

TEXAS COMMISSION ON FIRE PROTECTION

April 25, 2013, 10:00 a.m.

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

1. Roll call – 10:00 a.m. (including consideration of whether to excuse absences) and introduction of new commissioner.
2. Adoption of January 24, 2013 commission meeting minutes.
3. Discussion and possible action on election of new commission officers.
4. The Budget and Strategic Plan subcommittees will meet on April 25, 2013 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 and strategic plan. The subcommittees may meet separately or together.
5. Report from the Budget and Strategic Plan subcommittees with discussion and possible action relating to any recommendations developed by these subcommittees and the appointment of a new chairman on the Strategic Plan subcommittee.
6. 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, Texas State Association of Fire and Emergency Districts, and the State Fire Marshal's Office.
7. 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).
8. Discussion and possible action regarding the appointment of a new commission representative to serve on the Texas Fire School Advisory Board.
9. New matters from the commission, staff, or public which may be discussed in future commission meetings.
10. Discussion and possible action on future meeting dates.
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 Title 37 TAC, Chapter 425, Fire Service Instructors, including but not limited to, §425.1, Minimum Standards for Fire Service Instructor Certification, §425.3, Minimum Standards for Fire Service Instructor I Certification, §425.5, Minimum Standards for Fire Service Instructor II Certification, §425.7, Minimum Standards for Fire Service Instructor III Certification, §425.9, Minimum Standards for Master Fire Service Instructor III, Certification, and §425.11, International Fire Service Accreditation Congress Seal.
 2. Proposed amendments to Title 37 TAC, Chapter 435, Fire Fighter Safety, including but not limited to, §435.1, Protective Clothing, §435.3, Self-Contained Breathing Apparatus, §435.5, Commission Recommendations, §435.7, Fire Department Staffing Studies, §435.9, Personal Alert Safety System (PASS), §435.11, Incident Management System (IMS), §435.13, Personnel Accountability System, §435.15, Operating At Emergency Incidents, §435.17, Procedures for Interior Structural Fire Fighting (2-In/2-Out Rule), §435.19, Enforcement of Commission Rules, §435.21, Fire Service Joint Labor Management Wellness-Fitness

Initiative, §435.23, Fire Fighter Injuries, §435.25, Courage to be Safe So Everyone Goes Home Program, and §435.27, Live Fire Training Structure Evolutions.

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

1. Proposed amendments to Title 37 TAC, Chapter 421, Standards For Certification, including but not limited to, §421.1, Procedures for Meetings, §421.3, Minimum Standards Set by the Commission, §421.5, Definitions, §421.9, Designation of Fire Protection Duties, §421.11, Requirement to be Certified Within One Year, §421.13, Individual Certificate Holders, §421.15, Extension of Training Period, and §421.17, Requirement to Maintain Certification.
2. Proposed amendments to Title 37 TAC, Chapter 427, Training Facility Certification, including but not limited to, Subchapter C, Training Programs for On-Site and Distance Training Providers, §427.301, General Provisions for Training Programs—On-Site and Distance Training Providers, §427.303, Training Approval Process for On-Site and Distance Training Providers, §427.305, Procedures for Testing Conducted by On-Site and Distance Training Providers, and §427.307, Onsite and Distance Training Provider Staff Requirements.
3. Proposed amendments to Title 37 TAC, Chapter 437, Fees, including but not limited to, §437.1, Purpose and Scope, §437.3, Certification Fees, §437.5, Renewal Fees, §437.7, Standards Manual and Certification Curriculum Manual Fees, §437.11, Copying Fees, §437.13, Processing Fees for Test Application, §437.15, International Fire Service Accreditation Congress (IFSAC) Seal Fees, and §437.17, Records Review Fees.
4. Proposed amendments to Title 37 TAC, Chapter 439, Examinations for Certification, including but not limited to, Subchapter A, Examinations for On-Site Delivery Training, §439.1, Requirements—General, §439.3, Definitions, §439.5, Procedures, §439.7, Eligibility, §439.9, Grading, §439.11, Commission-Designated Performance Skill Evaluations, §439.13, Special Accommodations for Testing, and §439.19, Number of Test Questions.
5. Proposed amendments to Title 37 TAC, Chapter 449, Head of a Fire Department, §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.
6. Proposed amendments to Title 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification, including but not limited to, §455.1, Minimum Standards for Wildland Fire Protection Personnel, §455.3, Minimum Standards for Basic Wildland Fire Protection Certification, §455.5, Minimum Standards for Intermediate Wildland Fire Protection Certification, and §455.7, Examination Requirements.
7. Proposed amendments to Title 37 TAC, Chapter 457, Minimum Standards for Incident Safety Officer Certification, including but not limited to, §457.1, Incident Safety Officer Certification, §457.3, Minimum Standards for Incident Safety Officer Certification, and §457.5, Examination Requirements.

C. Report from the Curriculum and Testing Committee with discussion and possible action on the appointment of Martin Davila, San Antonio College and Daryl Maretka, Wharton County Jr. College to the committee.

12. Discussion and possible action on appointment of a new member to the Fire Fighter Advisory Committee.
13. Discussion and possible action on the appointment of an Ad Hoc Advisory Committee to review and make recommendations to the Head of a Fire Department Certification Curriculum.
14. Discussion and possible action on proposed recommendations on fire fighter injury data collected for 2012 for inclusion in the annual report to be sent to the State Fire Marshal's Office.

15. 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.
 - C. Legislative update.
16. Executive session pursuant to Section 551.074, Texas Government Code for the discussion of personnel matters: the appointment, 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.
17. Open session for further discussion and possible action regarding preceding agenda item.
18. Adjourn meeting.

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

- 1. Roll call – 10:00 a.m. (including consideration of whether to excuse absences) and introduction of new commissioner.**

2. Adoption of January 24, 2013 commission meeting minutes.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 10:00 a.m. called the January 24, 2013 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Elroy Carson Joseph Gonzalez Arthur Pertile, II*	Pat Ekiss John Green* Ronald Poynter	Yusuf Farran** John McMakin Steve Tull	Carl Giles Robert Moore	John Gillette Leonardo Perez
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*absent entire meeting

**absent part of meeting

Staff	Don Wilson Paul Maldonado	Deborah Cowan Andrew Lutostanski, Assistant Attorney General	Tim Rutland	Mike Baker
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Guests	Jim Reidy Jason Loyd Chris Barron	Mike Higgins Wendell Burton Thayer Smith	Cary Roccaforte Don Jansen Betty Wilkes	David Brannon Kelly Kistner Frank Adams	Frank Bengochea Mike VanBuskirk Robert Barron
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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 25, 2012 commission meeting was made by Carl Giles and seconded by John McMakin. The motion carried. |
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| 3. Budget and Strategic Plan Subcommittee Meeting | The subcommittees met together to review the agency's current and biennium budgets. |
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| 4. Subcommittee Reports | No action necessary. |
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| 5. Reappoint Subcommittee Members | Budget Subcommittee members: Elroy Carson-Chair; John Gillette, Carl Giles, Joseph Gonzalez, Leonardo Perez and Ron Poynter.
Strategic Plan Subcommittee members: Arthur Pertile, III-Chair, Pat Ekiss, Yusuf Farran, John Green, John McMakin and Robert Moore |
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| 6. Reports from Fire Service Interest Groups | Brief reports were given by the Texas State Association of Fire Fighters, Texas Fire Chiefs Association, State Fire Marshal's Office, State Firemen's and Fire Marshals' Association |
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| 7. Report from Fire Service School Advisory Board & TEEEX | Commission representative Robert Fite gave a brief update on activities since last meeting. |
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| 8. New Matters | None identified |
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| 9. Future meeting dates | The commission scheduled its next meeting for April 25, 2013, beginning at 10:00 a.m. |
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10. Matters from Fire Fighter Advisory Committee
- A.
1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 427, §427.307 as discussed was made by Joseph Gonzalez and seconded by Leonardo Perez. The motion carried.
 2. A motion to approve for final adoption the proposed new section to 37 TAC, Chapter 441, §441.23 as discussed was made by Elroy Carson and seconded by Pat Ekiss. The motion carried.
 3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 449, §449.3 and §449.5 as discussed was made by Elroy Carson and seconded by Carl Giles. The motion carried.
 4. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 451, §§451.301, 451.303, 451.305, 451.401, 451.403 and 451.405 with one year grace period and does not require a written test for a state certification if NFPA 1021 requirements are met was made by John Gillette and seconded by Ronald Poynter. The motion failed (3 for, 8 against)
- After further discussion, a motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 451, §§451.301, 451.303, 451.305, 451.401, 451.403 and 451.405 as recommended was made by Yusuf Farran and seconded by Elroy Carson. The motion carried.
5. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 453, §§453.3, 453.5, 453.7, 453.201, 453.203 and 453.205 with changes as discussed was made by Leonardo Perez and seconded by Carl Giles. The motion carried.
- B.
1. After discussion, a motion to send 37 TAC, Chapter 421 back to the fire fighter advisory committee for further review adding Fire Officer III and Fire Officer IV to §421.3 was made by Joseph Gonzalez and seconded by John McMakin. The motion carried.
 2. A motion to approve for publication the proposed amendments to 37 TAC, Chapter 425, §§425.1, 425.3, 425.5, 425.7 and 425.11 as discussed was made by Leonardo Perez and seconded by John Gillette. The motion carried.
 3. A motion to propose for publication the proposed amendments to 37 TAC, Chapter 435, §435.1, 435.3, 435.7, 435.11, 435.19 and 435.25 as discussed was made by Elroy Carson and seconded by Carl Giles. The motion carried.
 4. A motion to reject the proposed amendments to 37 TAC, Chapter 455, §455.3 was made by Joseph Gonzalez and seconded by Yusuf Farran. The motion carried.
- C.
1. A motion to approve new Head of a Fire Department curriculum, reference list and skill sheets as discussed was made by Leonardo Perez and seconded by Carl Giles. The motion carried.
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11. Final Adoption Rule reviews
- A motion to approve for final adoption agency rule reviews of 37 TAC, Chapters 421, 423, 425, 427, 429, 439, 441, 451, 453, 491, 493, and 495 as discussed was made by John Gillette and seconded by Carl Giles. The motion carried.
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12. IFSAC Seals No action taken.

13. Appointment of new Fire Fighter Advisory committee member After discussion, a motion to accept the seven names submitted from the subcommittee to be considered for appointment to the advisory committee was made by Joseph Gonzalez seconded by Leonardo Perez. The motion carried.

14. Matters from Executive Director

- a. Mr. Wilson informed commissioners there were no new consent orders or contested cases since the last commission meeting.
- b. Mr. Wilson provided the commissioners information regarding division functions and answered questions posed by commissioners. Mr. Wilson updated commissioners on on-line testing and regional test sites.

15. Executive Session Presiding Officer, Steve Tull called for the Executive Session at 4:29 p.m.

16. Open Session Presiding Officer called for open session at 6:21 p.m. No action taken.

17. Adjournment A motion to adjourn was made by Elroy Carson and seconded by Carl Giles. The motion carried.

Steve Tull, Presiding Officer

3. Discussion and possible action on election of new commission officers.

4. **The Budget and Strategic Plan subcommittees will meet on April 25, 2013 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 2013 - Operating Budget

Updated: 03/07/13

Thru: February 28, 2013

Summary

Goals:	FY13 Budget	FY13 Expended	Balance	%
Education, Information and Assistance	48,777.60	26,412.00	22,365.60	
Fire Department Standards	1,119,483.48	538,895.36	580,588.12	
Indirect Administration	447,801.36	223,900.68	223,900.68	
Merit Budget				
1001 - Salaries & Wages:	1,616,062.44	789,208.04	826,854.40	51%
Education, Information and Assistance	1,500.00	1,200.00	300.00	
Fire Department Standards	44,963.00	9,240.00	35,723.00	
Indirect Administration	34,377.00	9,888.00	24,489.00	
1002 - Other Personnel Costs	80,840.00	20,328.00	60,512.00	75%
Education, Information and Assistance	10.86	10.86	0.00	
Fire Department Standards	249.73	249.73	0.00	
Indirect Administration	8,800.00	3,339.51	5,460.49	
2001 - Professional Fees and Services:	9,060.59	3,600.10	5,460.49	60%
Education, Information and Assistance	3,209.00	286.88	2,922.12	
Fire Department Standards	15,427.00	2,136.12	13,290.88	
Indirect Administration	1,864.28	994.04	870.24	
2003 - Consumable Supplies:	20,500.28	3,417.04	17,083.24	83%
Education, Information and Assistance	442.14	0.00	442.14	
Fire Department Standards	13,936.68	3,988.93	9,947.75	
Indirect Administration	9.46	9.46	0.00	
2004 - Utilities:	14,388.28	3,998.39	10,389.89	72%
Education, Information and Assistance	1,130.04	322.55	807.49	
Fire Department Standards	55,768.60	19,162.13	36,606.47	
Indirect Administration	31,767.45	8,671.79	23,095.66	
2005 - Travel:	88,666.09	28,156.47	60,509.62	68%
Education, Information and Assistance	180.00	44.04	135.96	
Fire Department Standards	2,136.24	452.50	1,683.74	
Indirect Administration	269.35	209.35	60.00	
2006 - Rent - Building (storage):	2,585.59	705.89	1,879.70	73%
Education, Information and Assistance	686.32	207.52	478.80	
Fire Department Standards	12,716.12	4,772.42	7,943.70	
Indirect Administration	3,909.00	1,452.46	2,456.54	
2007 - Rent - Machine and Other:	17,311.44	6,432.40	10,879.04	63%
Education, Information and Assistance	9,842.04	1,148.76	8,693.28	
Fire Department Standards	52,170.15	19,612.18	32,557.97	
Indirect Administration	28,402.10	12,566.88	15,835.22	
2009 - Other Operating Expense:	90,414.29	33,327.82	57,086.47	63%
Education, Information and Assistance	0.00	0.00	0.00	
Fire Department Standards	10,000.00	9,413.89	586.11	
Indirect Administration	0.00	0.00	0.00	
4000 - Grants:	10,000.00	9,413.89	586.11	6%
Education, Information and Assistance	0.00	0.00	0.00	
Fire Department Standards	0.00	0.00	0.00	
Indirect Administration	0.00	0.00	0.00	
5000 - Capital Expenditures:	0.00	0.00	0.00	#DIV/0!
TOTAL - ALL EXPENDITURES	1,949,829.00	898,588.04	1,051,240.96	54%

Texas Commission on Fire Protection
Fiscal Year 2013 - Operating Budget

Thru: February 28, 2013

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Budget:	48,777.60	0.00	0.00	48,777.60	0
Expended:	26,412.00	0.00	0.00	26,412.00	
1001 - Balance Salaries & Wages:	22,365.60	0.00	0.00	22,365.60	46%
Other Personnel Costs:					
7017- One-Time Merit	0.00	0.00		0.00	
7022- Longevity Pay	1,200.00	0.00		1,200.00	
7023- Lump Sum Termination	0.00	0.00		0.00	
Budget:	1,500.00	0.00	0.00	1,500.00	0
Expended:	1,200.00	0.00	0.00	1,200.00	
1002 - Balance Other Personnel Costs	300.00	0.00	0.00	300.00	20%
Professional Fees and Services:					
7242- Consulting Services - IT Computer	0.00	0.00		0.00	
7245- Financial & Accounting Services	0.00	0.00		0.00	
7253- Other Professional Fees (EAP)	10.86	0.00		10.86	
7274- Temporary Employment Agencies	0.00	0.00		0.00	
7275- Computer Programming Services	0.00	0.00		0.00	
Budget:	10.86	0.00	0.00	10.86	0
Expended:	10.86	0.00	0.00	10.86	
2001 - Balance Professional Fees and Services:	0.00	0.00	0.00	0.00	0%
Budget:	709.00	2,500.00		3,209.00	0
Expended:	43.97	242.91		286.88	
2003 - (7300) Balance Consumable Supplies:	665.03	2,257.09	0.00	2,922.12	91%
Utilities:					
7501- Electricity	0.00	0.00		0.00	
7503- Telecommunications-Long Distance	0.00	0.00		0.00	
7504- Telecommunications-Monthly Charge	0.00	0.00		0.00	
7514- Telecommunications-Maint & Repair	0.00	0.00		0.00	
7516- Telecommunications-Other Charges (reg voice/internet)	0.00	0.00		0.00	
7510- Telecommunications Parts & Supplies	0.00	0.00		0.00	
Budget:	442.14	0.00	0.00	442.14	0
Expended:	0.00	0.00	0.00	0.00	
2004 - Balance Utilities:	442.14	0.00	0.00	442.14	100%
Travel:					
7101- Travel I/S - Public Transportation Fares	224.00	0.00		224.00	
7102- Mileage	0.00	0.00		0.00	
7104- Travel I/S - Actual Expense Overnight	0.00	0.00		0.00	
7105- Travel I/S - Incidental Expenses	5.00	0.00		5.00	
7106- Travel I/S - Meals & Lodging	93.55	0.00		93.55	
7107- Travel I/S - Non-Overnight Travel (Meals)	0.00	0.00		0.00	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00		0.00	
7111- Travel OOS - Public Transportation Fares	0.00	0.00		0.00	
7112- Travel OOS - Mileage	0.00	0.00		0.00	
7115- Travel OOS - Incidental Expenses	0.00	0.00		0.00	
7116- Travel OOS - Meals, Lodging Allowable	0.00	0.00		0.00	
7135- Travel I/S - State Occupancy Tax	0.00	0.00		0.00	
7136- Travel I/S - State Occupancy Tax Galveston	0.00	0.00		0.00	
Budget:	1,130.04	0.00	0.00	1,130.04	0
Expended:	322.55	0.00	0.00	322.55	
2005 - Balance Travel:	807.49	0.00	0.00	807.49	71%
Budget:	180.00	0.00	0.00	180.00	0
Expended:	44.04	0.00	0.00	44.04	
2006 - (7470) Balance Rent - Building (storage):	135.96	0.00	0.00	135.96	76%

Texas Commission on Fire Protection
Fiscal Year 2013 - Operating Budget

Thru: February 28, 2013

Goal A: Education, Info and Assistance

	<u>Library</u>	<u>IT</u>	<u>Grants</u>	<u>Total</u>	<u>%</u>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	143.44	0.00		143.44	
7411- Rental - Computer Equipment	64.08	0.00		64.08	
Budget:	686.32	0.00	0.00	686.32	0
Expended:	207.52	0.00	0.00	207.52	
2007 - Balance Rent - Machine and Other:	478.80	0.00	0.00	478.80	70%
Other Operating Expense:					
7042- ERS Insurance Payment	264.12	0.00		264.12	
7201- Membership Dues	10.00	0.00		10.00	
7071 Employee Moving Expense	0.00	0.00		0.00	
7203- Registration Fees-Employee Training	85.00	0.00		85.00	
7295 Fees & Other Charges (DPS) (7210)	0.00	0.00		0.00	
7211- Awards	0.00	0.00		0.00	
7216- Insurance Premiums - appvd by oag	0.00	0.00		0.00	
7262- Maint & Repair - Computer Software	0.00	0.00		0.00	
7267- Maint & Repair - Computer Equipment	0.00	0.00		0.00	
7273- Reproduction & Printing	4.40	0.00		4.40	
7276- Communication Services (T-1 Line)	0.00	0.00		0.00	
7281- Advertising Services	0.00	0.00		0.00	
7286- Freight & Delivery Services	0.00	0.00		0.00	
7291- Postage & Postal Services	14.36	0.00		14.36	
7299- Purchased Contracted Services	9.68	0.00		9.68	
7303- Subscriptions, Periodicals and Info Services	331.54	0.00		331.54	
7266- Maintenance/Repair - Building	17.12	0.00		17.12	
7328 supp. /mater. -constr/hardware	0.00	0.00		0.00	
7330- Parts -equip, furn	0.00	0.00		0.00	
7334- Furnishings & Equipment -Expensed	1.04	0.00		1.04	
7335- Parts -Computer Equipment - Expensed	0.00	0.00		0.00	
7354- Bldg Remodel - State Leased -Expensed	0.00	0.00		0.00	
7367- Personal Property - Maint & Repair	46.51	0.00		46.51	
7374- Personal Property-Furn & Equip - Controlled	-32.58	0.00		-32.58	
7377- Computer Equipment - Expensed	0.00	0.00		0.00	
7378- Computer Equipment - Controlled	0.00	0.00		0.00	
7379- Computer Equipment - Cap (>1,000)	0.00	0.00		0.00	
7380- Computer Software - Expensed	0.00	0.00		0.00	
7382- Books - Expensed	239.81	0.00		239.81	
7806- Interest on Delayed Payment	0.00	0.00		0.00	
7947- Workers Compensation Transfer (SORM)	0.00	0.00		0.00	
7953- SWCAP payment/cost allocation	0.00	0.00		0.00	
7961- STS Transfers-Telecommunications (TexAn)	44.20	0.00		44.20	
7962- Capitol Complex (CTS)	113.56	0.00		113.56	
Budget:	9,842.04	0.00	0.00	9,842.04	0
Expended:	1,148.76	0.00	0.00	1,148.76	
2009 - Balance Other Operating Expense:	8,693.28	0.00	0.00	8,693.28	88%
Grants:					
7312- Medical Supplies	0.00	0.00		0.00	
7623- Grants- Community Serv. Programs	0.00	0.00		0.00	
7701- Loans to Political Subdivisions	0.00	0.00		0.00	
Budget:	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	
4000 - Balance Grants:	0.00	0.00	0.00	0.00	#DIV/0!
Capital Expenditures:					
7354- Remodeling of Bldg-State Owned - Capitalized	0.00	0.00		0.00	
7389- Books, Pre-Recorded Ref Material - Capitalized	0.00	0.00		0.00	
Budget:	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	#DIV/0!
Budget:	63,278.00	2,500.00	0.00	65,778.00	
Expended:	29,389.70	242.91	0.00	29,632.61	
TOTAL BALANCE	33,888.30	2,257.09	0.00	36,145.39	55%

Texas Commission on Fire Protection

Fiscal Year 2013 - Operating Budget

Thru: February 28, 2013

Goal B: Fire Department Standards

	Standards								
	Mgmt	Complnc	Cert	Testing	Curr Dev	Admin	Total	%	
	Budget:	80,004.00	442,475.16	205,928.16	198,447.24	44,836.92	147,792.00	1119483.48	0.00
	Expended:	40,002.00	221,237.58	80,562.54	100,778.78	22,418.46	73,896.00	538,895.36	
1001 - Balance Salaries & Wages:		40,002.00	221,237.58	125,365.62	97,668.46	22,418.46	73,896.00	580,588.12	52%
Other Personnel Costs:									
7017- One-Time Merit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7022- Longevity Pay		0.00	4,440.00	1,680.00	2,880.00	240.00	0.00	9,240.00	
7023- Lump Sum Termination		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7030- Employee Incentive Bonus		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	Budget:	19,743.00	9,160.00	5,840.00	5,880.00	480.00	3,860.00	44,963.00	0
	Expended:	0.00	4,440.00	1,680.00	2,880.00	240.00	0.00	9,240.00	
1002 - Balance Other Personnel Costs		19,743.00	4,720.00	4,160.00	3,000.00	240.00	3,860.00	35,723.00	79%
Professional Fees and Services:									
7242- Consulting Services - IT Computer		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7245- Financial & Accounting Services		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7253- Other Professional Fees (EAP)		249.73	0.00	0.00	0.00	0.00	0.00	249.73	
7274- Temporary Employment Agencies		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7275- Computer Programming Services		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	Budget:	249.73						249.73	0.00
	Expended:	249.73	0.00	0.00	0.00	0.00		249.73	
2001 - Balance Professional Fees and Service		0.00	0.00	0.00	0.00	0.00		0.00	0%
	Budget:	3,827.00	437.82	10,476.05	686.13			15,427.00	0.00
	Expended:	1,012.17	437.82	0.00	686.13	0.00		2,136.12	
2003 - (7300) Balance Consumable Supplies:		2,814.83	0.00	10,476.05	0.00	0.00		13,290.88	86%
Utilities:									
7501- Electricity		75.00	0.00	0.00	0.00	0.00		75.00	
7503- Telecommunications-Long Distance		0.00	0.00	0.00	0.00	0.00		0.00	
7504- Telecommunications-Monthly Charge		265.23	859.56	0.00	0.00	0.00		1,124.79	
7514- Telecommunications-Maint & Repair		0.00	0.00	0.00	0.00	0.00		0.00	
7516- Telecommunications-Other Charges (reg voice/int)		0.00	2,770.24	0.00	0.00	0.00		2,770.24	
7510- Telecommunications Parts & Supplies		0.00	9.45	0.00	9.45	0.00		18.90	
	Budget:	340.23	13,587.00		9.45			13,936.68	0.00
	Expended:	340.23	3,639.25	0.00	9.45	0.00		3,988.93	
2004 - Balance Utilities:		0.00	9,947.75	0.00	0.00	0.00		9,947.75	71%
Travel:									
7101- Travel I/S - Public Transportation Fares		187.50	5,087.72	390.12	702.50	0.00		6,367.84	
7102- Mileage		38.99	943.13	195.37	98.66	0.00		1,276.15	
7104- Travel I/S - Actual Expense Overnight		0.00	0.00	0.00	0.00	0.00		0.00	
7105- Travel I/S - Incidental Expenses		206.75	2,313.92	202.35	507.52	0.00		3,230.54	
7106- Travel I/S - Meals & Lodging		484.32	5,971.51	390.18	909.54	0.00		7,755.55	
7107- Travel I/S - Non-Overnight Travel (Meals)		0.00	208.03	0.00	22.40	0.00		230.43	
7110- Travel I/S - Board Member Meals & Lodging		0.00	0.00	0.00	0.00	0.00		0.00	
7111- Travel OOS - Public Transportation Fares		0.00	0.00	0.00	0.00	0.00		0.00	
7112- Travel OOS - Mileage		0.00	0.00	0.00	0.00	0.00		0.00	
7114- Travel OOS -		0.00	0.00	0.00	0.00	0.00		0.00	
7115- Travel OOS - Incidental Expenses		0.00	0.00	0.00	0.00	0.00		0.00	
7116- Travel OOS - Meals, Lodging Allowable		0.00	0.00	0.00	112.88	0.00		112.88	
7135- Travel I/S - State Occupancy Tax		0.00	185.02	0.00	3.72	0.00		188.74	
7136- Travel I/S - State Occupancy Tax Galveston		0.00	0.00	0.00	0.00	0.00		0.00	
	Budget:	2,628.27	34,634.33	4,918.00	13,164.00	424.00		55,768.60	0.00
	Expended:	917.56	14,709.33	1,178.02	2,357.22	0.00		19,162.13	
2005 - Balance Travel:		1,710.71	19,925.00	3,739.98	10,806.78	424.00		36,606.47	66%
7462- Rent office space - building			356.04					356.04	
7470- Rent Space - storage			96.46					96.46	
	Budget:		2,136.24					2,136.24	0
	Expended:	0.00	452.50	0.00	0.00	0.00		452.50	
2006 - Balance Rent - Building :		0.00	1,683.74	0.00	0.00	0.00		1,683.74	79%

Texas Commission on Fire Protection

Fiscal Year 2013 - Operating Budget

Thru: February 28, 2013

Goal B: Fire Department Standards

	Standards							
	Mgmt	Complnc	Cert	Testing	Curr Dev	Admin	Total	%
Rent - Machine and Other:								
7406- Rental - Furnishings & Equipment (copier)	3,299.12	0.00	0.00	0.00	0.00		3,299.12	
7411- Rental - Computer Equipment	1,473.30	0.00	0.00	0.00	0.00		1,473.30	
Budget:	12,716.12						12,716.12	0.00
Expended:	4,772.42	0.00	0.00	0.00	0.00		4,772.42	
2007 - Balance Rent - Machine and Other:	7,943.70	0.00	0.00	0.00	0.00		7,943.70	62%
Other Operating Expense:								
7042- ERS Insurance Payment	400.02	2,168.25	805.62	923.38	224.16	720.54	5,241.97	
7071- Employee Moving Expense	0.00	395.77	0.00	0.00	0.00		395.77	
7201- Membership Dues	0.00	165.00	0.00	0.00	0.00		165.00	
7203- Registration Fees-Employee Training	295.00	189.00	189.00	1,184.00	0.00		1,857.00	
7210- Fees & Other Charges (DPS)	0.00	0.00	0.00	0.00	0.00		0.00	
7211- Awards	0.00	0.00	0.00	0.00	0.00		0.00	
7216- Insurance Premiums - appvd by oag	0.00	250.00	0.00	0.00	0.00		250.00	
7262- Maint & Repair - Computer Software	0.00	0.00	0.00	0.00	0.00		0.00	
7267- Maint & Repair - Computer Equipment	0.00	0.00	0.00	1,033.74	0.00		1,033.74	
7273- Reproduction & Printing	101.28	0.00	0.00	30.00	0.00		131.28	
7276- Communication Services (T-1 Line)	0.00	0.00	0.00	0.00	0.00		0.00	
7281- Advertising Services	0.00	0.00	0.00	0.00	0.00		0.00	
7286- Freight & Delivery Services	0.00	0.00	0.00	3,339.46	0.00		3,339.46	
7291- Postage & Postal Services	330.78	0.00	0.00	0.00	0.00		330.78	
7299- Purchased Contracted Services	222.59	155.95	0.00	0.00	0.00		378.54	
7303- Subscriptions, Periodicals and Info Services	0.00	0.00	0.00	0.00	0.00		0.00	
7266- Maintenance/Repair - Building	393.87	0.00	0.00	0.00	0.00		393.87	
7328- supp. /mater. -constr/hardware	0.00	0.00	0.00	0.00	0.00		0.00	
7330- Parts -equip, furn	0.00	0.00	0.00	0.00	0.00		0.00	
7334- Furnishings & Equipment -Expensed	371.06	0.00	0.00	205.70	0.00		576.76	
7335- Parts -Computer Equipment - Expensed	0.00	0.00	0.00	0.00	0.00		0.00	
7354- Bldg Remodel - State Leased -Expensed	0.00	0.00	0.00	0.00	0.00		0.00	
7367- Personal Property - Maint & Repair	1,069.61	0.00	0.00	914.00	0.00		1,983.61	
7374- Personal Property-Furn & Equip - Controlled	-749.34	0.00	0.00	0.00	0.00		-749.34	
7377- Computer Equipment - Expensed	0.00	0.00	0.00	0.00	0.00		0.00	
7378- Computer Equipment - Controlled	0.00	0.00	0.00	0.00	0.00		0.00	
7379- Computer Equipment - Cap (>1,000)	0.00	0.00	0.00	0.00	0.00		0.00	
7380- Computer Software - Expensed	0.00	0.00	0.00	0.00	0.00		0.00	
7382- Books - Expensed	80.60	572.65	0.00	0.00	0.00		653.25	
7806- Interest on Delayed Payment	0.43	0.91	0.00	0.23	0.00		1.57	
7947- Workers Compensation Transfer (SORM)	0.00	0.00	0.00	0.00	0.00		0.00	
7953- SWCAP payment/cost allocation	0.00	0.00	0.00	0.00	0.00		0.00	
7961- STS Transfers-Telecommunications (TexAn)	1,016.86	0.00	0.00	0.00	0.00		1,016.86	
7962- STS transfer to GR (CCTS)	2,612.06	0.00	0.00	0.00	0.00		2,612.06	
Budget:	18,762.81	9,174.75	4,119.28	17,687.02	948.37	1,477.92	52,170.15	0.00
Expended:	6,144.82	3,897.53	994.62	7,630.51	224.16	720.54	19,612.18	
2009 - Balance Other Operating Expense:	12,617.99	5,277.22	3,124.66	10,056.51	724.21	757.38	32,557.97	62%
Grants:								
7312- Medical Supplies								
7623- Grants- Community Serv. Programs								
7701- Loans to Political Subdivisions								
Budget:			10,000.00				10,000.00	0.00
Expended:	0.00	0.00	9,413.89	0.00	0.00	0.00	9,413.89	
4000 - Balance Grants:	0.00	0.00	586.11	0.00	0.00	0.00	586.11	6%
Capital Expenditures:								
7312- Medical Supplies	0.00	0.00	0.00	0.00	0.00		0.00	
7354- Remodeling of Bldg-State Owned - Capitalized	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7389- Books, Pre-Recorded Ref Material - Capitalized	0.00	0.00	0.00	0.00	0.00		0.00	
Budget:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	#DIV/0!
Budget:	138,271.16	511,605.30	241,281.49	235,873.84	46,689.29	153,129.92	1326851.00	0.00
Expended:	53,438.93	248,814.01	93,829.07	114,342.09	22,882.62	74,616.54	607,923.26	
TOTAL BALANCE	84,832.23	262,791.29	147,452.42	121,531.75	23,806.67	78,513.38	718,927.74	54%

Texas Commission on Fire Protection
Fiscal Year 2013 - Operating Budget

Thru: February 28, 2013

Goal C: Indirect Administration

	Exec Office	Supp Svcs	Commis	Total	%
Budget:	348,093.36	99,708.00		447,801.36	0.00
Expended:	174,046.68	49,854.00	0.00	223,900.68	
1001 - Balance Salaries & Wages:	174,046.68	49,854.00	0.00	223,900.68	50%
Other Personnel Costs:					
7004- Non-Permanent Full-Time Employee	0.00	0.00	0.00	0.00	
7017- One-Time Merit	0.00	0.00	0.00	0.00	
7022- Longevity Pay	2,640.00	3,840.00	0.00	6,480.00	
7023- Lump Sum Termination	0.00	0.00	0.00	0.00	
7984- Unemployment/TWC	0.00	3,408.00	0.00	3,408.00	
Budget:	25,117.00	9,260.00		34,377.00	0.00
Expended:	2,640.00	7,248.00	0.00	9,888.00	
1002 - Balance Other Personnel Costs	22,477.00	2,012.00	0.00	24,489.00	71%
Professional Fees and Services:					
7242- Consulting Services - IT Computer	0.00	1,130.00	0.00	1,130.00	
7245- Financial & Accounting Services	0.00	2,133.50	0.00	2,133.50	
7253- Other Professional Fees (EAP)	0.00	76.01	0.00	76.01	
7274- Temporary Employment Agencies	0.00	0.00	0.00	0.00	
7275- Computer Programming Services	0.00	0.00	0.00	0.00	
Budget:	0.00	8,800.00		8,800.00	0.00
Expended:	0.00	3,339.51	0.00	3,339.51	
2001 - Balance Professional Fees and Services:	0.00	5,460.49	0.00	5,460.49	62%
Budget:	645.28	1,219.00		1,864.28	0.00
Expended:	570.28	423.76	0.00	994.04	
2003 - (7300) Balance Consumable Supplies:	75.00	795.24	0.00	870.24	47%
Utilities:					
7501- Electricity	0.00	0.00	0.00	0.00	
7503- Telecommunications-Long Distance	0.00	0.00	0.00	0.00	
7504- Telecommunications-Monthly Charge	0.00	0.00	0.00	0.00	
7514- Telecommunications-Maint & Repair	0.00	0.00	0.00	0.00	
7516- Telecommunications-Other Charges (reg voice/internet)	0.00	0.00	0.00	0.00	
7510- Telecommunications Parts & Supplies	9.46	0.00	0.00	9.46	
Budget:	9.46			9.46	0.00
Expended:	9.46	0.00	0.00	9.46	
2004 - Balance Utilities:	0.00	0.00	0.00	0.00	0%
Travel:					
7101- Travel I/S - Public Transportation Fares	393.85	71.00	1,738.65	2,203.50	
7102- Mileage	0.00	76.28	2,957.57	3,033.85	
7104- Travel I/S - Actual Expense Overnight	284.72	0.00	0.00	284.72	
7105- Travel I/S - Incidental Expenses	365.11	0.00	169.10	534.21	
7106- Travel I/S - Meals & Lodging	393.00	0.00	0.00	393.00	
7107- Travel I/S - Non-Overnight Travel (Meals)	9.29	0.00	0.00	9.29	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	2,162.10	2,162.10	
7111- Travel OOS - Public Transportation Fares	0.00	0.00	0.00	0.00	
7112- Travel OOS - Mileage	0.00	0.00	0.00	0.00	
7115- Travel OOS - Incidental Expenses	0.00	0.00	0.00	0.00	
7116- Travel OOS - Meals, Lodging Allowable	0.00	0.00	0.00	0.00	
7135- Travel I/S - State Occupancy Tax	12.24	0.00	38.88	51.12	
7136- Travel I/S - State Occupancy Tax Galveston	0.00	0.00	0.00	0.00	
Budget:	8,921.17	147.28	22,699.00	31,767.45	0.00
Expended:	1,458.21	147.28	7,066.30	8,671.79	
2005 - Balance Travel:	7,462.96	0.00	15,632.70	23,095.66	73%
Budget:	240.00	29.35		269.35	0
Expended:	180.00	29.35	0.00	209.35	
2006 - (7470) Balance Rent - Building (storage):	60.00	0.00	0.00	60.00	22%

Texas Commission on Fire Protection
Fiscal Year 2013 - Operating Budget

Thru: February 28, 2013

Goal C: Indirect Administration

	Exec Office	Supp Svcs	Commis	Total	%
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0.00	1,004.08	0.00	1,004.08	
7411- Rental - Computer Equipment	0.00	448.38	0.00	448.38	
Budget:		3,909.00		3,909.00	0.00
Expended:	0.00	1,452.46	0.00	1,452.46	
2007 - Balance Rent - Machine and Other:	0.00	2,456.54	0.00	2,456.54	63%
Other Operating Expense:					
7042- ERS Insurance Payment	1,740.48	516.96	0.00	2,257.44	
7071- Employee Moving Expense	0.00	0.00	0.00	0.00	
7201- Membership Dues	0.00	0.00	0.00	0.00	
7203- Registration Fees-Employee Training	1,074.00	589.00	0.00	1,663.00	
7210- Fees & Other Charges (DPS)	0.00	0.00	0.00	0.00	
7211- Awards	637.50	0.00	0.00	637.50	
7216- Insurance Premiums - appvd by oag	0.00	0.00	0.00	0.00	
7262- Maint & Repair - Computer Software	663.98	0.00	0.00	663.98	
7266- Maint & Repair - Building	0.00	119.87	0.00	119.87	
7267- Maint & Repair - Computer Equipment	0.00	0.00	0.00	0.00	
7273- Reproduction & Printing	0.00	222.82	0.00	222.82	
7276- Communication Services (T-1 Line)	2,000.00	0.00	0.00	2,000.00	
7281- Advertising Services	0.00	0.00	0.00	0.00	
7286- Freight & Delivery Services	0.00	0.00	0.00	0.00	
7291- Postage & Postal Services	0.00	100.67	0.00	100.67	
7299- Purchased Contracted Services	0.00	67.73	0.00	67.73	
7303- Subscriptions, Periodicals and Info Services	0.00	0.00	0.00	0.00	
7312- Medical Supplies	0.00	0.00	0.00	0.00	
7328- supp. /mater. -constr/hardware	23.97	0.00	0.00	23.97	
7330- Parts -equip, furn	0.00	0.00	0.00	0.00	
7334- Furnishings & Equipment -Expensed	284.42	273.84	0.00	558.26	
7335- Parts -Computer Equipment - Expensed	133.67	0.00	0.00	133.67	
7354- Bldg Remodel - State Leased -Expensed	0.00	0.00	0.00	0.00	
7367- Personal Property - Maint & Repair	0.00	325.54	0.00	325.54	
7374- Personal Property-Furn & Equip - Controlled	0.00	-228.06	0.00	-228.06	
7377- Computer Equipment - Expensed	125.80	0.00	0.00	125.80	
7378- Computer Equipment - Controlled	0.00	0.00	0.00	0.00	
7379- Computer Equipment - Cap (>1,000)	0.00	0.00	0.00	0.00	
7380- Computer Software - Expensed	763.54	0.00	0.00	763.54	
7382- Books - Expensed	80.60	0.00	0.00	80.60	
7806- Interest on Delayed Payment	0.83	0.10	0.00	0.93	
7947- Workers Compensation Transfer (SORM)	0.00	1,945.16	0.00	1,945.16	
7953- SWCAP payment/cost allocation	0.00	0.00	0.00	0.00	
7961- STS Transfers-Telecommunications (TexAn)	0.00	309.48	0.00	309.48	
7962- STS transfer to GR (CCTS)	0.00	794.98	0.00	794.98	
Budget:	15,753.65	12,648.45		28,402.10	0.00
Expended:	7,528.79	5,038.09	0.00	12,566.88	
2009 - Balance Other Operating Expense:	8,224.86	7,610.36	0.00	15,835.22	56%
Capital Expenditures:					
7387- computer Software-expensed > 1,000	0.00	0.00	0.00	0.00	
7389- Books, Pre-Recorded Ref Material - Capitalized	0.00	0.00	0.00	0.00	
Budget:				0.00	0
Expended:	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	#DIV/0!
Budget:	398,779.92	135,721.08	22,699.00	557,200.00	0.00
Expended:	186,433.42	67,532.45	7,066.30	261,032.17	
TOTAL - BALANCE	212,346.50	68,188.63	15,632.70	296,167.83	53%

Key	Division	FY13 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY13 YTD Sum	FY13 Target	% 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	70	42		112	800	14%	Number of requests from fire department and other entities for agency training and education resources.
						Cumulative			Below target - position was vacant for majority of first quarter, building contacts back now
<input type="checkbox"/>	Lib	01-01-01:02	54	25		79	175	45%	Number of research requests for agency information resource center.
						Cumulative			Below target - position was vacant for majority of first quarter, building contacts back now
<input type="checkbox"/>	Std	02-01-01:01	174	138		312	600	52%	Number of inspections of regulated entities.
						Cumulative			exceeds target
<input type="checkbox"/>	Std	02-01-01:02	2,360	3,960		6,320	8,750	72%	Number of new certifications issued to individuals.
						Cumulative			on target
<input type="checkbox"/>	Std	02-01-01:03	28,275	299		28,574	28,840	99%	Number of certifications renewed (individuals).
						Cumulative			exceeds target. Note all renewals are due in the first quarter
<input type="checkbox"/>	Std	02-01-01:04	2,050	2,123		4,173	8,442	49%	Number of individuals examined.
						Cumulative			within target
<input type="checkbox"/>	Adm	04-01-01:01	2,134	1,374		3,508	13,000	27%	Dollar value of HUB contacts awarded.
						Cumulative			below target - not a great deal of purchasing in the quarter in the applicable category
Explanatory <i>(Annual): 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	
						Cumulative			
<input type="checkbox"/>	Fin	01-02-01:02				0	N/A	N/A	
						Cumulative			
<input type="checkbox"/>	Std	02-01-01:01	92.83%	92.65%		93	90.0%	102%	Pass Rate (Percent)
						Non-Cumulative			exceeds target
<input checked="" type="checkbox"/>	Std	02-01-01:02	28,944	29,757		29,757	29,800	100%	Number of fire service personnel certified by the Commission.
						Non-Cumulative			Within target
<input type="checkbox"/>	Std	02-01-01:03	250	184		184	185	99%	Number of fire service training facilities certified by the Commission.
						Non-Cumulative			This will go up to 250 as they renew next quarter

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

Key	Division	FY13 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY13 YTD Sum	FY13 Target	% 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	1.37	9.36		9.36	6	156%	Average certification cost per individual certificate issued.
						Non-Cumulative	Above target		
<input type="checkbox"/>	Std	02-01-01:02	0	9.27		9.27	2.5	371%	Average certification cost per facility certificate issued.
						Non-Cumulative	Above target		
<input type="checkbox"/>	Std	02-01-01:03	62.92	82.42		82.42	95	87%	Percentage of new individual certificates issued within 10 days.
						Non-Cumulative	Below target		
<input type="checkbox"/>	Std	02-01-01:05	26.13	25.03		25.03	85	29%	Average cost per exam administered.
						Non-Cumulative	below target		
Outcome <i>(Annual): 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	
						Non-Cumulative			
<input checked="" type="checkbox"/>	Std	02-01:01	93%	92%		92.6%	95%	97%	Percent of inspected certificate holders with no recent violations.
						Non-Cumulative	Within target		
<input type="checkbox"/>	Fin	04-01:01	7%	4%		5.7%	10%	57%	Percent of total dollar value of purchasing contracts awarded to HUBs.
						Non-Cumulative	Within target		

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

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

6. **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, Texas State Association of Fire and Emergency Districts, and the State Fire Marshal's Office.**

7. **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).**

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

EDUCATION CODE

TITLE 3. HIGHER EDUCATION

SUBTITLE D. THE TEXAS A & M UNIVERSITY SYSTEM

CHAPTER 86. TEXAS A & M UNIVERSITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 86.16. FIREMEN'S TRAINING SCHOOL.

- (a) The Texas A&M University System shall conduct and maintain a firemen's training school through the Texas Engineering Extension Service as a unit of the university system in the manner deemed expedient and advisable by the system's board of regents. The Texas Engineering Extension Service shall serve as the recognized statewide fire and rescue training agency liaison to the National Fire Academy. In their capacity as the National Fire Academy liaison, the extension service shall distribute National Fire Academy student manuals on request to associations, fire departments, state agencies, and institutions of higher education which meet National Fire Academy qualifications.
- (b) The firemen's training school advisory board is composed of:
- (1) three members of the staff of the system appointed by the system's board of regents, one of whom shall be the director of the engineering extension service who serves ex officio as the chairman of the advisory board;
 - (2) four members or representatives of the State Firemen's and Fire Marshals' Association of Texas or its successor, appointed by the president or other managing officer of that association;
 - (3) one person who is fire protection personnel as defined by Section 419.021, Government Code, and who is the head of a training division for the fire department of a political subdivision, appointed by the Texas Commission on Fire Protection; and**
 - (4) one fire chief appointed by the president or other managing officer of the Texas Fire Chiefs Association or its successor.
- (c) The advisory board shall confer with and advise the engineering extension service with reference to the organization of the school, the purchasing of equipment, the curriculum and program, and the conduct and management of the school.
- (d) Expenditures for the per diem expenses of members of the advisory board and all other necessary expenses of the school shall be made only on the order of the system's board of regents, and no warrants shall be paid unless also approved in writing by the director of the engineering extension service.

9. New matters from the commission, staff, or public which may be discussed in future commission meetings.

10. Discussion and possible action on future meeting dates.

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 Title 37 TAC, Chapter 425, Fire Service Instructors, including but not limited to §425.1, Minimum Standards for Fire Service Instructor Certification, §425.3, Minimum Standards for Fire Service Instructor I Certification, §425.5, Minimum Standards for Fire Service Instructor II Certification, §425.7, Minimum Standards for Fire Service Instructor III Certification, §425.9, Minimum Standards for Master Fire Service Instructor III Certification, and §425.11, International Fire Service Accreditation Congress Seal.**

CHAPTER 425

FIRE SERVICE INSTRUCTORS

§425.1. Minimum Standards for Fire Service Instructor Certification.

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

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

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

- (1) have a minimum of three years of experience (as defined in §421.5(43) of this title relating to Definitions) in fire protection in one or more or any combination of the following:
 - (A) a paid, volunteer, or regulated non-governmental fire department; or
 - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor I or II or III; or
- (3) have completed the appropriate curriculum for Fire Service Instructor I contained in Chapter 8 of the commission's [~~Commission's~~] Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and
- (4) successfully pass the applicable commission [~~Commission~~] examination as specified in Chapter 439 of this title (relating to Examinations for Certification). [~~;- and~~]
- [(5) have completed the field examiner orientation course as specified in Chapter 439 of this title.]

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

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

- (1) hold as a prerequisite a Fire Instructor I certification as defined in §425.3 of this title **(relating to Minimum Standards for Fire Service Instructor I Certification)**; and
- (2) have a minimum of three years of experience (as defined in §421.5(43) of this title **(relating to Definitions)**) in fire protection in one or more or any combination of the following:
 - (A) a paid, volunteer, or regulated non-governmental fire department; or
 - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor II, or III; or
- (4) have completed the appropriate curriculum for Fire Service Instructor II contained in Chapter 8 of the **commission's**~~[Commission's]~~ Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title **(relating to Minimum Standards for Fire Service Instructor Certification)**; and
- (5) successfully pass the applicable **commission**~~[Commission]~~ examination as specified in Chapter 439 of this title **(relating to Examinations for Certification)**.

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

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

- (1) hold as a prerequisite, a Fire Instructor II Certification as defined in §425.5 of this title **(relating to Minimum Standards for Fire Service Instructor II Certification)**; and
- (2) have a minimum of three years of experience (as defined in §421.5(43) of this title **(relating to Definitions)**) in fire protection in one or more or any combination of the following:
 - (A) a paid, volunteer, or regulated non-governmental fire department; or
 - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor III; or
- (4) have completed the appropriate curriculum for Fire Service Instructor III contained in Chapter 8 of the **commission's**~~[Commission's]~~ Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title **(relating to Minimum Standards for Fire Service Instructor Certification)**; and
- (5) successfully pass the applicable **commission**~~[Commission]~~ examination as specified in Chapter 439 of this title **(relating to Examinations for Certification)**; and either
 - (A) hold as a prerequisite an advanced structural fire protection personnel certification, an advanced aircraft fire protection personnel certification, advanced marine fire protection personnel certification, advanced inspector certification, advanced fire investigator, or advanced arson investigator certification; or
 - (B) have 60 college hours from a regionally accredited educational institution; or
 - (C) hold an associate's degree from a regionally accredited educational institution.

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

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

- (1) hold as a prerequisite a Fire Service Instructor III certification; and
- (2) be a member of a paid, volunteer, or regulated non-governmental fire department; or a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) hold as a prerequisite a master structural fire protection personnel certification, a master aircraft rescue fire fighting personnel certification, master marine fire protection personnel certification, master inspector certification, master fire investigator certification, or master arson investigator certification; or
- (4) hold a bachelors degree or higher in education from a regionally accredited educational institution or a teaching certificate issued by the Texas State Board of Education.

§425.11. International Fire Service Accreditation Congress Seal.

- (a) Individuals who held an equivalent Instructor I certification prior to March 1, 2006 or individuals completing a **commission**~~Commission~~-approved Fire Service Instructor I training program and passing the applicable state examination after the effective date of this chapter, may be granted an IFSAC seal for Instructor I by making application to the **commission**~~Commission~~ and paying the applicable fee.
- (b) Individuals who held an equivalent Instructor II certification prior to March 1, 2006 or individuals holding an IFSAC Instructor I certification, completing a **commission**~~Commission~~-approved Fire Service Instructor II training program, and passing the applicable state examination after the effective date of this chapter, may be granted an IFSAC seal for Instructor II by making application to the **commission**~~Commission~~ and paying the applicable fee.
- (c) Individuals who held an equivalent Instructor III certification prior to March 1, 2006 or individuals holding an IFSAC Instructor II certification, completing a **commission**~~Commission~~-approved Fire Service Instructor III training program, and passing the applicable state examination after the effective date of this chapter, may be granted an IFSAC seal for Instructor III by making application to the **commission**~~Commission~~ and paying the applicable fee.

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 Title 37 TAC, Chapter 435, Fire Fighter Safety, including but not limited to §435.1, Protective Clothing, §435.3, Self-Contained Breathing Apparatus, §435.5, Commission Recommendations, §435.7, Fire Department Staffing Studies, §435.9, Personal Alert Safety System (PASS), §435.11, Incident Management System (IMS), §435.13, Personnel Accountability System, §435.15, Operating At Emergency Incidents, §435.17, Procedures for Interior Structural Fire Fighting (2-In/2-Out Rule), §435.19, Enforcement of Commission Rules, §435.21, Fire Service Joint Labor Management Wellness-Fitness Initiative, §435.23, Fire Fighter Injuries, §435.25, Courage to be Safe So Everyone Goes Home Program, and §435.27, Live Fire Training Structure Evolutions.**

Chapter 435

Fire Fighter Safety

§435.1. Protective Clothing.

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**[~~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.

§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**[~~Commission~~] determines that the continued use of the self-contained breathing apparatus constitutes an undue risk to the wearer, in which case the **commission**[~~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**[~~Commission~~], records and reports documenting compliance with **commission** [~~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**[~~Commission~~], a departmental standard operating procedure regarding the use of self-contained breathing apparatus; and

- (6) maintain and provide upon request by the **commission**~~[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 **National Fire Protection Association**~~[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 **commission** ~~[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 **NFPA**[National Fire Protection Association] 1561, Standard on Fire Department Incident Management System.
- (d) The **commission**[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[Commission] shall enforce all commission[Commission] rules at any time, including, but not limited to, commission[Commission] investigations, fire department inspections, or upon receiving a written complaint from an identified person or entity of an alleged infraction of a commission[Commission] rule.
- (b) The commission[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[Commission] rule, the commission[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[Commission] shall follow the procedures outlined in Texas Government Code, Chapter 419, §419.011(b) and (c).

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

- (a) A fire department shall assess the wellness and fitness needs of the personnel in the department. The procedure used to make this assessment shall be written and made available for commission inspection.
- (b) A fire department shall develop and maintain a standard operating procedure to address those needs.
- (c) The approach to the fitness needs of the department shall be based on the local assessment and local resources.
- (d) The standard operating procedure shall be made available to the commission for inspection.

§435.23. Fire Fighter Injuries

- (a) A 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~~[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 this title (relating to Continuing Education).~~[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 procedures.

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 Title 37 TAC, Chapter 421, Standards For Certification, including but not limited to, §421.1, Procedures for Meetings, §421.3, Minimum Standards Set by the Commission, §421.5, Definitions, §421.9, Designation of Fire Protection Duties, §421.11, Requirement to be Certified Within One Year, §421.13, Individual Certificate Holders, §421.15, Extension of Training Period, and §421.17, Requirement to Maintain Certification.**

Chapter 421

Standards for Certification

§421.3. Minimum Standards Set by 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) Hazardous Materials Incident Commander personnel. The following general position description for Hazardous Materials Incident Commander serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Hazardous Materials Incident Commander 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 awareness and operations level personnel, the Hazardous Materials Incident Commander is an individual who has met all the job performance requirements of Hazardous Materials Incident Commander as defined in Chapter 8 of NFPA 472, Competence of Responders to Hazardous Materials Incidents/Weapons of Mass Destruction. The individual should demonstrate knowledge in the policies, plans, and procedures regarding hazardous materials response as adopted by the local jurisdiction; and all components of the incident command system and their proper utilization.**
- (B) Competency. In addition to the competencies of awareness and operations level personnel, a Hazardous Materials Incident Commander must demonstrate competency in such areas as: analyzing an incident via the collection of information and an estimation of potential outcomes; planning appropriate response operations; implementing a planned response; evaluating the progress of a planned response and revising as necessary; terminating an incident; conducting a post-incident critique; and reporting and documenting an incident in a manner consistent with local, state, and federal requirements.**

(8) [(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.

(9) [(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.

(10) [(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.

(11) Fire Officer III personnel. The following general position description for Fire Officer III personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer 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: A Fire Officer III is a midlevel supervisor who performs both supervisory and first-line managerial functions. In addition to the qualifications and competency for Fire Officer II, the Fire Officer III is an individual who has met all the job performance requirements of Fire Officer III as defined in Chapter 6 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer III level include: establishing procedures for hiring, assignment, and professional development of personnel; developing public service/partnership and programs; preparing budgets and budget management systems; planning for organizational resource management; evaluating inspection and public safety programs and plans; managing multi-agency plans and operations; serving as Incident Commander at expanding emergency incidents for all hazard types; and developing and managing a departmental safety program.

(B) Competency. A Fire Officer III must demonstrate competency doing research; analyzing data and using evaluative techniques; developing proposals; developing, preparing, and implementing various procedures and programs within an organization; managing personnel resources; preparing and managing budgets; utilizing techniques to encourage personnel participation and development; and working in top-level positions within the incident command system.

(12) Fire Officer IV personnel. The following general position description for Fire Officer IV personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer IV operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications: A Fire Officer IV is an upper level supervisor who performs both supervisory and managerial functions. In addition to the qualifications and competency for Fire Officer III, the Fire Officer IV is an individual who has met all the job performance requirements of Fire Officer IV as defined in Chapter 7 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer IV level include: Administering job performance requirements; evaluating and making improvements to department operations; developing long-range plans and fiscal projections; developing plans for major disasters; serving as Incident Commander at major incidents for all hazard types; and administering comprehensive risk management programs.

(B) Competency: A Fire Officer IV must demonstrate competency in appraising and evaluating departmental programs to ensure adherence to current laws and best practices; developing medium and long-range plans for organizations; and assuming a top-level leadership role in both the organization and community.

(13) ~~(40)~~ 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.

(14) ~~(41)~~ 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.

(15) ~~(42)~~ 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.

(16) Incident Safety Officer personnel. The following general position description for Incident Safety Officer personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Incident Safety Officer operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

A. Qualifications: An Incident Safety Officer is an individual who has met the requirements of Fire Officer Level I specified in NFPA 1021, Standard for Fire Officer Professional Qualifications and Chapter 6 of

NFPA 1521, Standard for Fire Department Safety Officer and has the knowledge, skill, and abilities to manage incident scene safety. Typical Incident Safety Officer duties include risk and resource evaluation; hazard identification and communication; action plan reviews; safety briefings; accident investigation; post incident analysis; and participation in safety committee activities.

(B) Competency: An Incident Safety Officer must demonstrate competency in management of incident scene safety through a working knowledge of the various emergency operations as prescribed by the local jurisdiction; an understanding of building construction; fire science and fire behavior; managing an organization's personnel accountability system; and incident scene rehabilitation methodology.

(17) Basic Wildland Fire Protection Personnel. The following general position description for Basic Wildland Fire Protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Basic Wildland Firefighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. A Basic Wildland Firefighter is an individual who has met the requirements of Chapter 5 of NFPA 1051, Standard for Wildland Firefighter Professional qualifications, and should demonstrate knowledge in: wildland fire behavior; fireline safety and use; limitations of personal protective equipment; fire shelter use; fire suppression tactics and techniques in wildland settings; and have an understanding of the firefighter's role within the local incident management system.

(B) Competency. A Basic Wildland Firefighter must demonstrate competency in such areas as: maintaining personal protective equipment and assigned fire suppression tools and equipment; the ability to quickly prepare for a response when notified; recognizing hazards and unsafe situations in a wildland fire; securing a fire line; mopping up a fire area; and patrolling a fire area so as to ensure fire control.

(18) Intermediate Wildland Fire Protection Personnel. The following general position description for Intermediate Wildland Fire Protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Intermediate Wildland Firefighter 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 and competency for the Basic Wildland Firefighter, the Intermediate Wildland Firefighter is an individual who has met the requirements of Chapter 6 of NFPA 1051, Standard for Wildland Firefighter Professional qualifications, and should demonstrate knowledge in: basic map reading; use of a locating device such as a compass; radio procedures as adopted by the local jurisdiction; and record keeping.

(B) Competency. An Intermediate Wildland Firefighter must demonstrate competency in such areas as: the ability to lead a team of firefighters in the performance of assigned tasks while maintaining the safety of personnel; implementing appropriate fireline construction methods and other techniques for protection of exposed property; operation of water delivery equipment; securing an area of suspected fire origin and associated evidence; and serving as a lookout in a wildland fire.

§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. **A criminal justice course related to fire and or arson investigation that is satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide may be used to qualify for Master Arson Investigator 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 fire protection personnel 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 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.

§421.13. Individual Certificate Holders.

- (a) Employment is not mandatory for certification. An individual may hold or renew any certificate issued by the commission for which they maintain their qualifications.
- (b) An individual certificate holder must notify the commission of a change of his or her home address within 14 calendar days of a change of address.

§421.15. Extension of Training Period.

A fire department may apply to the commission for an extension of the one-year training period, identified in §419.032(c) of the Government Code, for a time period not exceeding two years from the date of original appointment as follows:

- (1) the request for extension shall be placed on the Fire Fighter Advisory Committee's (FFAC's) agenda to be heard at its next regular or special called meeting after submission of the request;
- (2) after review by the FFAC, the application along with the FFAC's recommendations will be sent to the commission to be heard at its next regular meeting. If the request for extension is approved by the commission, the extension shall become effective immediately; and

(3) the one-year extension of training time, if granted, shall run from the date of forfeiture and removal or, at the latest, from one year after the original date training began, whichever occurs first.

§421.17. Requirement to Maintain Certification.

- (a) All full-time or part-time employees of a fire department or local government who are assigned duties identified as fire protection personnel duties must maintain certification by the Commission in the discipline(s) to which they are assigned for the duration of their assignment.
- (b) In order to maintain the certification required by this section, the certificate(s) of the employees must be renewed annually by complying with §437.5, of this title (relating to Renewal Fees) and Chapter 441 of this title (relating to Continuing Education) of the Commission's standards manual
- (c) An individual whose certificate has been expired for one year or longer may not renew the certificate that was previously held. To obtain a new certification, an individual must meet the requirements in Chapter 439 of this title (relating to Examinations for Certification).
- (d) The Commission will provide proof of current certification to individuals whose certification has been renewed.

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 Title 37 TAC, Chapter 427, Training Facility Certification, including but not limited to, Subchapter C, Training Programs for On-Site and Distance Training Providers, §427.301, General Provisions for Training Programs – On-Site and Distance Training Providers, §427.303, Training Approval Process for On-Site and Distance Training Providers, §427.305, Procedures for Testing Conducted by On-Site and Distance Training Providers, and §427.307, Onsite and Distance Training Provider Staff Requirements.**

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 (relating to Examinations for Certification).
- (b) Periodic and comprehensive final tests shall be given by the training provider in addition to the Commission examination required in Chapter 439 of this title.
- (c) Periodic tests shall be administered at the ratio of one test per 50 hours of recommended training, or portion thereof. An average score of 70% must be achieved on all required periodic tests.

- (d) In addition to periodic tests, a comprehensive final test must be administered. The final test must be conducted in a proctored setting. For purposes of this section, a proctor can be an approved TCFP Field Examiner, or a member or testing center of an educational institution. A passing score of 70% must be achieved.
- (e) If a course is taught in phases, a comprehensive exam for each phase shall be administered upon completion of each phase and a passing score of 70% must be achieved.

§427.307. Onsite 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) **Other than guest instructors, all training instructors (including unit instructors)**~~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, **except as stated in §427.307(h)(2) and §427.307(i)(2).**
- (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.

(h) In order to teach a certification course for Basic Wildland Fire Protection:

(1) The unit instructor must hold Basic Wildland Fire Protection certification and a Texas Commission on Fire Protection Instructor I certification.

(2) The lead instructor must hold Intermediate Wildland Fire Protection certification and a Texas Commission on Fire Protection Instructor I certification.

(3) The lead instructor must be present in any class being taught

(i) In order to teach a certification course for Intermediate Wildland Fire Protection:

(1) The unit instructor must hold an Intermediate Wildland Fire Protection certification and a Texas Commission on Fire Protection Instructor I certification.

(2) The lead instructor must hold an Intermediate Wildland Fire Protection certification and a Texas Commission on Fire Protection Instructor I certification.

(3) The lead instructor must be present in any class being taught.

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 Title 37 TAC, Chapter 437, Fees, including but not limited to, §437.1, Purpose and Scope, §437.3, Certification Fees, §437.5, Renewal Fees, §437.7, Standards Manual and Certification Curriculum Manual Fees, §437.11, Copying Fees, §437.13, Processing Fees for Test Application, §437.15, International Fire Service Accreditation Congress (IFSAC) Seal Fees, and §437.17, Records Review 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.]~~

(c) the certified training provider may be invoiced or billed if previous arrangements have been approved by the commission in writing via mail, e-mail or fax.

(1) Any payment postmarked from 61 to 90 days after the invoice date will cause the provider of training to be assessed a non-refundable late fee of one half the amount shown on the invoice. This late fee is in addition to the amount shown on the invoice for test application processing fees.

(2) Any payment postmarked more than 90 days after the invoice date will cause the provider of training to be assessed a non-refundable late fee in an amount equal to the amount shown on the invoice. This late fee is in addition to the amount shown on the invoice for test application processing fees.

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

A non-refundable \$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 Title 37 TAC, Chapter 439, Examinations for Certification, including but not limited to, Subchapter A, Examinations for On-Site Delivery Training, §439.1, Requirements—General, §439.3, Definitions, §439.5, Procedures, §439.7, Eligibility, §439.9, Grading, §439.11, Commission-Designated Performance Skill Evaluations, §439.13, Special Accommodations for Testing, and §439.19, Number of Test Questions.**

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**[Commission] and International Fire Service Accreditation Congress (IFSAC) regulations. It is incumbent upon **commission**[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** [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**[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**[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**[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**[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**[Commission] examination for certification status and meet any other certification requirements in order to become eligible for certification by the **commission**[Commission] as fire protection personnel.

- (i) An individual or entity may petition the **commission**[~~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**[~~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**.~~[Commission.]~~
- (b) All application processing fees due to the **commission**.~~[Commission]~~ must be paid in a timely manner. **Late payments shall be assessed a late fee in accordance with §437.13 of this title (relating to Processing Fees for Test Application).**
- (c) Each examination must be administered by a lead examiner.
- (d) The lead examiner must:
 - (1) ensure that the tests remain secure and that the examination is conducted under conditions warranting honest results;
 - (2) monitor the examination while in progress;
 - (3) control entrance to and exit from the test site;
 - (4) assign or re-assign seating; and
 - (5) bar admission to or dismiss any examinee who fails to comply with any of the applicable provisions of this chapter.
- (e) All official grading and notification must come from the **commission**.~~[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 of this title (relating to Protective Clothing) and §435.3 of this title (relating to Self-Contained Breathing Apparatus).

§439.13. Special Accommodations for Testing.

- (a) Special accommodation testing is for those individuals that have a documented disability which may hamper their success on a Texas Commission on Fire Protection written examination. Some accommodations that can be allowed are:
- (1) A testing room to oneself (examinee is allowed to read the questions out loud to him or herself). To accommodate the request the examinee will have to test in the Commission's Austin headquarters location or any location deemed appropriate by the Commission.
 - (2) The test to be split in two with up to an hour break in between (no access to the first half of the examination will be allowed during or after the break). To accommodate the request the examinee will have to test in the Commission's Austin headquarters location or any location deemed appropriate by the Commission.
 - (3) The questions to be printed in a larger font (approximately 7% larger).
 - (4) The test to be copied on off-white paper (i.e. cream colored).
 - (5) The use of highlighters or a highlighter sheet.
 - (6) Any requests that 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 amendments to Title 37 TAC, Chapter 449, Head of a Fire Department, §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) Applicants for Head of a Fire Department certification must complete the following requirements:
 - (1) must be appointed as head of a fire department; and
 - (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter~~[Chapter 44]~~ of the Curriculum Manual; and
 - (3) ~~meet~~~~[arrange a meeting]~~ with a Texas Commission on Fire Protection Compliance Section representative~~[Officer]~~ for review and approval of the Standards Review Assignment; and
 - (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
 - (5) 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
 - (6) 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
 - (7) 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; or
 - (8) 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
 - (9) 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.
- (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 (relating to Continuing Education).
- (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) Applicants for Head of a Fire Department certification must complete the following requirements:
 - (1) must be appointed as head of a fire department; and
 - (2) complete the Standards Review Assignment for Head of a Fire Department identified in **the applicable chapter**~~Chapter 44~~ of the Curriculum Manual; and
 - (3) ~~meet~~~~arrange a meeting~~ with a Texas Commission on Fire Protection Compliance **Section representative**~~Officer~~ for review and approval of the Standards Review Assignment; and
 - (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
 - (5) 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
 - (6) 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
 - (7) 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; or
 - (8) 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
 - (9) 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.
- (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 (relating to Continuing Education).

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 amendments to Title 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification, including but not limited to, §455.1, Minimum Standards for Wildland Fire Protection Personnel, §455.3, Minimum Standards for Basic Wildland Fire Protection Certification, §455.5, Minimum Standards for Intermediate Wildland Fire Protection Certification, and §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 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 Chapter 441 of this title (relating to Continuing Education).
- (c) All Wildland Fire Protection certifications issued by the commission and referenced in this chapter are voluntary.

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

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

- (1) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Wildland Fire Fighter Level I; or
- (2) complete a commission-approved Basic Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Basic Wildland Fire Protection training program shall consist of one of the following:
 - (A) completion of the commission-approved Basic Wildland Fire Protection Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or;
 - (B) completion of the following Texas Forest Service/National Wildfire Coordinating Group courses:
 - (i) S-130: Firefighter Training
 - (ii) S-190: Introduction to Wildland Fire Behavior
 - (iii) L-180: Human Factors on the Fireline
 - (iv) I-100: Introduction to the Incident Command System, or an equivalent basic incident command system course such as NIMS IS-100.
- (3) The commission examination requirement is waived for individuals who have completed the training requirements in paragraph (2)(A) or (B) of this section 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

- (a) In order to be certified as Intermediate Wildland Fire Protection personnel, an individual must:
 - (1) hold Basic Wildland Fire Protection certification issued by the commission, and
 - (2) individuals who hold Structure Fire Protection certification issued by the commission must complete a commission approved Intermediate 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 Intermediate Wildland Fire Protection training program shall consist of one of the following:
 - (A) completion of the commission approved Intermediate Wildland Fire Protection Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or

(B) completion of 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;** or

(C) completion of the Texas Forest Service/National Wildfire Coordinating Group courses S-131 and S-133, 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

(3) 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 **a commission approved Intermediate Wildland Fire Protection program and successfully pass the 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). An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:**

(A) completion of the commission approved Intermediate Wildland Fire Protection Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or

(B) completion of 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;** or

(C) completion of the Texas Forest Service/National Wildfire Coordinating Group courses S-131 and S-133, 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].~~

- (b) The commission examination requirement is waived for individuals in subsection (a)(2) of this section 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.
- (c) The application processing fee for the initial examination is waived for individuals in subsection (a)(3) of this section 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.
- (d) The application processing fee for the certification is not waived for individuals in subsection (c) of this section.

§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:**
 7. **Proposed amendments to Title 37 TAC, Chapter 457, Minimum Standards for Incident Safety Officer Certification, including but not limited to, §457.1, Incident Safety Officer Certification, §457.3, Minimum Standards for Incident Safety Officer Certification, and §457.5, Examination Requirements.**

Chapter 457

Minimum Standards For Incident Safety Officer Certification

§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 Chapter 441 of this title (relating to Continuing Education).
- (c) All Safety Officer certifications issued by the commission and referenced in this chapter are voluntary.

§457.3. Minimum Standards for Incident Safety Officer Certification.

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 paragraph (3)(B) - (D) of this section 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.

- (a) 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.
- (b) Individuals will be permitted to take the commission examination for Incident Safety Officer certification by documenting Fire Officer I certification through the commission or the equivalent IFSAC seal, and completing a commission approved Incident Safety Officer curriculum.**

11. **Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - C. **Report from the Curriculum and Testing Committee with discussion and possible action on the appointment of Martin Davila, San Antonio College and Daryl Maretka, Wharton County Jr. College to the committee.**

12. Discussion and possible action on appointment of a new member to the Fire Fighter Advisory Committee.

Candidate Name	Rank	Fire Department Affiliation	Region	Active or Retired	Previous Committee Service	Certification Level	Discipline	Years of Experience	IFSAC Seals	Certifying Entity	Instructor of Fire Protection Personnel	Verified	Injury Reporting
1	Eduardo (Lalo) Rodela	Lieutenant El Paso Fire Department	Region 2	active	Funds Allocation	Master	Fire Fighter	25		TCFP		yes	yes
							Fire Instructor I	4		TCFP	yes	yes	
						Basic	ARFF	15		TCFP		yes	
2	Mikal Jason Orr	Lieutenant Lead Instructor Amarillo Fire Department Amarillo College Fire Academy	Region 2	active		Advanced	Fire Fighter		yes	TCFP		yes	yes
						Basic	ARFF		yes	TCFP		yes	
							Instructor II		yes	TCFP	yes	yes	
							Driver Operator		yes	TCFP		yes	
							Haz Mat Tech		yes	TCFP		yes	
3	Shawn Fannan	Lieutenant Fire Chief Southlake Fire Department Blue Mound VFD	Region 3	active active		Master	Arson Investigator	4	yes	TCFP		yes	yes
						Master	Fire Fighter	24	yes	TCFP		yes	
						Master	Inspector	5	yes	TCFP		yes	
						Master	Instructor	14	yes	TCFP	yes	yes	
							Fire Officer II	7	yes	TCFP		yes	
							Driver Operator	2	yes	TCFP		yes	
							Haz Mat Tech	10	yes	TCFP		yes	
4	Irvin "Butch" Miller	Department Chair Associate Faculty Austin Community College	Region 1	active		Master	Instructor	20 +	yes	TCFP	yes	yes	yes
						Master	Fire Fighter	30 +	yes	TCFP		yes	
							Fire Officer III	15 +	yes	TCFP		yes	
5	Greg Yount	Sr. Fire Inspector Captain Harris Co. FM Office Kemah Fire Dept.	Region 6	active		Master	Fire Fighter	16	yes	TCFP		yes	yes
						Master	Arson Investigator	8	yes	TCFP		yes	
						Master	Fire Instructor	16	yes	TCFP	yes	yes	
							Incident Safety Officer	10		TCFP		yes	
							Driver/Operator	16	yes	TCFP		yes	
6	Ken Swindle	Fire Chief Captain/Operations Krum Fire Department Lewisville Fire Department	Region 3	active retired		Master	Fire Fighter	35		TCFP		yes	yes
						Master	Instructor	28		TCFP		yes	
							Head of Department	5		TCFP		yes	
							Fire Officer I			TCFP		yes	
							FO II test application may be pending						
7	Jacob D. Smith	Lieutenant Eules Fire Department	Region 3	active		Advanced	Fire Fighter	3		TCFP		yes	yes
						Advanced	Inspector	3		TCFP		yes	
							Instructor III	3		TCFP	yes	yes	
							Driver Operator	3		TCFP		yes	
							Fire Officer II	2.5		TCFP		yes	
							Haz Mat Tech	9		TCFP		yes	

13. Discussion and possible action on appointment of an Ad Hoc Advisory Committee to review and make recommendations to the Head of a Fire Department Certification Curriculum.

Candidate Name	Title	Size of Municipality	Type of Department	Service Type	Previous Experience	Certification Level	Discipline	Years of Experience	Certifying Entity	Verified	
1	Larry Wright	Fire Chief	Under 50,000	all paid	suppression or suppression/prevention	in-state only	Master	Fire Fighter		TCFP	Yes
							Master	Fire Investigator		TCFP	Yes
							Master	ARFF		TCFP	Yes
							Intermediate	Instructor		TCFP	Yes
							Master	Inspector		TCFP	Yes
							Master	Head of Dept.-Suppression		TCFP	Yes
2	Burney Baskett	Fire Chief	Under 50,000	all paid	suppression or suppression/prevention	in-state only	Advanced	Fire Fighter	32	TCFP	Yes
							Interemmediate	Instructor	30	TCFP	Yes
								Head of Dept.-Suppression		TCFP	Yes
3	Scott L. Mitchell	Fire Chief	Under 50,000	combination	suppression or suppression/prevention		Master	Fire Fighter	34	TCFP	Yes
							Master	Arson Investigator	25	TCFP	Yes
							Intermediate	Instructor		TCFP	Yes
							Master	Fire Investigator		TCFP	Yes
							Basic	Wildland Fire Fighter		TCFP	Yes
							Basic	Head of Dept.-Suppression		TCFP	Yes
4	Richard Hensley	Fire Chief	Under 50,000	combination	suppression or suppression/prevention		Basic	Fire Fighter	23	TCFP	Yes
							Intermediate	Instructor	23	TCFP	Yes
								Head of Dept.-Suppression	10	TCFP	Yes
5	William R. Jenkins	Fire Chief	Under 50,000	all paid	suppression or suppression/prevention	in-state only	Master	Fire Fighter		TCFP	Yes
							Intermediate	Instructor		TCFP	Yes
							Basic	Inspector		TCFP	Yes
								Fire Officer II		TCFP	Yes
								Haz-Mat Tech		TCFP	Yes
6	Robert D. Simonson	Fire Chief	Under 50,000	combination	suppression or suppression/prevention	in-state only	Master	Fire Fighter	30	TCFP	Yes
							Master	ARFF	30	TCFP	Yes
							Master	Instructor	30	TCFP	Yes
							Master	Fire Investigator	5	TCFP	Yes
								Haz-Mat Tech	5	TCFP	Yes
								Driver Operator/Pumper		TCFP	Yes
							Basic	Inspector	5	TCFP	Yes
								Incident Safety Officer		TCFP	Yes
							Basic	Wildland Fire Fighter		TCFP	Yes
7	Gary A. Wisdom	Fire Chief	Under 50,000	all paid	suppression or suppression/prevention	in-state only	Master	Fire Fighter		TCFP	Yes
							Master	Inspector		TCFP	Yes
							Intermediate	Instructor		TCFP	Yes
								ARFF		TCFP	Yes
8	Scott D. Kerwood	Fire Chief	Under 50,000	combination	suppression or suppression/prevention	in-state/out-of-state		Head of Dept.-Suppression		TCFP	Yes
							Master	Fire Fighter		TCFP	Yes
							Master	Instructor		TCFP	Yes
							Master	Inspector		TCFP	Yes
							Master	Fire Investigator		TCFP	Yes
								Fire Officer II		TCFP	Yes
							Intermediate	Wildland Fire Fighter		TCFP	Yes
								Driver Operator/Pumper		TCFP	Yes
							Master	Volunteer Fire Fighter		TCFP	Yes

Candidate Name	Title	Size of Municipality	Type of Department	Service Type	Previous Experience	Certification Level	Discipline	Years of Experience	Certifying Entity	Verified	
9	Michael Clack	Fire Chief	Under 50,000	combination	suppression or suppression/prevention		Fire Officer II	6	TCFP	Yes	
						Master	Fire Investigator		TCFP	Yes	
						Master	Fire Fighter		TCFP	Yes	
						Advanced	Instructor		TCFP	Yes	
						Basic	ARFF		TCFP	Yes	
						Basic	Wildland Fire Fighter		TCFP	Yes	
							Incident Safety Officer-Fire		TCFP	Yes	
							HazMat Tech		TCFP	Yes	
	Head of Dept.-Suppression	8	TCFP	Yes							
10	Harold W. (Buddy) Rice	Fire Marshal	Under 50,000	combination	prevention only	Advanced	Arson Investigator	28	TCFP	Yes	
						Intermediate	Inspector	15	TCFP	Yes	
						Intermediate	Fire Fighter	29	TCFP	Yes	
						Advanced	Fire Investigator		TCFP	Yes	
						Intermediate	Instructor		TCFP	Yes	
							Head of Dept.-Prevention		TCFP	Yes	
11	Gary L. Estep	Fire Chief	Under 50,000	combination	suppression or suppression/prevention	in-state only	Head of Dept.-Suppression		TCFP	Yes	
							Master	Fire Fighter		TCFP	Yes
							Intermediate	Instructor		TCFP	Yes
							Basic	Wildland Fire Fighter		TCFP	Yes
12	Walter Fairbanks	Fire Chief	Under 50,000	combination	suppression or suppression/prevention		Head of Dept.-Suppression		TCFP	Yes	
						Advanced	Fire Fighter	16	TCFP	Yes	
						Intermediate	Inspector	7	TCFP	Yes	
						Advanced	Fire Investigator	7	TCFP	Yes	
						Advanced	Instructor		TCFP	Yes	
							Fire Officer II		TCFP	Yes	
						Basic	Wildland Fire Fighter		TCFP	Yes	
							Driver-Operator/Pumper		TCFP	Yes	
	Incident Safety Officer-Fire		TCFP	Yes							
13	Jimmy D. Chew	Fire Chief	Under 50,000	combination	suppression or suppression/prevention	in-state only	Master	Fire Fighter	42	TCFP	Yes
							Intermediate	Instructor	29	TCFP	Yes
								Head of Dept.-Suppression	9	TCFP	Yes
14	Brian Davis	Fire Chief	Under 50,000	combination	suppression or suppression/prevention		Head of Dept.-Suppression	2	TCFP	Yes	
15	Mark E. Lee	Fire Chief	Under 50,000	all paid	suppression or suppression/prevention	in-state only	Head of Dept.-Suppression	4.5	TCFP	Yes	
							Master	Fire Fighter	20 +	TCFP	Yes
								Fire Officer I		TCFP	Yes
	Basic	Instructor		TCFP	Yes						
16	Tim Gothard	Fire Chief	Under 50,000	combination	suppression or suppression/prevention	in-state only	Head of Dept.-Suppression		TCFP	yes	
							Master	Fire Fighter	31	TCFP	yes
							Master	Arson Investigator		TCFP	yes
							Master	Fire Investigator		TCFP	yes
							Master	Inspector		TCFP	yes
							Advanced	Instructor		TCFP	yes
								Fire Officer II		TCFP	yes
								Incident Safety Officer-Fire		TCFP	yes
	Driver/Operator-Pumper		TCFP	yes							

Candidate Name	Title	Size of Municipality	Type of Department	Service Type	Previous Experience	Certification Level	Discipline	Years of Experience	Certifying Entity	Verified
17	Russell Sander	50,000 - 200,000	all paid	suppression or suppression/prevention	in-state only	Master	Fire Fighter	24	TCFP	yes
						Intermediate	Instructor	21	TCFP	yes
						Basic	Inspector	6	TCFP	yes
							Fire Officer II	12	TCFP	yes
							Head of Dept.-Suppression	7	TCFP	yes

14. Discussion and possible action on proposed recommendations on fire fighter injury data collected for 2012 for inclusion in the annual report to be sent to the State Fire Marshal's Office.

Appendix

Texas Commission on Fire Protection

Preliminary Injury Report

January 1, 2012 to December 31, 2012



TEXAS COMMISSION ON FIRE PROTECTION

Executive Summary

This report details the abstract, the mission, the reports, information and data collected, as well as user-community input. The report goes on to include firefighter injuries in 2012 with charts and graphs depicting the collected information. The report also compares with National Fire Protection Association (NFPA) U.S. Firefighter Injuries - 2011.

The commission has enacted rules pertaining to the reporting of injuries in Texas Administrative Code (TAC) Title 37, Chapter 435, and has established the criteria and policies for reporting and analyzing the information. The commission finished implementation of the data systems necessary to gather this information in May 2010. Development is ongoing as we receive feedback from stakeholders on the efficiency of the system. The entire process is currently accomplished online through the commission's website. Every fire department regulated by the commission has been notified of the requirement to report. Several volunteer departments, which are not regulated by the commission, are also participating voluntarily.

The commission's report includes two 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 fire service-related deaths that occurred in Texas during the reporting period, but the commission has no statutory authority to require reporting by departments it does not regulate. The same is true for the gathering of injury data. The commission relies on the fire service to submit complete injury data so that comprehensive reports can be produced.

Under §419.048, the Texas Commission on Fire Protection is charged with developing and establishing criteria to receive and analyze injury information pertaining to Texas firefighters. The commission reviews this information to develop recommendations to reduce fire protection personnel injuries. The commission provides this information to the State Fire Marshal's Office (SFMO) by September 1 of each year for inclusion in the SFMO's annual *Firefighter Fatality Investigations Report*.

This report concludes with recommendations from the commission.

Abstract

Texas Commission on Fire Protection received 4,264 reported injuries in calendar year 2012; 889 injuries were reported in Fire Suppression. This is 20.85 percent of the total injuries reported. An even larger number of reported injuries were in Emergency Medical Services (EMS), at 1, 242 (29 percent). The next biggest group was Station Duties, with 741 (17 percent). The last two groups are Skills Training and Wellness/Fitness with 486 (11.4 percent) and 429 (10 percent) respectively. Leading causes of injury in Fire Suppression are strains and sprains, followed by burns and exposures. The leading causes of injury in EMS are strains and sprains, followed by exposures to airborne, chemical and blood pathogens.

In 2012, the commission moved EMS from Rescue Non-Fire (swift water, confined space, trench, extrication and other rescues) into its own category in order to better track these incidents and injuries. In August 2012 the commission also began collecting more information about the tasks that the individuals were performing when the injuries occurred.

Mission

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

The commission supports the continuation of the agency's educational and outreach programs. These programs are designed to provide information on the various educational resources available through TCFP's Ernest A. Emerson Fire Protection Resource 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's Injury Reporting program is to help the fire service community identify common injuries and learn how to avoid risk and prevent injuries.

Why we are collecting injury data

Under Texas Government Code §419.048, the Texas Legislature charged the commission with gathering and evaluating data on injuries and assisting the fire service in increasing safety. The rules requiring regulated entities to report injuries to the commission are in Texas Administrative Code §435.23. The commission also strongly encourages volunteer entities to report injuries so that we gain as accurate a picture as possible concerning injury trends in the Texas fire service. The injury reporting program began in March 2010.

What information do we collect?

- Minor, serious, critical and fatal injuries
- Activities where fire personnel are injured
- Types of injuries (burns, strain-sprains, wounds, etc.)
- Body parts being injured
- What task firefighter was doing at time of injury

- 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
- Evaluate and find improvements in procedures
- Track lost time injuries (requested by user community)

Learn more and get help

Information from reported injuries is being provided to the fire service community via our website, our “Avoid Injury!” blog, our Facebook page and the year-end report to the State Fire Marshal’s Office. (A link to the 2011 year-end report was also published in the *Texas Daily Dispatch*.)

Reports, Information and Data Collection

This report contains data submitted by regulated and non-regulated entities. The data collected in 2012 was the second 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 approximately 619 regulated and voluntarily reporting departments, 89 percent reported injuries or a report of no injury, and 11 percent of regulated entities did not respond.

We continually reach out to all the entities to communicate the need to report, the types of information needed, and how to respond to requests for information and investigations. Commission staff members attended and presented at Texas Fire Chiefs Association regional meetings, local chiefs’ meetings, Southwest Fire Rescue, and State Firemen’s and Fire Marshals’ Association conferences to communicate information we have gathered from injury reporting, to stress the need for participation, and to remind them of the statutory requirement to report.

The commission’s “Avoid Injury!” blog provides information on current statistics, as well as information about resources available through the Ernest A. Emerson Fire Protection Resource Library. Statistics are updated semi-monthly on a rolling calendar cycle. New blog posts are being provided by the fire service on the “Courage to be Safe” program’s “16 Life Safety Initiatives” and how the initiatives have impacted their departments or the fire service. This information is also posted on the commission’s Facebook page.

Throughout the year we received feedback from stakeholders on challenges they have experienced and changes they would like to see. The agency hosted a face-to-face meeting with its user community to gather additional data. Eight individuals from across the state participated, and the information we received was invaluable.

In order to gather information regarding what **tasks** fire personnel were completing when they were injured, changes were needed from the reporting entities in the narrative portion of the report. This format was provided by the user group:

When you enter text into the incident description field, please provide answers to the following questions:

- *What specific action was the individual performing at the time of the injury (e.g., lifting, walking, advancing hose, pulling ceiling)?*
- *What PPE was the individual wearing or using at the time of the injury (e.g., bunker gear, gloves, back belt, SCBA)?*
- *What body part was injured (e.g., back, neck, shoulder)?*
- *If known, what were the causes or contributing factors leading to this injury (e.g., improper use of PPE, poor fitting PPE, poor lifting technique, environment too hot, flash over)? This will help us determine what areas may need more training for the fire service as a whole.*
- *What was the FF exposed to (if known)?*

Additionally, a monthly “No Injury” report function was added to the system. This helps the staff in the following areas:

- The commission must show the legislature that the fire service is complying with the law.
- The monthly reports help track how many entities are reporting.
- Entities that are not having injuries could help us understand what they are doing to prevent them.

Fire Personnel Injuries 2012

The numbers reflect reported injuries for January 1, 2012 to December 31, 2012. We are also comparing the Texas numbers with the NFPA's *U.S. Firefighter Injuries - 2011* report issued in October 2012.

The number of reported injuries in 2012 was 4,264.

Chart 1

Injury by Activity and Severity

Activity	Minor	Serious	Critical	Fatal	Grand Total
Fire Prevention	45	18			63
Fire Suppression	654	231	3	1	889
Hazmat	24				24
Rescue - Fire Related	14	7			21
Rescue - Non Fire	147	34	1		182
EMS	1042	196	4		1242
Responding to Incident	90	43			133
Returning from Incident	30	24			54
Skills Training	367	113	5	1	486
Station Duties	508	233			741
Wellness/Fitness	294	134	1		429
Grand Total	3215	1033	14	2	4264

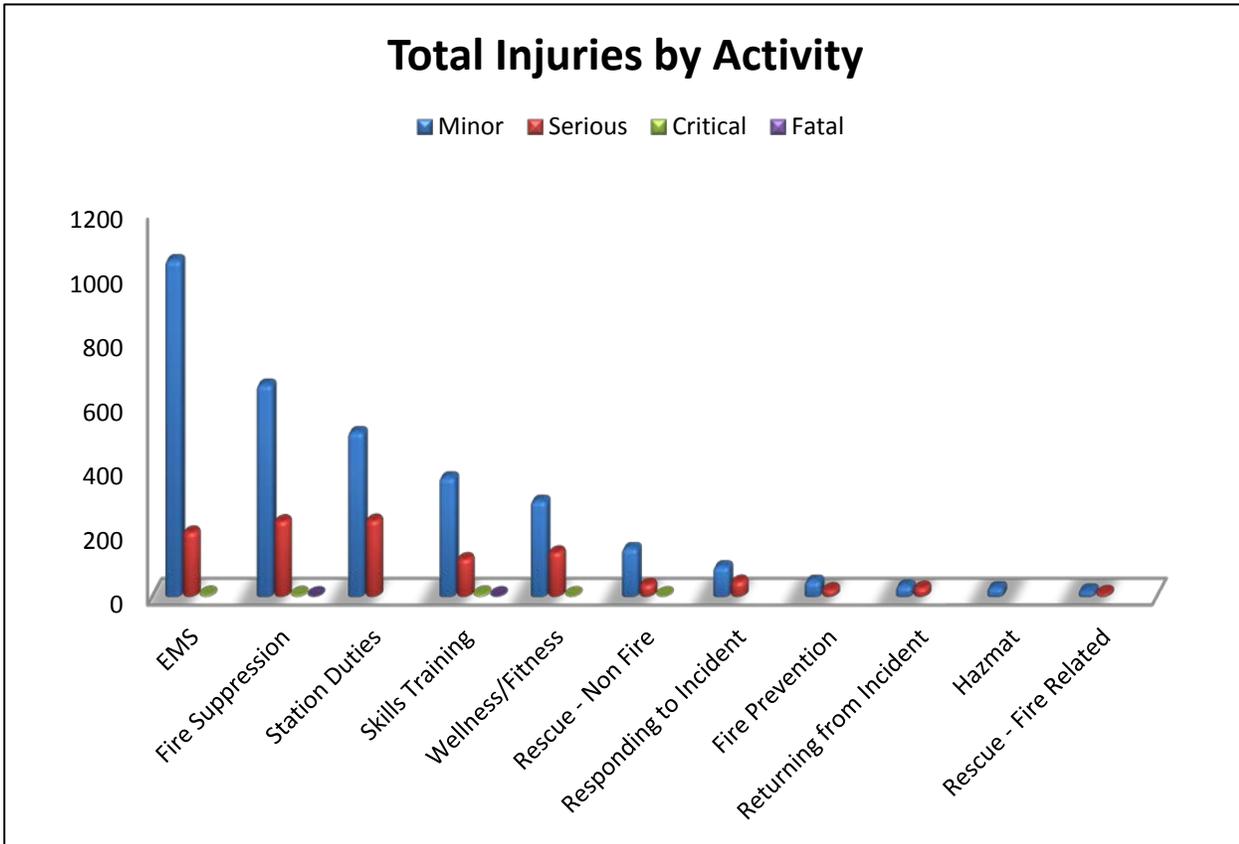
Minor injuries are injuries that result in the firefighter missing less than one full duty period.

Serious injuries are those that require the firefighter to miss more than one full duty period.

Critical injuries are those that require the firefighter to miss more than one full duty period and be hospitalized.

The Total Injuries by Activity graph shows the overall severity of injuries incurred in 2012. There were a total of 3,215 minor injuries, 1,033 serious, 14 critical and two fatalities.

Figure 1



Injuries by Type

The injury by type chart shows the overall categories of the types of injuries incurred during 2012.

Chart 2

Type of injury

Injury by Type	Number of Injuries
Stroke	1
Exposure-Chemical-CO	1
Heart Attack	2
Fracture Spine-Neck	4
Hearing Loss - Chronic	7
Electrocution	11
Hearing Loss - Acute	18
Smoke-Gas Inhalation	22
Exposure-Undetermined	23
Chest Pains-Cardiac	40
Broken Bones	46
Pain Medical Unspecified	49
Debris/Penetrating	51
Bites-Stings	93
Exposure - body fluids	124
Exposure-Chemical	128
Environmental	133
Exposure Blood Pathogens	160
Burns	176
Exposure Airborne Pathogens	404
Wound	631
Strain-Sprain	2140
Grand Total	4264

Task at time of injury

Collection of how fire personnel are getting injured was requested in 2012 during a user group discussion. The information was previously being collected in the narrative, but there was no place to capture this for reporting purposes until August 2012. This information reflects five months of data collection. It is a representative sample of the injuries occurring. (The “uncategorized” number includes injuries reported prior to implementation of the new data gathering processes.)

Chart 3

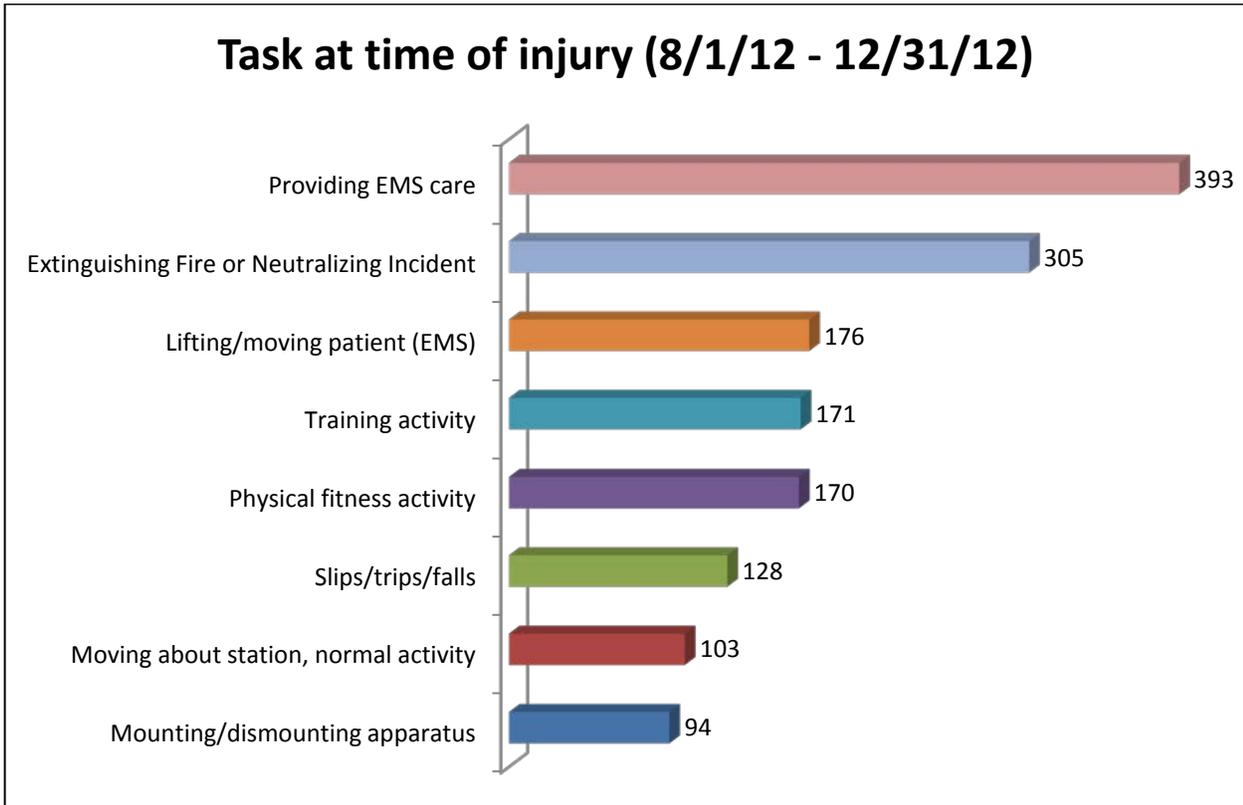
Injury Categories

Injury Categories	Number Injured
Carrying/dragging a person (rescue)	1
Operating in low/no visibility	1
Moving about station, alarm sounding	2
Operating power tool	2
Salvage	2
Inspection Activity	3
Manually moving item to gain access	3
Operating Fire Department Apparatus	3
Operating nozzle	3
Crawling in a confined or otherwise hazardous area	5
Raising/lowering ladder	6
Ascending/descending stairs	8
Ascending/descending ladder	9
Incident Investigation	9
Forcible Entry	10
Non-Fire Incidents	12
Administrative Work	13
Vehicle Maintenance	13
Responding to/returning from incident	20
Operating manual tool	27
Overhaul	28
Deploying and extending hose line	29
Removing equipment from/returning equipment to apparatus	31
Driving/riding in a vehicle	36
Equipment Maintenance	37
Rescue, other	37
Moving/picking up tools or equipment	40
Station Maintenance	47
Other: Description	54
Mounting/dismounting apparatus	94
Moving about station, normal activity	103
Slips/trips/falls	128
Physical fitness activity	170
Training activity	171
Lifting/moving patient (EMS)	176
Extinguishing Fire or Neutralizing Incident	305
Providing EMS care	393

Uncategorized	2233
Grand Total	4264

Figure 2 reflects the top eight identified categories of tasks being performed at time of injury.

Figure 2



Exposures

Exposures are a large number of reported injuries. The majority have not resulted in immediate reactions or lost time to these individuals. The top three categories are airborne pathogens, chemical and blood pathogens. Figure 3 reflects the information in graph form.

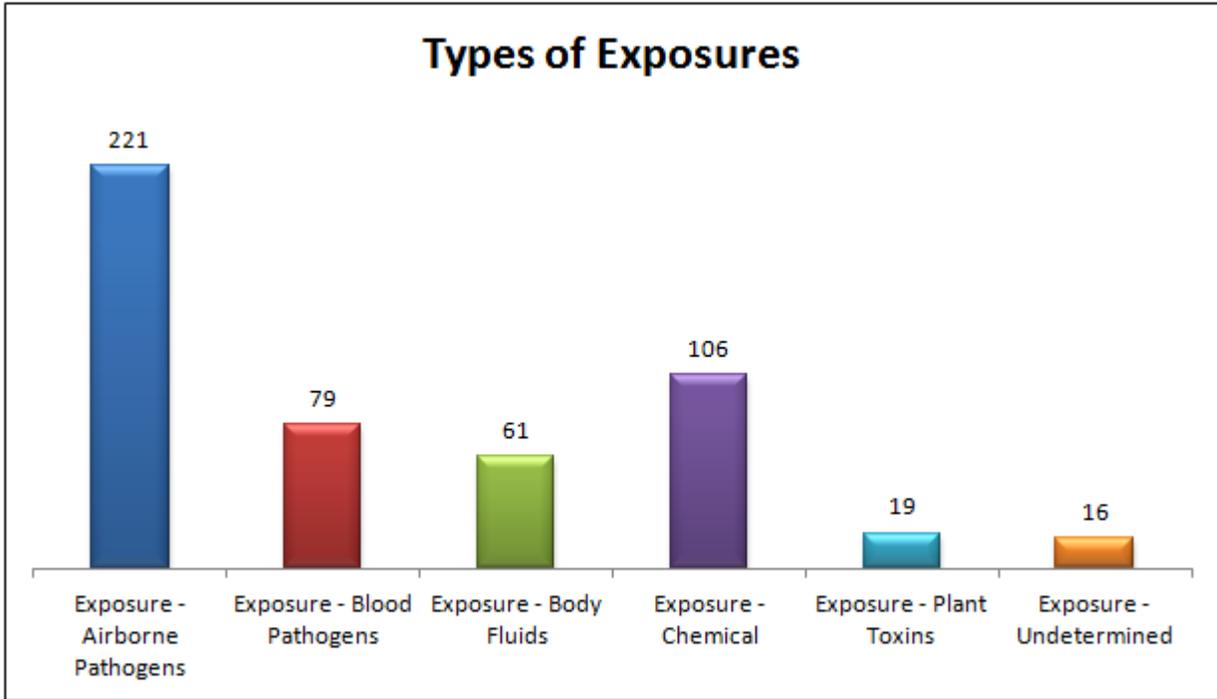
Chart 4

Types of Exposures

Types of Exposures	Totals
Exposure - Airborne Pathogens	221
Airborne, Other	40
Asbestos	11
Bacterial Pneumonia (lungs)	1
Body fluids	2
Chemicals/household/industrial	1
Chlorine	1
Meningitis	61
MRSA	5
Sickness, other	2
TB	97
Exposure - Blood Pathogens	79
Animals/Wildlife	1
Blood	68
Hep C	6
HIV	1
Lice	2
Staph	1
Exposure - Body Fluids	61
Body fluids	50
Vomit	11
Exposure - Chemical	106
Aluminum Phosphide (PH3)	3
Asbestos	58
Chemicals/household/industrial	45
Exposure - Plant Toxins	19
Poison Plants	19
Exposure - Undetermined	16
Chemicals/household/industrial	3
Scabies	4
Sickness, other	4
Unknown	5
Grand Total	502

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Figure 3



Injuries by Employment Status

Chart 5
Employment Status

Employment Status	2012	2011	2010
Full Time	4046	4098	2565
Part Time	25	21	12
Student (i.e. college)	68	23	0
Trainee (i.e. fire dept)	40	0	10
*Volunteer	85	100	20
Grand Total	4264	4242	2607

*Volunteer injuries reported here represent only those who chose to report their injuries.

Injuries by Severity

In 2010, 78 percent of the injuries reported were minor; in 2011, 76 percent and in 2012, 75 percent. Serious injuries in 2010 were 20 percent, increased in 2011 to 23 percent and again in 2012 to 24 percent.

Chart 6

Totals by severity

Severity	Total 2012	Total 2011	**Total 2010
Critical	14	16	11
Fatal	2	4	1
Minor	3215	3182	1897
Serious	1033	978	496
Grand Total	4264	4180	2405

The table below shows the percentage of injuries reported by severity for 2010, 2011 and 2012.

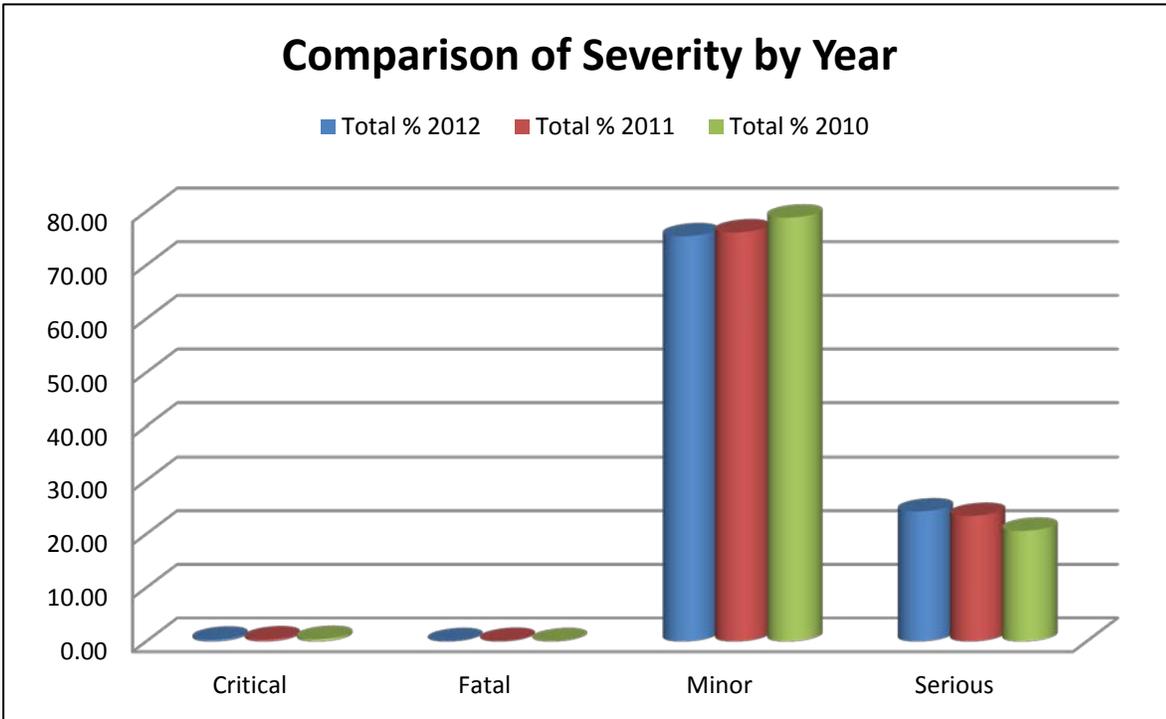
**2010 was a nine-month reporting year.

Chart 7

Percentage by severity

Severity %	Total % 2012	Total % 2011	Total % 2010
Critical	0.33	0.38	0.46
Fatal	0.05	0.10	0.04
Minor	75.40	76.12	78.88
Serious	24.23	23.40	20.62
Grand Total	100.00	100.00	100.00

Figure 4

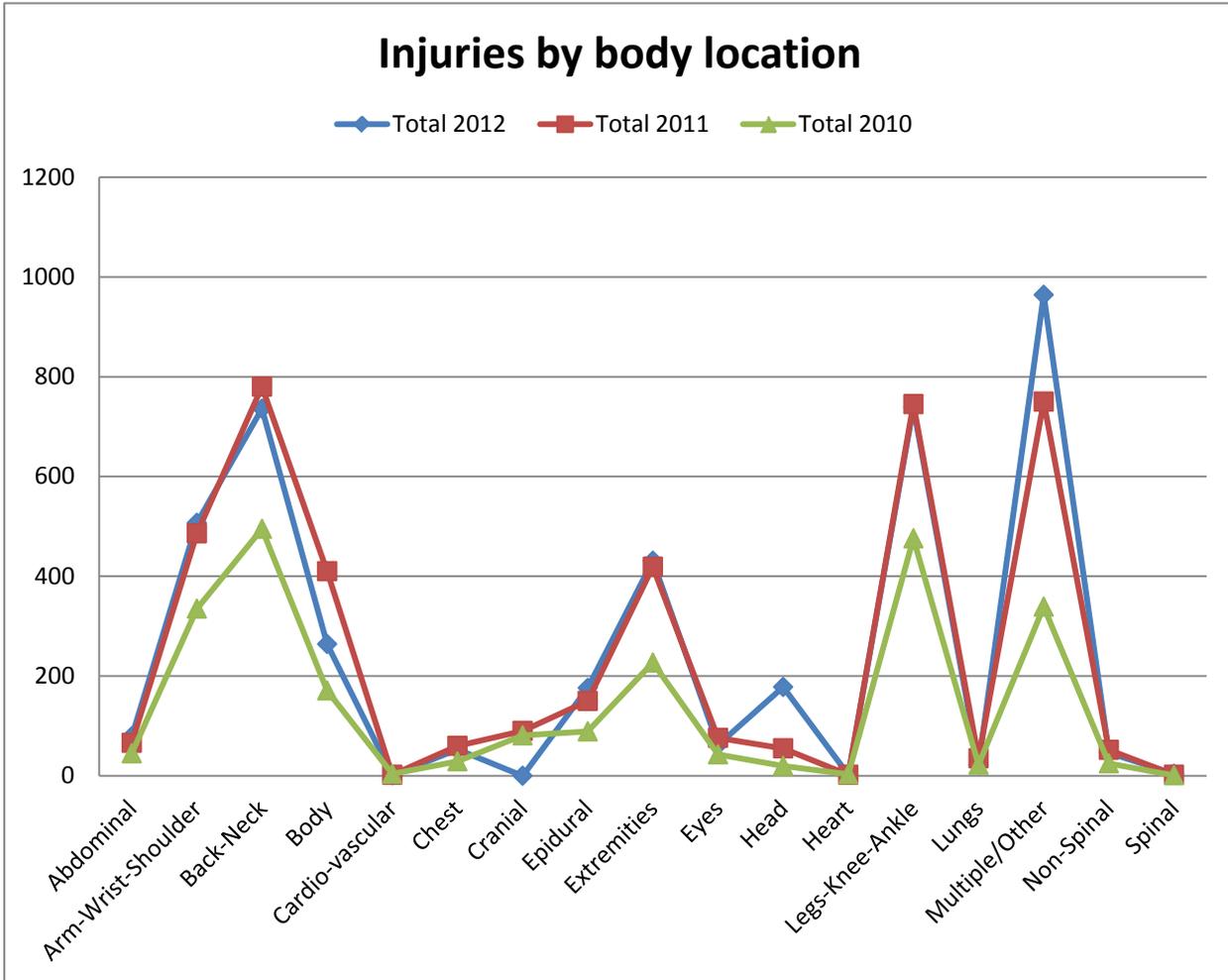


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Injuries by Body Location

Trends in injury body locations remain consistent.

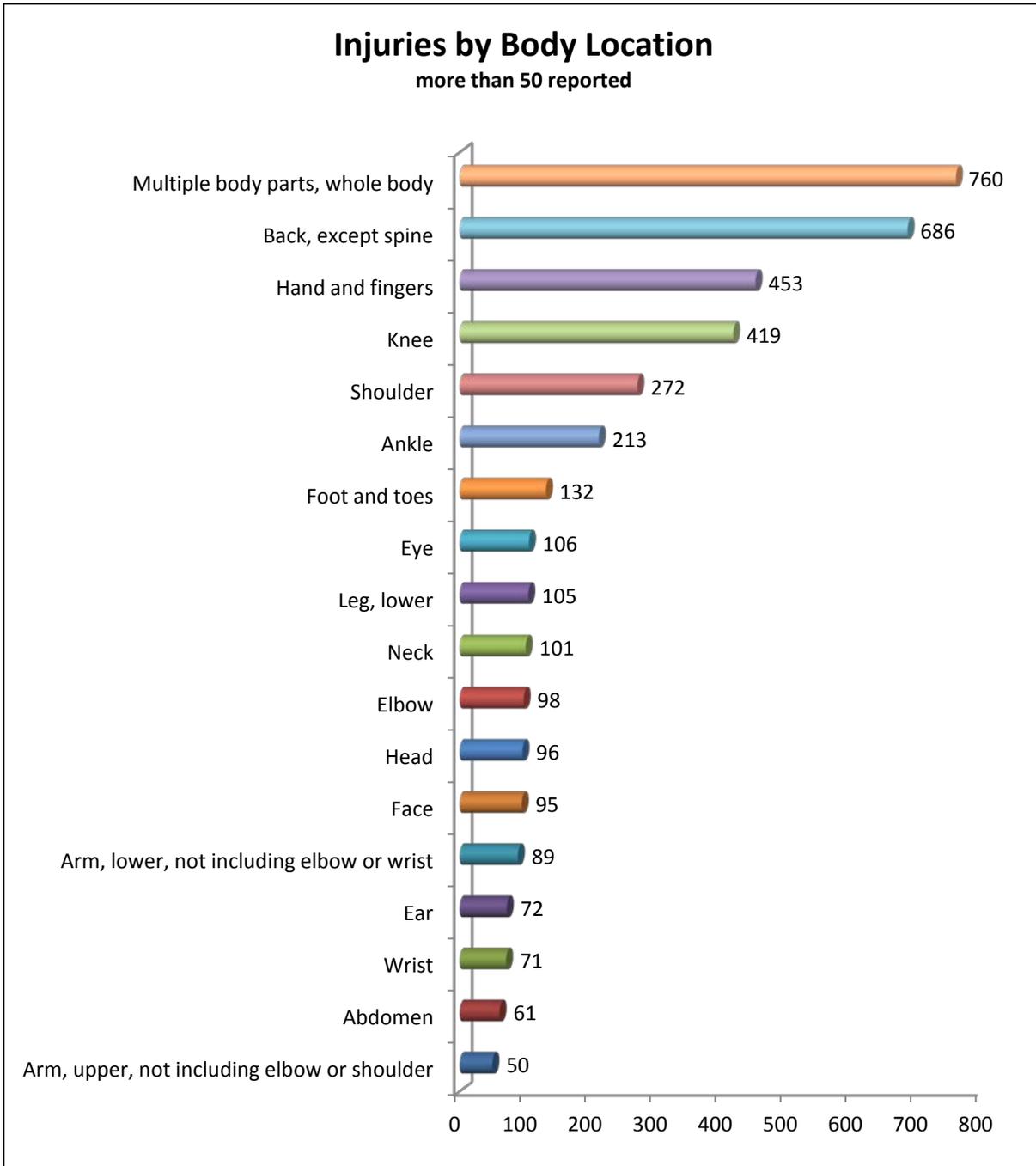
Figure 5



**2010 was a partial reporting year of nine months.

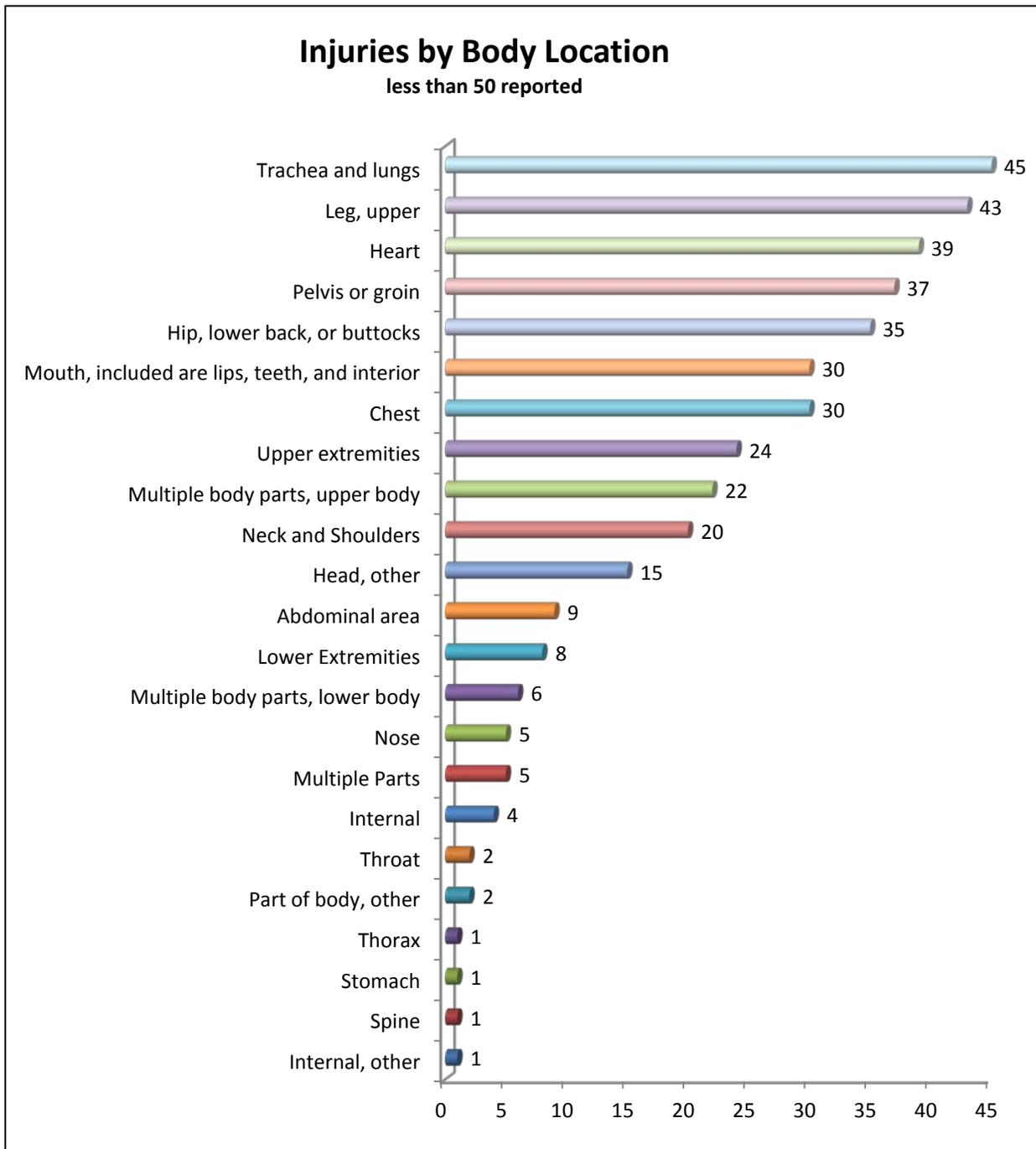
The next two figures show the number of injuries by specific body location. Multiple body parts and whole body injuries are mostly exposure reports.

Figure 6



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Figure 7



Injuries by Activity

The trend shows injuries are occurring during the same activities with a similar degree of severity. There were a few changes in 2012 compared to 2011. Fire Suppression injuries were reduced in 2012, while Skills Training, Wellness/Fitness and Station duties increased slightly. Figures 8 and 9 reflect the numbers in graph form.

Chart 8

Injury by activity by percent

Activity by %	Minor 2012	Minor 2011	Minor 2010	Serious 2012	Serious 2011	Serious 2010
Fire Prevention	1.4	1.6	1.2	1.74	1.7	1.4
Fire Suppression	20.34	28	22	22.36	28	23
Hazmat	0.75	0.06	0.4	0.00	0	0.8
Rescue - Fire Related	0.44	0.4	0.6	0.68	0.4	0.4
Rescue - Non Fire	4.57	35	38	3.29	21	24
EMS	32	0	0	18.97	0	0
Responding to Incident	2.8	2.8	3.6	4.16	5.4	5.2
Returning from Incident	0.93	1.6	1.6	2.32	3	3.2
Skills Training	11.42	8.3	7	10.94	11	11
Station Duties	15.8	15	18	22.56	20	19
Wellness/Fitness	9.14	6.7	8.5	12.97	10	11.7
Grand Total	3215	3182	1897	1033	978	496

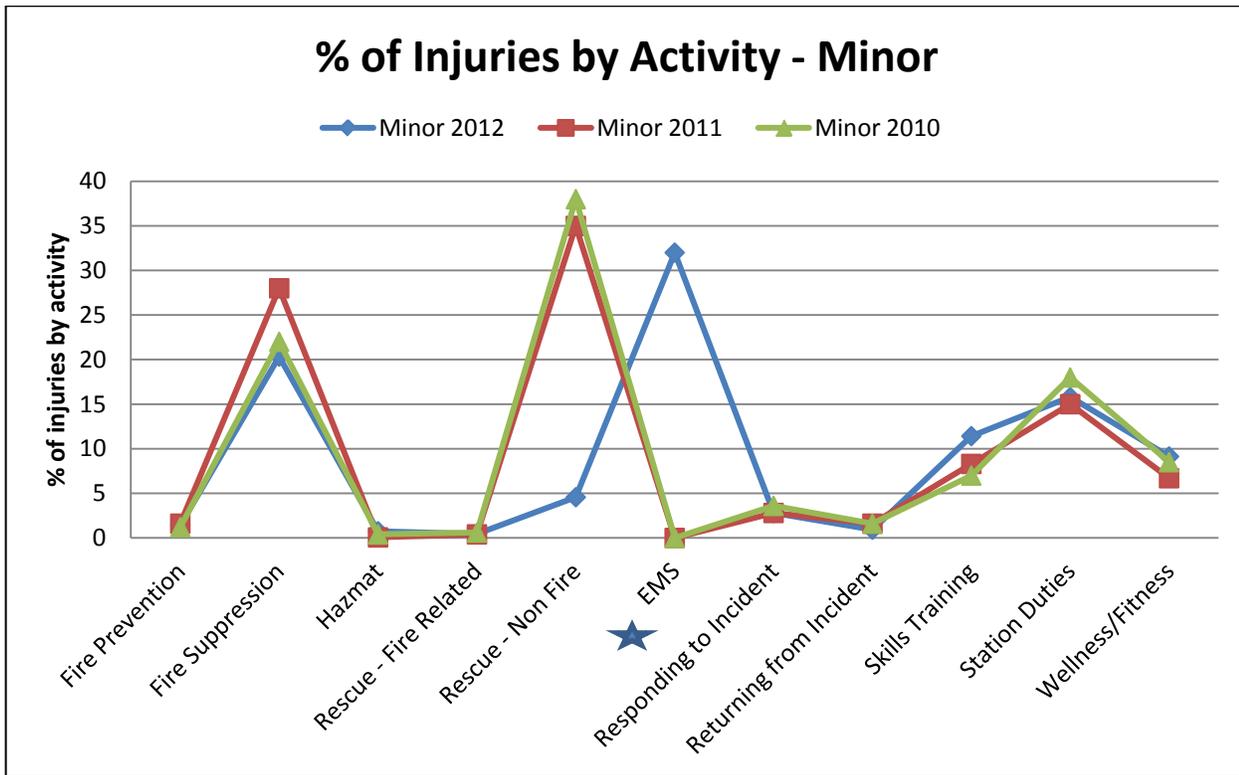
Chart 9

Injury by activity by number

Activity	Minor 2012	Minor 2011	Minor 2010	Serious 2012	Serious 2011	Serious 2010
Fire Prevention	45	51	22	18	17	7
Fire Suppression	654	900	412	231	270	115
Hazmat	24	2	7	0	0	4
Rescue - Fire Related	14	14	11	7	4	2
Rescue - Non Fire	147	1113	716	34	208	119
EMS	1042	0	0	196	0	0
Responding to Incident	90	92	68	43	53	26
Returning from Incident	30	50	30	24	28	16
Skills Training	367	263	135	113	104	55
Station Duties	508	485	335	233	193	94
Wellness/Fitness	294	212	161	134	101	58
Grand Total	3215	3182	1897	1033	978	496

**2010 was a partial reporting year of nine months.

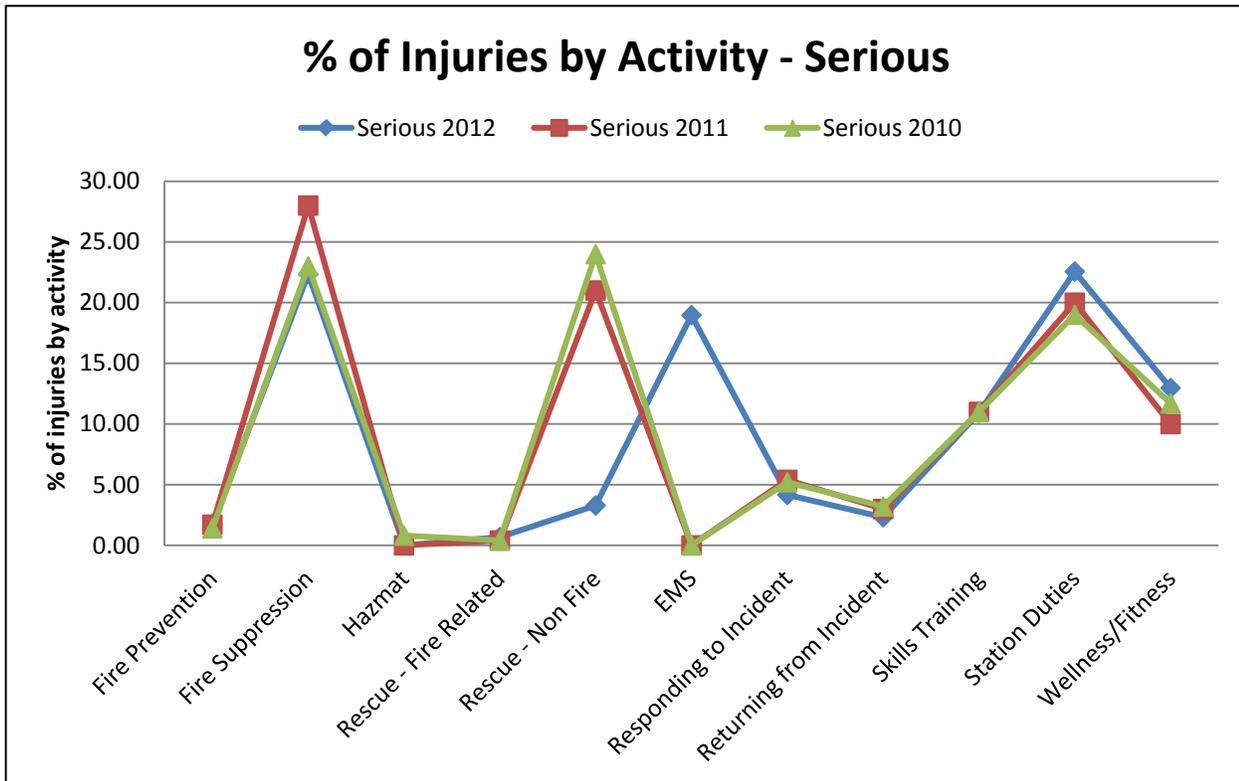
Figure 8



*EMS injuries were separated from the Rescue Non-Fire Category in 2012.

**2010 was a partial reporting year of nine months.

Figure 9



*EMS injuries were separated from the Rescue Non-Fire Category in 2012.

**2010 was a partial reporting year of nine months.

Injuries by Age Group

The average age of the injury reporting population is 37. Figure 10 reflects a 10 year spread in age while Figure 11 reflects five year spread in age.

Chart 10

Injury by age group

Age Groups	12 months		12 months		9 months	
	2012	2012	2011	2011	2010	2010
18-19	27	0.63%	12	0.29%	4	0.17%
20-29	821	19.25%	833	19.93%	495	20.58%
30-39	1746	40.95%	1648	39.43%	956	39.75%
40-49	1056	24.77%	1056	25.26%	580	24.12%
50-59	566	13.27%	597	14.28%	361	15.01%
60-69	47	1.10%	34	0.81%	9	0.37%
70+	1	0.02%	0	0.00%	0	0.00%
	4264		4180		2405	

Figure 10

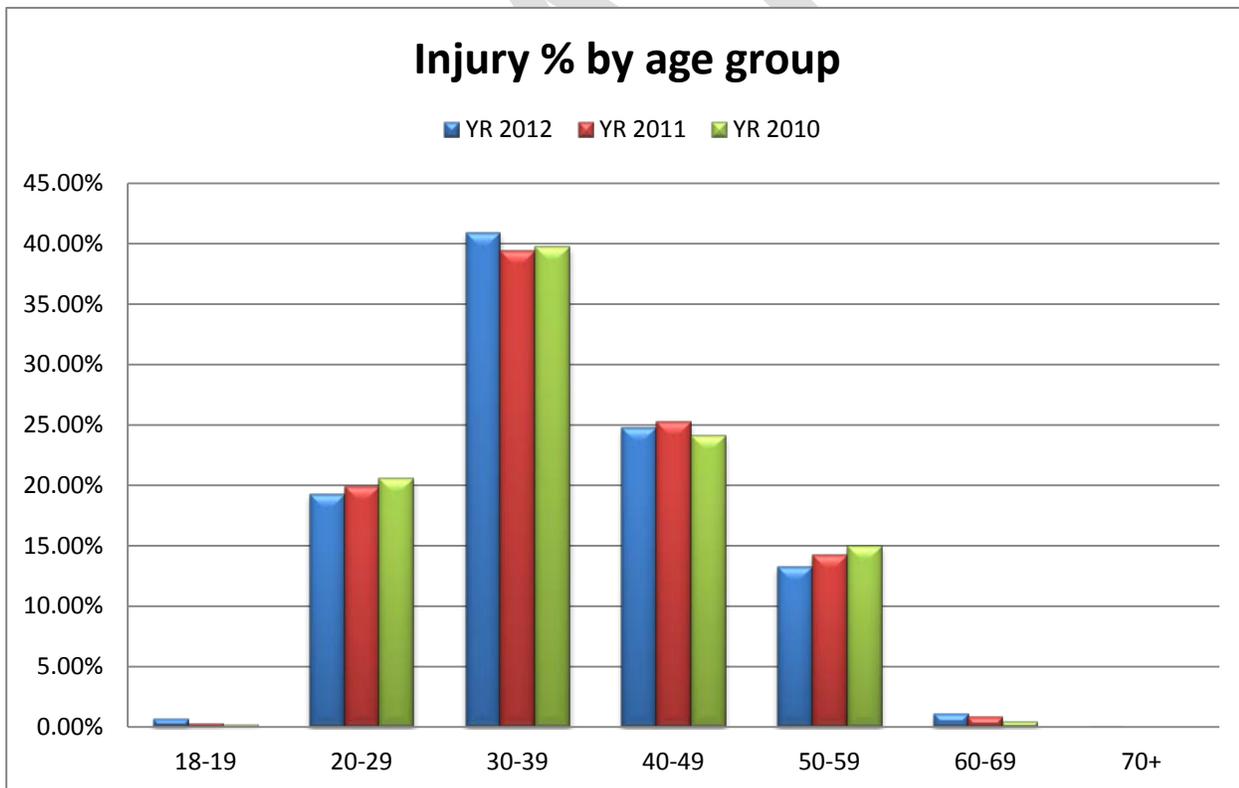
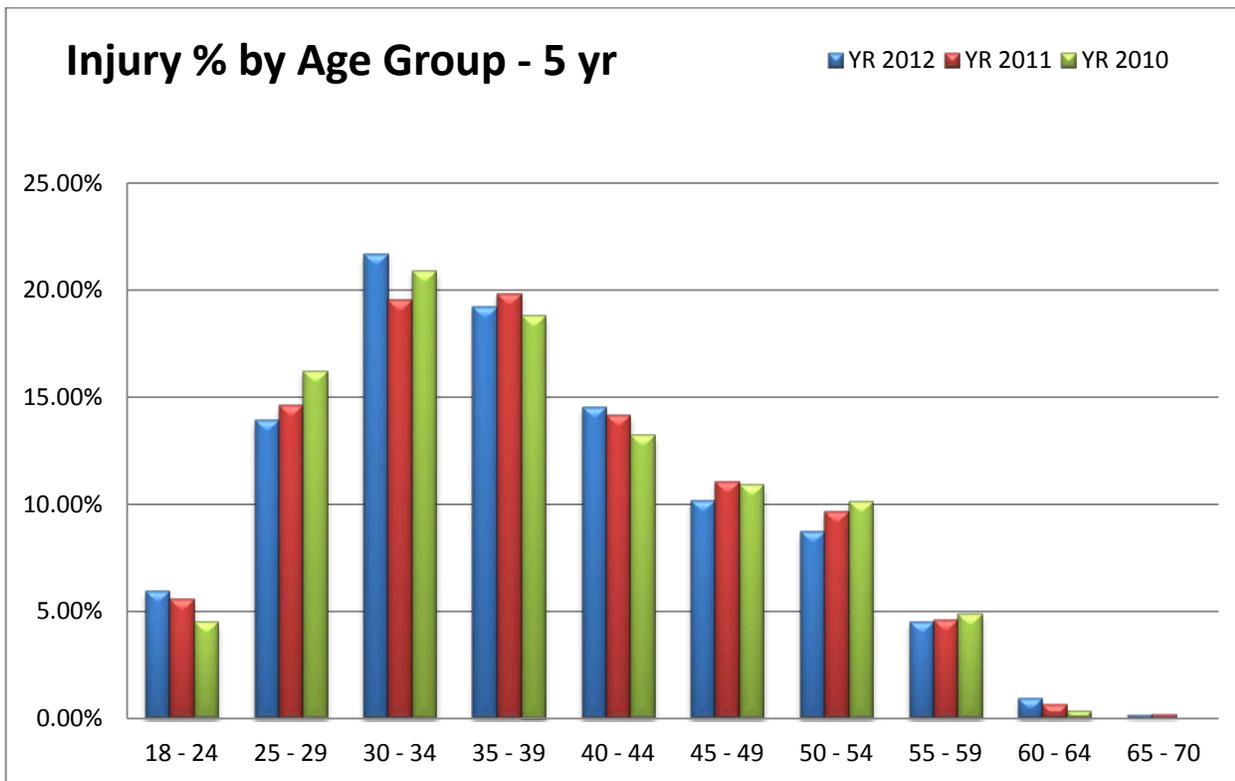


Figure 11



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Injuries – With Lost Time

Of the 4,264 injuries reported in 2012, 24.81 percent of the injuries resulted in missed days. In 2012, 18 percent of 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.

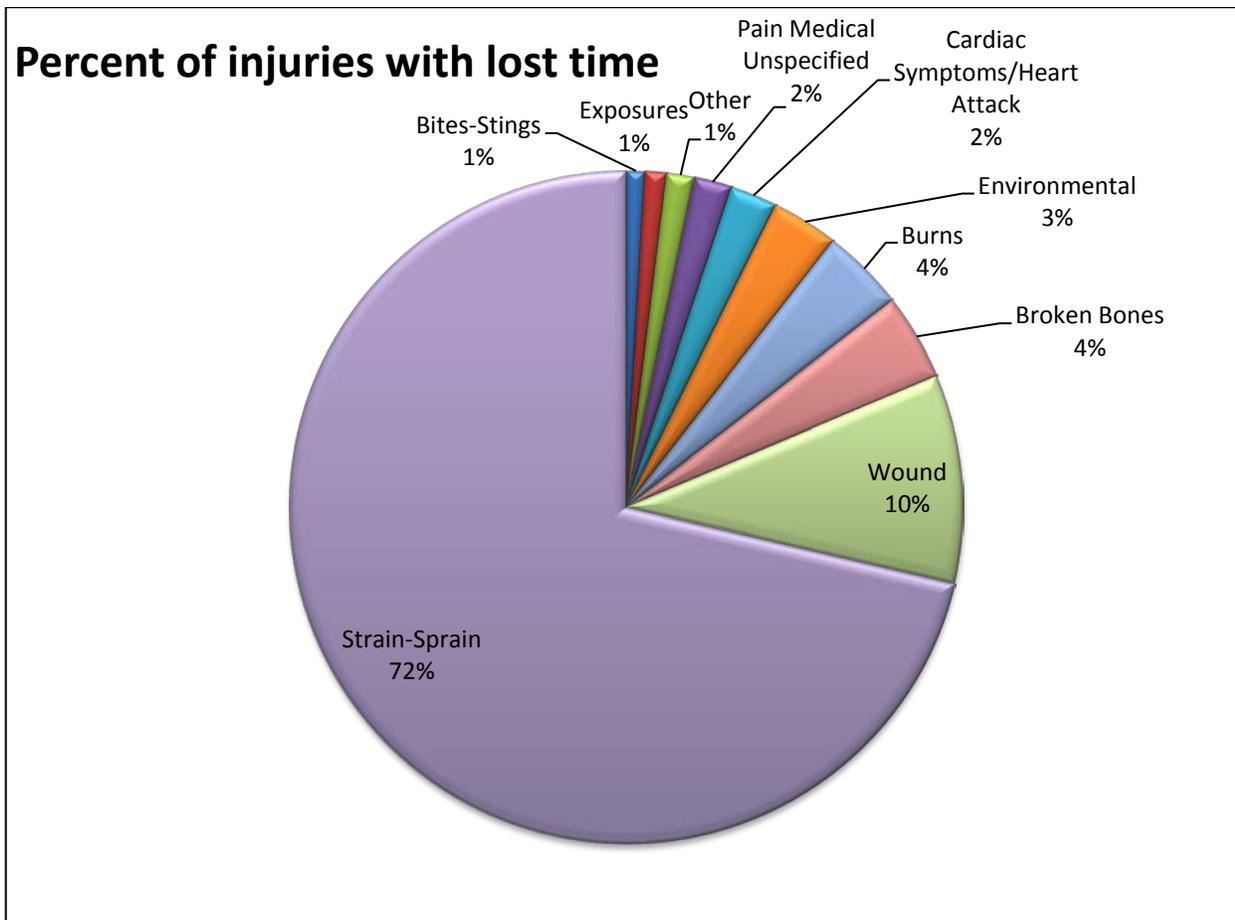
Example: an individual who sustained an injury returns to work on their normally assigned duty period, but the department temporarily assigns the individual to modified or light duty temporarily, rather than to their normal, pre-injury duty. This person has sustained a lost time injury.

Chart 11
Lost time types of injuries

Type of Injury	# of injuries with lost time
Bites-Stings	9
Broken Bones	41
Fracture Spine-Neck	3
Burns	42
Chest Pains-Cardiac	22
Debris/Penetrating	4
Electrocution	4
Environmental	34
Exposure Airborne Pathogen	5
Exposure Blood Pathogens	2
Exposure-Chemical	3
Exposure-Undetermined	1
Hearing Loss - Acute	1
Heart Attack	2
Pain Medical Unspecified	19
Smoke-Gas Inhalation	5
Strain-Sprain	755
Wound	106
Grand Total	1058

Strain-Sprain injuries were up six percent in 2012 (from 66 percent). Wounds were down two percent and burns and broken bones remain the same at four percent.

Figure 12



Injury	Average # of days missed (1-30)	Average # of days missed (31-90)	Average # of days missed (91+)
Broken Bones	17.11	63.27	161
Strain-Sprain	11.17	53.71	204
Wound	9.195	48.28	219

Injuries – Lost Time

Chart 12

By Activity – between 1 and 30 days

Activity	# of Injuries leading to 1-30 days missed	Average # of days missed (lost time)	Total days missed (lost time)
Fire Prevention	13	10.69	139
Fire Suppression	149	10.31	1536
Rescue - Fire Related	4	9.50	38
Rescue - Non Fire	24	13.58	326
EMS	127	10.89	1383
Responding to Incident	24	10.58	254
Returning from Incident	11	12.45	137
Skills Training	75	9.48	711
Station Duties	152	10.97	1667
Wellness/Fitness	68	10.25	697
Grand Total	647	10.65	6,888

Chart 13

By Activity – between 31 and 90 days

Activity	# of Injuries leading to 31-90 days missed	Average # of days missed (lost time)	Total days missed (lost time)
Fire Prevention	3	37.33	112
Fire Suppression	45	54.49	2452
Rescue - Fire Related	2	40.50	81
Rescue - Non Fire	11	46.82	515
EMS	42	52.50	2205
Responding to Incident	9	61.11	550
Returning from Incident	9	58.56	527
Skills Training	21	53.95	1133
Station Duties	45	56.07	2523
Wellness/Fitness	34	54.06	1838
Grand Total	221	54.01	11,936

Chart 14

By Activity – 91+ days

Activity	# of Injuries leading to 91+ days missed	Average # of days missed (lost time)	Total days missed (lost time)
Fire Prevention	1	257.00	257
Fire Suppression	42	204.62	8594
Rescue - Fire Related	1	451.00	451
Rescue - Non Fire	14	252.57	3536
EMS	24	216.17	5188
Responding to Incident	9	240.33	2163
Returning from Incident	5	253.40	1267
Skills Training	23	201.35	4631
Station Duties	47	181.98	8553

Wellness/Fitness	24	156.75	3762
Grand Total	190	202.12	38,402

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Chart 15

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

Activity	# of Injuries leading to 1-30 days missed	# of Injuries leading to 31-90 days missed	# of Injuries leading to 91+ days missed
Fire Prevention	13	3	1
Fire Suppression	149	45	42
Rescue - Fire Related	4	2	1
Rescue - Non Fire	24	11	14
EMS	127	42	24
Responding to Incident	24	9	9
Returning from Incident	11	9	5
Skills Training	75	21	23
Station Duties	152	45	47
Wellness/Fitness	68	34	24
Grand Total	647	221	190

Chart 16

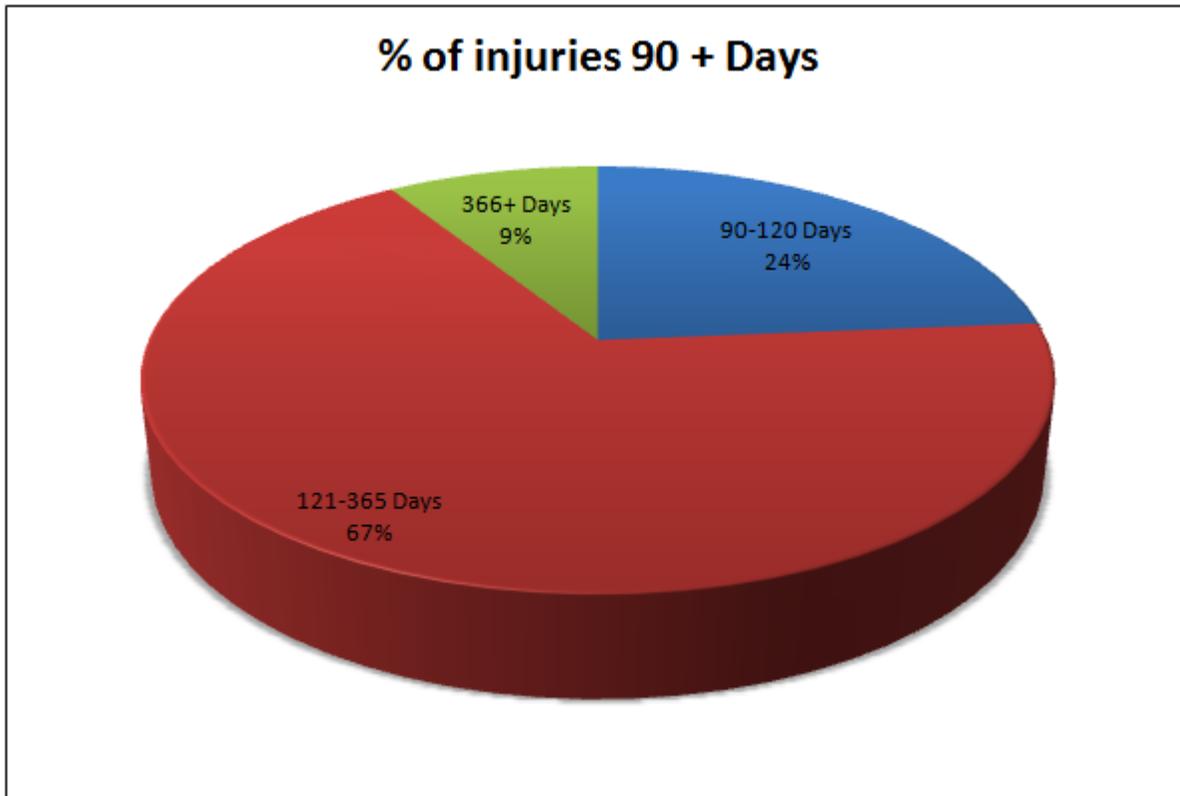
Average Lost Time by Activity – combined chart average lost time from 1 day to 91+ days.

Activity	Average # of days missed (1-30)	Average # of days missed (31-90)	Average # of days missed (91+)
Fire Prevention	10.69	37.33	257.00
Fire Suppression	10.31	54.49	204.62
Rescue - Fire Related	9.50	40.50	451.00
Rescue - Non Fire	13.58	46.82	252.57
EMS	10.89	52.50	216.17
Responding to Incident	10.58	61.11	240.33
Returning from Incident	12.45	58.56	253.40
Skills Training	9.48	53.95	201.35
Station Duties	10.97	56.07	181.98
Wellness/Fitness	10.25	54.06	156.75
Grand Total	10.65	54.01	202.12

The bold areas above reflect the three highest lost time injuries from each category.

Figure 13 reflects the percent of injuries occurring in the 90 + day category. 67% of the injuries are occurring in the 121-365 day time span.

Figure 13



Examples of narratives reported for lost time injuries

- Employee was at the scene of an MVA and was helping load a patient into the back of an ambulance. Employee had his left thumb caught in the hinge mechanism of stretcher and thumb was crushed.
- During fire became overheated.
- FF stated he strained his back while pulling fire hose.
- Employee strained back while opening hydrant.
- Firefighter tripped over charged attack line at a fire scene and injured his right knee.
- Firefighter was riding in the front passenger seat en-route to an emergency run when the apparatus was involved in an accident. He was wearing his seatbelt when the apparatus was struck approximately 5 feet behind where he was sitting causing him to hit his head on the window. He was in full bunker gear including his hood but not his SCBA nor his gloves.
- Firefighter dismounted fire engine after responding to an incident and twisted left knee.
- During training hooking hose to pump panel, coupling popped off striking right hand.
- The firefighter was training with the stair chair used for evacuation of incapacitated patients. While pulling the chair up with a fellow firefighter in the chair he pulled something in his back.
- The firefighter was participating in a skills assessment when he felt a pain in his lower back while attempting to drag a 175-pound dummy. The firefighter was in full PPE including breathing air from a SCBA during the event.
- Firefighter was performing hose maintenance when a coupling under tension released and struck him in the ankle.
- Firefighter was preparing food for dinner and cut the end of thumb.
- Firefighter reports at fire station during equipment check he strained left side of lower back when lowering/raising the stretcher from the rescue unit.
- Improper lifting of equipment causing sprain/strain to lower back.
- While stepping out of engine, firefighter missed bottom step of truck.
- Firefighter reported felt sharp pain in back and leg after weight lifting.
- Firefighter pulled hamstring while playing basketball.

Burns and PPE

The majority of the burn injuries reported in 2012 were to the hands, ears, neck, face and wrist. Based on the information gathered, the gear appeared to perform as designed and may have prevented more serious injuries from occurring. We did not see any trends or patterns indicating problems with any particular brand or manufacturer. Specific information on gear manufacturer, etc., was not collected on burns where the individual was not wearing the provided PPE/SCBA.

Chart 17

Burns by lost time

Injury Type	Avg. 1-30 days missed (lost time)	Avg. 31-90 days missed (lost time)	Avg. 91+ days missed (lost time)
Burns	12.78	37.6	0

Figure 14 reflects in descending order the number of injuries by specific body part.

Figure 14

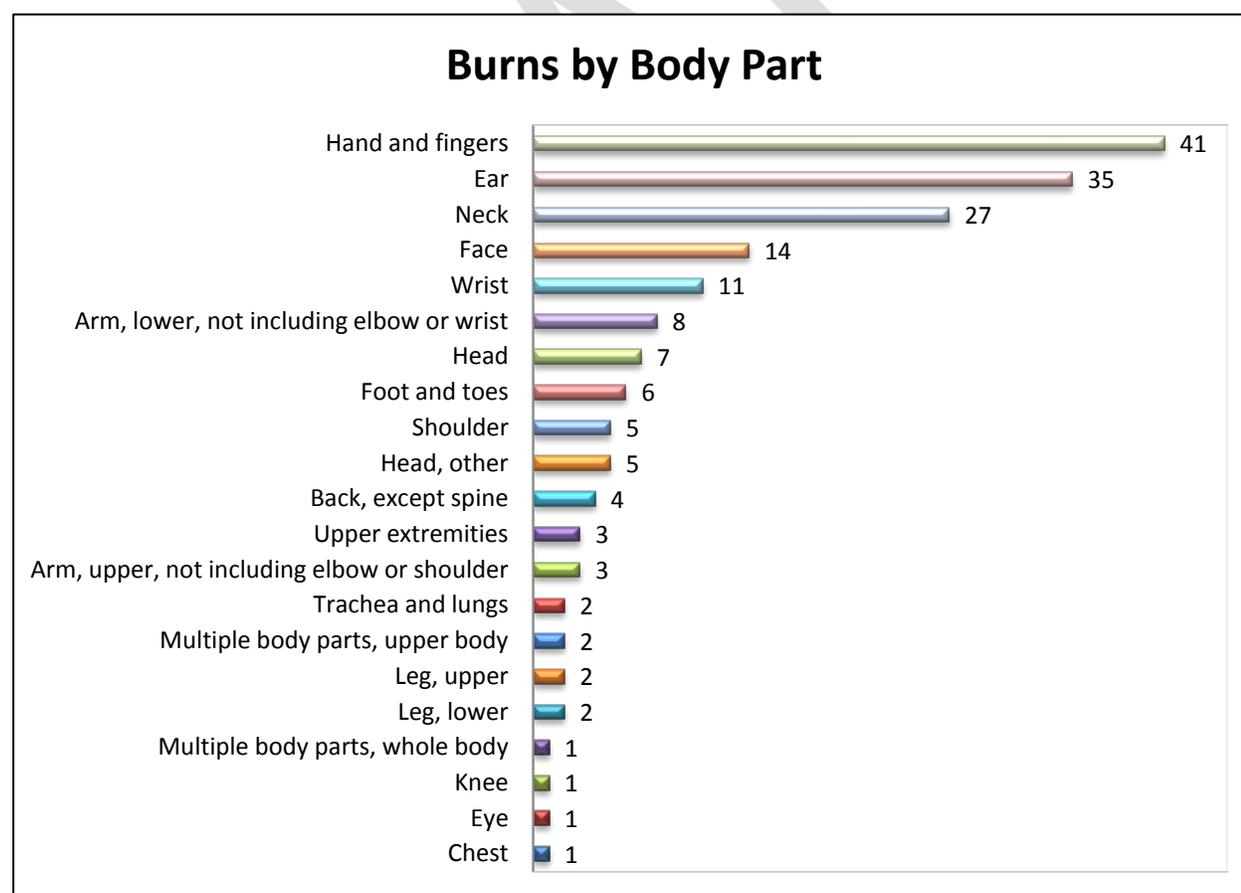


Figure 15

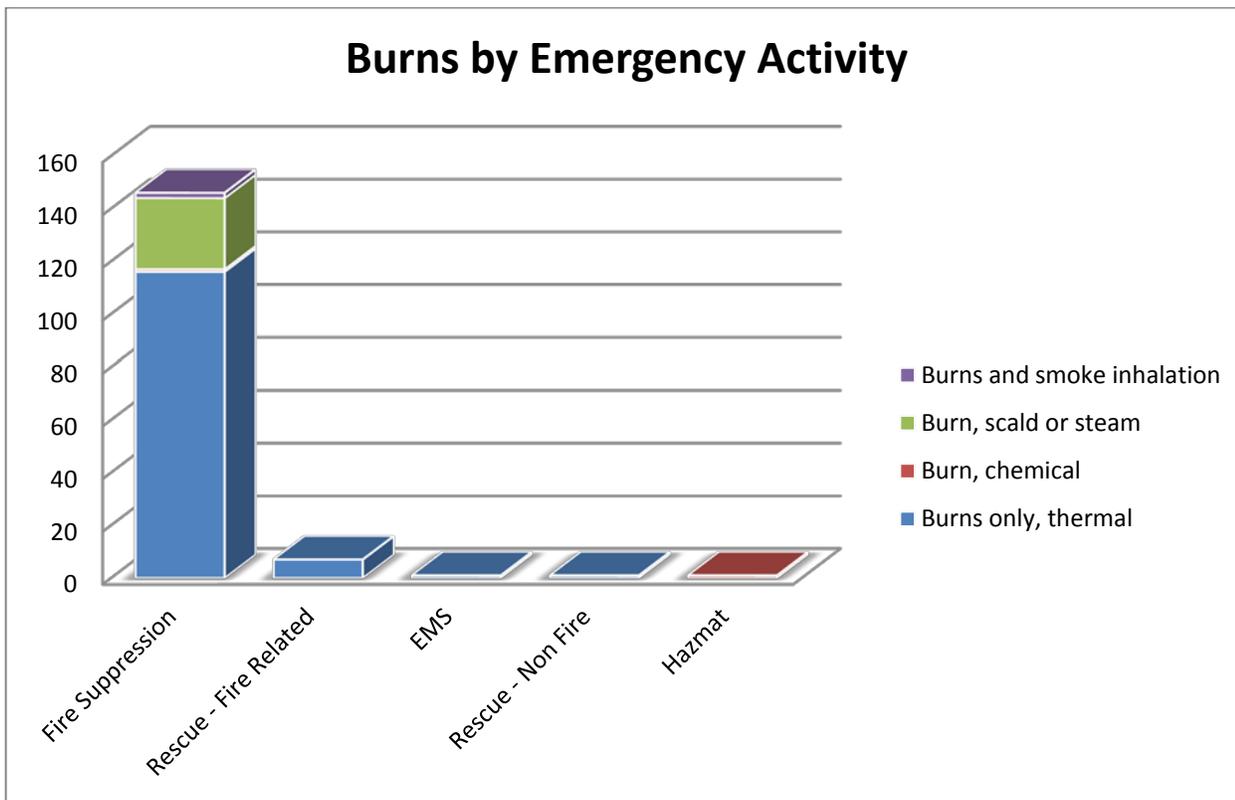
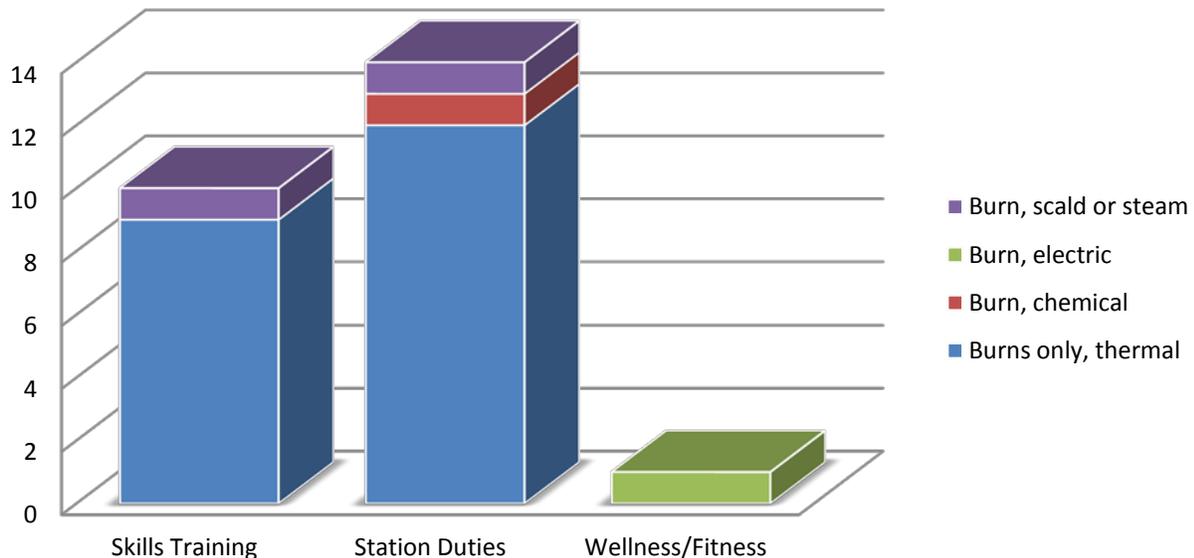


Figure 16

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Burns by Non-Emergency Activity



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Chart 18**Burns by type**

Burn by Type and Body Location	Total
Burn, chemical	3
Arm, lower, not including elbow or wrist	1
Hand and fingers	1
Wrist	1
Burn, electric	1
Hand and fingers	1
Burn, scald or steam	29
Arm, lower, not including elbow or wrist	1
Back, except spine	1
Ear	9
Face	3
Hand and fingers	2
Head	1
Head, other	1
Neck	6
Shoulder	2
Upper extremities	1
Wrist	2
Burns and smoke inhalation	2
Trachea and lungs	2
Burns only, thermal	146
Arm, lower, not including elbow or wrist	6
Arm, upper, not including elbow or shoulder	3
Back, except spine	3
Chest	1
Ear	26
Eye	1
Face	11
Foot and toes	6
Hand and fingers	37
Head	6
Head, other	4
Knee	1
Leg, lower	2
Leg, upper	2
Multiple body parts, upper body	2
Multiple body parts, whole body	1
Neck	21
Shoulder	3
Upper extremities	2
Wrist	8
Grand Total	181

SOP Issues

There were 19 injuries resulting from fire protection personnel failing to follow their departments' Standard Operating Procedures (SOPs) reported in 2012. All but a few were instances where the individuals were not wearing their provided PPE/SCBA gear in an environment or situation in which they should have been. The departments are reviewing their SOPs to make sure they are up to date, and are completing additional training to make sure these issues do not occur again.

In these situations, the Texas Commission on Fire Protection verifies with the department that the SOPs are in place and that they cover the appropriate subject matter. The commission does not become involved in any internal disciplinary actions 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.

Fatalities

Two fatalities were reported to the Texas Commission on Fire Protection in 2012.

The State Fire Marshal's office compiles all the LODD reports for the state. Full reports can be viewed at the State Fire Marshal's Office at <http://www.tdi.texas.gov/reports/fire/documents/fmloddannul12.pdf>

Comparison between the State of Texas (2012) and National Fire Protection Association (NFPA), U.S. Firefighter Injuries - 2011

We compared our numbers with NFPA's annual report from 2011, which was issued in October 2012. (NFPA numbers include injuries reported from Texas, so there is some overlap.)

Chart 19 and Figure 17 compares 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 percentage compared with national numbers. According to the NFPA's 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, 2010 and 2011).

For the same period, the number of non-fire emergencies increased a substantial 274%, 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 2011 (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 - 2011

In Texas, the number of non-fire emergencies and the resultant number of injuries, specifically around EMS calls, is significant.

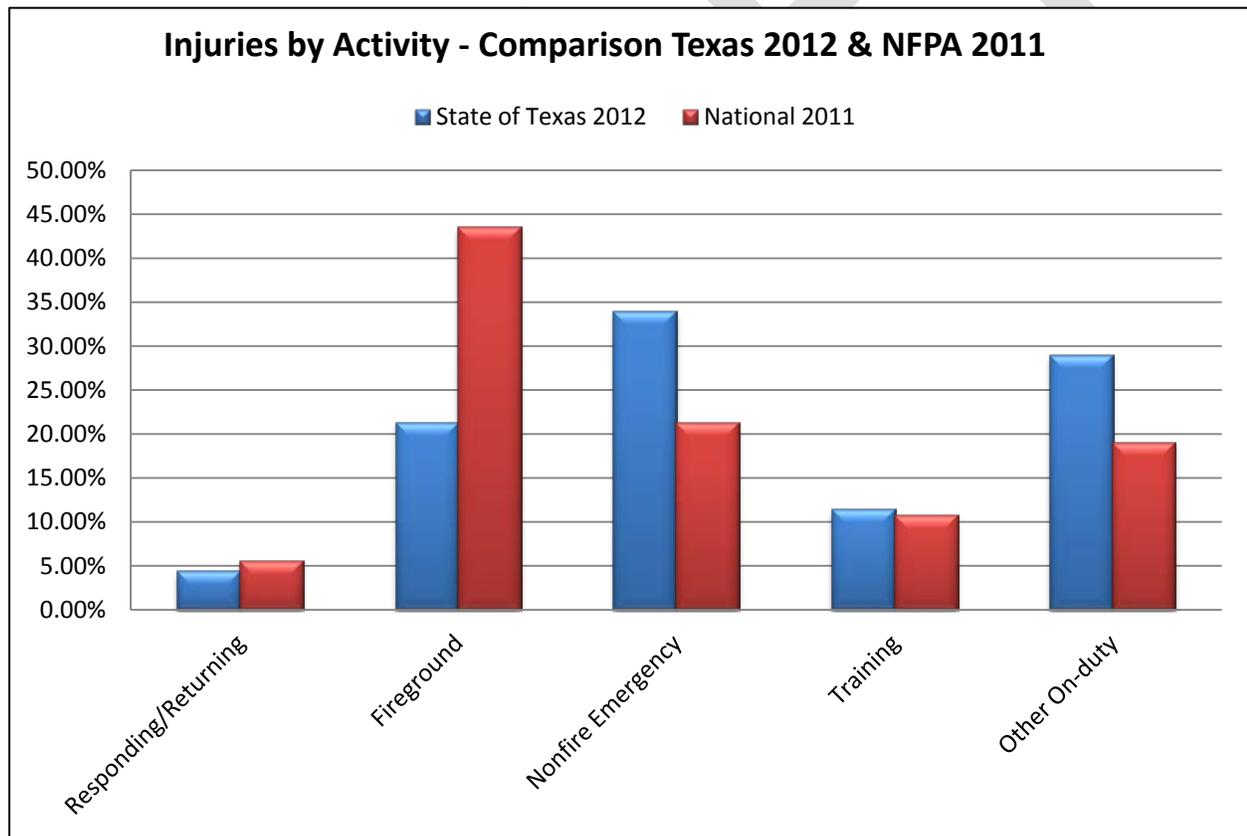
Texas Commission on Fire Protection categories:

- Fireground includes Fire Suppression and Rescue – Fire Related.
- Non-Fire includes Rescue Non-Fire, EMS and Hazmat.
- Other On-Duty includes Fire Prevention, Station Duties and Wellness/Fitness.

Chart 19
Comparison of Texas and NFPA

Activity	State of Texas 2012		National 2011	
Responding/Returning	187	4.39%	3870	5.52%
Fireground	910	21.34%	30505	43.52%
Non-fire Emergency	1448	33.96%	14905	21.27%
Training	486	11.40%	7515	10.72%
Other On-duty	1233	28.92%	13295	18.97%
	4,264		70,090	

Figure 17



Firefighter Injuries by Nature of Injury and Type of Duty, NFPA, *U.S. Firefighter Injuries - 2011*, Page 10**Chart 20****Responding and Returning from incidents**

Report 2012	Respond/Return TX 2011		Respond/Return NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	0	0.000%	30	0.78%
Smoke-Gas Inhalation	0	0.000%	80	2.07%
Other Respiratory Distress	0	0.000%	50	1.29%
Burns & Smoke Inhalation (no)	0	0.000%	5	0.13%
Wound, cut, bleeding, bruise	38	20.321%	515	13.31%
Dislocation, fracture	2	1.070%	145	3.75%
Heart Attack or Stroke	5	2.674%	30	0.78%
Strain, sprain, muscular pain	135	72.193%	2485	64.21%
Thermal stress (frostbite, heat exhaustion)	1	0.535%	140	3.62%
Other	4	2.139%	390	10.08%
Exposures	2	1.070%		
Totals	187	100.00%	3870	100.00%

Chart 21**Fireground incidents**

Report 2012	Fireground TX 2011		Fireground NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	158	17.363%	1905	6.24%
Smoke-Gas Inhalation	20	2.198%	1430	4.69%
Other Respiratory Distress	0	0.000%	595	1.95%
Burns & Smoke Inhalation (no)	0	0.000%	605	1.98%
Wound, cut, bleeding, bruise	148	16.264%	4435	14.54%
Dislocation, fracture	8	0.879%	735	2.41%
Heart Attack or Stroke	5	0.549%	255	0.84%
Strain, sprain, muscular pain	385	42.308%	15460	50.68%
Thermal stress (frostbite, heat exhaustion)	68	7.473%	2115	6.93%
Other	13	1.429%	2970	9.74%
Exposures	105	11.538%		
Totals	910	100.00%	30505	100.00%

DRAFT

Chart 22

Non fire emergency incidents

Report 2012	Non Fire Emergency TX 2011		Non Fire Emergency NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	4	0.276%	60	0.40%
Smoke-Gas Inhalation	0	0.000%	190	1.27%
Other Respiratory Distress	0	0.000%	130	0.87%
Burns & Smoke Inhalation (no)	0	0.000%	5	0.03%
Wound, cut, bleeding, bruise	185	12.776%	1865	12.51%
Dislocation, fracture	7	0.483%	290	1.95%
Heart Attack or Stroke	4	0.276%	125	0.84%
Strain, sprain, muscular pain	605	41.782%	9545	64.04%
Thermal stress (frostbite, heat exhaustion)	11	0.760%	135	0.91%
Other	17	1.174%	2560	17.18%
Exposures	615	42.472%		
Totals	1448	100.00%	14905	100.00%

Chart 23

Training incidents

Report 2012	Training TX 2011		Training NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	10	2.062%	165	2.20%
Smoke-Gas Inhalation	1	0.206%	5	0.07%
Other Respiratory Distress	0	0.000%	105	1.40%
Burns & Smoke Inhalation (no)	0	0.000%	55	0.73%
Wound, cut, bleeding, bruise	106	21.856%	1115	14.84%
Dislocation, fracture	5	1.031%	270	3.59%
Heart Attack or Stroke	9	1.856%	60	0.80%
Strain, sprain, muscular pain	260	53.608%	4680	62.28%
Thermal stress (frostbite, heat exhaustion)	27	5.567%	375	4.99%
Other	11	2.268%	685	9.12%
Exposures	56	11.546%		
Totals	485	100.00%	7515	100.00%

Chart 24
Other on Duty incidents

Report 2012	Other On Duty TX 2011		Other On Duty NFPA 2010	
	Number	Percent	Number	Percent
Burns (Fire or Chemical)	15	1.217%	2385	3.40%
Smoke-Gas Inhalation	1	0.081%	1760	2.51%
Other Respiratory Distress	0	0.000%	1060	1.51%
Burns & Smoke Inhalation (no)	0	0.000%	695	0.99%
Wound, cut, bleeding, bruise	301	24.412%	10210	14.57%
Dislocation, fracture	28	2.271%	1885	2.69%
Heart Attack or Stroke	20	1.622%	860	1.23%
Strain, sprain, muscular pain	754	61.152%	39960	57.01%
Thermal stress (frostbite, heat exhaustion)	26	2.109%	2945	4.20%
Other	29	2.352%	8660	12.36%
Exposures	59	4.785%		
Totals	1233	100.00%	70090	100.00%

2012 Findings / Recommendations

Recommendation for the reduction of skills training related injuries

Chart 23 of this annual report identifies the types of injuries and their numbers occurring during skills training exercises. Of course, detailed accident and injury analysis should be performed to determine the causes that lead to injuries in each specific case, but generally speaking the prevention or reduction of training injuries falls upon the quality of the training and the environment where the training takes place. The individuals responsible in this category are the Fire Instructor and the Safety Officer assigned to deliver and oversee the training. Another area that has a direct relation to training injuries is the Health and Wellness/Fitness program administered by the department.

Firefighter Life Safety Initiative #5 from the National Fallen Firefighter Foundation's Everyone Goes Home Program promotes the certification of personnel in the applicable standards of professional qualifications, and the accreditation of agencies as a means to improve safety in training environments and the prevention of training related injury.

The curriculum for the certification of Fire Instructors, Fire Officers, and Incident Safety Officers all address safety concerns in the training environment. The commission believes that certification in these professional development courses will help improve safety in skills training exercises, and reduce the number of injuries reported in Chart 23 of this report.

NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*, Chapter 4.4.2 states that the job performance requirement of the Fire Instructor I is to organize the outdoor learning environment so that safety is considered. Chapter 5.4.3 states that the job performance requirement for the Fire Instructor II is to supervise both instructors and students so that safety standards and practices are followed.

NFPA 1403, *Standard on Live Fire Training Evolutions*, Chapter 4.4 requires a Safety Officer to be appointed for all live fire training evolutions. The job performance requirements for the professional qualifications of the Fire Safety Officer can be found in NFPA 1521.

Some of the listed burn injuries were the result of incorrectly worn personal protective equipment (PPE), or that the PPE was not worn at all. NFPA 1403, in Chapters 4.6 and 4.8, clearly indicates that Fire Instructors shall ensure that all protective clothing and equipment shall be compliant with NFPA standards and worn according to the manufacturer's instructions. Great emphasis is also placed on the responsibility of the Safety Officer to inspect every detail of the training environment for potential hazards. In addition, commission rules in 37 TAC §435.1 and 37 TAC §435.3 requires departments to develop Standard Operating Procedures (SOPs) to address the use of PPE and SCBA and the conditions in which they must be worn.

Many of the heart attacks/strokes, sprains and strains that occur in skills training can be reduced by implementing a comprehensive and properly managed wellness/fitness program. Just as diagnosis and preventive maintenance is understood to be necessary to keep fire apparatus in service, so also are they no less important for the health and safety of each firefighter.

Fire Instructors and Safety Officers should follow NFPA 1561, *Standard on Emergency Services Incident Management System*, for the use of Command, Accountability, and Rehabilitation during every skills training exercise.

Of the training injuries listed, the most preventable types are the burns, smoke inhalation, and heat-related exposures. Proper donning of PPE and controlled live fire evolutions that adhere to department policy and NFPA standards can reduce and potentially eliminate these injuries.

The more difficult-to-prevent injuries are wounds, fractures, and dislocations. Proper inspection of the training environment to remove unnecessary hazards, and constant, ongoing evaluation of the training field by the safety officer, will help in this area. Additionally, adherence to the proper instructor-to-student ratio will help identify causes for these injuries before they occur.

Sprains and strains are difficult to completely eliminate even in the controlled training environment, but they can be greatly reduced by a well-managed strength and flexibility exercise training program that addresses the pushing, pulling, and lifting that are incident to fire service duties.

Finally, the most difficult-to-prevent events that occur in training are the cardiac and stroke emergencies. Physical and medical assessments in department health and wellness programs are absolutely necessary to discover the potential for these emergencies before participation in a strenuous training exercise.

The commission has adopted several NFPA and other nationally recognized standards to help keep Texas firefighters safe. This list summarizes the relationships between some of the Texas laws and national standards; it is not intended to be all-inclusive:

Texas Government Code

[§419.040, Protective Clothing](#)

[§419.041, Self-Contained Breathing Apparatus](#)

[§419.042, Personal Alert Safety Systems](#)

[§419.043, Applicable National Fire Protection Association Standard](#)

[§419.044, Incident Management System](#)

[§419.045, Personnel Accountability System](#)

[§419.046, Fire Protection Personnel Operating at Emergency Incidents](#)

[§419.047, Commission Enforcement](#)

Texas Administrative Code

[CHAPTER 425 FIRE SERVICE INSTRUCTORS](#)

[§443.9 National Fire Protection Association Standard](#)

CHAPTER 435 FIRE FIGHTER SAFETY

§435.21 Fire Service Joint Labor Management Wellness-Fitness Initiative

§435.23 Fire Fighter Injuries

§435.25 Courage to be Safe So Everyone Goes Home Program

§435.27 Live Fire Training Structure Evolutions

CHAPTER 451 FIRE OFFICER

CHAPTER 457 INCIDENT SAFETY OFFICER CERTIFICATION

Other resources

See also the commission's web page, [NFPA Standards adopted by the commission.](#)

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

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

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

B. Status of division functions.

Update Report: January 2013-April 2013

Executive Offices

The following is a summary of activities for the Executive Offices of the Texas Commission on Fire Protection. The Executive Offices 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 Outreach Committee Supervisor) and Ms. Alma Craig (Human Resources) prior to her resignation on March 13th.

For the reporting period of January 2013 to April 2013, the following activities occurred:

- ❖ The Executive Offices has participated in multiple meeting with staff, LBB, legislative members and staff, as well as, stakeholders in tracking bills and actions taking place at the Capitol. The staff has worked with Commissioners and stakeholders in gathering information and providing answers to questions. This work will continue until the end of the session.
- ❖ Much of the Executive Offices staff time, in particular Ms. Deborah Cowan and Mr. Mark Roughton, has been focused on tracking legislative actions – bills filed, committee meetings and bill tracking. This has been a constant task and one requiring the use of various websites and computer programs that the agency subscribes to.
- ❖ The Executive Offices in conjunction with the staff from the Education and Professional Development Section, the Outreach Committee, Compliance Section, and various staff conducted educational and information programs to various organizations throughout the State. These organizations included:
 - TCFP Outreach Committee and Executive staff conducted a conference call with Drexel University, discussing TCFP's support of and desire to participate in their FEMA funded injury reporting research grant. As you may recall, TCFP has supported their affords in the past by providing a letter of support and has sought to be included in the grant as an additional member – current data is being collected from the State of Florida and the City of Philadelphia. TCFP should know whether it will be included in the grant funding late this summer.
 - Executive Director along with other stakeholder group representatives participated in an open forum panel discussion at the 2013 TEEX Leadership Symposium in Frisco, TX.
 - Executive staff and members of the organization had a brainstorming session with our counterparts from TEEX to discuss ProBoard and IFSAC differences and commonalities. This was mainly an informational session designed to get all personnel involved in these activities from each group in the same room at the same time to have an open discussion. More such meetings will occur after the legislative session is completed.
 - Executive Director arranged a follow-up meeting with the Texas Department of Agriculture to discuss Emergency Service Districts and the short coming of their data and reporting system. Part of this discussion focused on the question if there would be any forthcoming legislation, the shortcomings of TCFP gathering data (mainly in an attempt to direct or answer questions posed), and the need to assist each other in addressing questions from the public as well as interested stakeholders in the areas that each agency have authority.
 - Executive Director participated in an informational / open forum discussion at the Southwest Fire and Rescue Conference in Corpus Christi. This meeting centered around updates on what is going on at TCFP and proposed legislation.
 - Executive Director represented the agency at the Texas Firefighters Legislative Day at the Capital. A breakfast was held prior to the events on the Capitol grounds where updates on legislative activities being undertaken by the various stakeholders were discussed. As part of the day's activities, an assembly was also conducted to pay recognition of fallen volunteer firefighters and the adding of their names to the monument.

- Outreach Committee members and various staff members represented TCFP at the Texas Emergency Management Conference in San Antonio. Staff manned a booth and provided information to conference participants over a three day period.
- Executive Director and members of the Outreach Committee participated in the 41st Gulf Coast Fire Prevention Conference in Rosenberg; the regional fire chiefs meeting for the South (held in Universal City) and Northwest (held in San Angelo).
-
- ❖ Human Resource has developed and staff has completed "Position Questionnaires" which are employee assessments of their jobs. These employee assessments were followed-up by performance evaluations.
- ❖ The Executive Staff has continued in its attempt to reach out to the various stakeholder groups in an attempt to discuss the various topics of concern. Staff has met independently with the SFFMA, Texas Fire Chiefs Association, the Texas State Association of Firefighters, TEEX, SAFE-D, and the Texas Forest Service.
- ❖ An overview of potential new professional development certifications has been conducted and these will be reviewed by staff and ad hoc committees for future consideration.
- ❖ Congratulations to Mr. Mike Baker for his appointment as a Principal member of the NFPA Technical Committee on Wildland Fire Fighting Personnel Professional Qualifications.

QUARTERLY REPORT
Certification and Professional Development Section
Second Quarter, FY 2013

Curriculum Development

Curriculum & Testing committee

The committee selected a new Investigator ad hoc committee that will update all the curriculum documents to new editions of NFPA 921 and 1033, as well as work on incorporating the recommendations from the Forensic Science Commission into the Investigator certifications for Texas firefighters. The committee also elected to submit the names of Daryl Maretka and Martin Davila to the fire fighter advisory committee for approval and submission to the commission for appointment. Work began on reviewing and updating the Instructor I curriculum to the new NFPA 1041 standard. This work will continue at the next meeting, along with work on Instructor II and III. Discussions continue regarding the best way to incorporate a Hazardous Materials Technician certification for non-fire personnel to TCFP's offerings.

Intermediate Wildland Firefighter curriculum – The curriculum is still a work in progress. Chris Watson, the chairman of the Wildland FF ad hoc committee, continues to work with the Texas Forest Service to create a curriculum that, when completed, will allow both a path to state certification and satisfy requirements for possible TIFMAS deployment of certified personnel. The Firefighter Advisory Committee requested that a new, updated curriculum be presented to them at their next meeting.

Work of Curriculum Specialist – The Curriculum Specialist created monthly exams, reviewed exam questions and performance skills as needed, and updated test banks. Work continues with review, revision, and amendment of all test banks in preparation for upcoming IFSAC site visit in summer, 2013.

Certification and Renewal

- 3,960 certificates issued
- Awarded 545 “gold seal” certificates for Master certifications to 341 people
- 1,759 IFSAC seals issued
- Conducted annual renewal for approved training facilities, Dec 1st – Jan 31st
- 250 training facilities holding 1,340 active or renewable certifications
- 13 training facility certificates issued to 8 different entities

Other activities:

- Status of new certifications introduced this fiscal year; number issued:
 - a. Incident Safety Officer (introduced 9/1/12): 354 this quarter, 695 total

- b. Wildland Fire Protection (introduced 9/1/12):
 - i. Basic: 519 this quarter, 1054 total
 - ii. Intermediate: 43 this quarter, 65 total
 - c. Fire Officer:
 - i. FO-III: Effective 2/28/13, none issued this quarter
 - ii. FO-IV: Effective 2/28/13, none issued this quarter
 - d. Hazmat Incident Commander: Effective 2/28/13, none issued this quarter
- Discussions continue regarding the development of an Intermediate Wildland Fire Protection curriculum. The primary issue is how to conduct the required skills component of the course within a specified date range in a manner that will be considered satisfactory for future TIFMAS qualification.
 - Amended rules were developed and adopted for the Head of Department certification. The certification no longer requires the completion of a state exam; instead it has been replaced by the requirement to complete the standards review booklet, meet with a compliance officer, and attend at least one advisory or commission meeting in the first year following appointment.
 - Discussions began with two separate training providers regarding the possibility of issuing IFSAC seals for training/testing that occurs outside Texas. Future discussions will center on the ability of commission staff to effectively monitor and audit training and testing.
 - Conducted annual commission update presentation at Southwest Fire Rescue Conference in Corpus Christi, February 14th.
 - Conducted one informal staff conference to review applicant for Basic Structure Fire Protection.

Information Resources

Existing data management system (FIDO/FARM)

- Online Training Prior Approval: The new interface was launched for submission of training prior approval information by approved training facilities. Designated personnel of training facilities can enter all course information such as dates/times of classes and testing, course instructors, students, and minor changes to existing courses. Minor revisions are ongoing as they are needed.
- FIDO and FARM: Continued other general development and revision of the user interfaces so as to enhance ease of use and navigation.

Online payments

IR personnel are finalizing the programming to allow seamless coordination with the state's online payment portal. The module will allow payments to be made via credit card or electronic check by both individuals and organizations. This feature will be first utilized in conjunction with the online testing system about to be launched. The online payment feature will be further expanded for use during the upcoming 2013-14 renewal period in September/October and beyond. It is anticipated that all payments will eventually be made using this module.

Online testing

IR personnel are completing the final programming before beta testing begins. Barring any unforeseen delays, the beta testing is expected to take approximately two weeks. The online testing module will work in conjunction with the above online payment system.

**Compliance Quarterly Report for Commissioner's Meeting
Second Quarter FY 2013
December – February 2013**

Training

- All the Compliance Officers attended three conference calls with the Compliance Manager during this quarter. Once each month a conference call is conducted to update all compliance officers on compliance issues. The Compliance Manager discusses compliance inspection guidance, direction and supervision issues. These calls are intended to improve inspection consistency, problem solve inspection issues and training on pertinent inspection processes.

Staff Professional and Development

- Tim Gardner the Region 7 Compliance Officer applied for membership to the NFPA Technical Committee on Respiratory Protection Equipment. His application to the Technical Committee has been placed in "held for size" status, which means there are no open spots available for enforcers at this time. But his application will be reviewed again at the August meeting. Meanwhile he has been invited to be an alternate as an enforcer on other NFPA committees.

Line of Duty Death Investigations

- Upon request of the State Fire Marshal Office, Ed Russell, Region 6 Compliance Officer and Fred Green Region 5 Compliance Officer performed line of Duty Death investigations for the Bryan Fire Department Line of Duty Deaths which occurred this quarter. The TCFP report is under review and will be submitted to the State Fire Marshal upon approval of the Executive Director.

Regional Compliance Offices (Physical Location) Close

- This quarter three regional office physical locations closed: Houston area Region 6, Fort Worth area Region 3, and Lubbock area Region 2. The Compliance Officers in that region have begun working from their residence as their primary headquarters office location within their respective region and with an agency telecommute agreement in place.

Position Vacancy

- The Houston area Region 6 Compliance Officer retired during this quarter. The job position vacancy has been posted. This quarter interviews are being scheduled with three qualified applicants.

New Head of Department Rule

- The first Head of Department applicant under the newly adopted rule was processed thru the TCFP Austin Headquarters. The applicant completed the Standards Review Assignment in the presence of the Compliance Manager then he attended an orientation session with the Compliance Manager and other staff at HQ. The applicant provided feedback on the process and staff will provide recommendations to the FF advisory board based on the feedback received.

Commission Quarterly Report

Training Approval and Testing Program

• Test Administration, Training Approvals, Record Reviews, and Training and Skill Testing Audits Statistics – 2nd Quarter, FY 2013

- o Test Administration – 2123 exams were administered during this quarter with an average grade of 83.36% and a pass rate of 92.65%. Currently, the Training Approval and Testing Program staff members are experiencing a 10.65% increase in the amount of examinations administered from the 2nd quarter of last fiscal year.
- o Record Reviews – Eighteen paid record reviews for equivalency were conducted and 301 test packets distributed.
- o Training and Skill Testing Audits – Four audits were conducted during this quarter in which a deficiency regarding the use of a field examiner that was not listed in the course approval information was identified. The issue has been resolved and the file has been closed.

• Status of Online Training Approval Process and Web-based Testing

- o The first two modules, Training and Skills, of the new online Training Facility Management system were initiated on December 3, 2012. Since this initiation date, 536 course entries have occurred in the new system. The Training Approval and Testing staff continue to field calls and assist with troubleshooting problems. Program staff members continue to receive an overall positive reaction to the new system.
- o The last two sections in the final module, Examinations, are still currently in the final development stages and beta-testing is expected to start soon. Once beta-testing begins, commission staff will be busy finalizing the establishment of web-based testing sites.
- o Due to the delay regarding the web-based testing, an extension has been requested to move our IFSAC site visit from June to an August/September timeframe. The formal request has been submitted to IFSAC and will be discussed at the April IFSAC meeting.

• Activities for the Next Quarter

- o Continue to work with IT regarding the web-based testing and the initiation of beta-testing.
- o Continue to work on the establishment of web-based testing sites and proctors throughout the state.
- o Continue to focus on conducting more training and skill testing audits. Three audits have already taken place in March (3rd quarter) in which two of the audits contained deficiencies in which the skill evaluations did not coincide with the submitted schedule. Currently both files remain open until update schedules are submitted.
- o The Training Approval and Testing staff, in association with the Curriculum Specialist, will continue to work toward the completion of the IFSAC Criteria for Accreditation Worksheet to prepare for the self study process that is recommended to be conducted prior to the pending IFSAC site visit.
- o The agency plans to fill the vacant Training Approval and Testing Program Specialist I position. This position is responsible for administering state examinations; approving and monitoring course approval requests; processing record review applications for eligibility, and conducting training and skill testing audits throughout the state. The job posting is currently available on the agency's website.

FY 2013 Injury Reporting Program

	1Q	2Q	3Q	4Q	Total
Reported Injuries	579	1227			1806
Burns	29	44			73
SOP-related*	5	2			7
Environmental-related*	6	15			21

*Injuries involving SOP violations

<i>Publications/postings</i>					
AvoidInjury! blog posts	4	7			11

Injury program outreach activities (2Q)

Programs/meetings attended.

- Safety Committee meetings via conference calls.
- Southwest Fire Rescue – Corpus Christi – 2/10-2/12

Avoid Injury! Blog posts

- [Life](#) Safety Initiative 12, 12/3/12.
- FEMA FF Fatality Summary 1/4/13.
- Fire Rescue 1 article by Billy Goldfeder, 1/7/13.
- The Value Of Safety: Embracing The Culture Of Firefighting - by Ronald J. Siarnicki, 2/1/13
- [Life](#) Safety Initiative 12, 2/7/13
- New Website from National Fallen Fire Fighters Foundation, 2/22/13
- [Life](#) Safety Initiative 9, 2/26/13

Other activities/accomplishments

- 2012 Injury Report submitted to Fire Fighter Advisory Committee

FY 2013 Library Program

	1Q	2Q	3Q	4Q	Totals
<i>Items loaned</i>					
AV items	55	42	0	0	97
Print items	15	3	0	0	15
<i>Research and reference requests</i>					
Internal	0	0	0	0	0
External	54	25	0	0	79
New library borrowers (new users)	4	16	0	0	20
Responses to borrower follow-up surveys	0	17	0	0	17
<i>Items cataloged</i>					
AV items	0	0	0	0	0
Print items	0	0	0	0	0
Desk copy items ordered and processed	0	0	0	0	0
<i>Publications/postings</i>					
Facebook posts	0	5	0	0	5
Library newsletter	0	0	0	0	0

Library program outreach activities (1Q)

Activities/accomplishments

- Sylvia Miller transitioned from the certification section to the library in mid-December. We're glad to have her on board!

FY 2013 Other Public Information and Outreach Activities

	1Q	2Q	3Q	4Q	Total
Fire department job postings	47	68			115
Number of departments requesting postings	46	75			121
Website home page articles	11	6			17
Open records requests	9	6			15

Public Information program outreach activities (2Q)

Website - home page articles.

- Commission seeks applicants for new head of department ad hoc committee – 2/20/13
- Update on new certifications - Fire Officer III and IV, and Hazmat Incident Commander – 2/15/13
- Commission to appear before Senate Finance and House Appropriations Committees – 2/11/13
- New curricula and skills available – 1/2/13
- Governor Perry appoints Moore, Poynter to the commission – 12/11/12
- December fire fighter advisory committee meeting cancelled – 12/4/12

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

C. Legislative update.

16. **Executive session pursuant to Section 551.074, Texas Government Code for the discussion of personnel matters: the appointment, 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.**

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

18. Adjourn meeting.