provided in the commission Curriculum Skills Manual, and must include all information called for on the skill sheet.

(f) For certification disciplines in which an IDLH environment may exist, all skill testing participants shall have available for use NFPA compliant PPE and SCBA as defined in §435.1 of this title (relating to Protective Clothing) and §435.3 of this title (relating to Self-Contained Breathing Apparatus).

§439.13. Special Accommodations for Testing.

(a) Special accommodation testing is for those individuals that have a documented disability which may hamper their success on a Texas Commission on Fire Protection written examination. Some accommodations that can be allowed are:

(1) A testing room to oneself (examinee is allowed to read the questions out loud to him or herself). To accommodate the request the examinee will have to test in the Commission's Austin headquarters location or any location deemed appropriate by the Commission.

(2) The test to be split in two with up to an hour break in between (no access to the first half of the examination will be allowed during or after the break). To accommodate the request the examinee will have to test in the commission's Austin headquarters location or any location deemed appropriate by the Commission.

(3) The questions to be printed in a larger font (approximately 7% larger).

(4) The test to be copied on off-white paper (i.e., cream colored).

(5) The use of highlighters or a highlighter sheet.

(6) Any requests that changes the condition of the examination or the examination process.

(b) If the applicant is seeking a special accommodation test, the applicant must submit written documentation of the disability and a written statement as to which of the allowable accommodations is being requested. The applicant may ask for accommodations not listed above. The request will be reviewed and the applicant will receive a written response regarding the Commission's position on the request.

Source Note: The provisions of this §439.13 adopted to be effective November 2, 2011, 36 TexReg 7363

§439.19. Number of Test Questions.

(a) Each examination may have two types of questions: pilot and active. Pilot questions are new questions placed on the examination for statistical purposes only. These questions do not count against an examinee if answered incorrectly. The maximum possible number of pilot questions will be 10% of the number of exam questions, rounded up.

(b) The number of questions on an examination, sectional examination, or retest will be based upon the specific examination, or number of recommended hours for a particular curriculum or section as shown in the table below. Any pilot questions added to an examination, sectional examination, or retest will be in addition to the number of exam questions.

Figure: 37 TAC §439.19(b)

Examination	Section	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
Basic Structure FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	TOTAL	225	25	4.5 Hours
Basic Fire Inspector	Inspector I	50		
	Inspector II	50		
	TOTAL	100	15	2.0 Hours
Basic Structure FP/ Intermediate Wildland FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	Intermediate Wildland FP	25		
	TOTAL	250	25	5.0 Hours
FOR ALL OTHER EXAMINATIONS, SECTIONAL EXAMINATIONS, AND RETESTS				
	Recommended Hours	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
IF THE RECOMMENDED HOURS FOR THE CURRICULUM OR SECTION IS:	Less than 30	25	3	30 Minutes
	31 to 100	50	5	1.0 Hour
	101 to 200	75	8	1.5 Hours
	201 to 300	100	10	2.0 Hours
	301 to 400	125	13	2.5 Hours
	401 or More	150	15	3.0 Hours

CHAPTER 439
EXAMINATIONS FOR CERTIFICATION
SUBCHAPTER B
EXAMINATIONS FOR DISTANCE TRAINING

§439.201. Requirements—General.

The examination requirements for those completing distance training shall be the same as those in Subchapter A of this chapter, except as noted in this subchapter.

§439.205. Performance Skill Evaluation.

If the performance skill portion of a state exam is to be evaluated by an approved field examiner who will not observe the completion of the skill while in the immediate physical presence of the examinee, a letter of assurance from the candidate's training officer or fire chief is required stating that the fire department assures the integrity of the evaluation procedure. If the candidate is not a member of a fire department, then a certified fire instructor, fire chief, or training officer may provide a letter of assurance that meets the requirements of this section. The provider of distance training is required to keep a record of this assurance and provide it to the commission upon request.

17. Report from ad-hoc committee regarding advisory committees including but not limited to committee make up, term limits, and meeting requirements.

18. Fee amount for Certificates.

19. Matters from the Agency Chief:

A. Decisions of Agency Chief in contested cases and consent orders.

20. Matters from the Agency Chief.

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**

Commission Quarterly Report

Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training Audits Statistics – 1st Quarter, FY 2022**
 - Test Administration – 6515 exams were administrated during this quarter with a pass rate of 83.38%.
 - Training Approvals – Total of 774 training approvals were submitted with start dates during this quarter in the commission’s Training Facility Management System.
 - Record Reviews – One hundred twenty-five (125) record reviews for equivalency were conducted (25 SFFMA/100 out of state or education). One hundred sixty-eight (168) Qual numbers were issued in the Training Facility Management System.
 - Training and Skill Testing Audits – Three (3) online training audits were conducted during the 1st quarter. Minor issues found such grades and date change. All were resolved.

- **Activities for the Next Quarter**
 - Resume online audits that were put on hold due to the influx of testing.
 - Work with our compliance officers to streamline online and onsite audit procedures.
 - Continue to scout for additional testing centers to fill “gaps” throughout the state.

2022 1st Quarter: Certification & Professional Development
September 1, 2021- November 31, 2021

	Q1	Q2	Q3	Q4
<u>Certification/Renewal:</u>				
Professional Development Training Applications	5278			
<u>Issued:</u> IFSAC Seals	2406			
TCFP Certifications	2610			
Criminal History	616			
Medical documents:	687			
Confirmation of Commissions (Peace Officer)	33			
Service time applications	135			
<u>Renewals:</u> Department Personnel	37066			
Certified Training Facilities	0			
Individual Certified Holders	5727			
Registered Seals: IFSAC	1436			
TEEX Proboard	363			
Total number of Training Facilities	560			

Quarterly Report – Curriculum Development
September 2021 – November 2021

1st Quarter Meeting Dates:

Texas Commission on Fire Protection Meeting

- October 28

Curriculum and Testing Committee

- October 6-7
- November 10

ARFF Ad Hoc Committee

- October 5
- November 16

Investigator Ad Hoc Committee

- October 26-27

Meetings: Detail

- **Texas Commission on Fire Protection – October 28, 2021 10:00 a.m.**
 - Report from Curriculum and Testing Committee – Mr. Pat McAuliff
 - Update on Elections of new positions to the Curriculum and Testing Committee - Harold (Buddy) Rice and Douglas Matthijetz
 - Update on Curriculum based on NFPA Standard changes – Fire Officer I-IV and ARFF
- **Curriculum and Testing Committee – October 6-7**
 - Reviewed test questions for:
 - Hazardous Materials Operations
 - Basic Fire Suppression

- Incident Safety Officer
- Discussed
 - Committee Structure (Term Limits)
 - Committee Vacancies
 - New Members
 - ARFF - Jose Izaguirre (Laredo FD) and Edward Snyder (El Paso FD)
 - C&T – Harold (Buddy) Rice and Douglas Matthijetz
 - NFPA Consolidation – Schedule Preparations
 - 2021 or early 2022 – **NFPA 470 is a combination of Standards NFPA 1072, NFPA 472 and NFPA 473**
 - 2023 – **NFPA 1030 is combining Standards NFPA 1031, NFPA 1035, and NFPA 1037**
 - Curriculum Manual Layouts
 - Standardized layout created for all Manuals
 - Special Operations Certifications (NFPA 1006)
 - Fire Marshal Certification (NFPA 1037 - NFPA 1030-2022/2023)
 - Fire Marshal Ad-Hoc committee to be formed by Curriculum and Testing Committee.
 - Driver Operator Reference Material Update- J&B Manual Released & Update Reference List
- **Curriculum and Testing Committee – November 10 via Zoom**
 - Committee Vacancies
 - New Members
 - Investigator – Timothy Ware, James Singleton
 - Inspector – Michael Howell, Carl McMurphy, David Merryman, James Serrano, and Yvonne Clark
 - Fire Officer I-IV approved for presentation to Fire Fighter Advisory Committee December 2, 2021
- **ARFF Ad Hoc Committee – October 5**
 - Review Test Question
 - Test questions to be added to test bank as pilots
 - Review Curriculum Manual
 - Grammar, spelling, and formatting issues
 - Review Skills Manual
 - Formatting
 - Reference Material Update –
 - J&B Test on hold
- **ARFF Ad Hoc Committee – November 16**
 - Introduction of new members – Jos Izaguirre and Edward Snyder
 - Review Test question
 - test question to be added to test bank as pilots
 - Review of Correlation Sheet
 - Number of questions per JPR
 - Review Curriculum Manual
 - Corrections made
 - Review Skill Manual
 - No changes needed

- Discussed
 - Feedback from reviewers of Curriculum Packages
- **Investigator Ad Hoc Committee – October 26 - 27**
 - Review Curriculum updates
 - Committee set effective date to June 1st, 2022
 - Review changes to be made
 - Divide changes among Committee members
 - Update correlation sheets with test questions
 - Correlations sheets have not been updated on IFSA due to contract renewal problems
 - Test Question
 - Questions to be added to Chapters 6,17,18, and 19
 - Curriculum to be sent to Curriculum and Testing Committee in January for Review

FARM Curriculum and Skills Audit

- **Audit Curriculum and Skills – November 1- 5**
 - Review Curriculum chapters 1-13 for accuracy and alignment with Correlation Sheet
 - Review Skills chapters 1-13 for accuracy and alignment with Correlation Sheet

Test Question Feedback Review

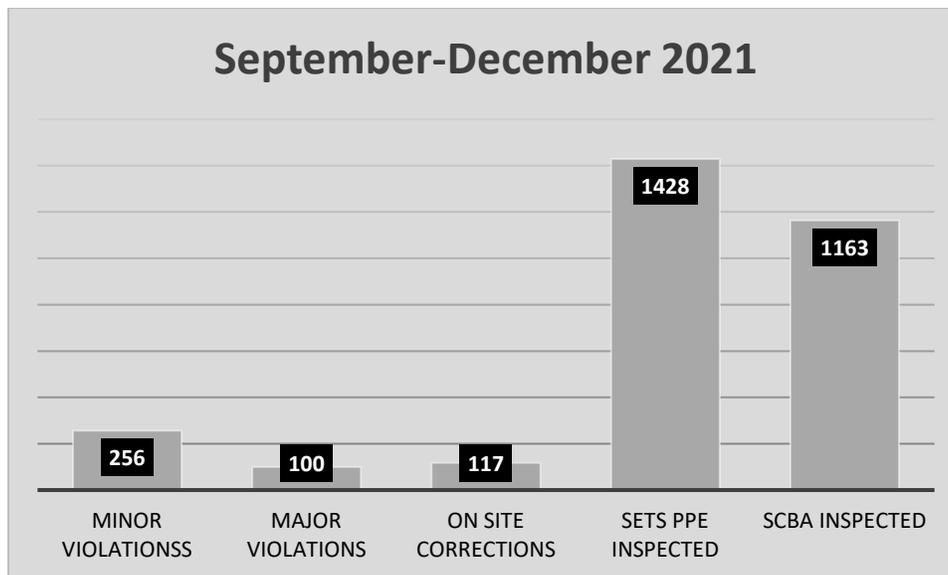
- **Feedback Review**
 - Online question Feedback 70
 - Q ID # 9778 reviewed by C&T and approved for edit 11/29/2021
 - Question Feedback Form 200+
 - No questions edited

Test Development and Test Bank Maintenance

- **Updated test bank**
 - Fire Officer
 - ARFF

Commission Quarterly Report Compliance Division

Compliance Inspection Activity statistics:



The Compliance Division coordinated, scheduled, and extended invitations for the following regional meetings.

- Region 7 - September 3, 2021, meeting at Corpus Christi FD.
- Region 7 –October 5, 2021, meeting at Harlingen FD.
- Region 2 –October 20, 2021, meeting at Lubbock FD.

Compliance Officers assigned to 435 & 427 ad-hock committees participated in their perspective meetings.

Coordinated with the training division to schedule and staff additional locations to accommodate increased demand in state certification exams.

Injury investigations: 10 assigned, 5 investigated, 5 reviewed not investigated

Inspection files forwarded to compliance chief for further action: 1

Interviews for region I & II compliance officer positions

Review and revision of compliance division training program

The compliance team worked with the certifications division to clear up late renewals

IT quarterly report (1st QUARTER FY22):

- TCFP Websites and Web Applications Uptime 99%
 - Azure Cloud
 - Databases tuned up
 - Connections updated
 - Snapshots resized
 - FionaCore updated
 - Performed bug fixes
 - FARM and FIDO updated
 - Performed bug fixes
 - UI & Backend improvements
 - Public website updated
 - Addressed 678 Service Request (Tickets)
- Was heavily impacted by problems with renewal

20. Personnel matters regarding the appointment, employment, compensation, evaluation, reassignment, and duties of the Agency Chief.

21. Adjourn meeting.