

TEXAS COMMISSION ON FIRE PROTECTION

April 12, 2012, 10:00 a.m.

1701 N. Congress Avenue, William B. Travis Building, Room 1-104, Austin, Texas

1. Roll call –10:00 a.m.
2. Adoption of the January 12, 2012 commission meeting minutes.
3. The Budget and Strategic Plan subcommittees will meet on April 12, 2012 during the commission meeting and may develop recommendations to be presented to the full commission including but not limited to, modifications to the agency operating budget, strategic plan and legislative appropriations request. The subcommittees may meet separately or together.
4. Report from the Budget and Strategic Plan subcommittees with discussion and possible action relating to any recommendations developed by these subcommittees.
5. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Association of Fire Educators, the Texas Forest Service, the National Fire Protection Association, Safe-D, and the State Fire Marshal's Office.
6. Discussion and possible action concerning reports by the Commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).
7. Discussion and possible action regarding the appointment of a new Commission representative to serve on the Texas Fire School Advisory Board.
8. New matters from the commission, staff, or public regarding rulemaking which may be discussed in future commission meetings.
9. Discussion and possible action on future meeting dates.
10. Recognition of Hutto Fire & Rescue for its contributions to Safety in the Fire Service, 16-Life Safety Initiatives – Everyone Goes Home.
11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:
 - A. Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:
 1. Proposed amendments to 37 TAC, Chapter 421, Standards for Certification, including, but not limited to, §421.9, Designation of Fire Protection Duties.
 2. Proposed amendments to 37 TAC, Chapter 435, Fire Fighter Safety, including, but not limited to, §435.1, Protective Clothing.
 - B. Discussion and possible action on proposed amendments, new sections, repeals, and rule reviews as follows:
 1. Proposed amendments to 37 TAC, Chapter 427, Training Facility Certification, Subchapter C, Training Programs for On-Site and Distance Training Providers, including but not limited to, §427.305, Procedures for Testing Conducted by On-Site and Distance Training Providers.

2. Proposed amendments to 37 TAC, Chapter 431, Fire Investigation, Subchapter A, Minimum Standards for Arson Investigator Certification, including but not limited to, §431.9, Minimum Standards for Master Arson Investigator Certification.
 3. Proposed amendments to 37 TAC, Chapter 437, Fees, including but not limited to, §437.15, International Fire Service Accreditation (IFSAC) Seal Fees.
 4. Proposed amendments to 37 TAC, Chapter 439, Examinations for Certification, Subchapter A, Examinations for On-Site Delivery Training, including but not limited to, §439.1, Requirements-General, and §439.11, Commission-Designated Performance Skill Evaluations.
 5. Proposed new, 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification, including but not limited to new §455.1, Minimum Standards for Wildland Fire Protection Personnel, new §455.3, Minimum Standards for Basic Wildland Fire Protection Certification, new §455.5, Minimum Standards for Intermediate Wildland Fire Protection Certification, and new §455.7, Examination Requirements.
 6. Proposed new, 37 TAC, Chapter 457, Minimum Standards for Incident Safety Officer, including but not limited to new §457.1, Incident Safety Officer Certification, new §457.3, Minimum Standards for Incident Safety Officer Certification, and new §457.5, Examination Requirements.
- C. Report from the Curriculum and Testing Committee with discussion and possible action on amendments to the Certification Curriculum Manual, including but not limited to:
- a. Basic Aircraft Rescue Fire Suppression Curriculum-addition of International Fire Service Training Association (IFSTA), *Essentials of Fire Fighting and Fire Department Operations (5th Edition) (2008)* to the reference list
 - b. Fire Inspector Curriculum-addition of "Course Phase Outlines" to Chapter 4
 - c. Fire Investigator Curriculum-addition of "Course Phase Outlines" to Chapter 5
12. Discussion only regarding Chapter 449, Head of a Fire Department, including but not limited to, §449.1, Minimum Standards for the Head of a Fire Department, §449.3, Minimum Standards for Certification as Head of a Suppression Fire Department, and §449.5, Minimum Standards for Certification as Head of a Prevention Only Department.
 13. Discussion only regarding 2011 fire fighter injury data collected.
 14. Discussion and possible action on matters from the Executive Director.
 - A. Report on decisions of the Executive Director in contested cases and consent orders.
 - B. Status of division functions.
 15. Executive session pursuant to Government Code, Section 551.074, for the discussion of personnel matters: the appoint, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an Interim basis in this position.
 16. Open session for further discussion and possible action regarding preceding agenda item.
 17. Adjourn meeting.

The Texas Commission on Fire Protection may go into executive session on any agenda item if authorized by the Open Meetings Act, Texas Government Code Chapter 551.

1. Roll call---10:00 a.m.

2. Adoption of the January 12, 2012 commission meeting minutes.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Chris Connealy, at 10:00 a.m. called the January 12, 2012 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Les Bunte John Gillette Leonardo Perez	Elroy Carson** Jody Gonzalez Steve Tull	Chris Connealy John Green	Tony Cortes John McMakin	Yusuf Farran* Arthur Pertile, III*	Carl Giles
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*absent entire meeting

**absent part of meeting

Staff	Don Wilson Jim Crowson, Assistant Attorney General	Deborah Cowan	Tim Rutland	Mary Hunt
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Guests	Mike Hunt Jason Collier John Kendall	Mike Higgins Paul Maldonado Cliff Avery	Gary L. Warren, Sr. Kade Wallace Jerry Doyle	J. P. Steelman Ron Cooper Lynn Robitaille	Wendell Burton Ken Dozier Leigh Tomlin
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| 1. Roll call | Secretary, John Gillette called roll and a quorum was present. |
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| 2. Adoption of Minutes | A motion to approve the minutes of the October 5, 2011 and October 27-28, 2011 commission meeting minutes was made by Steve Tull and seconded by Carl Giles. The motion carried. |
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| 3. Budget and Strategic Plan Subcommittee Meeting | The subcommittees met together to review the agency's current budget and performance measures. |
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| 4. Subcommittee Reports | After discussion no action taken. |
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| 5. Reports from Fire Service Interest Groups | Brief reports were given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters and State Association of Fire and Emergency Districts. |
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| 6. Report from Fire School Advisory Board & TEEEX | Commission representative, Michael Hunt gave a brief report on the activities of the last board meeting. He also informed all commissioners that he is retiring as the commission's representative on the board due to his fire department duties. |
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| 7. Appointment of Representative to the Fire School Advisory Board | The Commission discussed the issue and directed staff to post an announcement on the agency's web site for individuals interested in applying for this position. The requirements identified by Commissioners are a letter of interest to serve as the Commission's representative, a short resume and a letter of support from his/her fire chief or city manager if the individual is a current fire chief. The Commission will review all information at its next scheduled commission meeting scheduled for April 12, 2012. |
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8. Presentation on recommendations made by Forensic Science Commission Presentation by Lynn Robitaille of the Forensic Science Commission on behalf of Chairman Nizam Peerwani who was unable to attend due to a court appearance. Ms. Robitaille went over recommendations applicable to the agency. The Commission agreed to try to have a Commissioner attend the next Board meeting of the Forensic Science Commission to answer any questions they may have of the Texas Commission on Fire Protection. Commissioners will send a reply to the Forensic Science Commission on their recommendations.
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9. New Matters Haz-Mat Technician Certification requirements, Head of Department, Incident Safety Officer, Fire Officer III & IV
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10. Future meeting dates The commission scheduled its next meeting for April 12, 2012, beginning at 10:00 a.m.
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11. Matters from Fire Fighter Advisory Committee A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 425, §425.1 as discussed was made by Steve Tull and seconded by Leonardo Perez. The motion carried.
2. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 429, §§429.201, 429.203, 429.205, 429.207, 429.209 and 429.211 as discussed was made by Elroy Carson and seconded by Steve Tull. The motion carried.
3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 431, §431.3 as discussed was made by Leonardo Perez and seconded by Tony Cortes. The motion carried.
4. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 451, §451.3 and §451.203 as discussed was made by John Green and seconded by Carl Giles. The motion carried.
- B. 1. A motion to approve for publication the proposed amendments to 37 TAC, Chapter 421, §421.9 as discussed was made by Les Bunte and seconded by Steve Tull. The motion carried.
2. A motion to approve for publication the proposed amendments to 37 TAC, Chapter 435, §435.1 as discussed was made by John Gillette and seconded by Leonardo Perez. The motion carried.
3. A motion to table and send back to the fire fighter advisory committee Chapter 441, Continuing Education, §441.5 and §441.13 for further review was made by Les Bunte and seconded by Carl Giles. The motion carried.
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12. Higher levels of Certification A motion to approve the additional classes or courses to the A & B Lists for higher levels of certification as discussed was made by John Gillette and seconded by Tony Cortes. The motion carried.
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13. Proposed Rule Review Plan A motion to approve for publication the proposed rule review plan for calendar year 2012 as discussed was made by Elroy Carson and seconded by John McMakin. The motion carried.
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14. Matters from Executive Director
- a. Mr. Wilson informed commissioners there was only one contested case or consent order since the last commission meeting. No action necessary.
 - b. Mr. Wilson provided the commissioners with an update on new employees hired by the agency as well as a new organizational chart effective January 1, 2012.
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15. Executive session
- Presiding Officer, Chris Connealy called the Executive Session at 1:30 p.m.
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16. Open Session
- Presiding Officer, Chris Connealy called for open session at 3:50 p.m. No action necessary.
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17. Adjournment
- A motion to adjourn was made by Steve Tull and seconded by Tony Cortes. The motion carried.

Chris Connealy, Presiding Officer

- 3. The Budget and Strategic Plan subcommittees will meet on April 12, 2012 during the commission meeting and may develop recommendations to be presented to the full commission including but not limited to, modifications to the agency operating budget, strategic plan and legislative appropriations request. The subcommittees may meet separately or together.**

Texas Commission on Fire Protection

Fiscal Year 2012 - Operating Budget

Updated: 03/19/12

Thru: February 29, 2012

Summary

Goals:	FY12 Budget	FY12 Expended	Balance	%
Education, Information and Assistance	48,778	24,389	24,389	
Fire Department Standards	1,121,217	501,131	620,086	
Indirect Administration	450,752	222,043	228,709	
Merit Budget				
1001 - Salaries & Wages:	1,620,747	747,563	873,184	54%
Education, Information and Assistance	500	240	260	
Fire Department Standards	38,700	27,006	11,694	
Indirect Administration	19,655	7,495	12,160	
1002 - Other Personnel Costs	58,855	34,741	24,114	41%
Education, Information and Assistance	0	0	0	
Fire Department Standards	2,578	2,521	57	
Indirect Administration	15,505	15,505	0	
2001 - Professional Fees and Services:	18,083	18,026	57	0%
Education, Information and Assistance	4,356	1,545	2,811	
Fire Department Standards	16,243	2,106	14,137	
Indirect Administration	3,313	1,033	2,280	
2003 - Consumable Supplies:	23,912	4,684	19,228	80%
Education, Information and Assistance	386	157	228	
Fire Department Standards	24,384	11,273	13,111	
Indirect Administration	2,699	1,101	1,598	
2004 - Utilities:	27,468	12,531	14,937	54%
Education, Information and Assistance	0	0	0	
Fire Department Standards	53,708	23,197	30,511	
Indirect Administration	18,775	11,019	7,756	
2005 - Travel:	72,483	34,217	38,267	53%
Education, Information and Assistance	480	34	446	
Fire Department Standards	2,136	1,068	1,068	
Indirect Administration	1,128	772	356	
2006 - Rent - Building (storage):	3,744	1,874	1,870	50%
Education, Information and Assistance	641	203	438	
Fire Department Standards	12,568	4,678	7,890	
Indirect Administration	6,675	1,424	5,251	
2007 - Rent - Machine and Other:	19,885	6,305	13,580	68%
Education, Information and Assistance	2,316	1,503	814	
Fire Department Standards	43,816	23,176	20,641	
Indirect Administration	38,698	28,897	9,801	
2009 - Other Operating Expense:	84,831	53,575	31,255	37%
Education, Information and Assistance	0	0	0	
Fire Department Standards	12,162	12,162	0	
Indirect Administration	0	0	0	
4000 - Grants:	12,162	12,162	0	0%
Education, Information and Assistance	4,205	1,801	2,404	
Fire Department Standards	0	0	0	
Indirect Administration	0	0	0	
5000 - Capital Expenditures:	4,205	1,801	2,404	57%
TOTAL - ALL EXPENDITURES	1,946,375	927,480	1,018,895	52%

Texas Commission on Fire Protection
Fiscal Year 2012 - Operating Budget

Thru: February 29, 2012

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Budget:	48,778	0	0	48,778	0
Expended:	24,389	0	0	24,389	
1001 - Balance Salaries & Wages:	24,389	0	0	24,389	50%
Other Personnel Costs:					
7017- One-Time Merit	0	0	0	0	
7022- Longevity Pay	240	0	0	240	
7023- Lump Sum Termination	0	0	0	0	
Budget:	500	0	0	500	0
Expended:	240	0	0	240	
1002 - Balance Other Personnel Costs	260	0	0	260	52%
Professional Fees and Services:					
7242- Consulting Services - IT Computer	0	0	0	0	
7245- Financial & Accounting Services	0	0	0	0	
7253- Other Professional Fees (EAP)	0	0	0	0	
7274- Temporary Employment Agencies	0	0	0	0	
7275- Computer Programming Services	0	0	0	0	
Budget:	0	0	0	0	0
Expended:	0	0	0	0	
2001 - Balance Professional Fees and Services:	0	0	0	0	#DIV/0!
Budget:	356	4,000	0	4,356	0
Expended:	119	1,427	0	1,545	
2003 - (7300) Balance Consumable Supplies:	237	2,573	0	2,811	65%
Utilities:					
7501- Electricity	0	0	0	0	
7503- Telecommunications-Long Distance	0	0	0	0	
7504- Telecommunications-Monthly Charge	157	0	0	157	
7514- Telecommunications-Maint & Repair	0	0	0	0	
7516- Telecommunications-Other Charges (reg voice/internet)	0	0	0	0	
7517- Telecommunications Equipment-Expensed	0	0	0	0	
Budget:	386	0	0	386	0
Expended:	157	0	0	157	
2004 - Balance Utilities:	228	0	0	228	59%
Travel:					
7101- Travel I/S - Public Transportation Fares	0	0	0	0	
7102- Mileage	0	0	0	0	
7104- Travel I/S - Actual Expense Overnight	0	0	0	0	
7105- Travel I/S - Incidental Expenses	0	0	0	0	
7106- Travel I/S - Meals & Lodging	0	0	0	0	
7107- Travel I/S - Non-Overnight Travel (Meals)	0	0	0	0	
7110- Travel I/S - Board Member Meals & Lodging	0	0	0	0	
7111- Travel OOS - Public Transportation Fares	0	0	0	0	
7112- Travel OOS - Mileage	0	0	0	0	
7115- Travel OOS - Incidental Expenses	0	0	0	0	
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0	
7135- Travel I/S - State Occupancy Tax	0	0	0	0	
7136- Travel I/S - State Occupancy Tax Galveston	0	0	0	0	
Budget:	0	0	0	0	0
Expended:	0	0	0	0	
2005 - Balance Travel:	0	0	0	0	#DIV/0!
Budget:	480	0	0	480	0
Expended:	34	0	0	34	
2006 - (7470) Balance Rent - Building (storage):	446	0	0	446	93%

Texas Commission on Fire Protection
Fiscal Year 2012 - Operating Budget

Thru: February 29, 2012

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	143	0		143	
7411- Rental - Computer Equipment	60	0		60	
Budget:	641	0	0	641	0
Expended:	203	0	0	203	
2007 - Balance Rent - Machine and Other:	438	0	0	438	68%
Other Operating Expense:					
7042- ERS Insurance Payment	244	0		244	
7201- Membership Dues	225	0		225	
7203- Registration Fees-Employee Training	10	0		10	
7295 Fees & Other Charges (DPS) (7210)	0	0		0	
7211- Awards	0	0		0	
7216- Insurance Premiums - appvd by oag	0	0		0	
7262- Maint & Repair - Computer Software	0	0		0	
7267- Maint & Repair - Computer Equipment	0	0		0	
7273- Reproduction & Printing	0	0		0	
7276- Communication Services (T-1 Line)	49	0		49	
7281- Advertising Services	0	0		0	
7286- Freight & Delivery Services	0	0		0	
7291- Postage & Postal Services	432	0		432	
7299- Purchased Contracted Services	4	0		4	
7303- Subscriptions, Periodicals and Info Services	0	0		0	
7312- Medical Supplies	0	0		0	
7330- Parts -equip, furn	0	0		0	
7334- Furnishings & Equipment -Expensed	4	0		4	
7335- Parts -Computer Equipment - Expensed	0	0		0	
7354- Bldg Remodel - State Leased -Expensed	0	0		0	
7367- Personal Property - Maint & Repair	0	0		0	
7374- Personal Property-Furn & Equip - Controlled	0	0		0	
7377- Computer Equipment - Expensed	0	0		0	
7378- Computer Equipment - Controlled	0	0		0	
7379- Computer Equipment - Cap (>1,000)	0	0		0	
7380- Computer Software - Expensed	525	0		525	
7382- Books - Expensed	0	0		0	
7806- Interest on Delayed Payment	0	0		0	
7947- Workers Compensation Transfer (SORM)	0	0		0	
7953- SWCAP payment/cost allocation	0	0		0	
7961- STS Transfers-Telecommunications (TexAn)	10	0		10	
Budget:	2,316	0	0	2,316	0
Expended:	1,503	0	0	1,503	
2009 - Balance Other Operating Expense:	814	0	0	814	35%
Grants:					
7312- Medical Supplies	0	0		0	
7623- Grants- Community Serv. Programs	0	0		0	
7701- Loans to Political Subdivisions	0	0		0	
Budget:	0	0	0	0	0
Expended:	0	0	0	0	
4000 - Balance Grants:	0	0	0	0	#DIV/0!
Capital Expenditures:					
7354- Remodeling of Bldg-State Owned - Capitalized	0	0		0	
7389- Books, Pre-Recorded Ref Material - Capitalized	1,801	0		1,801	
Budget:	4,205	0	0	4,205	0
Expended:	1,801	0	0	1,801	
5000 - Balance Capital Expenditures:	2,404	0	0	2,404	57%
Budget:	57,662	4,000	0	61,662	
Expended:	28,446	1,427	0	29,873	
TOTAL BALANCE	29,216	2,573	0	31,789	52%

Texas Commission on Fire Protection

Fiscal Year 2012 - Operating Budget

Thru: February 29, 2012

Goal B: Fire Department Standards

Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Admin	Total	%
Budget	91,542	442,475	188,475	251,229	44,837	102,659	1,121,217	0.00
Expended:	14,296	210,904	97,146	99,920	22,241	56,624	501,131	
1001 - Balance Salaries & Wages:	77,247	231,571	91,329	151,309	22,596	46,035	620,086	55%
Other Personnel Costs:								
7017- One-Time Merit	0	0	0	0	0	0	0	
7022- Longevity Pay	100	3,780	2,700	2,980	220	1,210	10,990	
7023- Lump Sum Termination	16,016	0	0	0	0	0	16,016	
7030- Employee Incentive Bonus	0	0	0	0	0	0	0	
Budget	16,260	8,000	5,500	6,480	440	2,020	38,700	0
Expended:	16,116	3,780	2,700	2,980	220	1,210	27,006	
1002 - Balance Other Personnel Costs	144	4,220	2,800	3,500	220	810	11,694	30%
Professional Fees and Services:								
7242- Consulting Services - IT Computer	0	0	0	0	0	0	0	
7245- Financial & Accounting Services	0	0	0	0	0	0	0	
7253- Other Professional Fees (EAP)	0	0	0	0	0	0	0	
7274- Temporary Employment Agencies	0	0	0	2,521	0	0	2,521	
7275- Computer Programming Services	0	0	0	0	0	0	0	
Budget	0	0	0	2,578	0	0	2,578	0
Expended:	0	0	0	2,521	0	0	2,521	
2001 - Balance Professional Fees and Services	0	0	0	57	0	0	57	2%
Budget	3,568	500	8,400	3,675	100	0	16,243	0
Expended:	1,773	209	48	76	0	0	2,106	
2003 - (7300) Balance Consumable Supplies:	1,795	291	8,352	3,599	100	0	14,137	87%
Utilities:								
7501- Electricity	0	0	0	0	0	0	0	
7503- Telecommunications-Long Distance	0	0	0	0	0	0	0	
7504- Telecommunications-Monthly Charge	2,909	1,814	0	0	0	0	4,723	
7514- Telecommunications-Maint & Repair	0	0	0	0	0	0	0	
7516- Telecommunications-Other Charges (reg voice/inte)	0	6,550	0	0	0	0	6,550	
7517- Telecommunications Equipment-Expensed	0	0	0	0	0	0	0	
Budget	8,868	15,516	0	0	0	0	24,384	0
Expended:	2,909	8,364	0	0	0	0	11,273	
2004 - Balance Utilities:	5,959	7,152	0	0	0	0	13,111	54%
Travel:								
7101- Travel I/S - Public Transportation Fares	0	5,191	0	1,575	0	0	6,766	
7102- Mileage	0	2,538	191	293	0	0	3,022	
7104- Travel I/S - Actual Expense Overnight	10	0	0	9	0	0	19	
7105- Travel I/S - Incidental Expenses	0	2,855	0	1,014	0	0	3,869	
7106- Travel I/S - Meals & Lodging	0	5,913	46	1,136	0	0	7,096	
7107- Travel I/S - Non-Overnight Travel (Meals)	0	277	18	0	0	0	295	
7110- Travel I/S - Board Member Meals & Lodging	0	0	0	0	0	0	0	
7111- Travel OOS - Public Transportation Fares	0	0	0	1,310	0	0	1,310	
7112- Travel OOS - Mileage	0	0	0	0	0	0	0	
7114- Travel OOS -	0	0	0	133	0	0	133	
7115- Travel OOS - Incidental Expenses	0	0	0	62	0	0	62	
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	380	0	0	380	
7135- Travel I/S - State Occupancy Tax	0	211	0	35	0	0	246	
7136- Travel I/S - State Occupancy Tax Galveston	0	0	0	0	0	0	0	
Budget	0	37,728	440	15,541	0	0	53,708	
Expended:	10	16,985	256	5,947	0	0	23,197	
2005 - Balance Travel:	(10)	20,743	184	9,594	0	0	30,511	57%
7462- Rent office space - building		1,068					1,068	
Budget	0	2,136	0	0	0	0	2,136	0
Expended:	0	1,068	0	0	0	0	1,068	
2006 - (7470) Balance Rent - Building (storage):	0	1,068	0	0	0	0	1,068	50%

Texas Commission on Fire Protection

Fiscal Year 2012 - Operating Budget

Thru: February 29, 2012

Goal B: Fire Department Standards

Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Admin	Total	%
Rent - Machine and Other:								
7406- Rental - Furnishings & Equipment (copier)	2,902	0	0	0	0		2,902	
7411- Rental - Computer Equipment	1,776	0	0	0	0		1,776	
Budget	12,568	0	0	0	0		12,568	0
Expended:	4,678	0	0	0	0		4,678	
2007 - Balance Rent - Machine and Other:	7,890	0	0	0	0		7,890	63%
Other Operating Expense:								
7042- ERS Insurance Payment	76	2,004	971	866	222	439	4,579	
7201- Membership Dues	0	0	0	0	0		0	
7203- Registration Fees-Employee Training	239	250	250	0	0		739	
7210- Fees & Other Charges (DPS)	0	0	14	0	0		14	
7211- Awards	0	0	0	0	0		0	
7216- Insurance Premiums - appvd by oag	0	250	0	0	0		250	
7262- Maint & Repair - Computer Software	0	0	0	0	0		0	
7267- Maint & Repair - Computer Equipment	0	0	0	862	0		862	
7273- Reproduction & Printing	0	101	20	0	0		121	
7276- Communication Services (T-1 Line)	1,833	0	0	0	0		1,833	
7281- Advertising Services	0	0	0	0	0		0	
7286- Freight & Delivery Services	0	0	0	3,152	0		3,152	
7291- Postage & Postal Services	9,945	180	0	0	0		10,125	
7299- Purchased Contracted Services	89	0	0	0	0		89	
7303- Subscriptions, Periodicals and Info Services	0	0	0	0	0		0	
7312- Medical Supplies	0	0	0	0	0		0	
7330- Parts -equip, furn	0	0	0	0	0		0	
7334- Furnishings & Equipment -Expensed	1,192	0	0	0	0		1,192	
7335- Parts -Computer Equipment - Expensed	0	0	0	0	0		0	
7354- Bldg Remodel - State Leased -Expensed	0	0	0	0	0		0	
7367- Personal Property - Maint & Repair	0	0	0	0	0		0	
7374- Personal Property-Furn & Equip - Controlled	0	0	0	0	0		0	
7377- Computer Equipment - Expensed	0	0	0	0	0		0	
7378- Computer Equipment - Controlled	0	0	0	0	0		0	
7379- Computer Equipment - Cap (>1,000)	0	0	0	0	0		0	
7380- Computer Software - Expensed	0	0	0	0	0		0	
7382- Books - Expensed	0	0	0	0	0		0	
7806- Interest on Delayed Payment	0	2	0	0	0		2	
7947- Workers Compensation Transfer (SORM)	0	0	0	0	0		0	
7953- SWCAP payment/cost allocation	0	0	0	0	0		0	
7961- STS Transfers-Telecommunications (TexAn)	219	0	0	0	0		219	
Budget	24,672	4,863	1,945	10,862	448	1,027	43,816	0.00
Expended:	13,592	2,787	1,255	4,880	222	439	23,176	
2009 - Balance Other Operating Expense:	11,080	2,076	689	5,982	226	588	20,641	47%
Grants:								
7312- Medical Supplies								
7623- Grants- Community Serv. Programs								
7701- Loans to Political Subdivisions								
Budget	0	0	12,162	0	0	0	12,162	0
Expended:	0	0	12,162	0	0	0	12,162	
4000 - Balance Grants:	0	0	0	0	0	0	0	0%
Capital Expenditures:								
7312- Medical Supplies	0	0	0	0	0		0	
7354- Remodeling of Bldg-State Owned - Capitalized	0	0	0	0	0		0	
7389- Books, Pre-Recorded Ref Material - Capitalized	0	0	0	0	0		0	
Budget	0	0	0	0	0	0	0	0
Expended:	0	0	0	0	0	0	0	
5000 - Balance Capital Expenditures:	0	0	0	0	0	0	0	#DIV/0
Budget	157,478	511,218	216,922	290,364	45,825	105,706	1,327,513	0
Expended:	53,373	244,097	113,568	116,324	22,683	58,273	608,318	
TOTAL BALANCE	104,105	267,121	103,354	174,040	23,142	47,432	719,195	54%

Texas Commission on Fire Protection
Fiscal Year 2012 - Operating Budget

Thru: February 29, 2012

Goal C: Indirect Administration

	Exec Office	Supp Svcs	Commis	Total	%
	Budget:	348,093	102,659	450,752	0
	Expended:	174,047	47,997	222,043	
1001 - Balance Salaries & Wages:	174,047	54,662	0	228,709	51%
Other Personnel Costs:					
7004- Non-Permanent Full-Time Employee	0	0	0	0	
7017- One-Time Merit	0	0	0	0	
7022- Longevity Pay	2,740	1,850	0	4,590	
7023- Lump Sum Termination	0	0	0	0	
7984- Unemployment/TWC	0	2,905	0	2,905	
	Budget:	14,900	4,755	19,655	0
	Expended:	2,740	4,755	7,495	
1002 - Balance Other Personnel Costs	12,160	0	0	12,160	62%
Professional Fees and Services:					
7242- Consulting Services - IT Computer	0	8,958	0	8,958	
7245- Financial & Accounting Services	0	1,250	0	1,250	
7253- Other Professional Fees (EAP)	0	0	0	0	
7274- Temporary Employment Agencies	0	5,297	0	5,297	
7275- Computer Programming Services	0	0	0	0	
	Budget:	0	15,505	15,505	0
	Expended:	0	15,505	15,505	
2001 - Balance Professional Fees and Services:	0	0.00	0	0	0%
	Budget:	913	2,400	3,313	0
	Expended:	183	640	1,033	
2003 - (7300) Balance Consumable Supplies:	728	1,552	0	2,280	69%
Utilities:					
7501- Electricity	0	0	0	0	
7503- Telecommunications-Long Distance	0	0	0	0	
7504- Telecommunications-Monthly Charge	0	1,101	0	1,101	
7514- Telecommunications-Maint & Repair	0	0	0	0	
7516- Telecommunications-Other Charges (reg voice/internet)	0	0	0	0	
7517- Telecommunications equipment - Expensed	0	0	0	0	
	Budget:	0	2,699	2,699	0
	Expended:	0	1,101	1,101	
2004 - Balance Utilities:	0	1,598	0	1,598	59%
Travel:					
7101- Travel I/S - Public Transportation Fares	107	0	2,487	2,594	
7102- Mileage	0	43	4,825	4,868	
7104- Travel I/S - Actual Expense Overnight	76	0	0	76	
7105- Travel I/S - Incidental Expenses	56	0	278	334	
7106- Travel I/S - Meals & Lodging	110	(12)	0	98	
7107- Travel I/S - Non-Overnight Travel (Meals)	22	0	36	58	
7110- Travel I/S - Board Member Meals & Lodging	0	0	2,974	2,974	
7111- Travel OOS - Public Transportation Fares	0	0	0	0	
7112- Travel OOS - Mileage	0	0	0	0	
7115- Travel OOS - Incidental Expenses	0	0	0	0	
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0	
7135- Travel I/S - State Occupancy Tax	5	0	13	18	
7136- Travel I/S - State Occupancy Tax Galveston	0	0	0	0	
	Budget:	359	790	17,626	0.03
	Expended:	376	31	10,613	
2005 - Balance Travel:	(17)	759	7,013	7,756	41%
	Budget:	240	888	1,128	0

Texas Commission on Fire Protection
Fiscal Year 2012 - Operating Budget

Thru: February 29, 2012

Goal C: Indirect Administration

	Exec Office	Supp Svcs	Commis	Total	%
Expended:	180	592	0	772	
2006 - (7470) Balance Rent - Building (storage):	60	296	0	356	32%
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0	1,004	0	1,004	
7411- Rental - Computer Equipment	0	420	0	420	
Budget:	0	6,675		6,675	0
Expended:	0	1,424	0	1,424	
2007 - Balance Rent - Machine and Other:	0	5,251	0	5,251	79%
Other Operating Expense:					
7042- ERS Insurance Payment	1,684	408	0	2,092	
7201- Membership Dues	0	0	0	0	
7203- Registration Fees-Employee Training	0	73	0	73	
7210- Fees & Other Charges (DPS)	0	0	0	0	
7211- Awards	149	0	0	149	
7216- Insurance Premiums - appvd by oag	0	0	0	0	
7262- Maint & Repair - Computer Software	0	0	0	0	
7266- Maint & Repair - Building	0	0	0	0	
7267- Maint & Repair - Computer Equipment	0	0	0	0	
7273- Reproduction & Printing	80	70	0	150	
7276- Communication Services (T-1 Line)	2,000	342	0	2,342	
7281- Advertising Services	0	0	0	0	
7286- Freight & Delivery Services	0	0	0	0	
7291- Postage & Postal Services	0	3,027	0	3,027	
7299- Purchased Contracted Services	0	27	0	27	
7303- Subscriptions, Periodicals and Info Services	0	0	0	0	
7304- Medical Supplies	0	0	0	0	
7330- Parts -equip, furn	0	152	0	152	
7334- Furnishings & Equipment -Expensed	0	27	0	27	
7335- Parts -Computer Equipment - Expensed	53	55	0	108	
7354- Bldg Remodel - State Leased -Expensed	17,909	0	0	17,909	
7367- Personal Property - Maint & Repair	0	0	0	0	
7374- Personal Property-Furn & Equip - Controlled	0	0	0	0	
7377- Computer Equipment - Expensed	0	100	0	100	
7378- Computer Equipment - Controlled	0	0	0	0	
7379- Computer Equipment - Cap (>1,000)	0	0	0	0	
7380- Computer Software - Expensed	433	0	0	433	
7382- Books - Expensed	0	105	0	105	
7806- Interest on Delayed Payment	0	0	0	0	
7947- Workers Compensation Transfer (SORM)	0	2,138	0	2,138	
7953- SWCAP payment/cost allocation	0	0	0	0	
7961- STS Transfers-Telecommunications (TexAn)	0	67	0	67	
Budget:	21,256	17,442		38,698	0
Expended:	22,307	6,590	0	28,897	
2009 - Balance Other Operating Expense:	(1,051)	10,852	0	9,801	25%
Capital Expenditures:					
7387- computer Software-expensed > 1,000	0	0	0	0	
7389- Books, Pre-Recorded Ref Material - Capitalized	0	0	0	0	
Budget:	0			0	0
Expended:	0	0	0	0	
5000 - Balance Capital Expenditures:	0	0	0	0	#DIV/0!
Budget:	385,761	153,813	17,626	557,200	
Expended:	199,834	78,842	10,613	289,289	
TOTAL - BALANCE	185,927	74,971	7,013	267,911	48%

TCFP FY12 Measures, FY10 Strategic Plan

Key	Division	FY12 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY12 YTD Sum	FY12 Target	% ytd/tar	Measures/Explanation
Output		<i>A quantifiable indicator of the number of goods or services an agency produces</i>							
<input type="checkbox"/>	Lib	01-01-01:01	169	174		343	800	43%	Number of requests from fire department and other entities for agency training and education resources.
						Cumulative			On track to meet target
<input type="checkbox"/>	Lib	01-01-01:02	36	91		127	175	73%	Number of research requests for agency information resource center.
						Cumulative			On track to meet target
<input type="checkbox"/>	Std	02-01-01:01	236	263		499	600	83%	Number of inspections of regulated entities.
						Cumulative			On track to exceed target
<input type="checkbox"/>	Std	02-01-01:02	1,850	2,091		3,941	8,750	45%	Number of new certifications issued to individuals.
						Cumulative			On track to meet target
<input type="checkbox"/>	Std	02-01-01:03	26,909	717		27,626	28,840	96%	Number of certifications renewed (individuals).
						Cumulative			Majority of certifications are renewed during the 1st quarter.
<input type="checkbox"/>	Std	02-01-01:04	2,314	2,078		4,392	8,442	52%	Number of individuals examined.
						Cumulative			On track to meet target
<input type="checkbox"/>	Adm	04-01-01:01	31,957	11,175		43,132	13,000	332%	Dollar value of HUB contacts awarded.
						Cumulative			
Explanatory (Annual)		<i>An indicator of factors, agency resources, or requests received that affect a state entity's performance.</i>							
<input type="checkbox"/>	Fin	01-02-01:01				0	N/A	N/A	Amount available to fire departments for loans and grants.
						Cumulative			Program transferred to Texas Forest Service.
<input type="checkbox"/>	Fin	01-02-01:02				0	N/A	N/A	Amount requested by fire departments for loans and grants.
						Cumulative			Program transferred to Texas Forest Service.
<input type="checkbox"/>	Std	02-01-01:01	91.62	91.48		92	90.0%	102%	Pass Rate (Percent)
						Non-Cumulative			Within Target
<input checked="" type="checkbox"/>	Std	02-01-01:02	28,397	29,113		29,113	29,800	98%	Number of fire service personnel certified by the Commission.
						Non-Cumulative			Meets target
<input type="checkbox"/>	Std	02-01-01:03	242	472		472	185	255%	Number of fire service training facilities certified by the Commission.
						Non-Cumulative			Exceeded target.

Cumulative Measure: A measure for which one quarter's performance can be added to a previous quarter's performance to obtain year-to-date performance; otherwise, a measure is non-cumulative.

Non-Cumulative Measure: A measure which, in order to determine year-to-date performance, must be calculated for the entire reporting period and not on the basis of adding together the performance from separate reporting periods

TCFP FY12 Measures, FY10 Strategic Plan

Key	Division	FY12 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY12 YTD Sum	FY12 Target	% ytd/tar	Measures/Explanation
Efficiency		<i>A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units</i>							
<input type="checkbox"/>	Std 02-01-01:01	1.66	18.22			1.36	6	23%	Average certification cost per individual certificate issued.
						Non-Cumulative			Lower than target which is desired
<input type="checkbox"/>	Std 02-01-01:02	2	2.24			2.24	2.5	90%	Average certification cost per facility certificate issued.
						Non-Cumulative			Lower than target which is desired
<input type="checkbox"/>	Std 02-01-01:03	92.00	92.12			92.00	95	97%	Percentage of new individual certificates issued within 10 days.
						Non-Cumulative			Within Target.
<input type="checkbox"/>	Std 02-01-01:05	23.68	26.04			26.04	85	31%	Average cost per exam administered.
						Non-Cumulative			Lower than target but will fluctuate during the year.
Outcome (Annual)		<i>A quantifiable indicator of the public and customer benefits from an agency's actions</i>							
<input checked="" type="checkbox"/>	Fin 01-02:01					0.0%	N/A	N/A	Percent of total amount requested for loans/grants compared with requests awarded.
						Non-Cumulative			Program transferred to Texas Forest Service.
<input checked="" type="checkbox"/>	Std 02-01:01	93%	92%			93.0%	95%	98%	Percent of inspected certificate holders with no recent violations.
						Non-Cumulative			Within target
<input type="checkbox"/>	Fin 04-01:01	48%	24%			24.0%	10%	240%	Percent of total dollar value of purchasing contracts awarded to HUBs.
						Non-Cumulative			

Note: Explanations are provided for measures that are 5% or more off target.

- 4. Reports from the Budget and Strategic Plan subcommittees with discussion and possible action relating to any recommendations developed by these subcommittees.**

5. **Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Association of Fire Educators, the Texas Forest Service, the National Fire Protection Association, Safe-D, and the State Fire Marshal's Office.**

6. **Discussion and possible action concerning reports by the Commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**

- 7. Discussion and possible action regarding the appointment of a new commission representative to serve on the Texas Fire School Advisory Board.**



January 19, 2011

Dear TEEX-ESTI Commission,

I'm very proud to express to you that I have been a member of the fire service for over 13 years beginning in 1998. I have a strong desire to help others and have dedicated my life to doing so. I also have a desire to promote through the ranks and ultimately be the fire chief of a great department. As you review my resume you will notice that I have been successfully promoted to management positions and typically within a short amount of time. I feel that my ambition, strong work ethic and desire for a challenge have given me the ability to be a productive team player.

Due to recent economic constraints, the City of Wylie's budget as well as rapid growth has not enabled our fire department's administration to develop as needed. Our current administration consists of the Fire Chief, an Administrative Battalion Chief, three Operations Battalion Chiefs, and an Administrative Assistant. To overcome some of these challenges, company level officers are assigned administrative roles and handle those requirements in addition to standard officer duties. This rapid growth has also allowed me to be involved in the planning of the future direction of our department.

My current position is as the Administrative Battalion Chief which is responsible for training, EMS, and health and safety. I am responsible for the development and implementation of the budgets for each of the aforementioned programs. I am one of four certified safety officers by the Fire Department Safety Officers Association, as well as one of two certified health and safety officers. I hold a Bachelor of Science in Business Administration with a minor in Human Resource Management, and am currently pursuing a Masters in Fire and Emergency Management through Oklahoma State University. I have attended the NFA for various courses, and recently completed my Fire Officer III and IV. Previous areas of responsibility include: the development and execution of the fire prevention clown safety program, part-time firefighter, hose testing and replacement, department staffing, health and wellness, department fleet maintenance and specification.

I would embrace the opportunity to be the fire school liaison to accomplish the mission and exceed the expectations that have been set forth. The proven leadership qualities I possess can be seen through the success of my current roles and responsibilities not only within the fire department but also through other affiliations I am currently involved with.

Thank you for your time and consideration while reviewing my credentials as you seek to fill the fire school liaison position.

Sincerely,

Brent Parker

J. Brent Parker



OBJECTIVE:

To bring to your organization enthusiasm, dedication, responsibility, and good work ethic, combined with a desire to utilize my skills obtained through experience and education. Thrives in high-pressure environments and is deadline driven as well as honest, ethical and reliable.

ACCOMPLISHMENTS:

- 15 years supervisor/management experience
- Strong work ethic, which has assisted in my rapid promotion
- Strong reputation for promptness, efficiency and thoroughness with employees and management staff
- Awarded 2010 "Officer of the Year"
- Awarded 2006 "Best Fireman" in the Best of Contest hosted by The Wylie News
- Awarded 2005 "Officer of the Year" by peers after being an officer for only one year
- Awarded 2004 "Firefighter of the Year," which is also selected by members of the department
- Attended the National Fire Academy for Executive Planning, Financial Management, and Advanced Safety Operations and Management, Hazmat Operating Site Practices, NFIRS Program Manager
- Completed ICS 100, 200, 700, 800, 300, and 400
- Graduate of Leadership Wylie Class IV
- Elected as the Executive Director for the Leadership Wylie Program
- Composed narrative for the winning 2011 TML Excellence Award in the Communications Category
- Graduate of the City of Wylie's inaugural succession training class
- Authored a Health and Wellness article that was published in Texas Fire Chiefs Magazine
- Utilized paramedic skills on multiple medical mission trips to Ghana, Africa
- Created a non-profit foundation to construct water wells in Ghana, Africa

PROFESSIONAL EXPERIENCE:

City of Wylie, Wylie TX (2001-Present)

Administrative Battalion Chief (2012 – Present)

- | | |
|-----------------|---------------------|
| ○ Training | ○ EMS |
| ○ ISO | ○ Health and Safety |
| ○ Accreditation | ○ Grants |

B-Shift Battalion Chief (2010-2011)

- | | |
|--------------------------------------|---------------------------|
| ○ Manage operations of 3 stations | ○ Staffing |
| ○ Function as the incident commander | ○ Training |
| ○ Payroll | ○ Hazmat team member |
| | ○ Incident safety officer |

- Administrative duties include the operation and budgeting for the following fire department programs:

○ ISO	○ Grants
○ Accreditation	○ Fitness
○ Fleet	○ Training

Fire Captain/Paramedic (2004-2010)

- Operations Captain
- Assist in developing the overall \$5.2 million dollar department budget
- Function as the incident commander
- Member of the hazmat team
- Member of the swift water team
- Develop training classes for EMS and Fire
- Assist in the preparation for department accreditation and ISO reevaluation
- Perform various administrative duties, including reporting and supervision of an engine and ambulance crew of five
- Responsible for the operation, budgeting, and overall responsibility of the following fire department programs:
 - 2009-2010 Department Fleet Maintenance and Specification Program
 - 2009-2010 Department Fitness Program
 - 2004-2009 Fire Prevention Clown Safety Program
 - 2004-2009 Part-time Firefighter Program
 - 2004-2009 Department Staffing

Firefighter/Paramedic (2001-2004)

- Worked in all positions as a Firefighter/Paramedic/Driver
- Originated and developed the Fire Prevention Clown Safety Program
- Assisted in the testing and hiring process
- Assisted in creating training classes for EMS and Fire

BCFS aka Baptist Child and Family Services (2009-Present)***Incident Management Team***

- Medical Branch Director for The State of Texas Rapid Response Task Force - Dallas
- Assist with various State of Texas and National Special Needs Shelter Operations as an IMT Member
- Assist as IMT support for the Texas Department of State Health Services
- Deployed in 2010 to Haiti earthquake, Hurricane Alex
- **Contract Position for 2010** - Regional Preparedness Coordinator DSHS-Alternate Care Site Program
 - Facilitate between jurisdictions and stakeholders to build local capacity
 - Jurisdictions include Dallas, Ft. Worth, Denton, and Texarkana

Aubrey Fire Department, Aubrey TX (1998-2001)***Volunteer Firefighter/EMT-P***

- Volunteered as a firefighter
- Volunteered as an EMT and EMT-P on the fire department-based ambulance service

EDUCATION:**Oklahoma State University, Stillwater, OK (Anticipated Graduation 2013)***Master of Science in Fire Administration***Columbia Southern University, Orange Beach, AL (Graduated 2006)***BSBA with minor in Human Resources Management***Angelina College, Lufkin, TX (1994-1996)***Core Classes***Collin County Community College, McKinney, TX (2002-2004)***Company Fire Officer Certificate*

Received certificate of completion for Company Fire Officer

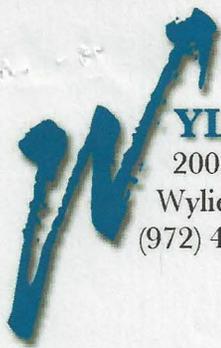
Wylie High School, Wylie, TX
Diploma 1993

CERTIFICATIONS:

1997	EMT-Basic
1998	Basic Firefighter Certification
1999	EMT-Paramedic
2003	TDH Instructor
2003	Fire Service Instructor II, Texas Commission on Fire Protection
2004	Fire Protection Officer 1 and II, Texas Commission on Fire Protection
2005	Intermediate Firefighter Certification
2006	Incident Safety Officer, Fire Department Incident Safety Officers Association
2007	Fire Service Instructor III, Texas Commission on Fire Protection
2008	Hazmat Technician, Texas Commission on Fire Protection
2009	Advanced Firefighter Certification
2009	Texas Fire Chiefs Academy
2010	Health and Safety Officer, Fire Department Incident Safety Officers Association

AFFILIATIONS & ORGANIZATIONS:

Wylie Chamber of Commerce
Just for LAFS
BCFS
Lake Pointe Church
Texas Fire Chiefs Association
Fire Instructors Association of North Texas
International Association of Fire Chiefs
Youth Soccer Coach

**WYLIE FIRE-RESCUE**

2000 Highway 78 North
Wylie, Texas 75098
(972) 442-8110 / Fax (972) 442-8113



January 19, 2012

Dear TEEX-ESTI Commission:

I would like to take this opportunity to recommend Battalion Chief Brent Parker for appointment to fill the seat vacated by Chief Mike Hunt on the Fire School Advisory Board. I believe he will be one of the best board members you could have.

Chief Parker is both experienced and educated. Working his way up through fire service ranks quickly, he has proven to be a quick study. He is currently working on his Masters Degree in Fire and Emergency Management Administration, and serves on state-level incident management teams.

You will find Chief Parker a valuable asset in seeing the big picture on issues brought to the advisory board, and he will be able to correctly analyze the impact to all groups and individuals affected. He is also focused, and will be able to keep the board on task and working towards accomplishing their mission, rather than straying off course.

If I can provide any other information or documentation to help you in your consideration, please let me know. I believe you will be very pleased if you add Chief Parker to your advisory board.

Sincerely,

Geo. Randy Corbin
Fire Chief

Over 100 Years of Excellence in Service.



Georgetown Fire Department
103 West 9th
Georgetown, TX 78627



January 31, 2012

Texas Commission on Fire Protection
1701 North Congress, Suite 105
Austin, TX 78701

RE: Letter of Interest for TEEEX/ESTI Liaison

This letter serves as my official interest in the TEEEX-TCFP Liaison position posted on the Commission Website. I do understand this is a voluntary position and I feel I could fill this position for the following reasons:

- I am the current Fire Chief for the City of Georgetown since 2009. I have participated within other TCFP and State Committees such as the TCFP Curriculum and Testing Committee (2006-2007), Trauma Advisory Committee (2001-2003), Alternate to the GETAC Education Committee (2000-2002), North Texas MACC (2007-2008), and dozens of local and regional committees. I feel this is important as I understand the critical nature of attending meetings, taking notes, and participating when necessary.
- I understand the importance of TCFP as related to training and development and the critical cooperative link with TEEEX/ESTI. During my tenure as a firefighter, I attended over 240 hours of training in the TEEEX/USAR environment and was an original member of the newly Texas Task Force 2 before I left the Dallas area. In addition, I have attended many courses offered by TEEEX-ESTI. I feel this is important as this liaison needs to understand the working relationship of each entity and be keenly aware of the political climate of both agencies.
- I currently live in Georgetown and this becomes very convenient to attend the TCFP meetings within 40 minutes and the total travel time to TEEEX/ESTI is less than 2 hours as well.
- I have complete support from my City Manager and he understands this will be a voluntary position requiring some travel throughout the year.

I thank you for the opportunity to fill this link between the two major fire agencies in the State of Texas.

A handwritten signature in black ink, appearing to read "Robert Fite".

Robert Fite
Fire Chief, City of Georgetown



February 1, 2012

Texas Commission on Fire Protection
1701 North Congress, Suite 105
Austin, Texas 78701

Re: Letter of Support for Robert Fite

To Whom It May Concern:

I am writing you to let you know that I am in full support of the City of Georgetown's Fire Chief, Robert Fite, in his efforts to be chosen as the TCFP/TEEX Liaison. I understand that this position is voluntary and will require travel to and from College Station and Austin on a quarterly basis.

Robert is a great candidate for this position and would provide great benefit to your organization should he be chosen as the TCFP/TEEX Liaison. He is very organized and has very good communication skills and is very comfortable working in group settings.

Thank you.

Sincerely,

A handwritten signature in dark ink that reads 'Paul E. Brandenburg'. The signature is written in a cursive style with a long, sweeping tail that extends to the right.

Paul E. Brandenburg
City Manager

8. **New matters from the commission, staff, or public regarding rulemaking which may be discussed in future Commission meetings.**

9. Discussion and possible action on future meeting dates.

10. Recognition of Hutto Fire & Rescue for its contributions to Safety in the Fire Service, 16-Life Safety Initiatives – Everyone Goes Home.

11. **Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - A. **Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:**
 1. **Proposed amendments to 37 TAC, Chapter 421, Standards for Certification, including, but not limited to, §421.9, Designation of Fire Protection Duties.**

CHAPTER 421

STANDARDS FOR CERTIFICATION

§421.1. Procedures for Meetings.

(a) Time and place. The Fire Fighter Advisory Committee and the Curriculum and Testing Committee shall meet at such time and place in the State of Texas as they deem proper. The Fire Fighter Advisory Committee shall meet at least twice each calendar year.

(b) Meeting called. Meetings shall be called by the chairman, by the Commission, or upon the written request of five members.

(c) Quorum. A majority of members shall constitute a quorum.

(d) Members. The Fire Fighter Advisory Committee shall consist of nine members appointed by the Commission. The Curriculum and Testing Committee shall consist of members appointed by the Commission upon the recommendation of the Fire Fighter Advisory Committee. Committee members serve at the will of the Commission.

(e) Officers. Officers of the Fire Fighter Advisory Committee and the Curriculum and Testing Committee shall consist of a chairman, vice-chairman, and secretary. Each committee shall elect its officers from the appointed members at its first meeting and thereafter at its first meeting following January 1 of each year or upon the vacancy of an office.

(f) Responsibility. The Fire Fighter Advisory Committee shall review Commission rules relating to fire protection personnel and fire departments and recommend changes in the rules to the Commission.

(g) Effective Date. Rules shall become effective no sooner than 20 days after filing with the Texas Register for final adoption. The committee or Commission may recommend a later effective date.

(h) Removal. It is a ground for removal from an advisory committee appointed by the Commission if a member is absent from more than half of the regularly scheduled committee meetings that the member is eligible to attend during a calendar year unless the absence is excused by a majority vote of the committee.

§421.3. Minimum Standards Set by the Commission.

- (a) General statement. It shall be clearly understood that the specified minimum standards herein described are designated as a minimum program. Employing entities are encouraged to exceed the minimum program wherever possible. Continuous in-service training beyond the minimum standards for fire protection personnel is strongly recommended. Nothing in these regulations shall limit or be construed as limiting the powers of the Civil Service Commission, or the employing entity, to enact rules and regulations which establish a higher standard of training than the minimum specified, or which provides for the termination of the services of unsatisfactory employees during or upon completion of the prescribed probationary period.
- (b) Functional position descriptions.
- (1) Structural fire protection personnel. The following general position description for structural fire protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

- (A) Qualifications. Successfully complete a Commission-approved course; achieve a passing score on written and performance certification examinations; must be at least 18 years of age; generally, the knowledge and skills required show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, drag, and balance weight equivalent to the average human weight; ability to interpret in English, written and oral instructions; ability to work effectively in high stress situations; ability to work effectively in an environment with loud noises and flashing lights; ability to function through an entire work shift; ability to calculate weight and volume ratios; ability to read and understand English language manuals including chemical, medical and technical terms, and road maps; ability to accurately discern street signs and address numbers; ability to document in English, all relevant information in prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other emergency response personnel. Good manual dexterity with ability to perform all tasks related to the protection of life and property; ability to bend, stoop, and crawl on uneven surfaces; ability to withstand varied environmental conditions such as extreme heat, cold, and moisture; and ability to work in low or no light, confined spaces, elevated heights and other dangerous environments.
- (B) Competency. A basic fire fighter must demonstrate competency handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 1 of the Commission's Certification Curriculum Manual.
- (2) Aircraft rescue fire fighting personnel. The following general position description for aircraft rescue fire fighting personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of aircraft rescue fire fighting personnel operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: familiarity with geographic and physical components of an airport; ability to use and understand communication equipment, terminology, and procedures utilized by airports; ability and knowledge in the application of fire suppression agents; and ability to effectively perform fire suppression and rescue operations.
- (B) Competency. Basic fire fighting and rescue personnel must demonstrate competency handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 2 of the Commission's Certification Curriculum Manual.
- (3) Marine fire protection personnel. The following general position description for marine fire protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the marine fire fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: familiarity with geographic and physical components of a navigable waterway; ability to use and understand communication equipment, terminology, and procedures used by the maritime industry; and knowledge in the operation of fire fighting vessels.
- (B) Competency. A marine fire fighter must demonstrate competency in handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 3 of the Commission's Certification Curriculum Manual.
- (4) Fire inspection personnel. The following general position description for fire inspection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire inspector operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. Successfully complete a Commission-approved course; achieve a passing score on certification examinations; must be at least 18 years of age; generally, the knowledge and skills required to show the need for a high school education or equivalent; ability to communicate verbally, via telephone

and radio equipment; ability to lift, carry, and balance weight equivalent to weight of common tools and equipment necessary for conducting an inspection; ability to interpret written and oral instructions; ability to work effectively with the public; ability to work effectively in an environment with potentially loud noises; ability to function through an entire work shift; ability to calculate area, weight and volume ratios; ability to read and understand English language manuals including chemical, construction and technical terms, building plans and road maps; ability to accurately discern street signs and address numbers; ability to document, in writing, all relevant information in a prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other personnel. Demonstrate knowledge of characteristics and behavior of fire, and fire prevention principles. Good manual dexterity with the ability to perform all tasks related to the inspection of structures and property; ability to bend, stoop, and crawl on uneven surfaces; ability to climb ladders; ability to withstand varied environmental conditions such as extreme heat, cold, and moisture; and the ability to work in low light, confined spaces, elevated heights, and other dangerous environments.

- (B) Competency. A fire inspector must demonstrate competency in conducting inspections utilizing equipment and skills in accordance with the objectives in Chapter 4 of the Commission's Certification Curriculum Manual.
- (5) Fire Investigator personnel. The following general position description for fire investigator personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire investigator operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. Successfully complete a Commission-approved course; achieve a passing score on certification examinations; be at least 18 years of age; generally, the knowledge and skills required to show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, and balance weight equivalent to weight of common tools and equipment necessary for conducting an investigation; ability to interpret written and oral instructions; ability to work effectively with the public; ability to work effectively in a hazardous environment; ability to function through an entire work shift; ability to calculate area, weight and volume ratios; ability to read and understand English language manuals including chemical, legal and technical terms, building plans and road maps; ability to accurately discern street signs and address numbers; ability to document, in writing, all relevant information in a prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other personnel. Good manual dexterity with the ability to perform all tasks related to fire investigation; ability to bend, stoop, and walk on uneven surfaces; ability to climb ladders; ability to withstand varied environmental conditions such as extreme heat, cold and moisture; and the ability to work in low light, confined spaces, elevated heights, and other potentially dangerous environments.
- (B) Competency. A fire investigator or arson investigator must demonstrate competency in determining fire cause and origin utilizing equipment and skills in accordance with the objectives in Chapter 5 of the Commission's Certification Curriculum Manual.
- (6) Hazardous Materials Technician personnel. The following general position description for hazardous materials personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the hazardous materials technician operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: successfully complete a Commission-approved course; achieving a passing score on the certification examination; the ability to analyze a hazardous materials incident, plan a response, implement the planned response, evaluate the progress of the planned response, and terminate the incident.
- (B) Competency. A hazardous materials technician must demonstrate competency handling emergencies resulting from releases or potential releases of hazardous materials, using specialized chemical

protective clothing and control equipment in accordance with the objectives in Chapter 6 of the Commission's Certification Curriculum Manual.

- (7) Driver/Operator--Pumper personnel. The following general position description for driver/operator--pumper personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the driver/operator--pumper of a fire department pumper operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: ability to perform specified routine test, inspection, and maintenance functions; ability to perform practical driving exercises; ascertain the expected fire flow; ability to position a fire department pumper to operate at a fire hydrant; ability to produce effective streams; and supply sprinkler and standpipe systems.
- (B) Competency. A driver/operator--pumper must demonstrate competency operating a fire department pumper in accordance with the objectives in Chapter 7 of the Commission's Certification Curriculum Manual.
- (8) Fire Officer I personnel. The following general position description for Fire Officer I personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer I operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection and Fire Instructor I personnel: the ability to supervise personnel, and assign tasks at emergency operations; the ability to direct personnel during training activities; the ability to recommend action for member-related problems; the ability to coordinate assigned tasks and projects, and deal with inquiries and concerns from members of the community; the ability to implement policies; the ability to perform routine administrative functions, perform preliminary fire investigation, secure an incident scene and preserve evidence; the ability to develop pre-incident plans, supervise emergency operations, and develop and implement action plans; the ability to deploy assigned resources to ensure a safe work environment for personnel, conduct initial accident investigation, and document an incident.
- (B) Competency. A Fire Officer I must demonstrate competency in handling emergencies and supervising personnel utilizing skills in accordance with the objectives in Chapter 9 of the Commission's Certification Curriculum Manual.
- (9) Fire Officer II personnel. The following general position description for Fire Officer II personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer II operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for Fire Officer I and Fire Instructor I personnel: the ability to motivate members for maximum job performance; the ability to evaluate job performance; the ability to deliver life safety and fire prevention education programs; the ability to prepare budget requests, news releases, and policy changes; the ability to conduct pre-incident planning, fire inspections, and fire investigations; the ability to supervise multi-unit emergency operations, identify unsafe work environments or behaviors, review injury, accident, and exposure reports.
- (B) Competency. A Fire Officer II must demonstrate competency in supervising personnel and coordinating multi-unit emergency operations utilizing skills in accordance with the objectives in Chapter 9 of the Commission's Certification Curriculum Manual.
- (10) Fire Service Instructor I personnel. The following general position description for Fire Service Instructor I personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor I operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

- (A) Qualifications. In addition to successfully completing a Commission-approved course and achieving a passing score on the certification examination: must have the ability to deliver instructions effectively from a prepared lesson plan; the ability to use instructional aids and evaluation instruments; the ability to adapt to lesson plans to the unique requirements of both student and the jurisdictional authority; the ability to organize the learning environment to its maximum potential; the ability to meet the record-keeping requirements of the jurisdictional authority.
- (B) Competency. A Fire Service Instructor I must demonstrate competency in delivering instruction in an environment organized for efficient learning while meeting the record-keeping needs of the authority having jurisdiction, utilizing skills in accordance with the objectives in Chapter 8 of the Commission's Certification Curriculum Manual.
- (11) Fire Service Instructor II personnel. The following general position description for Fire Service Instructor II personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor II operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to successfully completing a Commission-approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor I: the ability to develop individual lesson plans for a specific topic, including learning objectives, instructional aids, and evaluation instruments; the ability to schedule training sessions based on the overall training plan of the jurisdictional authority; the ability to supervise and coordinate the activities of other instructors.
- (B) Competency. A Fire Service Instructor II must demonstrate competency in developing individual lesson plans; scheduling training sessions; and supervising other instructors, utilizing skills in accordance with the objectives in Chapter 8 of the Commission's Certification Curriculum Manual.
- (12) Fire Service Instructor III personnel. The following general position description for Fire Service Instructor III personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor III operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to successfully completing a Commission-approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor II: the ability to develop comprehensive training curricula and programs for use by single or multiple organizations; the ability to conduct organizational needs analysis; and the ability to develop training goals and implementation strategies.
- (B) Competency. A Fire Service Instructor III must demonstrate competency in developing comprehensive training curricula and programs; conducting organizational needs analysis; and developing training goals and implementation strategies, utilizing skills in accordance with the objectives in Chapter 8 of the Commission's Certification Curriculum Manual.

§421.5. Definitions.

The following words and terms, when used in this standards manual, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Admission to employment--An entry level full-time employee of a local government entity in one of the categories of fire protection personnel.
- (2) Appointment--The designation or assignment of a person to a discipline regulated by the Commission. The types of appointments are:

- (A) permanent appointment--The designation or assignment of certified fire protection personnel or certified part time fire protection employees to a particular discipline (See Texas Government Code, §419.032); and
- (B) probationary or temporary appointment--The designation or assignment of an individual to a particular discipline, except for head of a fire department, for which the individual has passed the Commission's certification and has met the medical requirement of §423.1(b) of this title, if applicable, but has not yet been certified. (See Texas Government Code, §419.032.)
- (3) Approved training--Any training used for a higher level of certification must be approved by the Commission and assigned to either the A-List or the B-List. The training submission must be in a manner specified by the Commission and contain all information requested by the Commission. The Commission will not grant credit twice for the same subject content or course. Inclusion on the A-List or B-List does not preclude the course approval process as stated elsewhere in the Standards Manual.
- (4) Assigned/work--A fire protection personnel or a part-time fire protection employee shall be considered "assigned/working" in a position, any time the individual is receiving compensation and performing the duties that are regulated by the Texas Commission on Fire Protection certification and has been permanently appointed, as defined in this section, to the particular discipline.
- (5) Assistant fire chief--The officer occupying the first position subordinate to the head of a fire department.
- (6) Auxiliary fire fighter--A volunteer fire fighter.
- (7) Benefits--Benefits shall include, but are not limited to, inclusion in group insurance plans (such as health, life, and disability) or pension plans, stipends, free water usage, and reimbursed travel expenses (such as meals, mileage, and lodging).
- (8) Chief Training Officer--The individual, by whatever title he or she may be called, who coordinates the activities of a certified training facility.
- (9) Class hour--Defined as not less than 50 minutes of instruction, also defined as a contact hour; a standard for certification of fire protection personnel.
- (10) Code--The official legislation creating the Commission.
- (11) College credits--Credits earned for studies satisfactorily completed at an institution of higher education accredited by an agency recognized by the U.S. Secretary of Education and including National Fire Academy (NFA) open learning program colleges, or courses recommended for college credit by the American Council on Education (ACE) or delivered through the National Emergency Training Center (both EMI and NFA) programs. A course of study satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide that is primarily related to Fire Service, Emergency Medicine, Emergency Management, or Public Administration is defined as applicable for Fire Science college credit, and is acceptable for higher levels of certification.
- (12) Commission--Texas Commission on Fire Protection.
- (13) Commission-recognized training--A curriculum or training program which carries written approval from the Commission, or credit hours that appear on an official transcript from an accredited college or university, or any fire service training received from a nationally recognized source, i.e., the National Fire Academy.
- (14) Compensation--Compensation is to include wages, salaries, and "per call" payments (for attending drills, meetings or answering emergencies).
- (15) Expired--Any certification that has not been renewed on or before the end of the certification period.

- (16) Federal fire fighter--A person as defined in the Texas Government Code, §419.084(h).
- (17) Fire chief--The head of a fire department.
- (18) Fire department--A department of a local government that is staffed by one or more fire protection personnel or part-time fire protection employees.
- (19) Fire protection personnel--Any person who is a permanent full-time employee of a fire department or governmental entity and who is appointed duties in one of the following categories/disciplines: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others employed in related positions necessarily or customarily appertaining thereto.
- (20) Fire suppression duties--Engaging in the controlling or extinguishment of a fire of any type or performing activities which are required for and directly related to the control and extinguishment of fires or standing by on the employer's premises or apparatus or nearby in a state of readiness to perform these duties.
- (21) Full-time--An officer or employee is considered full-time if the employee works an average of 40 hours a week or averages 40 hours per week or more during a work cycle in a calendar year. For the purposes of this definition paid leave will be considered time worked.
- (22) Government entity--The local authority having jurisdiction as employer of full-time fire protection personnel in a state agency, incorporated city, village, town or county, education institution or political subdivision.
- (23) High school--A school accredited as a high school by the Texas Education Agency or equivalent accreditation agency from another jurisdiction.
- (24) Immediately dangerous to life or health (IDLH)--An atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.
- (25) Incipient stage fire--A fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.
- (26) Interior structural fire fighting--The physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage. (See 29 CFR §1910.155)
- (27) Lead instructor--An individual qualified as an instructor to deliver fire protection training.
- (28) Municipality--Any incorporated city, village, or town of this state and any county or political subdivision or district in this state. Municipal pertains to a municipality as herein defined.
- (29) National Fire Academy semester credit hours--The number of hours credited for attendance of National Fire Academy courses is determined as recommended in the most recent edition of the "National Guide to Educational Credit for Training Programs," American Council on Education (ACE).
- (30) Non-self-serving affidavit--A sworn document executed by someone other than the individual seeking certification.
- (31) Participating volunteer fire fighter--An individual who voluntarily seeks certification and regulation by the Commission under the Government Code, Chapter 419, Subchapter D.
- (32) Participating volunteer fire service organization--A fire department that voluntarily seeks regulation by the Commission under the Government Code, Chapter 419, Subchapter D.

- (33) Part-time fire protection employee--An individual who is appointed as a part-time fire protection employee and who receives compensation, including benefits and reimbursement for expenses. A part-time fire protection employee is not full-time as defined in this section.
- (34) Personal alert safety system (PASS)--Devices that are certified as being compliant with NFPA 1982, and that automatically activates an alarm signal (which can also be manually activated) to alert and assist others in locating a fire fighter or emergency services person who is in danger.
- (35) Political subdivision--A political subdivision of the State of Texas that includes, but is not limited to the following:
- (A) city;
 - (B) county;
 - (C) school district;
 - (D) junior college district;
 - (E) levee improvement district;
 - (F) drainage district;
 - (G) irrigation district;
 - (H) water improvement district;
 - (I) water control and improvement district;
 - (J) water control and preservation district;
 - (K) freshwater supply district;
 - (L) navigation district;
 - (M) conservation and reclamation district;
 - (N) soil conservation district;
 - (O) communication district;
 - (P) public health district;
 - (Q) river authority;
 - (R) municipal utility district;
 - (S) transit authority;
 - (T) hospital district;
 - (U) emergency services district;
 - (V) rural fire prevention district; and
 - (W) any other governmental entity that: embraces a geographical area with a defined boundary;

- (i) embraces a geographical area with a defined boundary;
 - (ii) exists for the purpose of discharging functions of the government; and
 - (iii) possesses authority for subordinate self-government through officers selected by it.
- (36) Reciprocity for IFSAC seals--Valid documentation of accreditation from the International Fire Service Accreditation Congress used for TCFP certification may only be used for obtaining an initial certification.
- (37) Recognition of training--A document issued by the Commission stating that an individual has completed the training requirements of a specific phase level of the Basic Fire Suppression Curriculum.
- (38) School--Any school, college, university, academy, or local training program which offers fire service training and included within its meaning the combination of course curriculum, instructors, and facilities.
- (39) Structural fire protection personnel--Any person who is a permanent full-time employee of a government entity who engages in fire fighting activities involving structures and may perform other emergency activities typically associated with fire fighting activities such as rescue, emergency medical response, confined space rescue, hazardous materials response, and wildland fire fighting.
- (40) Trainee--An individual who is participating in a Commission approved training program.
- (41) Volunteer fire protection personnel--Any person who has met the requirements for membership in a volunteer fire service organization, who is assigned duties in one of the following categories: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others in related positions necessarily or customarily appertaining thereto.
- (42) Volunteer fire service organization--A volunteer fire department or organization not under mandatory regulation by the Texas Commission on Fire Protection.
- (43) Years of experience--For purposes of higher levels of certification or fire service instructor certification:
- (A) Except as provided in subparagraph (B) of this paragraph, years of experience is defined as full years of full-time, part-time or volunteer fire service while holding:
- (i) a Texas Commission on Fire Protection certification as a full-time, or part-time employee of a government entity, a member in a volunteer fire service organization, and/or an employee of a regulated non-governmental fire department; or
 - (ii) a State Firemen's and Fire Marshals' Association advanced fire fighter certification and have successfully completed, as a minimum, the requirements for an Emergency Care Attendant (ECA) as specified by the Department of State Health Services (DSHS), or its successor agency, or its equivalent; or
 - (iii) an equivalent certification as a full-time fire protection personnel of a governmental entity from another jurisdiction, including the military, or while a member in a volunteer fire service organization from another jurisdiction, and have, as a minimum, the requirements for an Emergency Care Attendant (ECA) as specified by the Department of State Health Services (DSHS), or its successor agency, or its equivalent; or
 - (iv) for fire service instructor eligibility only, a State Firemen's and Fire Marshals' Association Level II Instructor Certification, received prior to June 1, 2008 or Instructor I received on or after June 1, 2008 or an equivalent instructor certification from the Texas Department of State Health Services (DSHS) or the Texas Commission on Law Enforcement Officer Standards and Education

(TCLEOSE). Documentation of at least three years of experience as a volunteer in the fire service shall be in the form of a non self-serving sworn affidavit.

- (B) For fire service personnel certified as required in subparagraph (A) of this paragraph on or before October 31, 1998, years of experience includes the time from the date of employment or membership to date of certification not to exceed one year.

§421.9. Designation of Fire Protection Duties.

- (a) An individual who performs one or more fire protection duties, listed in the Texas Government Code, §419.021(3)(C), for a fire department of local government entity shall be designated to only one of the following categories:
- (1) fire protection personnel;
 - (2) a part-time fire protection employee; or
 - (3) a volunteer fire fighter or other auxiliary fire fighter.
- (b) A fire department regulated by the Commission may not designate the same person under more than one category under this section. The designation shall be made on the records of the department and the designation shall be made available for inspection by the Commission or sent to the Commission on request.
- (c) A fire department regulated by the Commission shall **report the appointment of** ~~[submit on the proper form a request to the appoint]~~ fire protection personnel ~~[r part time fire protection employees]~~ to a regulated discipline **via the Commission's online management program, or the appropriate form if available. Fire protection personnel who are assigned to a regulated discipline as part of their regularly assigned duties shall be appointed to that discipline with the Commission.** No individual may be appointed to a discipline without approval by the Commission. The Commission shall not approve an initial appointment to a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. Termination of fire protection personnel or part-time fire protection employees shall be reported to the Commission **via the Commission's online management program, or the appropriate form if available**~~[on the Removal from Appointment form]~~ within 14 calendar days of the action. In the case of termination, the employing entity shall report an individual's last known home address to the Commission. A Removal from Appointment form may be submitted without the employee's signature.
- (d) A fire department may not in a calendar year compensate, reimburse, or provide benefits to a person the department has designated as a volunteer or other auxiliary fire fighter in an amount that is equal to or more than what a person receives working 2,080 hours at the federal minimum wage.
- (e) A person certified as fire protection personnel in one fire department may be employed and designated as a part-time fire protection employee in another fire department without additional certification as a part-time fire protection employee.

§421.11. Requirement To Be Certified Within One Year.

- (a) Fire protection personnel or part-time fire protection employees of a fire department who are appointed duties identified as fire protection personnel duties must be certified by the Commission in the discipline(s) to which they are assigned within one year of their appointment to the duties or within two years of successfully passing the applicable Commission examination, whichever is less. The Commission shall not approve an initial certification for a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. An individual who accepts appointment(s) in violation of this section shall be removed from the appointment(s) and will be subject to administrative penalties. A department or local government that appoints an individual in violation of this section will also be subject to administrative penalties.

(b) An individual who has been removed from appointment to duties identified as fire protection personnel duties for violation of this section must petition the Commission in writing for permission to be reappointed to the duties from which they were removed. The petition will be considered only if the individual has obtained all appropriate certification(s) applicable to the duties to which the individual seeks reappointment.

11. **Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - A. **Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:**
 2. **Proposed amendments to 37 TAC, Chapter 435, Fire Fighter Safety, including, but not limited to, §435.1, Protective Clothing.**

Chapter 435

FIRE FIGHTER SAFETY

§435.1. Protective Clothing.

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

- (1) purchase, provide, and maintain a complete set of protective clothing for 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 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 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, rebuilt, or used protective clothing; and
- (3) maintain and provide upon request by the Commission, 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.

~~[(b)] An entity may continue to use protective clothing in use or contracted for before a change in the National Fire Protection Association standard, unless the Commission determines that the protective clothing 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.]~~

~~[(c)] Protective clothing in use or contracted for prior to January 1, 2002, shall be exempted from the record keeping requirements contained in Section 2.3, Records, of NFPA 1851.]~~

§435.3. Self-Contained Breathing Apparatus.

The employing entity shall:

- (1) purchase, provide, and maintain a complete self-contained breathing apparatus 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.
 - (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, or used self-contained breathing apparatus;
 - (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;

- (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;
- (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;
- (5) maintain and provide upon request by the Commission, a departmental standard operating procedure regarding the use of self-contained breathing apparatus; and
- (6) maintain and provide upon request by the Commission, 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).

§435.5. Commission Recommendations.

The commission recommends that all employing entities use as a guide the 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. Fire Department Staffing Studies.

- (a) 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. The commission does not have the resources or the staff to directly assist in performing the necessary tasks to perform a staffing study. 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 NFPA 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 Texas Commission on Fire Protection. 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 employing entity shall:

- (1) purchase, provide, and maintain a PASS device 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:
 - (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, a departmental standard operating procedure regarding the proper use, selection, care and maintenance of PASS devices.

§435.11. Incident Management System (IMS)

- (a) The fire department shall develop, maintain and use an incident management system.
- (b) The incident management system shall:
 - (1) include a written 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 National Fire Protection Association 1561, Standard on 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 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 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 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 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) 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 fire department shall comply with the 2-in/2-out rule as described in this section except in 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.

§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 an identified person or entity of an alleged infraction of a Commission rule.
- (b) The Commission shall not provide prior notification of an inspection to a fire department.
- (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 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 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 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 fighter to miss more than one duty period. Major injuries shall be reported within five business days of the injury event.
- (d) Investigatable injuries are those resulting from the malfunction of personal protective equipment, failure of personal protective equipment to protect the 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 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 by December 1, 2015. Individuals will be credited with four hours of continuing education credit for completing this program.
- (b) All regulated fire protection personnel must complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program prior to December 1, 2015.
- (c) All fire protection personnel appointed after December 1, 2015 will be required to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program training within one year of appointment to a fire department.
- (d) Departments will report the completion of training through the Commission web based reporting system.
- (e) Failure to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program before the required deadlines will be considered a violation of continuing education rules found in Chapter 441 of the Commission's Standards Manual.

§435.27. Live Fire Training Structure Evolutions.

The most current edition of NFPA 1403; Standard on Live Fire Training Structure Evolutions, 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 insure that all personal protective clothing and/or 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 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.

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

B. Discussion and possible action on proposed amendments, new sections, repeals, and rule reviews as follows:

- 1. Proposed amendments to 37 TAC, Chapter 427, Training Facility Certification, Subchapter C, Training programs for On-Site and Distance Training Providers, including but not limited to, §427.305, Procedures for Testing Conducted by On-Site and Distance Training Providers.**

Chapter 427

TRAINING FACILITY CERTIFICATION

SUBCHAPTER C

TRAINING PROGRAMS FOR ON-SITE AND DISTANCE TRAINING PROVIDERS

§427.301. General Provisions for Training Programs -- On-Site and Distance Training Providers.

- (a) Training programs that are intended to satisfy the requirements for fire protection personnel certification for each curriculum must meet the objectives and competencies in that curriculum.
- (b) A system for evaluating the comprehension of the trainee, including periodic and comprehensive written tests, is required. If performance skills are part of the applicable curriculum, performance testing shall be done in accordance with §439.11 of this title.

§427.303. Training Approval Process for On-Site and Distance Training Providers.

- (a) When seeking training approvals, a training provider, whether on-site or distance, shall certify that it has provided the resources described in §427.1(f) of this title.
- (b) All training for certification must be approved by the Commission. A training provider must submit to the Commission a completed Training Prior Approval Form at least 20 days prior to the proposed start date of the training.
- (c) The provider of training will receive from the Commission the following documents.
 - (1) A Notice of Course Approval. This document will serve as notification that the course has been approved by the Commission and will contain the approval number assigned by the Commission and the course I.D. number.
 - (2) An Application for Testing Form, when applicable.
 - (3) A Certificate of Completion Form. This document must be completed by the training provider and issued to each student when the student has successfully completed the applicable curriculum.
 - (4) Commission-designated skills envelope when applicable.
- (d) Approved courses are subject to audit by Commission staff at any time. Any deviation from the approved start-and-end date of the class, periodic and final test schedule, field examiners or the substitution of one instructor for another (this does not apply to an instructor already approved for the course) must be reported to the Commission within three business days of the deviation.

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

- (a) The requirements and provisions in this section apply to procedures for periodic and final testing conducted by training providers. For procedures regarding state examinations for certification Commission examinations that occur after a training program is completed, see Chapter 439 of this title.
- (b) Periodic and comprehensive final tests shall be given by the training provider in addition to the Commission examination required in Chapter 439 of this title.
- (c) Periodic tests shall be administered at the ratio of one test per 50 hours of recommended training, or portion thereof. An average score of 70% must be achieved on all required periodic tests.
- (d) In addition to periodic tests, a comprehensive final test must be administered. **The final test must be conducted in a proctored setting. For purposes of this rule, a proctor can be an approved TCFP Field Examiner, or a member or testing center of an educational institution.** A passing score of 70% must be achieved.

- (e) If ~~a [the Fire Investigator]~~ course is taught in phases, ~~a [one]~~ comprehensive **exam for each phase**~~[final test]~~ shall be administered upon completion of ~~each [the final]~~ phase and a passing score of 70% must be achieved.

§427.307. On-Site and Distance Training Provider Staff Requirements.

- (a) The chief training officer of a training facility, as a minimum, must possess Fire Service Instructor III certification.
- (b) All training instructors (except guest instructors) must possess fire instructor certification. The instructor(s) must be certified in the applicable discipline or be approved by the commission to instruct in the applicable subject.
- (c) The lead instructor, as a minimum, shall possess a Fire Service Instructor II certification and must be certified by the commission in the applicable discipline.
- (d) Guest instructors are not required to be certified as instructors. A guest instructor is defined as an individual with special knowledge, skill, and expertise in a specific subject area who has the ability to enhance the effectiveness of the training. Guest instructors shall teach under the endorsement of the lead instructor.
- (e) In order to teach fire officer certification courses, an individual who does not meet the requirements of subsection (a) or (c) of this section, shall possess a minimum of a bachelor's degree in management or its equivalent.
- (f) In order to teach an instructor certification training course for Fire Service Instructor I, an individual must hold one of the following three qualifications:
- (1) Hold a Fire Service Instructor II or higher, or
 - (2) A Bachelor's degree with the following:
 - (A) As a minimum, a minor in education, and
 - (B) Three years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 200 class hours; or
 - (3) An Associate's degree with the following:
 - (A) twelve semester hours of education instructional courses, and
 - (B) five years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 400 class hours.
- (g) In order to teach an instructor certification training course for Fire Service Instructor II or III, an individual must hold one of the following three qualifications:
- (1) Hold a Fire Service Instructor III or
 - (2) A Bachelor's degree with the following:
 - (A) As a minimum, a minor in education, and
 - (B) Three years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 200 class hours; or
 - (3) An Associate's degree with the following:
 - (A) twelve semester hours of education instructional courses, and
 - (B) five years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 400 class hours.

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

B. Discussion and possible action on proposed amendments, new sections, repeals, and rule reviews as follows:

- 2. Proposed amendments to 37 TAC, Chapter 431, Fire Investigation, Subchapter A, Minimum Standards for Arson Investigator Certification, including but not limited to, §431.9, Minimum Standards for Master Arson Investigator Certification.**

CHAPTER 431

FIRE INVESTIGATION

Subchapter A

MINIMUM STANDARDS FOR ARSON INVESTIGATOR CERTIFICATION

§431.1. Minimum Standards for Arson Investigation Personnel.

- (a) Fire protection personnel who are assigned arson investigation duties must be certified, as a minimum, as a basic arson investigator as specified in §431.3 of this title (relating to Minimum Standards for Basic Arson Investigator Certification) within one year from the date of initial appointment to such position.
- (b) Prior to being appointed to arson investigation duties, fire protection personnel must complete a commission approved basic fire investigator training program, successfully pass the commission examination pertaining to that curriculum, and possess a current peace officer license from the Texas Commission on Law Enforcement Officer Standards and Education or document that the individual is a federal law enforcement officer.
- (c) Personnel holding any level of arson investigation certification shall be required to comply with the continuing education requirements in §441.15 of this title (relating to Continuing Education for Arson Investigator or Fire Investigator).

§431.3. Minimum Standards for Basic Arson Investigator Certification.

In order to be certified by the Commission as a Basic Arson Investigator an individual must:

- (1) possess a current basic peace officer's license from the Texas Commission on Law Enforcement Officer Standards and Education or documentation that the individual is a federal law enforcement officer;
- (2) hold a current license as a peace officer and notify the Commission on the prescribed form regarding the law enforcement agency currently holding the individual's peace officer license; and
- (3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Fire Investigator; or
- (4) complete a Commission-approved basic fire investigation training program and successfully pass the Commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved fire investigation training program shall consist of one of the following:
 - (A) completion of the Commission-approved Fire Investigator Curriculum, as specified in Chapter 5 of the Commission's Certification Curriculum Manual;
 - (B) successful completion of an out-of-state, NFA, or military training program which has been submitted to the Commission for evaluation and found to meet the minimum requirements as listed in the Commission-approved Fire Investigator Curriculum as specified in Chapter 5 of the Commission's Certification Curriculum Manual; or
 - (C) successful completion of the following college courses: Fire and Arson Investigation I or II , 3 semester hours; Hazardous Materials I, II, or III, 3 semester hours; Building Construction in the Fire Service or Building Codes and Construction, 3 semester hours; Fire Protection Systems, 3 semester hours. Total semester hours, 12.

§431.5. Minimum Standards for Intermediate Arson Investigator Certification.

- (a) Applicants for Intermediate Arson Investigator Certification must complete the following requirements:
 - (1) hold as a prerequisite a Basic Arson Investigator Certification as defined in §431.3 of this title (relating to Minimum Standards for Basic Arson Investigator Certification); and

- (2) acquire a minimum of four years of fire protection experience and complete the requirements 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); or
 - (D) Option 4—Hold current Intermediate Peace Officer certification from the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) with four additional law enforcement courses applicable for fire investigations. (See 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 Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.7. Minimum Standards for Advanced Arson Investigator Certification.

- (a) Applicants for Advanced Arson Investigator certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Arson Investigator Certification as defined in §431.5 of this title (relating to Minimum Standards for Intermediate Arson Investigator Certification); and
 - (2) acquire a minimum of eight years of fire protection experience and complete the requirements 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); or
 - (D) Option 4--Advanced Arson for Profit or Complex Arson Investigative Techniques (Bureau of Alcohol, Tobacco, Firearms, and Explosives resident or field course, 80 hours); or
 - (E) Option 5—Hold current Advanced Peace Officer certification from the Texas Commission on Law Enforcement Officer Standards & Education (TCLEOSE) with four additional law enforcement courses applicable for fire investigations. (See 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 Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.9. Minimum Standards for Master Arson Investigator Certification.

- (a) Applicants for Master Arson Investigator Certification must complete the following requirements:
 - (1) hold as a prerequisite an Advanced Arson Investigator Certification as defined in §431.7 of this title (relating to Minimum Standards for Advanced Arson Investigator Certification); and
 - (2) acquire a minimum of twelve years of fire protection experience, and 60 college semester hours or an associate degree, **either of** which includes at least 18 college semester hours in fire science subjects **or criminal justice subjects related to fire and or arson investigation.**
- (b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Arson Investigator Certification.

§431.11. Minimum Standards for Arson Investigator Certification for Law Enforcement Personnel.

- (a) A law enforcement officer employed or commissioned by a law enforcement agency as a peace officer who is designated as an arson investigator by an appropriate local authority is eligible for certification on a voluntary basis by complying with this chapter.
- (b) An individual holding commission certification as a fire investigator who becomes a law enforcement officer employed or commissioned by a law enforcement agency as a peace officer, and who is designated as an arson investigator by an appropriate local authority will qualify for a similar level arson investigator certificate. To obtain a printed certificate the individual must make application to the commission to include confirmation of commission.

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

- (a) Individuals holding a current commission Arson Investigator certification received prior to March 10, 2003 may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees.
- (b) Individuals completing a commission-approved basic fire investigator program and passing the applicable state examination may be granted an IFSAC seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees.

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

B. Discussion and possible action on proposed amendments, new sections, repeals and rule reviews as follows:

- 3. Proposed amendments to 37 TAC, Chapter 437, Fees, including but not limited to, §437.15, International Fire Service Accreditation (IFSAC) Seal Fees.**

CHAPTER 437

FEES

§437.1. Purpose and Scope.

- (a) The purpose of this chapter is to set forth requirements governing the fees charged for the issuance of certificates to fire protection personnel, to establish the procedures for the collection of annual renewal fees and copying fees as prescribed by the Government Code, §419.025 and §419.026, and commission rule.
- (b) This chapter shall govern all proceedings before and dealing with the commission concerning certification fees, renewal fees, and copying fees. Hearings and appellate proceedings regarding these fees shall be governed by this chapter where applicable and by the rules of the practice and procedure of the commission and the Administrative Procedure Act and Texas Register Act, Chapter 2001, of the Texas Government Code.
- (c) If a fee submitted in the form of a check is returned for insufficient funds the certification, seal or test for which the fee was collected will be invalidated.

§437.3. Certification Fees.

- (a) A non-refundable application fee of \$85 is required for each certificate issued by the Commission. If a certificate is issued within the time provided in §401.125 of this title (relating to Processing Periods), the fee will be applied to the certification. If the certificate is denied, the applicant must pay a new certification application fee to file a new application.
- (b) The regulated employing entity shall be responsible for all certification fees required as a condition of appointment.
- (c) Nothing in this section shall prohibit an individual from paying a certification fee for any certificate which he or she is qualified to hold, providing the certificate is not required as a condition of appointment (see subsection (b) of this section concerning certification fees).
- (d) Any person who holds a certificate, and is no longer employed by an entity that is regulated by the Commission may submit in writing, a request, together with the required fee to receive a one-time certificate stating the level of certification in each discipline held by the person on the date that person left employment pursuant to the Texas Government Code, §419.033(b).

Multiple certifications may be listed on the one-time certificate. The one-time fee for the one-time certificate shall be limited to the maximum amount allowed by §419.033(b) of the Texas Government Code.

- (e) A facility that provides basic level training for any discipline for which the Commission has established a Basic Curriculum must be certified by the Commission. The training facility will be charged a separate certification fee for each discipline.

§437.5. Renewal Fees.

- (a) A non-refundable annual renewal fee of \$85 shall be assessed for each certified individual and certified training facility. If an individual or certified training facility holds more than one certificate, the Commission may collect only one renewal fee of \$85, which will renew all certificates held by the individual or certified training facility.
- (b) A regulated employing entity shall pay the renewal fee for all certificates which a person must possess as a condition of employment.
- (c) If a person re-enters the fire service whose certificate(s) has been expired for less than one year, the regulated entity must pay all applicable renewal fee(s) and any applicable additional fee(s). Upon payment of the required fees, the certificates previously held by the individual, for which he or she continues to qualify, will be renewed.

- (d) If a person reapplies for a certificate(s) which has been expired less than one year and the individual is not employed by a regulated employing entity as defined in subsection (b) of this section, the individual must pay all applicable renewal fee(s) and any applicable additional fee(s). Upon payment of the required fee(s), the certificate(s) previously held by the individual, for whom he or she continues to qualify, will be renewed.
- (e) Nothing in this section shall prohibit an individual from paying a renewal fee for any certificate which he or she is qualified to hold providing the certificate is not required as a condition of employment.
- (f) Certification renewal statements will be mailed to all regulated employing entities and individuals holding certification at least 60 days prior to October 31 of each calendar year. Certification renewal statements will be mailed to certified training facilities at least 60 days prior to February 1 of each calendar year.
- (g) All certification renewal fees must be returned with the renewal statement to the Commission.
- (h) All certification renewal fees must be paid on or before the renewal date posted on the certification renewal statement to avoid additional fee(s).
- (i) The certification period shall be a period not to exceed one year. The certification period for employees of regulated employing entities, and individuals holding certification is November 1 to October 31. The certification period of certified training facilities is February 1 to January 31.
- (j) All certification renewal fees received from one to 30 days after the renewal date posted on the renewal notice will cause the individual or entity responsible for payment to be assessed a non-refundable late fee of \$42.50 in addition to the renewal fee for each individual for which a renewal fee was due.
- (k) All certification renewal fees received more than 30 days after the renewal date posted on the renewal notice will cause the individual or entity responsible for payment to be assessed a non-refundable late fee of \$85 in addition to the renewal fee for each individual for which a renewal fee was due.
- (l) In addition to any non-refundable late fee(s) assessed for certification renewal, the Commission may hold an informal conference to determine if any further action(s) is to be taken.
- (m) An individual or entity may petition the Commission for a waiver of the late fees required by this section if the person's certificate expired because of the individual or regulated 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 restoring the applicant to employment.
- (n) An individual, upon returning from activation to military service, whose certification has expired, must notify the Commission in writing. The individual will have any normally associated late fees waived and will be required to pay a renewal fee of \$85.

§437.7. Standards Manual and Certification Curriculum Manual Fees.

- (a) Current versions of the Standards Manual for Fire Protection Personnel and Certification Curriculum Manual are available on the commission's website.
- (b) The Commission does not provide printed copies of the manuals. A printed copy of the Commission's standards may be obtained from Thomson West, 610 Opperman Drive, Eagan, MN 55123, by requesting "Title 37, Public Safety and Corrections" of the Texas Administrative Code. The web address for Thomson West is www.west.thomson.com.

§437.11. Copying Fees.

- (a) All photographic reproduction of records or documents in the files of the commission and prepared on standard office machines will be furnished for a fee.
- (b) A fee will be charged for address and telephone number lists of fire service agencies.
- (c) A fee will be charged for mailing peel-off labels of fire service agencies.

§437.13. Processing Fees for Test Application.

- (a) A non-refundable application processing fee of \$85 shall be charged for each examination.
- (b) Fees will be paid in advance with the application or the provider of training may be invoiced or billed if previous arrangements have been made with the Commission.

§437.15. International Fire Service Accreditation Congress (IFSAC) Seal Fees.

A non-refundable ~~\$10.00~~ **\$15.00** fee shall be charged for each IFSAC seal issued by the commission **effective October 1, 2012.**

§437.17. Records Review Fees.

- (a) A non-refundable fee of \$35 shall be charged for each training records review conducted by the commission for the purpose of determining equivalency to the appropriate commission training program or to establish eligibility to test. Applicants submitting training records for review shall receive a written analysis from the commission.
- (b) The fee provided for in this section shall not apply to an individual who holds an advanced certificate from the State Firemen's and Fire Marshals' Association of Texas.

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

B. Discussion and possible action on proposed amendments, new sections, repeals and rule reviews as follows:

- 4. Proposed amendments to 37 TAC, Chapter 439, Examinations for Certification, Subchapter A, Examinations for On-Site Delivery Training, including but not limited to, §439.1, Requirements-General, and §439.11, Commission-Designated Performance Skill Evaluations.**

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 the Commission and International Fire Service Accreditation Congress (IFSAC) regulations. It is incumbent upon Commission staff, committee members, training officers and field examiners to maintain the integrity of any state examination (or portion thereof) for which they are responsible.
- (b) Exams will be based on curricula as currently adopted in the Commission's Certification Curriculum Manual.
- (c) Commission examinations that receive a passing grade shall expire two years from the date of the examination.
- (d) The Commission shall prescribe the content of any certification examination that tests the knowledge and/or skill of the examinee concerning the discipline addressed by the examination.
 - (1) An examination based on Chapter 1, "Basic Fire Suppression Curriculum" as identified in the Certification Curriculum Manual may consist of four sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, and First Responder Operations.
 - (2) An examination based on Chapter 4, "Basic Fire Inspector Curriculum" as identified in the Certification Curriculum Manual may consist of three sections: Inspector I, Inspector II, and Plan Examiner I.
 - (3) An examination based on the applicable chapters for "Basic Fire Suppression Curriculum" and "Wildland Fire Protection Curriculum" in the Certification Curriculum Manual shall consist of five sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, First Responder Operations, and Intermediate Wildland Fire Protection.**
- ~~(4)~~ All other state examinations consist of only one section.
- ~~(5)~~ The Head of Department examination will be based on NFPA 1021, Chapter 7.
- (e) The individual who fails to pass a Commission examination for state certification will be given one additional opportunity to pass the examination or section thereof. This opportunity must be exercised within 180 days after the date of the first failure. An individual who passes the applicable state certification examination but fails to pass a section thereof for an IFSAC seal(s) will be given one additional opportunity to pass the section thereof. This opportunity must be exercised within two years after the date of the first attempt. 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.
- (f) An individual may obtain a new certificate in a discipline which was previously held by passing a Commission proficiency examination.
- (g) 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.
- (h) If an individual completes an approved training 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 must pass a

Commission examination for certification status and meet any other certification requirements in order to become eligible for certification by the Commission as fire protection personnel.

- (i) 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 signed statement 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 will be on a form provided by the Commission and is to be completed and signed by the provider of training and issued to the individual upon successful completion of the training. The certificate of completion must, as a minimum, identify the provider of training, the course I.D. number, the course approval number, date issued, curriculum name, training officer, and the name of the person completing the course. The certificate of completion qualifies an individual to take an original certification examination.
- (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 the standards division director 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 signed 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, 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.

§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.
- (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 until 30 days before the expiration date of the previous examination 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 with documentation showing completion of a Commission-approved curriculum and any other prerequisite requirements, along with 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, state 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 of at least 70%; or
 - (3) a combination of both paragraphs (1) and (2) of this subsection.
- (b) The minimum passing score on each examination or section thereof as outlined in §439.1(d) of this title (relating to Requirements--General) 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. The provider of training will receive from the Commission, with the course approval notice, one envelope for each subject area as identified in the applicable curriculum.
- (b) During the course of instruction, the training provider shall test for competency, the Commission-designated performance skills. The skill evaluations may be scheduled at any time during the course, but must 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 form. 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.
- (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) The training facility must maintain records (electronic or paper) of skills testing on each examinee. The records must reflect the results of the evaluation of skills, the dates the evaluation of skills took place, and the names of the field examiners who conducted the evaluations.

(e) 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 (relating to Protective Clothing) and §435.3, (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 her self). 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 change 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.

§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.
- (b) The number of questions on the state examination will be based upon the number of recommended hours in the particular curriculum or section being tested. The standard is outlined below:

Recommended Hours	No. Questions	Maximum No. Pilot Questions	Time Allowed
30 or less	25	5	30 minutes
31-100	50	5	1 hour
101-200	75	10	1.5 hours
201-300	100	15	2 hours
301-400	125	20	2.5 hours
401 or more	150	25	3 hours

- (c) The Head of Department examination will consist of 50 active questions, with the option of adding up to five pilot questions, for a maximum time allotment of one hour.

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

B. Discussion and possible action on proposed amendments, new sections, repeals and rule reviews as follows:

- 5. Proposed new, 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification, including but not limited to new §455.1, Minimum Standards for Wildland Fire Protection Personnel, new §455.3, Minimum Standards for Basic Wildland Fire Protection Certification, new §455.5, Minimum Standards for Intermediate Wildland Fire Protection Certification, and new §455.7, Examination Requirements.**

Chapter 455

MINIMUM STANDARDS FOR WILDLAND FIRE PROTECTION CERTIFICATION

§455.1. Minimum Standards for Wildland Fire Protection Personnel

- (a) A wildland fire fighter is defined as an individual whose assigned function is suppression of fires in the wildland or wildland-urban interface setting.
- (b) Individuals holding Wildland Fire Protection certification shall be required to comply with the continuing education requirements in §441.23 of this title (relating to Continuing Education for Wildland Fire Protection Personnel).

§455.3. Minimum Standards for Basic Wildland Fire Protection Certification

In order to be certified as Basic Wildland fire protection personnel, an individual must:

- (a) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Wildland Fire Fighter Level I; or
- (b) 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:
- (1) completion of the Commission-approved Basic Wildland Fire Protection Curriculum, as specified in the applicable chapter of the Commission's Certification Curriculum Manual; or;
 - (2) completion of the following Texas Forest Service/National Wildfire Coordinating Group courses:
 - (A) S-130: Firefighter Training
 - (B) S-190: Introduction to Wildland Fire Behavior
 - (C) L-180: Human Factors on the Fireline
 - (D) I-100: Introduction to the Incident Command System, or an equivalent basic incident command system course such as NIMS IS-100
- (c) The Commission examination requirement is waived for individuals who have completed the training requirements in (1) or (2) above and apply for certification by August 31, 2013. After this date, individuals must successfully pass the Commission examination prior to applying for certification.

§455.5. Minimum Standards for Intermediate Wildland Fire Protection Certification

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

- (a) hold Basic Wildland Fire Protection certification issued by the Commission, and
- (b) individuals who hold Structure Fire Protection certification issued by the Commission must complete the Texas Forest Service/National Wildfire Coordinating Group course G-131: Wildland Training (FFT1) for Structural Firefighters including the associated position task book as adopted by the Texas Forest Service/NWCG 310-1/NFPA 1051 latest edition, and successfully pass the Commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification), or

- (c) individuals who hold a State Fireman's and Fire Marshal's Association Advanced Accredited certification issued prior to January 1, 2012, or a State Fireman's and Fire Marshal's Association Firefighter II certification issued on or after January 1, 2012, must complete the Texas Forest Service/National Wildfire Coordinating Group course G-131: Wildland Training (FFT1) for Structural Firefighters including the associated position task book as adopted by the Texas Forest Service/NWCG 310-1/NFPA 1051 latest edition, and successfully pass a Commission examination which includes both Basic Structure Fire Protection and Intermediate Wildland Fire Protection, as specified in Chapter 439 of this title (relating to Examinations for Certification).
- (d) The Commission examination requirement is waived for individuals in (b) above who have completed the training requirement and apply for certification by August 31, 2013. After this date, individuals must successfully pass the Commission examination prior to applying for certification.
- (e) The application processing fee for the initial examination is waived for individuals in (c) above who have completed the training requirement and submit the application for the Commission examination by August 31, 2013. After this date, the application processing fee for examinations will be required.
- (f) The application processing fee for the certification is not waived for individuals in (e) above.

§455.7. Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Wildland Fire Protection Certification.
- (b) Persons seeking a Commission certification referenced in this chapter who do not currently hold a certification issued by the Texas Commission on Fire Protection must meet all requirements regarding application for initial certification.

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

B. Discussion and possible action on proposed amendments, new sections, repeals and rule reviews as follows:

- 6. Proposed new, 37 TAC, Chapter 457, Minimum Standards for Incident Safety Officer, including but not limited to new §457.1, Incident Safety Officer Certification, new §457.3, Minimum Standards for Incident Safety Officer Certification, and new §457.5, Examination Requirements.**

Chapter 457

MINIMUM STANDARDS FOR INCIDENT SAFETY OFFICER

§457.1. Incident Safety Officer Certification.

- (a) An Incident Safety Officer is defined as a member of the command staff responsible for monitoring and assessing safety hazards or unsafe situations and for developing measures for ensuring personnel safety at an incident.
- (b) All individuals holding an Incident Safety Officer certification shall be required to comply with the continuing education requirements in §441.25 of this title (relating to Continuing Education for Incident Safety Officer).

§457.3. Minimum Standards for Incident Safety Officer Certification.

(a) In order to be certified as an Incident Safety Officer an individual must:

- (1) hold Commission certification as Fire Officer I and;
- (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as an Incident Safety Officer; or
- (3) complete a Commission-approved Incident Safety Officer program and successfully pass the Commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Incident Safety Officer program must consist of one of the following:
 - (A) completion of a Commission-approved Incident Safety Officer curriculum as specified in the applicable chapter of the Commission's Certification Curriculum Manual; or
 - (B) completion of the National Fire Academy Incident Safety Officer course; or
 - (C) completion of the Fire Department Safety Officers Association Incident Safety Officer course; or
 - (D) completion of an out-of-state, educational institution of higher education, 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 Incident Safety Officer curriculum.
- (4) The Commission examination requirement is waived for individuals who have completed one of the training programs in (B) through (D) above and apply for certification by August 31, 2013. After this date, individuals must successfully pass the Commission examination prior to applying for certification.

§457.5. Examination Requirements.

Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive an Incident Safety Officer certification, unless otherwise specified in this chapter.

- C. Report from the Curriculum and Testing Committee with discussion and possible action on amendments to the Certification Curriculum Manual, including but not limited to:**
- a. Basic Aircraft Rescue Fire Suppression Curriculum-addition of International Fire Service Training Association (IFSTA), *Essentials of Fire Fighting and Fire Department Operations (5th Edition) (2008)* to the reference list**
 - b. Fire Inspector Curriculum-addition of “Course Phase Outlines” to Chapter 4**
 - c. Fire Investigator Curriculum-addition of “Course Phase Outlines” to Chapter 5**

REFERENCE LIST FOR THE BASIC AIRCRAFT RESCUE FIRE SUPPRESSION CURRICULUM

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

AC 150/5200-12B, Fire Department Responsibility in Protecting Evidence at the Scene of an Aircraft Accident, September 3, 1999: www.airweb.faa.gov

AC 150/5200-31A, Federal Aviation Administration Airport Emergency Plan, September 30, 1999: www.airweb.faa.gov

AC 150/5210-6D, Aircraft Fire Extinguishing Agents, July 8, 2004: www.airweb.faa.gov

AC 150/5210-14 B, Aircraft Rescue Fire Fighting Equipment, Tools and Clothing, September 30, 2008: www.airweb.faa.gov

AC 150/5210-17A, Programs for Training of Aircraft Rescue and Firefighting Personnel, April 28, 2006: www.airweb.faa.gov

Aircraft Rescue and Fire Fighting. (5th edition) (2009). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association (IFSTA)

Code of Federal Regulations, 14 CFR, Part 139, Subpart A, Certification of Airports: General. (January 1, 2007 edition) U.S. Department of Transportation, Federal Aviation Administration <http://www.gpoaccess.gov/cfr/retrieve.html>

Code of Federal Regulations, 14 CFR, Part 139, Subpart D, Certification of Airports: Operations. (January 1, 2007 edition) U.S. Department of Transportation, Federal Aviation Administration <http://www.gpoaccess.gov/cfr/retrieve.html>

Code of Federal Regulations, 14 CFR, Part 139.311 Marking, signs and lighting (January 1, 2007 edition) U.S. Department of Transportation, Federal Aviation Administration <http://www.gpoaccess.gov/cfr/retrieve.html>

Code of Federal Regulations, 14 CFR, Part 139.325 Airport emergency plan: (January 1, 2007 edition) U.S. Department of Transportation, Federal Aviation Administration <http://www.gpoaccess.gov/cfr/retrieve.html>

Code of Federal Regulations, 14 CFR, Part 139.329, Pedestrians and ground vehicles (January 1, 2007 edition). U.S. Department of Transportation, Federal Aviation Administration <http://www.gpoaccess.gov/cfr/retrieve.html>

Code of Federal Regulations, 49 CFR, Part 175.310 Transportation of flammable liquid fuel; aircraft only means of transportation (October 1, 2006 ed.). U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration <http://www.gpoaccess.gov/cfr/retrieve.html>

Code of Federal Regulations, 49 CFR, Part 830.10 Preservation of aircraft wreckage, mail, cargo, and records (October 1, 2006 edition) U.S. Department of Transportation, National Transportation Safety Board <http://www.gpoaccess.gov/cfr/retrieve.html>

Essentials of Fire Fighting and Fire Department Operations. (5th edition)(2008). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association (IFSTA)

National Transportation Safety Board Accident Reports, <http://www.nts.gov>.

NFPA 402: Aircraft Rescue and Fire-Fighting Operations, (2008 edition). Quincy, MA: NFPA Publications. National Fire Protection Association

NFPA 1003: Standard for Airport Fire Fighter Professional Qualifications, (2010 edition). NFPA Publications Quincy, MA: NFPA Publications. National Fire Protection Association

NFPA 1403: Standard on Live Fire Training Evolutions, (2007 edition) NFPA Publications Quincy, MA. National Fire Protection Association

NFPA 1500: Standard on Fire Department Occupational Safety and Health Program, (2007 edition) NFPA Publications Quincy, MA: NFPA Publications. National Fire Protection Association

**CHAPTER FOUR
FIRE INSPECTOR
COURSE PHASE OUTLINE**

SECTION	SUBJECT	RECOMMENDED HOURS
FIRE INSPECTOR I & II – PHASE I		
401-4.1 402-5.1	General	4
401-4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.2.6 402-5.2.1, 5.2.3, 5.2.4	Administration	3
401-4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.3.8, 4.3.14, 4.3.15, 4.3.16 402-5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.10, 5.3.12	Field Inspection	27
402-5.4.1, 5.4.2, 5.4.3, 5.4.5	Plans Review	10
	Practical Exercises*	34
	Total Recommended Hours	78
FIRE INSPECTOR I & II – PHASE II		
401-4.1 402-5.1	General	4
401-4.2.1, 4.2.3, 4.2.4 402-5.2.2, 5.2.3, 5.2.5	Administration	6
401-4.3.4, 4.3.6, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 4.3.11, 4.3.12, 4.3.13, 4.3.14, 4.3.15, 402-5.3.3, 5.3.4, 5.3.6, 5.3.7, 5.3.8, 5.3.9, 5.3.10, 5.3.11, 5.3.12,	Field Inspection	27
402-5.4.3, 5.4.4, 5.4.5, 5.4.6	Plans Review	3
	Practical Exercises*	34
	Review and Comprehensive Final	4
	Total Recommended Hours	78
PLAN EXAMINER – PHASE III		
470-7.1	General	1
470-7.2	Administration	9
470-7.3	Plans Review	30
	Total Recommended Hours	40
TOTAL HOURS RECOMMENDED		196

*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.

**CHAPTER FIVE
FIRE INVESTIGATOR
COURSE PHASE OUTLINE**

SECTION	SUBJECT	RECOMMENDED HOURS
FIRE INVESTIGATOR I – PHASE I		
500-4	Basic Methodology	2
500-14	Planning the Investigation	2
500-13	Sources of Information	4
500-11	Legal Considerations	6
500-12	Safety	2
500-5	Basic Fire Science	4
500-6	Fire Patterns	6
500-7	Building Systems	4
500-9	Building Fuel Gas Systems	2
500-17	Origin Determination	6
500-15	Documentation of the Investigation	6
500-16	Physical Evidence	4
	Practical Exercises*	6
	Total Recommended Hours	54
FIRE INVESTIGATOR II – PHASE II		
500-18	Fire Cause Determination	4
500-10	Fire-Related Human Behavior	2
500-21	Explosions	4
500-23	Fire and Explosion Deaths and Injuries	3
500-8	Electricity and Fire	6
500-22	Incendiary Fires	6
500-19	Analyzing the Incident for Cause and Responsibility	6
500-20	Failure Analysis and Analytical Tools	6
500-24	Appliances	2
500-25	Motor Vehicle Fires	3
500-28	Marine Fire Investigations	2
500-26	Wildfire Investigations	2
500-27	Management of Complex Investigations	2
	Practical Exercises*	8
	Total Recommended Hours	56
COMPLETER – PHASE III		
	Investigator I and II Review	8
	Practical Exercises*	32
	Total Recommended Hours	40
TOTAL HOURS RECOMMENDED		150

*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.

12. Discussion only regarding Chapter 449, Head of a Fire Department, including but not limited to, §449.1, Minimum Standards for the Head of a Fire Department, §449.3, Minimum Standards for Certification as Head of a Suppression Fire Department, and §449.5, Minimum Standards for Certification as Head of a Prevention Only Department.

Chapter 449

HEAD OF A FIRE DEPARTMENT

§449.1. Minimum Standards for the Head of a Fire Department.

- (a) An individual who becomes employed and is assigned as the head of a fire department must be certified by the commission as head of a fire department, within one year of appointment.
- (b) An individual appointed head of a department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a Commission certification.
- (c) Holding the head of a fire department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supercede Chapter 143, Local Government Code, in regard to appointment of a head of a fire department.

§449.3. Minimum Standards for Certification as Head of a Suppression Fire Department.

- (a) In order to be certified as a head of a fire department providing fire suppression, an individual must be appointed as head of a fire department; and
 - (1) hold a certification as a fire protection personnel in any discipline that has a Commission-approved curriculum that requires structural fire protection personnel certification and five years experience in a full-time fire suppression position; or
 - (2) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the Commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn nonself serving affidavit of five years experience in a full-time fire suppression position; or
 - (3) provide documentation in the form of a nonself serving sworn affidavit of ten years experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; and successfully pass a Commission, Head of Department examination as specified in Chapter 439 of this title; or
 - (4) provide documentation in the form of a sworn nonself serving affidavit of ten years of experience as a certified structural part-time fire protection employee; or
 - (5) provide documentation in the form of a sworn nonself serving affidavit of ten years experience as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section and successfully pass a Commission, Head of Department examination as specified in Chapter 439 of this title.
- (b) The ten years of volunteer service must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with 10 or more active members that conducts a minimum of 48 hours of drills in a calendar year.
- (c) Individuals certified as the head of a fire department must meet the continuing education requirement as provided for in Chapter 441 of this title.
- (d) An individual certified as head of a fire department under this section may engage in fire fighting activities only as the head of a fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response.

449.5. Minimum Standards for Certification as Head of a Prevention Only Department.

- (a) In order to be certified as the head of a fire department providing fire prevention activities only, an individual must be appointed as head of a Fire Prevention Department; and
- (1) hold a certification as a fire inspector, fire investigator, or arson investigator and have five years of full-time experience in fire prevention activities; or
 - (2) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the Commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn nonself serving affidavit of five years experience in a full-time fire prevention position; or
 - (3) provide documentation in the form of a sworn nonself serving affidavit of ten years experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas and successfully pass a Commission, Head of Department examination as specified in Chapter 439 of this title; or
 - (4) provide documentation in the form of a sworn nonself serving affidavit of ten years experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or
 - (5) provide documentation in the form of a sworn nonself serving affidavit of ten years experience as an active volunteer fire inspector, fire investigator, or arson investigator with ten years experience in fire prevention and successfully pass a Commission Head of Department examination as specified in Chapter 439 of this title.
- (b) Individuals certified as the head of a fire department under this section must meet the continuing education requirement as provided for in Chapter 441 of this title.

13. Discussion only regarding 2011 fire fighter injury data collected.

Texas Commission on Fire Protection

Preliminary Injury Report

January 1, 2011 to December 31, 2011

Presented to:

Fire Fighter Advisory Committee

March 8, 2012



Presented by

Laurie Taylor

Tim Rutland

Executive Summary

The executive summary details the abstract, the mission, the reports, information and data collected as well as user-community input. The report goes on to include Fire Fighter injuries in 2011 with charts and graphs depicting the collected information. The report also compares with (NFPA) *U.S. Firefighters Injuries – 2010*. The report includes two Near Miss Incidents and a summary of lessons learned as well as four fatalities. The fatalities listed in this report are only those reported to the Texas Commission on Fire Protection (TCFP). These fatalities are not the only ones incurred for the reporting period due to the difficulty TCFP staff is having gathering data from all fire service organizations. The same can be said for the gathering of injury data. The agency is dependent upon the fire service community to submit complete injury data so that comprehensive reports can be produced. Only the reporting entities can resolve the issue of under reporting of injury events. The inclusion of the TCFP data into the State Fire Marshal's Report on LODDs not only emphasizes all injuries, including TCFP reported fatalities, but the need for full fire service participation in this system. Finally it concludes with recommendations to the Texas Commission on Fire Protection commissioners. The final report will be sent to the State Fire Marshal's Office.

Abstract

Texas Commission on Fire Protection received 4,180 reported injuries in calendar year 2011. 1,179 injuries were reported in Fire Suppression. This is 28% of the total injuries reported. An even larger number of reported injuries were in Rescue Non-Fire at 1,323, 32%. The next biggest groups were Station Duties with 681, 16%. The last two closest groups are Skills Training and Wellness/Fitness with 368, 8% and 315, 7%. Leading causes of injury in Fire Suppression are strains and sprains, followed by Environmental (heat exhaustion, poisonous plants) and Wounds. The leading causes of injury in Rescue Non-Fire are strains and sprains followed by Exposures to Airborne (TB, meningitis) and blood-borne pathogens.

Mission

The commission shall gather and evaluate data on fire protection personnel injuries and develop recommendations for reducing injuries.

The Commission strongly supports the continuation of the staff's aggressive educational and outreach programs. These programs are, by design, intended to provide information on the various educational resources available through TCFP's Ernest A. Emerson Library; associated references linked to this subject; TCFP staff clearinghouse and outreach programs such as the "Avoid Injury Blog" and newsletters; and the adoption of the "Courage to Be Safe" program.

Building a Community of Safety

The goal of the Texas Commission on Fire Protection Injury Reporting program is to help the fire service community identify common injuries and learn how to avoid them.

Why we are collecting injury data.

The Texas Legislature charged the commission with gathering and evaluating data on injuries and assisting the fire service in increasing safety. This is listed under Texas Government Code §419.048. The rules are established by Texas Administrative Code §435.23, which requires regulated entities to report injuries to the commission. We also strongly encourage volunteer entities to report their injuries so that we gain as accurate a picture as possible concerning injury trends in the Texas fire service.

What information do we collect?

- Both Minor and Major (serious/critical/fatal) injuries
- Activities where fire personnel are getting injured
- Types of injuries (burns, strain-sprains, wounds etc.)
- Body parts being injured
- Missed time
- Work assignment after injury
- Malfunctions/failures of PPE, SCBA, PASS Devices and SOPs

How this will help you.

- Identify common injuries
- Identify trends in injuries
- Identify needed training in departments
- Evaluate and find improvements in department procedures
- Find out about lost time injuries

Learn more and get help

Information from reported injuries is being provided to the fire service community via our “Avoid Injury!” blog, the library resources and librarian expertise, and the year-end report to the State Fire Marshal’s Office.

Reports, Information and Data Collection

This report contains data submitted by commission-regulated and non-regulated entities. The data collected in 2011 was the first full year of reporting. We anticipate it will take five years of reporting to provide more substantive and accurate data for trending and analysis. Of the approximate 600 regulated departments, we had 48% report an injury, 46% report they had no injuries and 6% that did not respond to any request for response.

We continually reach out to all the entities to communicate: the need to report; the types of information needed; and how to respond to inquiries and investigations. Commission staff members attended a variety of Texas Fire Chief Regional meetings as well as some local chiefs’ meetings in order to communicate information we have gathered from injury reporting and to stress the need for it. We also presented at the 13th Annual Texas Fire Marshals’ Conference. Agency personnel met with the State Firemen’s and Fire Marshals’ Association (SFFMA) and are providing information to their monthly E-INFOFIRE newsletter.

In order to become more service-oriented as we request additional data, we looked for a way to provide information back to the fire service community, and as a result, we created the “Avoid Injury!” blog. The focus of the blog is to provide information not only on the numbers, but also to provide information about the wealth of resources that are available through the Ernest A. Emerson Fire Protection Resource Library. We provide updated statistics on a rolling calendar cycle. The blog posts focused initially on the most prevalent injuries occurring and available resources. Each month has a different topic. This information is also posted on the commission’s Facebook page.

Throughout the year we have received feedback from stakeholders on what challenges they have incurred and what changes they would like to see. The agency hosted a webinar and a face-to-face meeting with the user community to gather additional data. About 20 individuals participated and the information we received was invaluable. A few changes were implemented at the beginning of 2012 and the remaining information will be incorporated as much as possible in the newest version of FIDO.

Based on input from the stakeholders a few of the changes we were able to implement in 2012 were:

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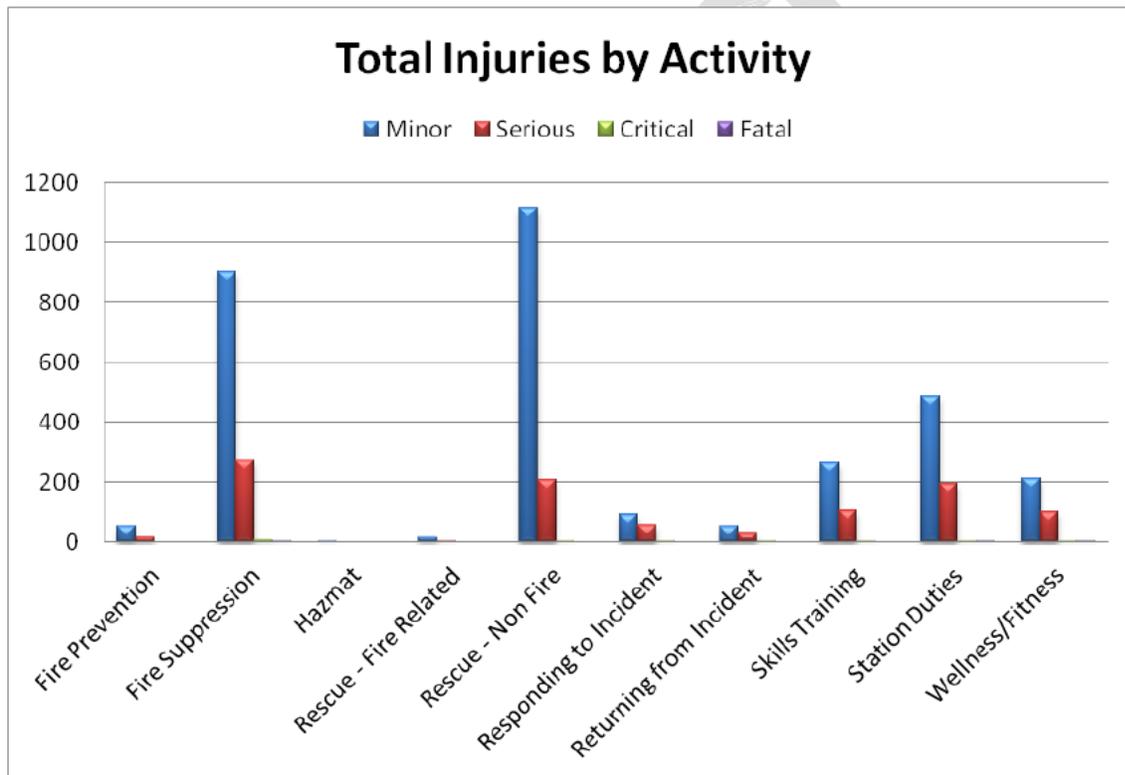
1. Adding **EMS** as an Activity. We want to be able to see how many injuries are happening on EMS calls. We can tell by the narratives that these are occurring, but want to be able to break this information out in order to better analyze it.
2. Adding **Student** as an Employee Status in order to accommodate the training facilities, colleges as well as those departments that conduct academies.
3. Adding the following to Work Assignment after injury:
 - a. Deceased,
 - b. Retired,
 - c. No longer with department,
 - d. Medically Separated
 - e. Change of duty (permanent change)
 - f. Modified / Light Duty (temporary change – previously restricted duty).
4. Adding Injury due to **Exposure Body Fluids**. This is another area where we see quite a bit of activity.
5. To help address the issue of an injury possibly going from minor to serious, we are not closing the injury reports until 10 calendar days have passed from the date of entry.
6. Collecting information on multiple injuries to a single individual.

Fire Fighter Injuries 2011

The numbers reflect injuries reported for January 1, 2011 to December 31, 2011, compared against the nine months of reports for 2010. We are also comparing the Texas numbers with the (NFPA) *U.S. Firefighter – Injuries - 2010* report that was issued in October 2011. Since 2011 was the first full year of data collection, 2011 will serve as the baseline for injury reporting going forward.

The number of reported injuries was 4,180.

The Total Injuries by Activity graph shows the overall types of injuries incurred by Activity in 2011. There were a total of 3,182 minor injuries, 978 serious, 16 critical and 4 fatalities.



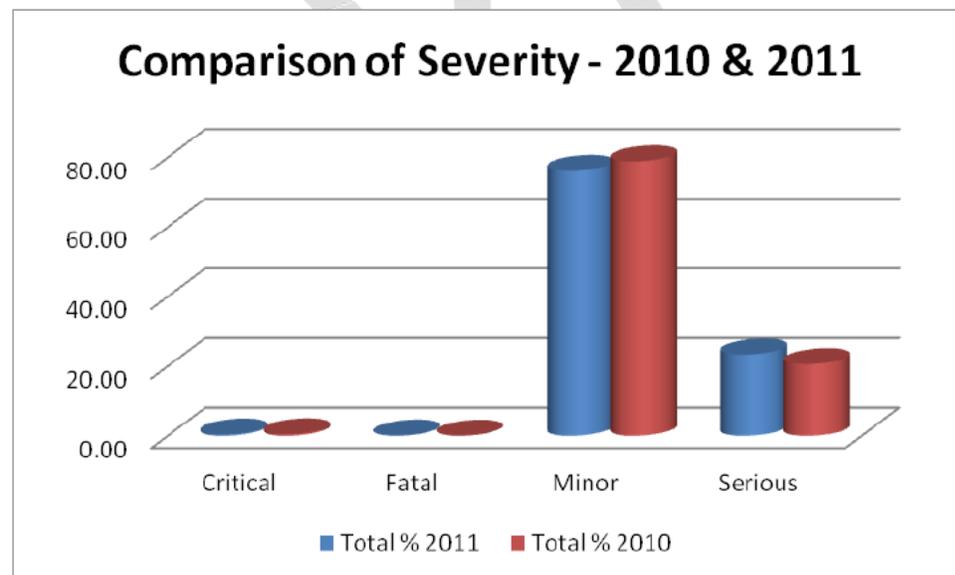
Injuries by Severity

In 2010, 78% of the injuries reported were minor, in 2011 it dropped to 76%. The serious injuries in 2010 were 20%, and in 2011, 23%. The trends between year one and year two will probably change in year three as 2011 is the first full reporting year, and as the program continues to grow the numbers will continue to change.

Severity	2011	2010
Critical	16	11
Fatal	4	1
Minor	3,182	1,897
Serious	978	496
Grand Total	4,180	2,405

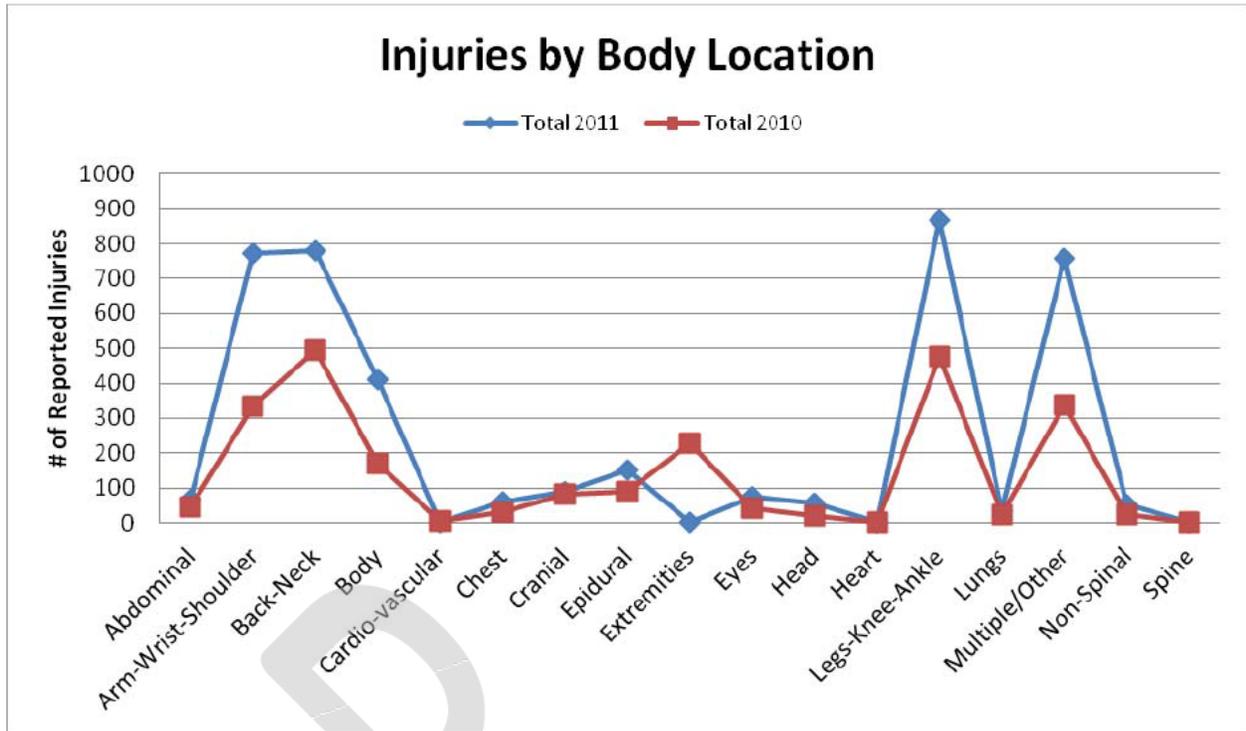
The table below shows the percentage of injuries reported by severity for both 2010 and 2011.

Severity	Total % 2011	Total % 2010
Critical	0.38	0.46
Fatal	0.10	0.04
Minor	76.12	78.88
Serious	23.40	20.62
Grand Total	100.00	100.00



Injuries by Body Location

Trends in injury body locations remained consistent during the first two reporting periods.



In the 2011 data, we were able to remove the extremities category and place the affected body parts in the appropriate areas. This provides a more concise picture of the injuries.

Injuries by Activity

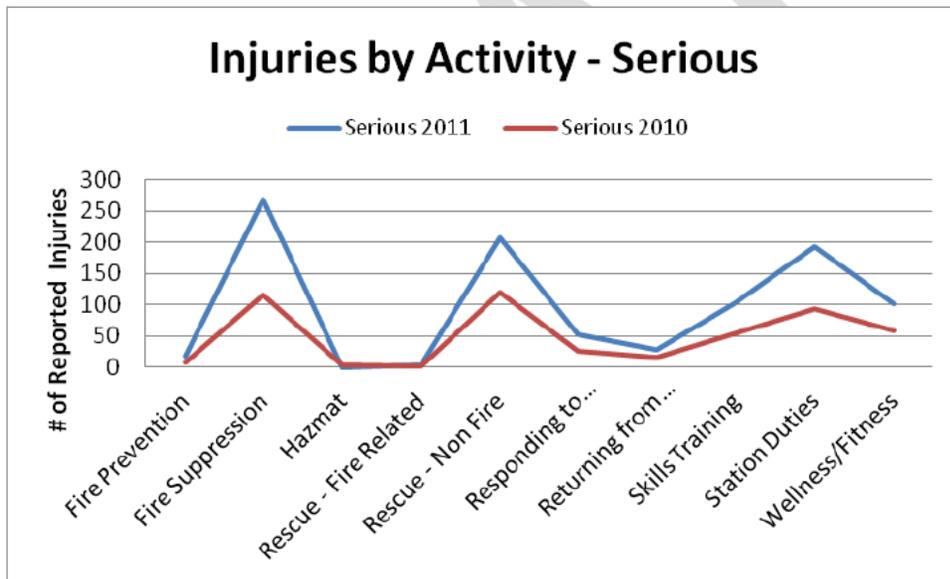
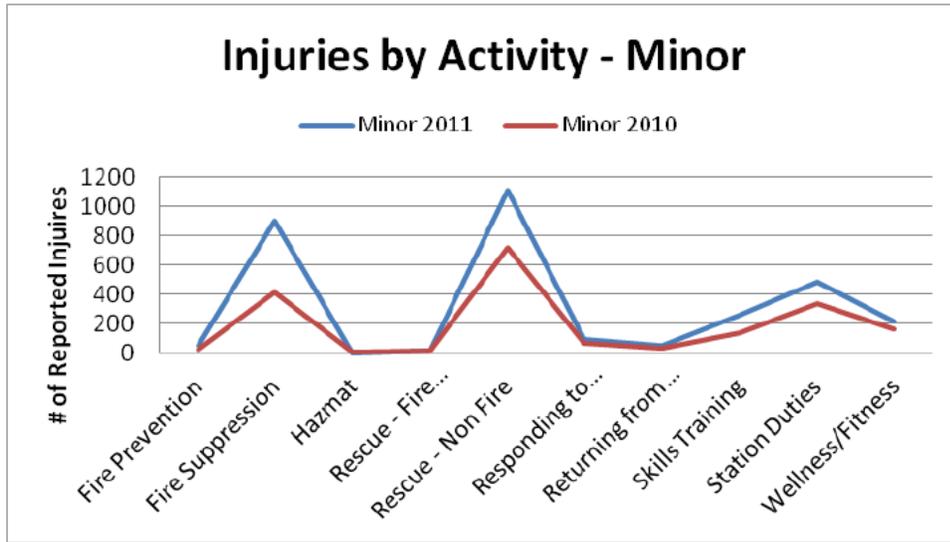
The trending at this point shows the injuries are occurring during the same activities with the same degree of severity.

The percentage of injuries occurring between 2010 and 2011 are very similar.

Activity by Percentage	Minor 2011	Minor 2010	Serious 2011	Serious 2010
Fire Prevention	1.6	1.2	1.7	1.4
Fire Suppression	28	22	28	23
Hazmat	.06	.4	0	.8
Rescue - Fire Related	.4	.6	.4	.4
Rescue - Non Fire	35	38	21	24
Responding to Incident	2.8	3.6	5.4	5.2
Returning from Incident	1.6	1.6	3	3.2
Skills Training	8.3	7	11	11
Station Duties	15	18	20	19
Wellness/Fitness	6.7	8.5	10	11.7
Grand Total	3182	1897	978	496

Injuries numbers by activity

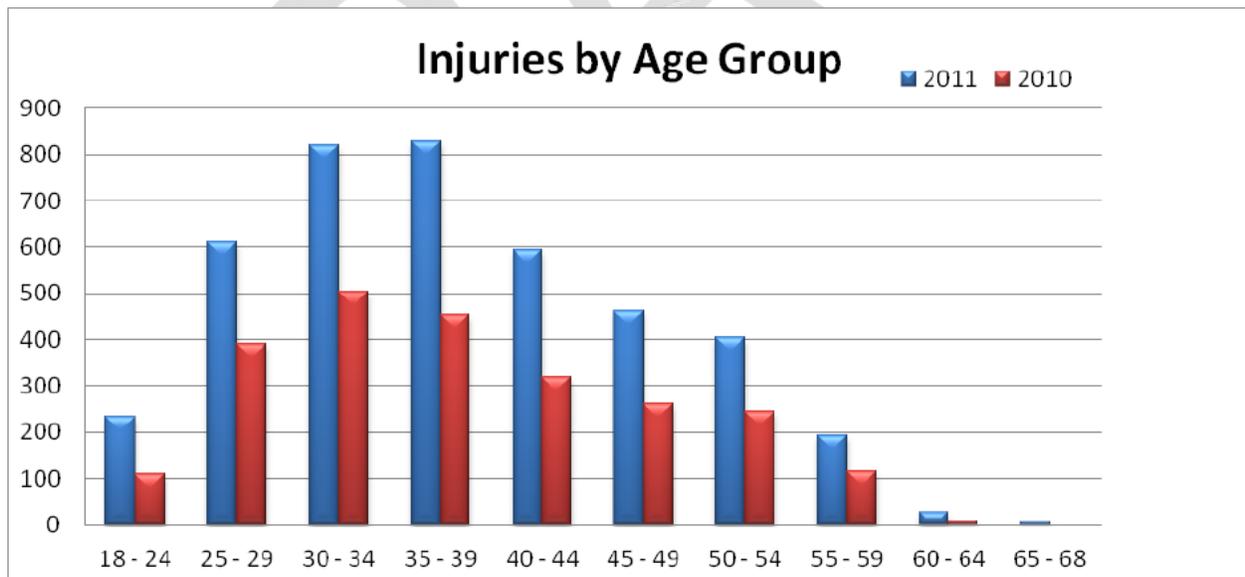
Activity	Minor 2011	Minor 2010	Serious 2011	Serious 2010
Fire Prevention	51	22	17	7
Fire Suppression	900	412	270	115
Hazmat	2	7	0	4
Rescue - Fire Related	14	11	4	2
Rescue - Non Fire	1,113	716	208	119
Responding to Incident	92	68	53	26
Returning from Incident	50	30	28	16
Skills Training	263	135	104	55
Station Duties	485	335	193	94
Wellness/Fitness	212	161	101	58
Grand Total	3,182	1,897	978	496



Injuries by Age group

The average age of the reporting population is 38. . Almost 40% of the injuries are occurring in the 30-39 age range.

	12 months	12 months	9 months	9 months
Age Groups	2011	2011	2010	2010
18 - 24	234	5.60%	109	4.53%
25 - 29	611	14.62%	390	16.22%
30 - 34	819	19.59%	503	20.91%
35 - 39	829	19.83%	453	18.84%
40 - 44	593	14.19%	318	13.22%
45 - 49	463	11.08%	262	10.89%
50 - 54	404	9.67%	244	10.15%
55 - 59	193	4.62%	117	4.86%
60 - 64	27	0.65%	9	0.37%
65 - 68	7	0.17%	0	0.00%
	4180		2405	

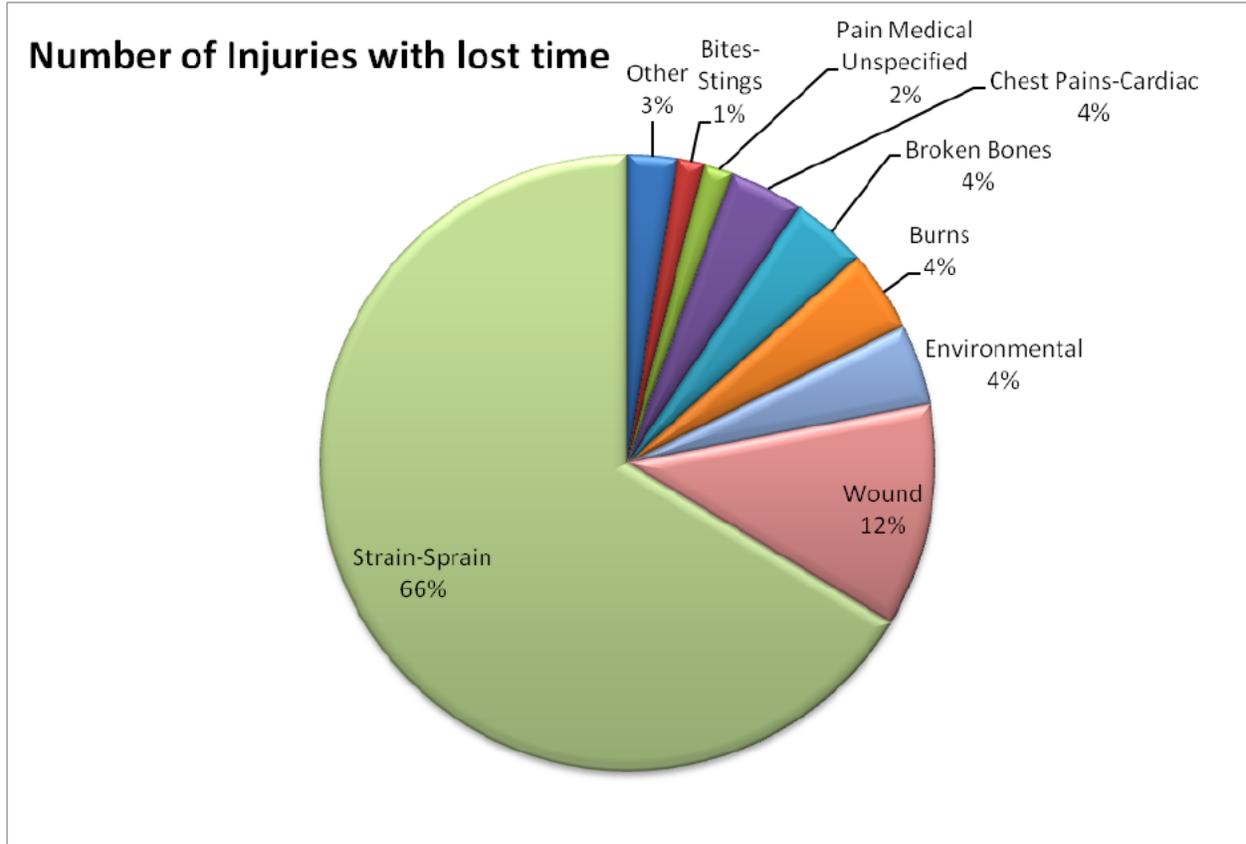


Injuries – with lost time

Information on lost time has been requested from the fire service community throughout 2011. We are providing this information in the report this year based on these requests. Of the 4,180 injuries reported in 2011, 18% of the injuries resulted in missed days. The commission defines missed work as “lost time” when an individual misses more than one full duty period as a direct result of an injury and does not return to the duties to which they were assigned prior to the injury.

Example: an individual who sustained an injury returns to work on their normally assigned duty period, but the department temporarily assigns the individual to modified or light duty (temporary) rather than their normal, pre-injury duty. This person has sustained a lost time injury.

Injury	# of Injuries with lost time
Bites-Stings	11
Broken Bones	31
Broken Spine-Neck	2
Burns	33
Chest Pains-Cardiac	30
Debris/Penetrating	3
Electrocution	1
Environmental	33
Exposure Airborne Pathogens	2
Exposure-Chemical	2
Pain Medical Unspecified	12
Smoke Inhalation	1
Smoke-Gas Inhalation	8
Strain-Sprain	514
Stroke	1
Wound	91
Grand Total	775



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Injuries – Lost Time

By Activity – between 1 and 30 days

Activity	The # of injuries leading to 1-30 days missed	Average # of days missed (lost time)	Total days missed (lost time)
Fire Prevention	11	9.91	109
Fire Suppression	155	10.02	1,553
Rescue - Fire Related	3	11.67	35
Rescue - Non-fire	109	10.72	1,168
Responding to Incident	22	12.41	273
Returning from Incident	18	12.22	220
Skills Training	50	11.86	593
Station Duties	102	11.30	1,153
Wellness/Fitness	52	11.46	596
Grand Total	522	10.92	5,700

By Activity – between 31 and 90 days

Activity	The # of injuries leading to 31-90 days missed	Average # of days missed (lost time)	Total days missed (lost time)
Fire Prevention	2	63.00	126
Fire Suppression	44	53.30	2,345
Rescue - Non Fire	27	53.48	1,444
Responding to Incident	8	59.13	473
Returning from Incident	1	51.00	51
Skills Training	10	49.90	499
Station Duties	30	57.57	1,727
Wellness/Fitness	18	53.11	956
Grand Total	140	54.44	7,621

By Activity – 91+ days

Activity	The # of injuries leading to 91 + days missed	Average # of days missed (lost time)	Total days missed (lost time)
Fire Prevention	4	195.75	783
Fire Suppression	23	186.74	4,295
Rescue - Non Fire	30	211.50	6,345
Responding to Incident	10	148.60	1,486
Returning from Incident	4	131.00	524
Skills Training	12	161.00	1,932
Station Duties	18	151.50	2,727
Wellness/Fitness	12	142.92	1,715
Grand Total	113	175.28	19,807

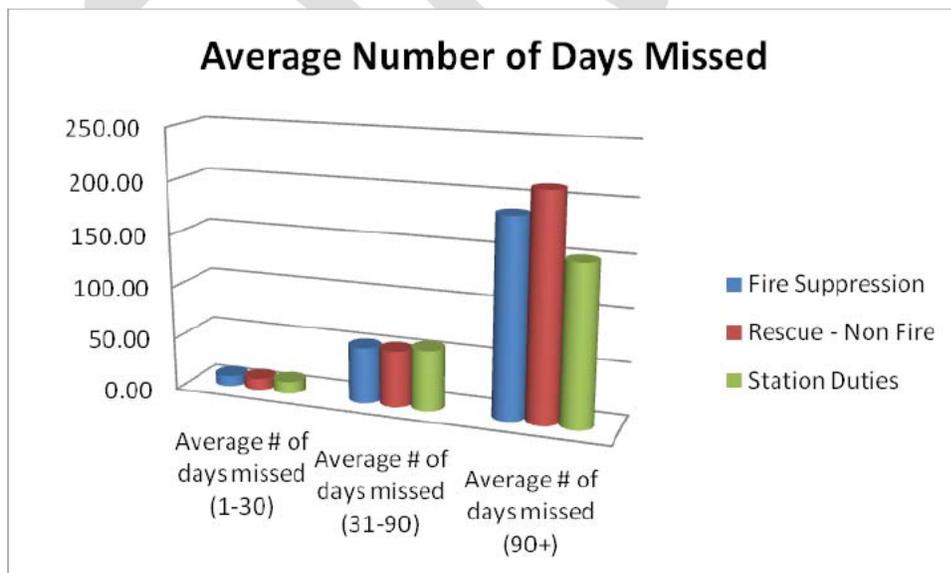
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Activity – combined chart of lost time from 1 day to 91+ days.

Activity	The # of injuries leading to 1-30 days missed	The # of injuries leading to 31-90 days missed	The # of injuries leading to 91 + days missed)
Fire Prevention	11	2	4
Fire Suppression	155	44	23
Rescue - Fire Related	3	0	0
Rescue - Non Fire	109	27	30
Responding to Incident	22	8	10
Returning from Incident	18	1	4
Skills Training	50	10	12
Station Duties	102	30	18
Wellness/Fitness	52	18	12
Grand Total	522	140	113

Average Lost Time by Activity – combined chart average lost time from 1 day to 91+ days.

Activity	Average # of days missed (1-30)	Average # of days missed (31-90)	Average # of days missed (90+)
Fire Prevention	9.91	63.00	195.75
Fire Suppression	10.02	53.30	186.74
Rescue - Fire Related	11.67	0	0
Rescue - Non Fire	10.72	53.48	211.50
Responding to Incident	12.41	59.13	148.60
Returning from Incident	12.22	51.00	131.00
Skills Training	11.86	49.90	161.00
Station Duties	11.30	57.57	151.50
Wellness/Fitness	11.46	53.11	142.92
Grand Total	10.92	54.44	175.28



Burns and PPE

The majority of the burn injuries we saw in 2011 were to the ears, face, neck and hands. The gear being worn by the individuals was across the board in different brands/manufacturers. Based on the information gathered the gear appeared to perform as designed and may have prevented more serious injuries from occurring. (There were some cases the geared appeared to have been pushed to its design limits.) Specific information on gear manufacturer, etc., was not collected on burns where the individual was not wearing the provided PPE/SCBA.

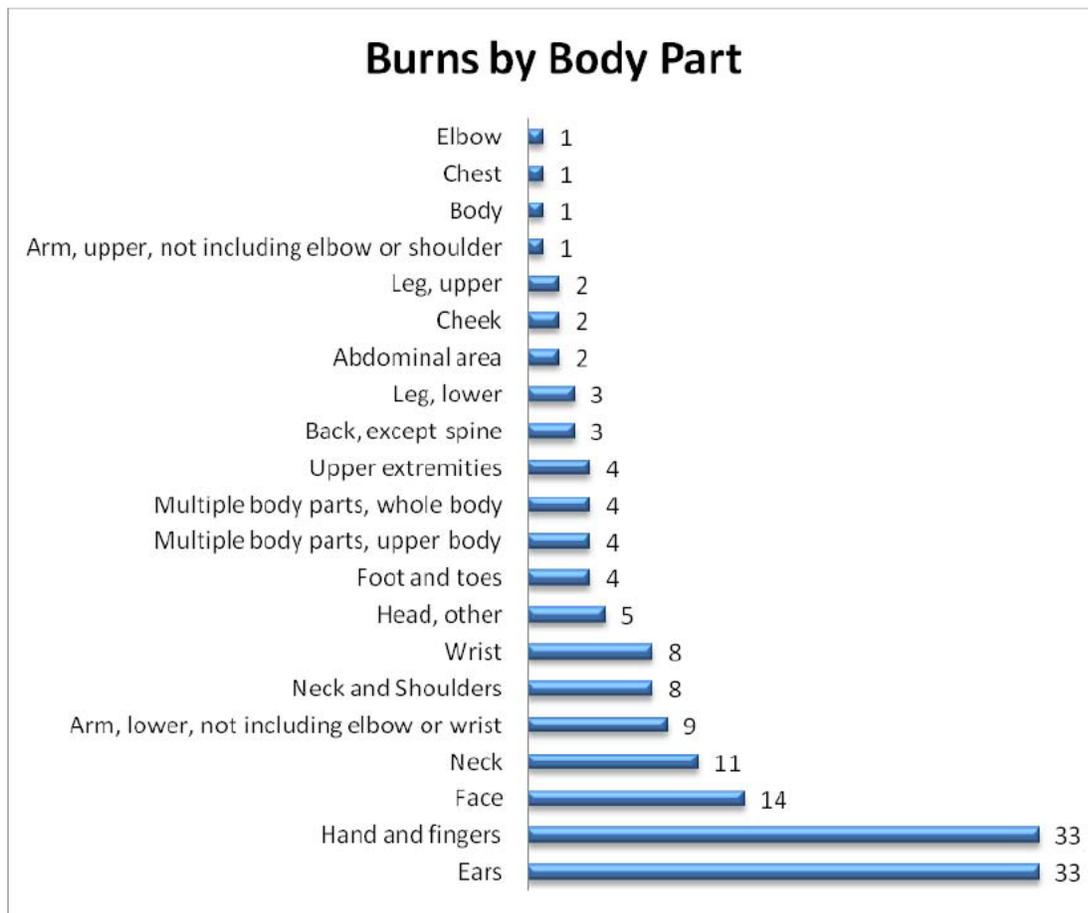
Injury Type	Avg.1- 30 days missed (lost time)	Avg. 31-90 days missed (lost time)	Avg. 91 + days missed (lost time)
Burns	10.55	35.5	*247

*represents one injury

Burns: Actual Body Part	Total
Ears	33
Hand and fingers	33
Face	14
Neck	11
Arm, lower, not including elbow or wrist	9
Neck and Shoulders	8
Wrist	8
Head, other	5
Foot and toes	4
Multiple body parts, upper body	4
Multiple body parts, whole body	4
Upper extremities	4
Back, except spine	3
Leg, lower	3
Abdominal area	2
Cheek	2
Leg, upper	2
Arm, upper, not including elbow or shoulder	1
Body	1
Chest	1
Elbow	1

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Burns by body part



SOP Issues

There were 26 SOP violations reported in 2011. All but a few were SOP violations in which individuals were not wearing their provided PPE/SCBA gear in an environment or situation in which they should have. The departments are reviewing their SOPs to make sure they are up to date and/or are completing additional training to make sure these violations do not occur again.

In these situations, the Texas Commission on Fire Protection verifies with the department that the SOPs are in place and cover the appropriate subject matter. We do not become involved in any internal disciplinary actions taken with employees surrounding these issues, as this is not within the commission's scope of authority. However, the commission stands ready to partner with the fire service by providing assistance, expertise and educational resources to promote a safer community.

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Comparison between the State of Texas (2011) and National Fire Protection Association (NFPA) U.S. Firefighter – Injuries - 2010

We compared our numbers with NFPA's annual report from 2010 that was issued in October 2011. Their numbers include numbers reported from Texas. There is an overlap between our numbers and NFPA's in that regard.

This chart shows the comparison for the State of Texas reported injuries and the NFPA's report. The number of non-fire emergencies for the state of Texas is a much larger percent compared to national. According to the NFPA report, the number of non-fire emergencies has increased significantly, but they are not seeing the number of injuries increasing (see report page 5 in 2009 and 2010).

For the same period, the number of non fire emergencies increased a substantial 247% due in large part to an increase in the number of medical aid incidents. When the injury rate per 1000 non fire emergencies is examined, the rate has declined during the period from 1.24 in 1981 to 0.50 in 2010 (Figure 3), because the number of non fire emergencies increased at a higher rate than the number on injuries at non fire emergencies.

- NFPA, U.S. Firefighter – Injuries - 2010

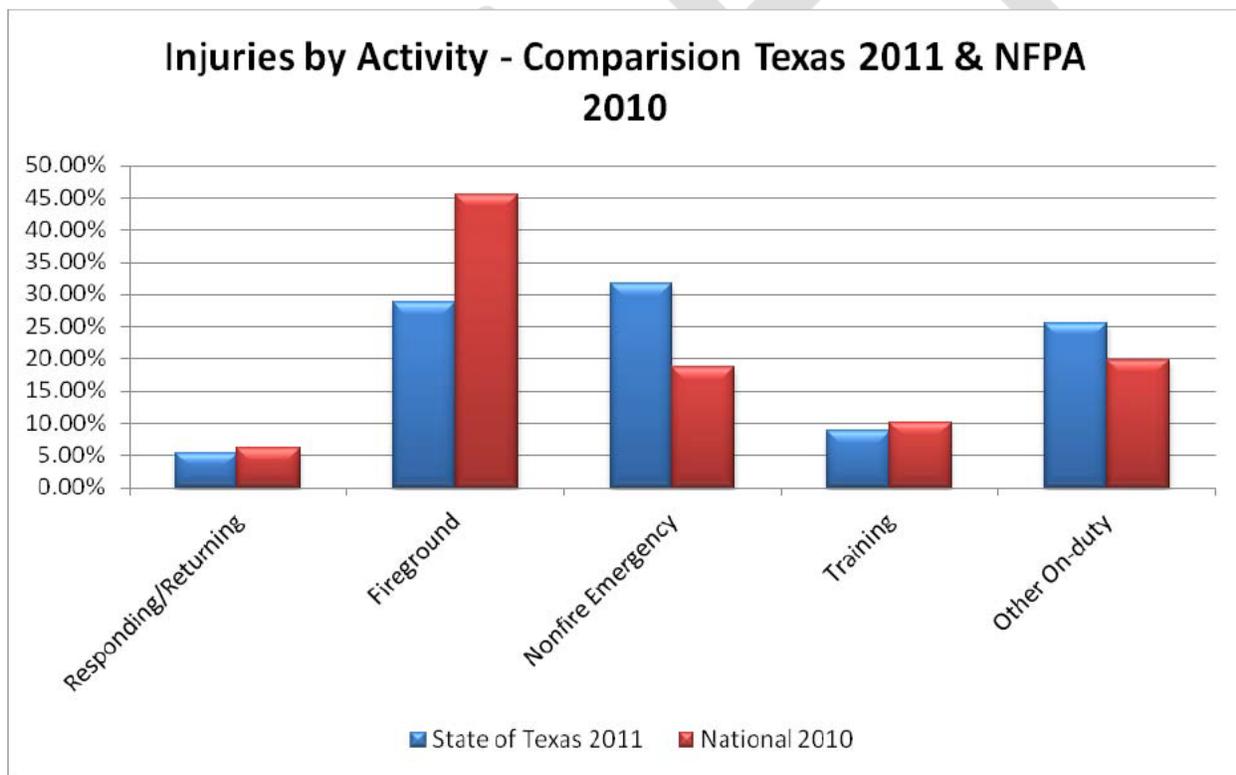
In Texas, the number of non-fire emergencies occurring and the number of injuries that are resulting specifically around EMS type calls is significant. We do not have the specific numbers in 2011 but hope to see these in 2012.

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Texas Commission on Fire Protection categories:

- Fire Ground includes Fire Suppression and Rescue – Fire Related.
- Non-Fire includes Rescue Non-Fire and Hazmat.
- Other on-duty includes Fire Prevention, Station Duties and Wellness/Fitness.

Activity	State of Texas 2011		National 2010	
Responding/Returning	226	5.41%	4380	6.09%
Fire ground	1197	28.64%	32675	45.46%
Non-fire Emergency	1325	31.70%	13355	18.58%
Training	368	8.80%	7275	10.12%
Other On-duty	1064	25.45%	14190	19.74%
	4180		71875	



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Firefighter Injuries by Nature of Injury and Type of Duty, (NFPA) U.S. Firefighter Injuries -2010, Page 10

Report 2011	Respond/Return TX 2011		Respond/Return NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	1	0.44	50	1.1
Smoke-Gas Inhalation	1	0.44	20	0.5
Other Respiratory Distress			60	1.4
Burns & Smoke Inhalation (no)			0	0.0
Wound, cut, bleeding, bruise	51	22.57	655	15.0
Dislocation, fracture	8	3.54	230	5.3
Heart Attack or Stroke	2	0.88	70	1.6
Strain, sprain, muscular pain	150	66.37	2705	61.8
thermal stress (frostbite, heat exhaustion)	2	0.89	205	4.7
Other	9	3.98	385	8.8
Exposures	2	0.89		
Totals	226	100	4380	100

Report 2011	Fireground TX 2011		Fireground NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	132	11.03	1940	5.90
Smoke-Gas Inhalation	30	2.51	1220	3.70
Other Respiratory Distress			440	1.40
Burns & Smoke Inhalation (no)			555	1.70
Wound, cut, bleeding, bruise	208	17.38	4650	14.20
Dislocation, fracture	14	1.17	855	2.60
Heart Attack or Stroke	21	1.75	175	0.50
Strain, sprain, muscular pain	443	37.01	17250	52.80
thermal stress (frostbite, heat exhaustion)	170	14.2	2350	7.20
Other	12	1	3240	9.90
Exposures	167	13.95		
Totals	1197	100	32675	100

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Report 2011	Non Fire Emergency TX 2011		Non Fire Emergency NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	3	0.23	90	0.70
Smoke-Gas Inhalation	3	0.23	115	0.90
Other Respiratory Distress			110	0.80
Burns & Smoke Inhalation (no)			10	0.10
Wound, cut, bleeding, bruise	165	12.45	1845	13.80
Dislocation, fracture	4	0.3	195	1.50
Heart Attack or Stroke	0	0	100	0.80
Strain, sprain, muscular pain	592	44.68	8650	64.80
thermal stress (frostbite, heat exhaustion)	8	0.6	140	1.10
Other	4	0.3	2100	15.70
Exposures	546	41.21		
Totals	1325	100	13355	100

Report 2011	Training TX 2011		Training NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	7	1.9	205	2.80
Smoke-Gas Inhalation	1	0.27	50	0.70
Other Respiratory Distress			130	1.80
Burns & Smoke Inhalation (no)			35	0.50
Wound, cut, bleeding, bruise	70	19.03	1320	18.10
Dislocation, fracture	8	2.17	235	3.20
Heart Attack or Stroke	7	1.9	135	1.90
Strain, sprain, muscular pain	202	54.89	4255	58.50
thermal stress (frostbite, heat exhaustion)	41	11.14	380	5.20
Other	10	2.72	530	7.30
Exposures	22	5.98		
Totals	368	100	7275	100

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Report 2011	Other On Duty TX 2011		Other On Duty NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	16	1.5	300	2.10
Smoke-Gas Inhalation	1	0.09	95	0.70
Other Respiratory Distress			200	1.40
Burns & Smoke Inhalation (no)			35	0.30
Wound, cut, bleeding, bruise	247	23.21	2640	18.60
Dislocation, fracture	20	1.88	305	2.20
Heart Attack or Stroke	30	2.82	330	2.30
Strain, sprain, muscular pain	634	59.59	7525	53.00
thermal stress (frostbite, heat exahustion)	26	2.44	120	0.90
Other	33	3.1	2640	18.60
Exposures	57	5.37		
Totals	1064	100	14190	100

Near-Miss Incidents

Summaries of Near-Miss Incidents

Three departments reported near-miss incidents involving injuries in 2011. Two of those summaries are included in this report. The departments themselves facilitated the investigations, with assistance and guidance from the Commission. The investigations were conducted in an open, proactive format involving members of the departments at every level, and led to the formulation of recommendations for future operations. This open and unbiased approach to post incident analysis represents a huge step in addressing needed cultural changes in the fire service, which must take place if we expect to see a significant reduction in fire fighter injuries and deaths. The adoption of the “Courage to Be Safe” program, teamwork involving local and state fire service organizations, and the cooperation and involvement of all members in every department will only serve to strengthen this effort.

In an effort to maximize the benefits of near miss reporting; the commission encourages all departments to submit near miss post incident analyses. We would like to be able to share these reports with the community but can do so anonymously. The names involved are not important, but the safety issues we all face are.

The departments whose summaries are included here are to be commended for taking the initiative in this area, and sharing their experience with the Texas fire service community. Thank you for your commitment to bringing about a culture of safety both in your own organization and in those serving alongside you throughout this great state.

Flower Mound

Date of Incident: June 17, 2011

Time: 2130

Weather Conditions: Hot 95 degrees, the day’s high had been 102 with winds from the south, sustained at 23, gusts to 41 MPH, humidity 40%.

Size up: Large (5,100 sq. ft.) two-story single family residence, wood construction, brick veneer, composition shingle roof, fire through the roof of the attached three car garage (south side of residence).

Exposures: There were residential homes north and south with 15-ft. side-yard setbacks. Firebrands were landing on other structures to the north of the fire.

Initial actions: First crew was assigned the interior of the home on first floor with a 2.5” line to the door between the living space and the garage. The second interior crew was assigned to the second floor to do a primary search.

Of course it is human nature to minimize personal exposure when things go wrong. Most often that is exactly the worst thing you can do. To seek the root cause, discover, and to understand and learn is to protect you from future failure. It is also imperative to communicate those lessons to fire service personnel in hopes the information helps to prevent future casualties. The event we recently experienced resulted in injury to two firefighters. In actuality, it is very clear we were moments from losing two firefighters to a flashover in a residential property.

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It would have been easy to do a quick post incident analysis; admit that was a close call and move on. Instead we wanted to dig deeper and analyze not only what went wrong, but what went right. To that end, we wanted to reinforce the actions of personnel, methods and procedures which allowed us to overcome a potentially lethal scenario. Of equal importance, we needed to know what factors, actions and dynamics that colluded to expose our personnel to grave danger. We felt it was essential we analyze the incident to discover these points. We needed to reveal the issues with a goal not to point fingers, assign individual blame or guilt.

A committee was assigned to analyze and evaluate this near miss. The personnel who were assigned to the task were not present at the fire. Each rank of the department from Battalion Chief to rookie firefighter served on the panel. The charge given was to look at all factors, not just the incident. The areas the committee evaluated included but were not limited to: personal accounts, bystander video, weather conditions, fire behavior, training, SOP's, communications, tactics, departmental culture, RIT, Mayday, command, company level and actions of personnel.

The final report provides enhanced details, but generally we found that:

- Prior to the incident, drills focusing on mayday and self-evacuation were invaluable. The two members recounted they realized they were in trouble and action must take place immediately. They called a Mayday before it was too late. The challenges of the drills conducted in a maze and live fire scenarios performed at various training fields in the area proved to be invaluable.
- As the Mayday was called, radio traffic ceased leaving just essential traffic centered on dealing with the Mayday. Over time we have been able to provide all personnel on the fireground with portable radios. With that came the benefit that personnel all know what is being communicated, but also the potential drawback of too much radio clutter. Prior to our event, Officers had listened to radio recordings of a fire where multiple firefighters were lost at another department. The significance was that Command seemed to be overwhelmed with answering non-priority communications, while you could tell he was attempting to account for his personnel.
- At the incident, personnel had accomplished, or were in the process of implementing RIT and rescue procedures in advance, and just in case of such a scenario. RIT was in place but additional ground ladders were being placed as the Mayday was called. A ladder was set just as the firefighters began their bailout of a window.
- The effects of the heavy winds (to 41 MPH) created challenging conditions as the fire grew rapidly in intensity.
- The building construction seemed to have a factor in the progress of the fire. The interior crew also recounted how a Mylar- like window film treatment inhibited their ability to break and clear glass for their escape.
- Crews were assigned to enter and search the residence, but failed to use a hose line to cover them. The area of the residence where they found themselves trapped and disoriented had initially been cool and with limited smoke. Their thermal imager was with them, but not

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powered on. Once the fire breached the wall, the room was immediately untenable. Their tag line had also not been deployed.

- The choice of hand tools selected by the interior search crew was not the most appropriate for their assignment.

Since this event several actions have taken place:

- The final report from the panel has been disseminated to all personnel in the interest of applying lessons learned.
- The Captain, who was trapped with the firefighter, has created a website in order to share his experience with other fire personnel. His website includes the final document, radio traffic, bystander video and his personal thoughts. He has since developed a program which he has delivered to all of our personnel recounting the incident. He provides honest analysis of the lessons learned. He has also been a guest lecturer at many departments throughout North Texas to allow his experience to benefit others.
- We have evaluated the tactics utilized during this incident. We are training to reinforce the use of hose lines, tag lines, hand tools and thermal imaging when conducting interior search operations. Training also includes additional concentration on building construction and weather influences relative to fire behavior.
- Turnout gear is only a relatively thin barrier between a hostile and lethal environment and the firefighter inside. In sterile laboratory settings, structural gear is tested to provide about 17.5 seconds of personal protection in a flashover situation - before the firefighter receives a second-degree burn. Actual fireground conditions can vary widely. Our personnel have all examined the thermal insult the bunker gear and SCBA withstood. This visual drives home the need for proper use, inspection and care of PPE and SCBA. This incident underscores how essential it is to perform daily inspections and advanced testing of gear.

Upon conclusion of our evaluation, we found the panel conducted the analysis in a professional and thoughtful manner. We knew from inception it ran the risk of being perceived by personnel as being an exercise in blame and fault finding. In the end, the process actually worked to build trust as it was seen as thorough, honest and non-punitive. This event will serve to remind us we are engaged in a deadly serious profession. We don't want the lessons learned here to have been in vain, or be soon forgotten.

Hutto

[Williamson County Emergency Services District #3](#) [Hutto Fire Rescue](#)

On September 5, 2011, Hutto Fire Rescue experienced a firefighter near-miss incident. This incident resulted in two firefighters receiving first- and second-degree burns to their arms, neck, and ears. While the injuries were minor when you consider what could have happened; nonetheless they were still injuries with lessons to be learned. Three areas for improvement resulted from our internal investigation into this near-miss incident.

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These are as follows:

1. **Equipment Checks:** These must be consistent across the job and must occur immediately at the start of each shift. This includes personal protective equipment as well as equipment assigned to the apparatus.
2. **Training:** COMMAND training must be continued for all officers. Additionally, training must be completed and consistent for all full-time, part-time, PRN part-time, and volunteer-time personnel.
3. **Personal Protective Equipment (PPE) Specifications:** Work with the Safety Committee on the development of specifications for all types of PPE. Do not just rely on a tag or brochure that states an item meets a particular National Fire Protection Association (NFPA) standard. These are minimum standards only. Not all items are alike even if they meet the minimum standard.

By following our own recommendations we believe that we can continue to reduce the number and severity of an injury in this fire department. Should you have any questions or comments, please do not hesitate to contact me.

Respectfully,
Scott D. Kerwood
Fire Chief

Wichita Falls

Summary Pending

Fatalities

Four fatalities were reported to the Texas Commission on Fire Protection in 2011.

The first occurred on 4/15/2011. Eastland Fire Department

“Fire Dept. was working a large Wildland fire. Brush truck was trying to escape a firestorm along with other trucks. Another department’s truck was stopped in the gate with nobody around it. Firefighter on back of brush truck baled off from extreme heat and jumped in Tanker. Driver of brush truck bailed out and ran to the County road outside the gate. After firestorm passed there were 3 firefighters missing. 2 were found and had got on other trucks and got out. Driver of brush truck was found dead in ditch of county road. Driver was wearing bunker pants no coat, no helmet, no gloves.”

The second occurred on 6/23/2011. Dallas Fire-Rescue

“Employee was found unresponsive in bunk at fire station, CPR was performed, he was transported to ER, pronounced dead, cause now determined as coronary artery disease.”

The third occurred on 7/26/2011. – This is not listed in the State Fire Marshal’s report as it was not listed as an LODD. Baytown Fire & Rescue

“Firefighter worked a 24-hour shift beginning at 0700 on 07/25/2011. His crew responded to 3 calls within that shift. The firefighter also performed his physical exercises in the morning prior to leaving work. The exercises consist of stretching (yoga) and running on the track. The firefighter finished work at 0700 on 07/26/2011 and went home. At around noon he attended a karate class and then returned home. He took a nap (due to calls during the night) and his spouse attempted to wake him at around 1700. He was unresponsive. EMS was called and their attempts to revive him were futile. He was pronounced dead at home. The Jefferson County (Texas) M. E.’s office performed an autopsy.”

The fourth occurred on 8/14/2011. Dallas Fire-Rescue

“While at a structure fire employee was on the roof to begin ventilation when the roof collapsed and employee dropped into attic, sustaining multiple injuries, pronounced dead at the hospital.”

The State Fire Marshal’s office compiles all the LODD reports for the state. Texas Commission on Fire Protection only had three of the LODD’s reported to them through the Injury Reporting system. Full reports can be viewed at the State Fire Marshal’s office at <http://www.tdi.texas.gov/fire/documents/fmloddannul11.pdf>

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1. **Finding:** A number of burn injuries reported during the year were attributed to failure of the individual to properly don their PPE.
Proposed Recommendation: Response personnel should take the additional few seconds at every emergency incident to double-check their own gear, and the gear of their team members, to ensure that all PPE has been properly donned. Recommend review or revision of department SOPs to include procedure for double-checking protective equipment prior to commencement of fire attack or other emergency operation.

2. **Finding:** A number of burn injuries were reported in situations where PPE had been properly donned and was still in place at the time of the injury. This would imply that personnel may be entering areas or remaining in situations where fire conditions are exceeding the protective limits of their gear.
Proposed Recommendation: Situational awareness must be maintained at all times during emergencies, and personnel should be reminded that size up is a continual process at every incident. Recommend refresher training in tactics and strategy, and incident management; and review or revision of applicable SOPs as necessary.

3. **Finding:** A substantial number of reported injuries occurred during non-emergency activities such as routine station duties, hydrant maintenance, and wellness-fitness activities. Discretionary time is generally at a maximum during these activities, which should allow personnel plenty of opportunity to address safety considerations prior to commencing any actions.
Proposed Recommendation: Recommend regular periodic reviews of department policies and procedures pertaining to non-emergency activities, and revision or amendment of those policies and procedures so as to increase personnel safety.

14. Discussion and possible action on matters from the Executive Director.

A. Report on decisions of the Executive Director in contested cases and consent orders.

14. Discussion and possible action on matters from the Executive Director.

B. Status of division functions.

Executive Offices Activities

The following is a summary of activities for the Executive Offices of the Texas Commission on Fire Protection from January 2012 to April 2012. The summary includes the activities involving Executive Director Don Wilson and Standards Division Director Mike Baker. Staff for these offices also includes Ms. Deborah Cowan, Ms. Mary Hunt (Finance), Mr. Mark Roughton (PIO and IT Supervisor) and Ms. Alma Craig (Human Resources).

For this reporting period the following activities occurred:

- ❖ The Executive Offices in conjunction with staff from the Education and Professional Development Section conducted educational and information programs to various organizations throughout the State. These organizations included:
 - The Texas Fire Chiefs – regional meeting held in Midland, Cedar Hill, Cedar Park, and Waco. As subgroup of the TFC meeting was also held at Cuero and Pearland.
 - The Texas Fire Chiefs' Academy – a presentation of the overall function and duties of TCFP was provided to the students attending the Texas Fire Chiefs' Academy in Edinburg and in Garland.
 - Lumberton Fire Department and Hardin County ESD joint meeting – Executive Director attended a meeting of the Lumberton Fire Department and Hardin County ESD to discuss regulation of the department and the rules/regulations governing the hiring of personnel.
 - State Association of Fire and Emergency Districts (SAFE-D) – Staff had two sessions at this event. One consisted of an overview of TCFP certifications, injury reporting, and library programs including reference materials, research services, and the news letter. The second included information on compliance inspections and general rules and regulations. Both sessions spilled over and staff remained after the session to discuss items of interest and continued to address questions.
 - Southwest Fire and Rescue Conference – a general session presentation was provided to the members of this organization covering the overall functions and duties of TCFP as well as upcoming items of interest. TCFP had a booth at this event on Sunday and Monday during the vendor portion of the conference. During this conference, TCFP was recognized for the adoption of the “Courage to Be Safe – Every Firefighter Goes Home” program. TCFP recognized the Flower Mound and Wichita Falls Fire Departments for their work on the near miss events each department experienced. Hutto Fire Rescue will also receive recognition for their work on a near miss event during the April Commission meeting.
 - City of Whitney Council Meeting – Executive staff along with the Compliance Section Manager attended the City of Whitney Council Meeting at the request of the Mayor. This meeting addressed employment and certification issues concerning the hiring of the Fire Chief. The problem was discovered based on a complaint during a compliance inspection.
 -
- ❖ The Executive Offices had several meetings with agency LBB and Governor's Office Representatives concerning budget issues, in particular concerns over the known budget shortfall created by Rider 4 in the General Appropriations Act. These meetings were also expanded to include the Comptroller's Office. Ongoing discussions with these groups will continue as the year progresses.
- ❖ The Executive Offices have been heavily involved in the development of new certifications, in particular Wildland Firefighter. The executive staff has had meetings with most of the stakeholders concerned with this topic but in particular the Texas Forest Service, Texas State Association of Firefighters, and State Firemen's and Fire Marshals' Association. TCFP held a meeting of all stakeholders to address the various concerns, issues, and potential conflicts created by various legislative acts and agency practices. The stakeholders included representatives from TFS, TSAFF, SFFMA, TEEX, SAFE-D, TFC, TxDEM, Governor's Office, and TCFP.
- ❖ The Executive Offices had meetings with Texas.gov, the State Treasurer and State Comptroller's Office to work out the details for online payment of TCFP fees. Texas.gov will handle mainly individuals making on-line payments while the State Treasurer in conjunction with the State Comptroller's Office will handle the entities required to pay fees to the agency.
- ❖ The Executive Offices had meetings with on-line testing vendors. The IT staff is continuing to work on the back end needs to allow on-line testing and is in discussion with the various vendors to see what this will entail from an

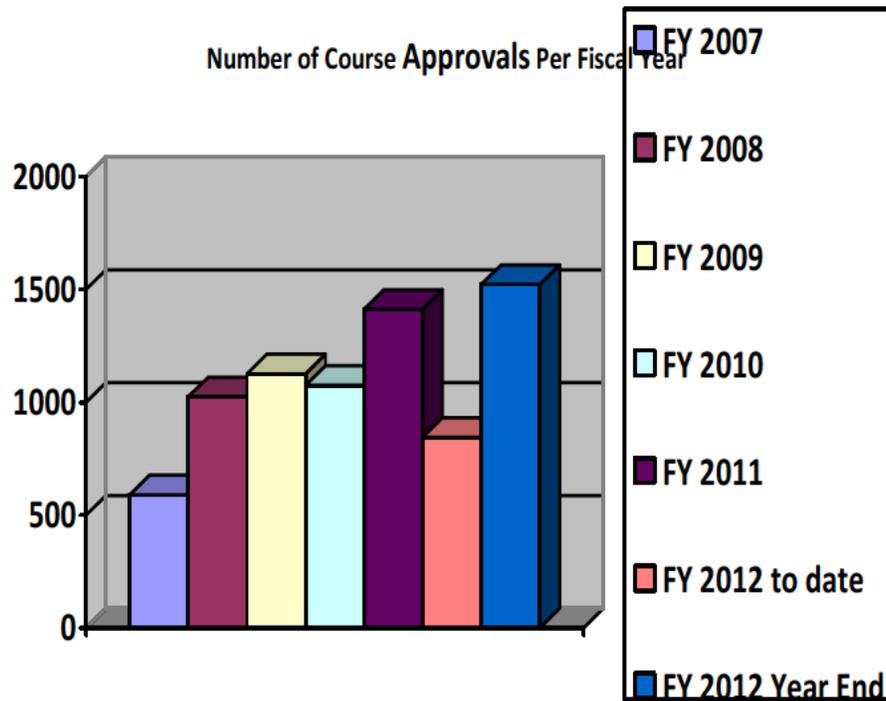
IT stand point. Cost and testing sites, etc. are being evaluated by the Testing Supervisor and the Executive Offices.

- ❖ The Executive Offices rolled out the Survey of Employee Engagement (SEE), formerly the Survey of Organizational Excellence created by the University of Texas that not only addresses general information on customers (internal and external) but overall satisfaction by these customers of the services provided by the agency.
- ❖ The Executive Offices also rolled out new employee evaluation forms. These evaluation forms are more open and discussion based forms which will allow the gathering of information and data of actual task the employee is performing. The employee and the evaluator will have an improved tool to discuss and tailor the evaluation toward the employee's actual task while reviewing those tasks listed in the state job classification descriptions.
- ❖ The Executive Offices participated in the Firefighter Advisory Committee meeting as well as the Curriculum and Testing Committee meeting.

Training Approval and Testing Program Commission Report April 2012

Course Approvals Processed per Fiscal Year

FY 2007	590
FY 2008	1025
FY 2009	1126
FY 2010	1075
FY 2011	1412
FY 2012 to date	845
FY 2012 Year End Projection	1522



Record Reviews Received per Fiscal Year

FY 2012 Year End Projection	76
FY 2012 to date	41
FY 2011	60

Training and Skill Testing Audits Conducted Per Fiscal Year

Fiscal Year	# of Audits	# of Discrepancies Found	# Corrected	Action
2004	14	1	1	Deviation submitted
2005	9	1	1	Certification revoked
2006	2	2	1	Consent order issued –entity placed on probation for two years
2007	9	0	N/A	N/A
2008	27	4	4	Deviations submitted
2009	44	1	1	Deviation submitted
2010	116	33	33	<ul style="list-style-type: none"> • 16 Records requested and cleared • 6 deviations submitted • 11 online access requests
2011	7	2	2	Deviation submitted on one and an on-site correction on the other
2012 *	9	1	1	Deviation submitted (Note: Six audits are still open due record requests because the auditor was not allowed online access being able to access the online training)

*NOTE: Two written complaints regarding training issues have been received in FY 2012. Upon completion of an investigation on the first complaint, the facility is required to notify the commission at least ninety-six hours in advance of any live fire training evolutions. The notification process will continue until for a specified period not to exceed one year. The second investigation resulted in a consent order being issued in which the entity was placed on a two-year probationary period.

Structure Exams

Fiscal Year	# of Exams	Average Score	Pass Rate
2012 (1 st 6 months)	1284	83.8	95.25%
2011	3074	83.19	95.48%
2010	3347	82.3	94.08%
2009	2959	82.17	94.69%
2008	2570	81.7	94.32%

DISC	Attempt	Total	Passed	Pass Rate	Low Grade	High Grade	# of 100's	Average
FF I	1	25369	24735	97.50	38.89	100	82	85.53
FF II	1	25449	21994	86.42	30	100	138	80.16
AW	1	25424	21342	83.94	0	100	3722	81.71
OPS	1	25540	18241	71.42	0	100	1405	74.57
FF I	2	306	198	64.71	46	90	0	72.02
FF II	2	720	338	46.94	34.67	98.67	0	69
AW	2	603	389	64.51	32	100	14	74.17
OPS	2	1004	483	48.11	20	100	11	68.18

Inspector Exams

Fiscal Year	# of Exams	Average Score	Pass Rate
2012 (1 st 6 months)	204	79.53	82.84%
2011	319	76	75.86%
2010	227	83.47	95.15%
2009	230	80.4	89.57
2008	256	82.22	93.75

DISC	Attempt	Total	Passed	Pass Rate	Low Grade	High Grade	# of 100's	Average
INSP I	1	1772	1600	90.29	32	100	21	82.97
INSP II	1	1773	1451	81.84	24	100	47	79.8
PE I	1	1900	1310	68.95	0	100	17	73.54
INSP I	2	91	47	51.65	68	94	0	69.91
INSP II	2	112	57	50.89	40	96	0	70.07
PE I	2	152	86	56.58	32	94	0	70.28

QUARTERLY REPORT
COMMISSION MEETING APRIL 2012

Curriculum Development

- 2 active ad hoc committees as of Jan 2012
 - Fire Officer III & IV – creating new curricula for new certifications
 - Structure – reviewing and updating all FFI, FII, Awareness and Ops performance skills; reviewing exam questions; will be updating Basic Structural Firefighter curriculum to new NFPA 1001 standard (the new edition scheduled to be out Jan. 1, 2013)
- 1 new ad hoc committee currently being formed: Wildland FF (members to be chosen at next C&T meeting, May 30-31)
- 4 new curricula and certifications being developed:
 - Fire Officer III & IV (estimated effective date of 3/1/13 for the curriculum)
 - Wildland FF (9/1/13 for the curriculum)
 - Incident Safety Officer (1/1/13 for the curriculum)
 - Hazmat Incident Commander (3/1/13 for the curriculum)
- Reformulating the Head of Department certification. Ideas in the works include a “task book” assignment and new testing criteria that will better prepare chief officers for running their departments effectively in the state of Texas and in compliance with TCFP rules/regulations.
- **Review of all test questions are underway for IFSAC’s upcoming summer 2013 site visit** – their compliance inspection of our testing programs.

Injury Reporting

- 1st quarter:
 - Attended/Presented 4 meetings/conferences
 - Conducted user group webinar
 - Phone conference with FIRST (Drexel Univ) to exchange information
 - Reported Injuries – 1079
 - Burns reported – 39
 - Incidents reported that involved SOP violations – 3
- 2nd quarter:
 - Presented at 1 user group meeting
 - Presented at SAFE-D Conference
 - **Compiled and presented Annual Injury Report to Advisory Committee**
 - Additional database created by Injury Reporting Specialist to help track incidents that involve multiple injuries to individuals; the additional database functions separately from main database until the new version of FARM/FIDO is launched. It will allow the agency to compile more complete and accurate data.
 - Reported Injuries – 827
 - Burns reported – 32
 - Incidents reported that involved SOP violations – 4
- Year-to-Date Injury Totals:
 - Reported injuries – 1906
 - Burns reported – 71
 - Injuries reported that involved SOP violations – 7

Library

	FY 2012 1st Qtr Sept. 2011 through Nov. 2011	FY 2012 2nd Qtr Dec. 2011 through Feb. 2012	2012 FYTD
<i>Items lent</i>	169	174	343
AV Items lent	153	164	317
Print Items lent	16	10	26
<i>Research/Reference requests fulfilled</i>	36	91	127
Internal	7	7	14
External	29	84	113
New Library borrowers	23	16	39
Responses to borrower follow-up surveys received	14	14	28
AV Items cataloged	31	3	34
Print Items cataloged	56	5	61
Desk copy items ordered and processed	0	26	26
Articles/Outreach sent to outside associations	2	5	7
Facebook posts	32	28	60
Newsletters published	4	3	7
Avoid Injury! blogposts published	13	8	21

	FY 2012 1st Qtr Sept. 2011 through Nov. 2011	FY 2012 2nd Qtr Dec. 2011 through Feb. 2012
Achievements	Created training tool for NFPA Codes online subscription users.	Performed FY 2012 Library Budget Review
	Added Courage to be Safe webpage to the agency's website.	Wrote FY 2011 Library Year-End Report and CE 2012 Library Strategic Plan
	Assisted Injury Reporting staff with user experience focus groups.	

	FY 2012 1st Qtr Sept. 2011 through Nov. 2011	FY 2012 2nd Qtr Dec. 2011 through Feb. 2012
Records	Collected, organized, packaged, and sent the agency's archival records to the State Archives.	Worked with new HR director to inventory, evaluate, and organize HR records.

Certification

- 2091 new certificates issued 2nd qtr (3941 ytd)
- 439 individual certificate holders renewed 2nd qtr (ytd, next bullet)
- 278 employed department personnel renewed 2nd qtr (27,626 ytd combined dept and individuals)
- 1475 IFSAC seals issued 2nd qtr (2789 ytd)
- 222 certified training facilities renewed in 2nd qtr (ytd n/a)
- 34 training facility certificates issued to 23 entities (69 ytd)
- 201 “notices” (removals and appointments) by certification staff 2nd qtr (346 ytd)
- FIDO account help requests (done manually up to 1/1/2012) Average 10-25 per day

Courses reviewed and added for higher levels:

A List Courses:

- Electrical Aspects of Fire Investigations
- Fire-Arson Investigative and Courtroom Techniques

B List Courses:

- Decision Making for Initial Company Operations
- Advanced Radiological Survey Techniques
- Public Safety WMD Response
 - –Sampling Techniques and Guidelines
- ICS Simulation Series: Wildland Fire

Accomplishments:

- **Successfully coached a large number of Texas fire service personnel regarding use of TCFP’s FIDO website, verified department information and assisted department administrators through the renewal process with very little negative feedback so far.**
- There is extensive daily interaction with personnel who need to log in to their FIDO account, apply for certification, and have renewal issues. This is very important because we are moving towards on-line renewal and certification so everyone needs to have a FIDO account.
- **We are establishing step by step procedures to help fire service personnel with various processes such as applications for certification, renewal, or for the creation of new entities in our database.**

Information Resources

Online payments

Staff has met with representatives from Texas.gov, DIR and the Comptroller’s Office to explore our online payment options. As a result of these meetings, we are moving toward:

- Using the Comptroller/Treasury’s “ACH Receiving Service” for payments from municipalities. (There is no fee for municipalities to use this service.)
 - We have worked with the Treasury to create accounts for approximately 700 regulated entities.
- Using Texas.gov for individual and non-municipal payments. Payments can be made via ACH or credit card. There will be a \$0.25+2.25% “convenience fee” for each transaction.
 - 2.25% of \$85 = \$1.91, so individuals will pay \$87.16.
 - Once the Customer Agreement is signed, we will begin the “onboarding” process with Texas.gov.
- Projected timeline is Sept. 1, 2012 for ACH payments from municipalities (should be ready to go for the 2013 renewal period) and Sept. 1, 2013 for individual payments.
 - Delay is not totally predicated upon ability of information resources staff to develop the service; there are several “business rules” that we need to develop further.
 - Example: The current renewal process requires individuals to submit documentation of completion of CE at the same time the individual makes the payment.
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Online testing

- Business analysis is complete.
- Systems analysis is ongoing.
- Actual programming will begin in April. Projected timeline is December 2012 for roll-out.

Staff has met with PTS, TEEEX, and eStrategies to explore online testing partnership opportunities.

Data management system redesign

- Approximately 10 percent complete.
- Business and systems analysis is ongoing, including reviews of statutes and rules.
- Core data tables have been migrated.

Network and e-mail

- New Windows domain has been deployed to provide a more stable environment for when we move all our business applications to the web.
- New e-mail server has been deployed.
- New Citrix environment has been deployed.
- Servers are being migrated to VMWare to reduce hardware needs.

Compliance Section Commission Report April 2012

- Compliance division is looking into grant opportunities and the feasibility of acquiring and using ruggedized electronic internet based laptop or iPad type devices for compliance field inspection purposes.
- Compliance division is assessing the feasibility, impact to work performance and cost savings of having the field compliance officer's primary and official work location be their home or residence in lieu of the current scheme where we pay rent for office space.
- Compliance division field staff continues to have high productivity by providing the following services:
1) compliance inspections 2) test administration 3) fire fighter injury investigations 4) fire fighter fatality investigations.
- Members of the compliance staff attended several stakeholder group meetings including Southwest Fire Rescue and the Southeast Regional meeting of the Texas Fire Chief's Association.
- Many regulated agencies are standardizing a process to place updated compliance inspection documentation in a central location. The centralization of compliance inspection documentation allows on-duty personnel access during inspections thereby facilitating an efficient and effective compliance inspection.
- During inspections the Region 6 compliance officer has been using a laptop containing electronic filled forms on a trial basis. The forms reduce the use of paper forms.
- The compliance officers have assisted with transition issues associated with ESD operated agencies.
- In February the Region 7 compliance officer, Tim Gardner organized and coordinated the successful inspection of the San Antonio Fire Department. All field compliance officers accompanied by Executive Director Don Wilson, Managers Mike Baker and Paul Maldonado completed the San Antonio Fire Department inspection in record time with the assistance of San Antonio Fire Department personnel. This inspection of a large municipal fire department (San Antonio) was highly successful in part because of the preparation and assistance provided by San Antonio FD personnel and because of the well organized and experienced TCFP field staff.

15. **Executive session pursuant to Government Code, Section 551.074, for the discussion of personnel matters: the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and appoint, employment, reassignment, or duties of personnel acting on an interim basis.**

16. Open session for further discussion and possible action regarding preceding agenda item.

17. Adjourn meeting.