

TEXAS COMMISSION ON FIRE PROTECTION

April 30, 2009, at 9:30 a.m.

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

1. Roll call---9:30 a.m.
2. Adoption of the January 29, 2009 Commission meeting minutes.
3. Discussion and possible action on the review of appointments (and appointees) to the fire fighter advisory committee.
4. The Budget and Strategic Plan subcommittees will meet on April 30, 2009, 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.
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, 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. Presentation/update on revisions to the Insurance Services Organization (ISO) Fire Suppression Rating Schedule (FSRS).
9. New matters from the commission, staff, or public regarding rulemaking 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 action on proposed amendments, new sections, repeals, and rule reviews as follows:
 1. Proposed amendments to 37 TAC, Chapter 421, Standards for Certification including, but not limited to §421.5 and §421.17.
 2. Proposed amendments to 37 TAC, Chapter 427, Training Facility Certification including, but not limited to §§427.201, 427.303 and 427.305.
 3. Proposed amendments to 37 TAC, Chapter 433, Minimum Standards for Driver/Operator-Pumper including, but not limited to §433.5.

4. Proposed amendments to 37 TAC Chapter 437, Fees including, but not limited to §437.13.
 5. Proposed amendments to 37 TAC, Chapter 439, Examinations for Certification including, but not limited to §§439.1, 439.3, 439.5, 439.7, 439.9, 439.11, 439.13, 439.15, 439.17, 439.19, 439.203, and 439.205.
 6. Proposed amendments to 37 TAC Chapter 449, Head of a Fire Department including, but not limited to §449.3 and §449.5.
 7. Proposed amendments to 37 TAC Chapter 451, Fire Officer including, but not limited to §451.5 and §451.205.
 8. Proposed amendments to 37 TAC Chapter 453, Minimum Standards for Hazardous Materials Technician including, but not limited to §453.5.
- B. Discussion and possible action on recommendations from the Curriculum and Testing Committee.
12. Matters referred from the Funds Allocation Advisory Committee (FAAC), including, but not limited to:
- A. Discussion and possible action on recommendations for funding from the FAAC.
 - B. Discussion and possible action on the interest rate to be used for loans under the Fire Department Emergency Program.
 - C. Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:
 1. Proposed amendments to 37 TAC, Chapter 461, General Administration, including, but not limited to §461.4.
 2. Proposed amendments to 37 TAC, Chapter 463, Application Criteria, including, but not limited to §§463.2, 463.3, and 463.4.
 3. Proposed amendments to 37 TAC, Chapter 465, Equipment, Facilities and Training Standards, including, but not limited to §465.1.
13. Discussion and possible action on proposed amendments to 37 TAC Chapter 437, Fees including, but not limited to §437.3 and §437.5.
14. Discussion and possible action on the discontinuance of issuing wallet-sized certification cards upon renewal of certification(s).
15. Discussion and possible action on the development of on-line testing.
16. Update from standards division director on matters relating to the activities of the following committees: International Fire Service Accreditation Congress, Respiratory Protection and Personal Alarm Equipment Committee, Fire Service Occupational Safety Committee, NFPA 1971 Technical Committee, and NFPA Technical Correlating Committee on Fire and Emergency Services Protective Clothing and Equipment.

17. 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.
18. Executive session pursuant to Government Code, Section 551.074, for the discussion of personnel matters: the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an interim basis.
19. Open session for further discussion and possible action regarding preceding agenda item.
20. Adjourn meeting.

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

1. Roll call --9:30 a.m.

2. Adoption of the January 29, 2009 Commission meeting minutes.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Chris Connealy, at 9:30 a.m. called the January 29, 2009 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Les Bunte Yusuf Farran* Kelley Stalder	Jane Burch Jody Gonzalez* Kent Worley	Elroy Carson* John Gillette	Chris Connealy Micheal Melton	Rhea Cooper Arthur Pertile, III
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*absent entire meeting

**absent part of meeting

Staff	Gary L. Warren, Sr. Ana Muñoz	Jake Soteriou Miles Skipper	Deborah Cowan Jim Crowson, Assistant Attorney General	Dianne Hudson
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Guests	Tim Gothard Tim Hunter Amado Cano Adrian Garcia	Ken Dozier Kyle Mitchell Mike Hunt Brent Smith	Jim Schultz Cary Roccaforte Tim Gardner Raymond Murray	Elsa Salinas Paul Maldonado Chris Barron	Laura Egria Jim Reidy Mike Jones
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| 1. | Roll call | Presiding Officer Chris Connealy called roll and 9 of 13 commissioners were present. Mr. Connealy also welcomed the two newly appointed commissioners Rhea Cooper and Micheal Melton to the commission. |
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| 2. | Election of Officers | <p>A motion to nominate Elroy Carson as the Assistant Presiding Officer was made by Kelley Stalder and seconded by Arthur Pertile, III. The motion carried (9 for, 4 absent)</p> <p>A motion to nominate John Kelley Gillette, III as the Secretary was made by Kent Worley and seconded by Arthur Pertile, III. The motion carried (9 for, 4 absent)</p> |
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| 3. | Adoption of Minutes | A motion to approve the minutes of the October 16, 2008 commission meeting was made by Les Bunte and seconded by John Gillette. The motion carried (9 for, 4 absent) |
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| 4. | Subcommittee Meetings | The Budget and Strategic Plan subcommittees met jointly to review the agency's operating budget and Strategic Plan. |
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| 5. | Budget and Strategic Plan Subcommittee Reports | No action necessary. |
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| 6. | Reports from Fire Service Interest Groups | Brief reports were given by the State Fire Marshal's Office, the State Firemen's and Fire Marshals' Association, the Texas State Association of Fire Fighters, and the Texas Fire Chief's Interest Groups Association |
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| 7. | Report from Fire Service School Advisory Board & TEEEX | Commission representative, Michael Hunt gave a brief update on activities since last meeting. |
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| 8. | New Matters | Additional certifications (Fire Officer III, & Fire Officer IV, Incident Safety Officer) Sunset Review Process |
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| 9. Future Meeting Dates | Next meeting scheduled for April 30, 2009 beginning at 9:30 a.m.
Workshop scheduled for April 29, 2009 beginning at 9:00 a.m.
Meeting scheduled for July 9, 2009 beginning at 9:30 a.m. |
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| 10. Matters from Fire Fighter Advisory Committee | <p>A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 421, §421.5 as discussed was made by Kent Worley and seconded by Kelley Stalder. The motion carried (9 for, 4 absent)</p> <p>2. A motion to approve for final adoption the proposed amendments to 37 TAC Chapter 435, §435.1 as discussed was made by Les Bunte and seconded by Rhea Cooper. The motion carried (9 for, 4 absent)</p> <p>B. No action necessary.</p> |
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| 11. Appointment of Representative to Texas Homeland Security Council | A motion to appoint Chris Connealy as the new commission representative to the Texas Homeland Security Council was made by Les Bunte and seconded by Art Pertile, III. The motion carried (9 for, 4 absent) |
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| 12. Approval of Additional Classes/Courses to A&B List | A motion to approve the addition of classes/courses to the A & B List for higher levels of certification was made by Kent Worley and seconded by Micheal Melton. The motion carried (9 for, 4 absent) |
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| 13. Review of Appointments to Fire Fighter Advisory Committee | The commission directed staff to post notice to seek applications for membership on the fire fighter advisory committee with a deadline of March 20, 2009. The commission will review all applications at its April 30, 2009 commission meeting. |
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| 14. Development of on-line testing | Jake Soteriou, Director of Standard & Certification Division gave a brief history on testing issues to date. No action necessary |
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| 15. Staff update on committee activities | Jake Soteriou noted that the agency had not attended any NFPA meetings. He stated that Mollie Clakley would be attending the International Fire Service Accreditation Congress meeting in April. |
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| 16. Matters from Executive Director | <p>a. Mr. Warren informed commissioners there were no consent orders during the last quarter.</p> <p>b. Mr. Warren gave a brief update on agency activities since the October 2008 commission meeting. He stated the agency had conducted the training requirements for the new commissioners. He introduced Amy Baillergeron, the agency's new Budget Analyst from the Office of the Governor. He also reported the agency conducted its annual compliance training in conjunction with an agency-wide meeting and holiday party in December. He informed the commissioners the agency was scheduled to meet with the Senate Finance Committee on February 19, 2009. He stated there had been no word from the House Appropriations Committee on hearings to date. He also reported that the executive office continues to track and review all bills filed during the session.</p> |
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17. Classification After discussion, no action taken.
Study of
Exempt
Positions

18. Executive Presiding Officer, Chris Connealy called the Executive Session at 2:41 p.m.
Session

19. Open Open session resumed at 2:57 p.m. No action necessary
Session

20. Adjournment Presiding Officer Chris Connealy adjourned the meeting at 3:30 p.m.

Chris Connealy, Presiding Officer

- 3. Discussion and possible action on the review of appointments (and appointees) to the fire fighter advisory committee.**

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Rafael Balderas
Assistant Fire Chief
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Miguel Ayala
Fire Marshal
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February 24, 2009

CMR # 7008 1140 0002 4880 7022

Texas Commission on Fire Protection
Attn: Chris Connealy, Presiding Officer
PO Box 2286
Austin, TX 78768-2286

Dear Mr. Connealy:

After much consideration it is with regret that I must withdraw the Letter of Support for Deputy Chief Amado Cano, Jr., to serve as an Advisory Board member of the Texas Commission on Fire Protection. This decision is based on the fact that the McAllen Fire Department is striving to achieve a better ISO rating than what we presently have. This endeavor will require a full commitment of time from Deputy Chiefs, especially the Training Deputy Chief, which is the position Amado Cano presently fulfills.

The City of McAllen Fire Department has been very supportive in the commitment of Deputy Chief Cano's position on the Advisory Board for the past four (4) years. Through its support, we feel that our city has contributed tremendously to the Commission's regulation of standards for Firefighters in the state of Texas.

I hope the Commission understands the City of McAllen Fire Department's position regarding this matter.

Sincerely,

Rogelio Rubio
Fire Chief

RR/nr

cc: Gary L. Warren, Sr., Executive Director
John Soteriou, Director of Standards

EQUAL OPPORTUNITY EMPLOYMENT STATEMENT

The City of McAllen does not discriminate on the basis of race, color, national origin, sex, religion, age and handicapped status in employment or the provision of services.

**Texas Commission on Fire Protection
Fire Fighter Advisory Committee Matrix**

Candidate Name	Rank	Paid, Volunteer, or Combination Department	Fire Department Affiliation	Active or Retired	Certification Level	Discipline	Years of Experience	Certifying Entity	Previous Service on Commission Committee	Verified	Letter of Support (Chief)
1 Chris Alexander	Firefighter Paramedic	Paid	Allen	Active	Intermediate	Structure Fire Instructor II Fire Officer I Driver/Operator	5	TCFP	No	Yes	Yes
2 Gilbert T. Bennett	Captain	Paid	Houston	Active	Advanced	Structure Fire Instructor II	30 14	TCFP TCFP	No	Yes	Yes
		Volunteer	Rosehill	Active							
3 Efrem Zimbalist Burns	FF/Paramedic	Paid	LaMarque	Active	Intermediate Intermediate Basic	Structure Fire Investigator Fire Inspector Fire Instructor III Fire Officer I Fire Officer II HazMat	7 3 2 6.5 3.5 3.5 2	TCFP TCFP TCFP TCFP TCFP TCFP	No	Yes	Yes
	Asst. Fire Chief	Volunteer	Stafford								
4 Christopher Celaya	Division Chief	Paid	El Paso	Active	Master Basic Basic	Structure Fire Investigator Fire Inspector Fire Instructor III Fire Officer I	20 6 9 17 7	TCFP TCFP TCFP TCFP TCFP	No	Yes	Yes
5 Alan Dillon	Instructor	Paid	TEEX	Active	Advanced	Structure Fire Instructor I Driver/Operator HatMat	20 14	TCFP TCFP TCFP	No	Yes	Yes
	F&R Officer		Killeen	Retired							
6 Tim Gardner	Battalion Chief	Paid	Mansfield	Active	Advanced Advanced Advanced	Structure Fire Investigator Fire Inspector Fire Instructor III Fire Officer I Fire Officer II Driver/Operator	23 11 13 11 3 1 1	TCFP TCFP TCFP TCFP TCFP TCFP TCFP	No	Yes	Yes
7 Stephen C. Green	Firefighter	Paid	Lewisville	Active	Master	Structure Fire Instructor III	13 10	TCFP TCFP	No	Yes	Yes
	FF/Instructor	Volunteer	Aledo								

**Texas Commission on Fire Protection
Fire Fighter Advisory Committee Matrix**

Candidate Name	Rank	Paid, Volunteer, or Combination Department	Fire Department Affiliation	Active or Retired	Certification Level	Discipline	Years of Experience	Certifying Entity	Previous Service on Commission Committee	Verified	Letter of Support (Chief)		
8 Michael Paul Jones	Lieutenant	Paid	Burluson	Active	Advanced	Structure	12	TCFP	Yes	Yes	Yes		
						Fire Instructor III	9	TCFP					
						Fire Officer I	3	TCFP					
						Fire Officer II	1	TCFP					
						Driver/Operator	8	TCFP					
Haz/Mat	8	TCFP											
9 Richard Craig Kolls, Jr.	Training Officer	Paid	Kyle	Active	Advanced	Structure		TCFP	No	Yes	Yes		
					Advanced			Aircraft				TCFP	
					Advanced			Fire Instructor II				TCFP	
	Assistant Chief	Volunteer	Chisholm Trail			Driver/Operator		TCFP					
10 Mark R. Moellenberg	Battalion Chief	Paid	TCESD #2	Active	Advanced	Structure	13	TCFP	No	Yes	Yes		
					Advanced			Fire Investigator				3	TCFP
					Intermediate			Fire Inspector				4	TCFP
								Fire Instructor II				9	TCFP
								Fire Officer I				3	TCFP
	Fire Chief	Volunteer	WCESD#2										
11 Monty Owens	District Chief	Paid	Amarillo	Active	Master	Structure	24	TCFP	Yes	Yes	Yes		
					Basic			Aircraft				15	TCFP
								Fire Instructor II				17	TCFP
								HazMat				10	TCFP
12 William (Bill) Palya	Fire Chief	Combination	Bonham	Active	Advanced	Structure	30	TCFP	No	Yes	Yes		
								Fire Instructor III				25	TCFP
								HazMat				9	
13 Eduardo (Lalo) Rodela	Lieutenant	Paid	El Paso	Active	Master	Structure	21	TCFP	Yes	Yes	Yes		
					Basic			Aircraft				12	TCFP
								Fire Inspector I				<1	TCFP
								HazMat				6	TCFP
14 Patrick Shipp	Fire Chief	Paid	Webster	Active	Advanced	Structure	10	TCFP	No	Yes	Yes		
					Basic			Fire Investigator				3	TCFP
					Basic			Fire Inspector				3	TCFP
								Fire Instructor II				6	TCFP
								Fire Officer I				6	TCFP
								Fire Officer II				6	TCFP
								HazMat				7	

**Texas Commission on Fire Protection
Fire Fighter Advisory Committee Matrix**

Candidate Name	Rank	Paid, Volunteer, or Combination Department	Fire Department Affiliation	Active or Retired	Certification Level	Discipline	Years of Experience	Certifying Entity	Previous Service on Commission Committee	Verified	Letter of Support (Chief)	
15 Clayton Dale Skinner	Training Chief	Paid	Eules	Active	Master	Structure	21	TCFP	No	Yes	Yes	
						Fire Instructor III	10	TCFP				
						HazMat	10					
16 Robert Louis Smith, Jr.	Lieutenant	Paid	OrangeCoESD#1	Active	Intermediate Basic	Structure	3	TCFP	No	Yes	Yes	
						Fire Investigator	3.5	TCFP				
						Fire Instructor I	0.5	TCFP				
						HazMat	14					
17 Columbus Stutes, III	Fire Chief	Paid	Terrell Hills	Active	Master Master Master	Structure	31	TCFP	No	Yes	Yes	
						Fire Investigator	28	TCFP				
						Fire Inspector	12	TCFP				
						Fire Instructor I	18	TCFP				
18 Steven Paul Tonick	Lieutenant	Paid	Grand Prairie	Active	Master Master	Structure	23	TCFP	No	Yes	Yes	
						Fire Investigator		TCFP				
						Fire Instructor III	2	TCFP				
						Fire Officer I	2	TCFP				
19 James Richard Townsend	Fire Chief	Volunteer	Forney	Active	Master	Structure	31	TCFP	No	Yes	Yes	
						Fire Instructor II	21	TCFP				
20 Chris Watson	Battalion Chief	Paid	Austin	Active	Master Basic Basic	Structure	20	TCFP	Yes	Yes	Yes	
						Fire Investigator	1	TCFP				Fire Instructor
						Fire Inspector	9	TCFP				Ad-Hoc
						Fire Instructor III	9	TCFP				Fire Officer
						Fire Officer I	8	TCFP				Ad-Hoc
						Fire Officer II	8	TCFP				

4. **The Budget and Strategic Plan subcommittees will meet on April 30, 2009 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.**

TCFP FY09 Measures, FY09 Strategic Plan

Key	Division	FY09 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY09 YTD Sum	FY09 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	231	221		452	1,185	38%	Number of requests from fire department and other entities for agency training and education resources.
						Cumulative			Lower than target.
	<input type="checkbox"/> Lib	01-01-01:02	23	8		31	296	10%	Number of research requests for agency information resource center.
						Cumulative			Lower than target and will go to zero with no librarian.
	<input type="checkbox"/> Std	02-01-01:01	121	60		181	600	30%	Number of inspections of regulated entities.
						Cumulative			Slightly lower than target.
	<input type="checkbox"/> Std	02-01-01:02	2,607	2,963		5,570	7,500	74%	Number of new certifications issued to individuals.
						Cumulative			On track to meet or exceed target.
	<input type="checkbox"/> Std	02-01-01:03	24,386	431		24,817	25,000	99%	Number of certifications renewed (individuals).
						Cumulative			On track to meet or exceed target.
	<input type="checkbox"/> Std	02-01-01:04	2,510	2,818		5,328	9,000	59%	Number of individuals examined.
						Cumulative			On track to meet target.
	<input type="checkbox"/> Adm	04-01-01:01	644	4,713		5,357	13,000	41%	Dollar value of HUB contacts awarded.
						Cumulative			Lower than target.
Explanatory (Annual) <i>An indicator of factors, agency resources, or requests received that affect a state entity's performance.</i>									
	<input type="checkbox"/> Fin	01-02-01:01	266,193	225,687		491,880	1,000,000	49%	Amount available to fire departments for loans and grants.
						Cumulative			On track to meet target.
	<input type="checkbox"/> Fin	01-02-01:02	1,680,341	0		1,680,341	2,500,000	67%	Amount requested by fire departments for loans and grants.
						Cumulative			On track to meet target.
	<input type="checkbox"/> Std	02-01-01:01	92.44	90.42		92	92	100%	Pass Rate (Percent)
						Non-Cumulative			On track to meet target.
	<input checked="" type="checkbox"/> Std	02-01-01:02	27,148	28,050		27,148	25,600	106%	Number of fire service personnel certified by the Commission.
						Non-Cumulative			Have exceeded target.
	<input type="checkbox"/> Std	02-01-01:03	211	200		211	220	96%	Number of fire service training facilities certified by the Commission.
						Non-Cumulative			On target.

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

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

* Cumulative type or method of calculation needs to be changed.

TCFP FY09 Measures, FY09 Strategic Plan

Key	Division	FY09 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY09 YTD Sum	FY09 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"/>	Lib	01-01-01:01	1	1		1.00	1	100%	Average response time to public requests. Non-Cumulative On target.
<input type="checkbox"/>	Std	02-01-01:01	1.77	13.93		1.77	6	30%	Average certification cost per individual certificate issued. Non-Cumulative Lower than target which is goal.
<input type="checkbox"/>	Std	02-01-01:02	2.29	2.39		2.29	2.5	92%	Average certification cost per facility certificate issued. Non-Cumulative Lower than target which is goal.
<input type="checkbox"/>	Std	02-01-01:03	99.46	94.50		99.46	87	114%	Percentage of new individual certificates issued within 10 days. Non-Cumulative Exceeds target which is goal.
<input type="checkbox"/>	Std	02-01-01:04	99.25	90.26		99.25	92	108%	Percentage of individual certificate renewals issued within 7 days. Non-Cumulative Exceeds target which is goal.
<input type="checkbox"/>	Std	02-01-01:05	19.58	17.98		19.58	21	93%	Average cost per exam administered. Non-Cumulative Lower than target which is goal.
Outcome		<i>(Annual) A quantifiable indicator of the public and customer benefits from an agency's actions</i>							
<input type="checkbox"/>	Lib	01-01:01	231	221				2%	Percent increase in the number of requests from local governments and other entities for training and educational materials provided by the fire protection information resource center. Non-Cumulative This measure is driven by the needs of the customer. Target is to exceed previous years by 2% which is 23 requests above the previous years by 1162. We are below target.
<input type="checkbox"/>	Lib	01-01:02	23	8				10%	Percent increase in number of research requests for the fire protection information resource center. Non-Cumulative This measure is driven by the needs of the customer. Target is to exceed previous years total by 10% which is 27 requests above the previous 269. Without a librarian this will drop to 0.
<input checked="" type="checkbox"/>	Fin	01-02:01	15.84	13.43		29.3%	32%	91%	Percent of total amount requested for loans/grants compared with requests awarded. Non-Cumulative On track to meet target.
<input checked="" type="checkbox"/>	Std	02-01:01	94.53	94.61		47.3%	95%	50%	Percent of inspected certificate holders with no recent violations. Non-Cumulative On target.
<input type="checkbox"/>	Fin	04-01:01	3	24		26.6%	10%	266%	Percent of total dollar value of purchasing contracts awarded to HUBs. Non-Cumulative On track to meet target.

Note: Explanations are provided for measures that are 5% or more off target. Targets were requested in the LAR.

TEXAS COMMISSION ON FIRE PROTECTION FY09 - TO DATE

4/5/2009

Appropriation Balance As Of :

04/05/09

	Info 13008		Stds 13014		Admin 13800		TOTALS		% Expend
	Budget	Expend	Budget	Expend	Budget	Expend	Budget	Expend	
1001 - Salaries & Wages:									
7001- Salaries - Exempt Positions		0		0	90,000	52,500	90,000	52,500	
7002- Salaries - Classified Positions	24,097	4,443	1,011,859	594,846	515,787	293,559	1,551,743	892,848	
7021- Overtime Pay		0		0		0	0	0	
1001 - Total Salaries & Wages	24,097	4,443	1,011,859	594,846	605,787	346,059	1,641,743	945,348	58%
1002 - Other Personnel Costs:									
7017- One-Time Merit	0	0	0	0	0	0	0	0	
7022- Longevity Pay	320	80	23,900	13,760	11,760	6,640	35,980	20,480	
7023- Lump Sum Termination	0	0	0	0	0	0	0	0	
7075- Retirement Incentive Pay		0		0		0		0	
7984- Unemployment Compensation		0		0		0		0	
1002 - Total Other Personnel Costs	320	80	23,900	13,760	11,760	6,640	35,980	20,480	57%
2001 - Professional Fees and Services:									
7245- Financial & Accounting Services	0	0	0	0	0	0	0	0	
7253- Other Professional Fees	45	45	942	942	494	494	1,481	1,481	
7274- Temporary Employment Agencies	0	0	0	0	0	0	0	0	
7275- Computer Programming Services	0	0	0	0	0	0	0	0	
2001 - Total Professional Fees and Services	45	45	942	942	494	494	1,481	1,481	100%
2002 - Fuels and Lubricants:									
7304- Fuels & Lubricants		0		0		0		0	
2002 - Total Fuels and Lubricants:		0		0		0		0	
2003 - Consumable Supplies:									
7300- Consumables	1,664	1,398	17,527	4,506	6,663	1,107	25,854	7,011	
2003 - Total Consumable Supplies:	1,664	1,398	17,527	4,506	6,663	1,107	25,854	7,011	27%
2004 - Utilities:									
7501- Electricity	0	0	0	0	0	0	0	0	
7503- Telecommunications-Long Distance	0	0	24	0	0	0	24	0	
7504- Telecommunications-Monthly Charge	0	153	0	5,358	0	1,685	0	7,197	
7510- Telecommunications-Parts & Supplies	0	0	0	55	0	0	0	55	
7514- Telecommunications-Maint & Repair	0	0	0	0	0	0	0	0	
7516- Telecommunications-Other Charges	345	0	21,537	4,876	3,800	0	25,682	4,876	
7522- Telecommunications-Equip Rental	0	0	0	0	0	0	0	0	
2004 - Total Utilities:	345	153	21,561	10,289	3,800	1,685	25,706	12,128	47%
2005 - Travel:									

	Info 13008		Stds 13014		Admin 13800		TOTALS		% Expend
	Budget	Expend	Budget	Expend	Budget	Expend	Budget	Expend	
7101- Travel I/S - Public Transportation Fares	0	0	3,726	4,069	2,643	1,551	6,369	5,620	
7102- Mileage	0	0	39,390	8,159	4,646	3,538	44,036	11,697	
7104- Travel I/S - Actual Expense Overnight	0	0	0	0	181	0	181	0	
7105- Travel I/S - Incidental Expenses	0	0	3,843	1,652	595	351	4,438	2,004	
7106- Travel I/S - Meals & Lodging	0	0	35,700	11,110	2,000	0	37,700	11,110	
7107- Travel I/S - Non-Overnight Travel (Meals)	0	0	605	269	113	9	718	278	
7110- Travel I/S - Board Member Meals/Lod	0	0	0	0	5,719	2,592	5,719	2,592	
7111- Travel OOS - Public Transportation Fares	0	0	1,000	0	0	0	1,000	0	
7112- Travel OOS - Mileage	0	0	0	0	0	0	0	0	
7115- Travel OOS - Incidental Expenses	0	0	0	0	0	0	0	0	
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0	0	0	0	0	
7135- Travel I/S - State Occupancy Tax	0	0	0	0	0	15	0	15	
2005 - Total Travel:	0	0	84,264	25,260	15,897	8,057	100,161	33,316	33%
2006 - Rent - Building:									
7462- Rental - Office Space/Building	0	0	2,136	1,246	0	0	2,136	1,246	
7470- Rental of Space	525	230	178	0	828	701	1,531	931	
2006 - Total Rent - Building:	525	230	2,314	1,246	828	701	3,667	2,177	59%
2007 - Rent - Machine and Other:									
7406- Rental - Furnishings & Equipment (copier)	367	183	7,700	3,850	4,033	2,016	12,100	6,049	
7411- Rental - Computer Equipment	332	168	6,968	3,518	3,650	1,843	10,950	5,529	
2007 - Total Rent - Machine and Other:	699	351	14,668	7,368	7,683	3,859	23,050	11,578	50%
2009 - Other Operating Expense:									
7201- Membership Dues	0	150	0	0	50	50	50	200	
7203- Registration Fees-Employee Training	100	0	800	75	400	230	1,300	305	
7204- Insurance Premiums	0	0	0	0	0	0	0	0	
7210- Fees & Other Charges	0	0	3,011	905	240	186	3,251	1,091	
7211- Awards	0	0	135	0	81	239	216	239	
7216- Insurance Premiums - appvd by oag	0	0	225	225	0	0	225	225	
7262- M&R - Computer Software	0	0	0	0	0	0	0	0	
7267- M&R - Computer Equipment	0	0	0	724	0	0	0	724	
7273- Reproduction & Printing	41	31	5,904	4,365	1,588	69	7,533	4,465	
7276- Communication Services	478	93	3,256	2,114	3,717	2,869	7,451	5,076	
7281- Advertising Services	0	0	0	0	0	0	0	0	
7286- Freight/Delivery Services	144	14	3,017	1,979	1,580	159	4,741	2,151	
7291- Postage & Postal Services	818	265	17,323	5,561	7,550	2,924	25,691	8,749	
7299- Purchased Contracted Services	0	257	635	134	3,520	70	4,155	461	
7303- Subscriptions, Periodicals and Info Services	375	0	0	0	0	0	375	0	
7312- Medical Supplies	0	0	0	0	0	0	0	0	
7330- Parts -equip, furn	0	0	0	0	0	0	0	0	

	Info 13008		Stds 13014		Admin 13800		TOTALS		% Expend
	Budget	Expend	Budget	Expend	Budget	Expend	Budget	Expend	
7334- Furnishings & Equipment -Expensed	0	0	0	0	0	0	0	0	
7335- Parts -Computer Equipment - Expensed	0	217	0	0	138	0	138	217	
7340- Real Property and Improvements - Expense	0	0	0	0	0	0	0	0	
7354- Building remodel - State Leased Expensed	0	0	0	0	0	0	0	0	
7367- Personal Property - M&R	0	0	0	0	359	0	359	0	
7368- Personal Property - M&R- Vehicles	0	0	0	0	0	0	0	0	
7374- Personal Property-F&E- Controlled	0	0	116	165	1,000	0	1,116	165	
7377- Computer Equipment - Expensed	0	0	0	0	271	0	271	0	
7378- Computer Equipment - Controlled	112	0	123	0	65	0	300	0	
7379- Computer Equipment - Cap (>1,000)	0	0	0	0	0	0	0	0	
7380- Computer Software - Expensed	224	0	4,709	0	2,467	1,982	7,400	1,982	
7382- Books - Expensed	0	0	0	0	0	0	0	0	
7806- Interest	0	0	0	0	0	0	0	0	
7947- Workers Compensation Transfer	0	0	0	0	2,775	2,127	2,775	2,127	
7953- SWCAP payment/cost allocation	0	0	0	0	937	936	937	936	
7961- STS Transfers-Telecommunications	51	26	1,066	545	558	285	1,675	856	
7973- ??? Cash trnr out	0	0	0	0	0	0	0	0	
2009 - Total Other Operating Expense:	2,343	1,053	40,320	16,791	27,296	12,125	69,959	29,969	43%
4000 - Grants: FDEP (13010)									
7623- Grants- Community Serv. Programs							972,000	440,043	
7701- Loans to Political Subdivisions							15,000	48,000	
4000 - Grants:	0	0	0	0	0	0	987,000	488,043	
5000 - Capital Expenditures:									
7343- Remodeling of Bldg-State Owned-Capitaliz	0	0	0	0	0	0	0	0	
7387- computer Software-expensed > 1,000	0	0	0	0	0	0	0	0	
7389- Books, Pre-recorded Ref Material - Capitali	2,675	2,675	0	0	259	259	2,934	2,934	
5000 - Capital Expenditures:	2,675	2,675	0	0	259	259	2,934	2,934	100%
9999 - Not Reported to LBB:									
7050- Benefit Replacement Pay	0	0	4,187	0	3,744	0	7,931	0	
9999 - Total Not Reported to LBB:	0	0	4,187	0	3,744	0	7,931	0	
TOTAL - ALL EXPENDITURES (USAS)	32,713	10,427	1,217,355	679,195	680,467	384,729	2,917,535	1,562,395	
TOTAL - EXPENDITURES less BRP	32,713	10,427	1,217,355	675,008	680,467	380,985	2,917,535	1,554,464	

Texas Commission on Fire Protection
Fiscal Year 2009 - Operating Budget

Updated: 4/6/09

Thru: March 31, 2009

Summary

Goals:	FY09		Encumb	Balance	%
	Budget	Expended			
Education, Information and Assistance	24,097	4,443		19,654	
Fire Department Standards	1,011,859	594,844		417,015	
Indirect Administration	605,787	346,062		259,725	
Merit Budget	0				
1001 - Salaries & Wages:	1,641,743	945,349	0	696,394	42%
Education, Information and Assistance	320	80		240	
Fire Department Standards	23,900	13,760		10,140	
Indirect Administration	11,760	6,637		5,123	
1002 - Other Personnel Costs	35,980	20,477	0	15,503	43%
Education, Information and Assistance	0	45		-45	
Fire Department Standards	0	942		-942	
Indirect Administration	550	1,737		-1,187	
2001 - Professional Fees and Services:	550	2,724	0	-2,174	-395%
Education, Information and Assistance	1,815	1,397		418	
Fire Department Standards	22,776	4,507		18,269	
Indirect Administration	9,412	1,106		8,306	
2003 - Consumable Supplies:	34,003	7,010	0	26,993	79%
Education, Information and Assistance	345	152		193	
Fire Department Standards	21,561	10,235		11,326	
Indirect Administration	3,800	1,686		2,114	
2004 - Utilities:	25,706	12,073	0	13,633	53%
Education, Information and Assistance	0	0		0	
Fire Department Standards	84,264	23,996		60,268	
Indirect Administration	15,897	7,319		8,578	
2005 - Travel:	100,161	31,315	0	68,846	69%
Education, Information and Assistance	525	289		236	
Fire Department Standards	2,314	0		2,314	
Indirect Administration	828	641		187	
2006 - Rent - Building (storage):	3,667	930	0	2,737	75%
Education, Information and Assistance	699	341		358	
Fire Department Standards	14,668	7,165		7,503	
Indirect Administration	7,683	3,751		3,932	
2007 - Rent - Machine and Other:	23,050	11,257	0	11,793	51%
Education, Information and Assistance	2,192	1,048		1,144	
Fire Department Standards	37,138	16,564		20,574	
Indirect Administration	25,629	11,725		13,904	
2009 - Other Operating Expense:	64,959	29,337	0	35,622	55%
Education, Information and Assistance	987,000			987,000	
Fire Department Standards	0	0		0	
Indirect Administration	0	0		0	
4000 - Grants:	987,000	0	0	987,000	100%
Education, Information and Assistance	716	2,300		-1,584	
Fire Department Standards	0	133		-133	
Indirect Administration	0	70		-70	
5000 - Capital Expenditures:	716	2,503	0	-1,787	-250%
TOTAL - ALL EXPENDITURES	2,917,535	1,062,976	0	1,854,559	64%

2,917,535 0 * diff

Appropriated Amt in GAA:	2,851,318
FDEP lapse:	(13,000)
Funded for 2% increases:	60,000
Revenue vs \$18,000 IFSAC sales:	45,000
Payback Governor's Grant/Loan:	(25,783)

Texas Commission on Fire Protection
Fiscal Year 2009 - Operating Budget

Thru: March 31, 2009

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Budget:	24,097	0	0	24,097	0
Expended:	4,443	0	0	4,443	
1001 - Balance Salaries & Wages:	19,654	0	0	19,654	82%
Other Personnel Costs:					
7017- One-Time Merit	0	0	0	0	
7022- Longevity Pay	80	0	0	80	
7023- Lump Sum Termination	0	0	0	0	
Budget:	320	0	0	320	0
Expended:	80	0	0	80	
1002 - Balance Other Personnel Costs	240	0	0	240	75%
Professional Fees and Services:					
7245- Financial & Accounting Services	0	0	0	0	
7253- Other Professional Fees (EAP)	45	0	0	45	
7274- Temporary Employment Agencies	0	0	0	0	
7275- Computer Programming Services	0	0	0	0	
Budget:	0	0	0	0	0
Expended:	45	0	0	45	
2001 - Balance Professional Fees and Services:	(45)	0	0	(45)	#DIV/0!
Budget:	1,815	0	0	1,815	0
Expended:	72	1,325	0	1,397	
2003 - (7300) Balance Consumable Supplies:	1,743	(1,325)	0	418	23%
Utilities:					
7501- Electricity	0	0	0	0	
7503- Telecommunications-Long Distance	0	0	0	0	
7504- Telecommunications-Monthly Charge	152	0	0	152	
7514- Telecommunications-Maint & Repair	0	0	0	0	
7516- Telecommunications-Other Charges (reg voice/intern)	0	0	0	0	
7517- Telecommunications Equipment-Expensed	0	0	0	0	
Budget:	345	0	0	345	0
Expended:	152	0	0	152	
2004 - Balance Utilities:	193	0	0	193	56%
Travel:					
7101- Travel I/S - Public Transportation Fares	0	0	0	0	
7102- Mileage	0	0	0	0	
7104- Travel I/S - Actual Expense Overnight	0	0	0	0	
7105- Travel I/S - Incidental Expenses	0	0	0	0	
7106- Travel I/S - Meals & Lodging	0	0	0	0	
7107- Travel I/S - Non-Overnight Travel (Meals)	0	0	0	0	
7110- Travel I/S - Board Member Meals & Lodging	0	0	0	0	
7111- Travel OOS - Public Transportation Fares	0	0	0	0	
7112- Travel OOS - Mileage	0	0	0	0	
7115- Travel OOS - Incidental Expenses	0	0	0	0	
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0	
7135- Travel I/S - State Occupancy Tax	0	0	0	0	
Budget:	0	0	0	0	0
Expended:	0	0	0	0	
2005 - Balance Travel:	0	0	0	0	#DIV/0!
Budget:	525	0	0	525	0
Expended:	289	0	0	289	
2006 - (7470) Balance Rent - Building (storage):	236	0	0	236	45%

Texas Commission on Fire Protection
Fiscal Year 2009 - Operating Budget

Thru: March 31, 2009

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	185	0	0	185	
7411- Rental - Computer Equipment	156	0	0	156	
Budget:	699	0	0	699	0
Expended:	341	0	0	341	
2007 - Balance Rent - Machine and Other:	358	0	0	358	51%
Other Operating Expense:					
7201- Membership Dues	150	0	0	150	
7203- Registration Fees-Employee Training	0	0	0	0	
7210- Fees & Other Charges (DPS)	0	0	0	0	
7211- Awards	0	0	0	0	
7216- Insurance Premiums - appvd by oag	0	0	0	0	
7262- Maint & Repair - Computer Software	0	0	0	0	
7267- Maint & Repair - Computer Equipment	0	0	0	0	
7273- Reproduction & Printing	31	0	0	31	
7276- Communication Services (T-1 Line)	91	0	0	91	
7281- Advertising Services	0	0	0	0	
7286- Freight & Delivery Services	14	0	0	14	
7291- Postage & Postal Services	261	0	0	261	
7299- Purchased Contracted Services	257	0	0	257	
7303- Subscriptions, Periodicals and Info Services	0	0	0	0	
7312- Medical Supplies	0	0	0	0	
7330- Parts -equip, furn	0	0	0	0	
7334- Furnishings & Equipment -Expensed	0	0	0	0	
7335- Parts -Computer Equipment - Expensed	217	0	0	217	
7354- Bldg Remodel - State Leased -Expensed	0	0	0	0	
7367- Personal Property - Maint & Repair	0	0	0	0	
7374- Personal Property-Furn & Equip - Controlled	0	0	0	0	
7377- Computer Equipment - Expensed	0	0	0	0	
7378- Computer Equipment - Controlled	0	0	0	0	
7379- Computer Equipment - Cap (>1,000)	0	0	0	0	
7380- Computer Software - Expensed	0	0	0	0	
7382- Books - Expensed	0	0	0	0	
7806- Interest on Delayed Payment	0	0	0	0	
7947- Workers Compensation Transfer (SORM)	0	0	0	0	
7953- SWCAP payment/cost allocation	0	0	0	0	
7961- STS Transfers-Telecommunications (TexAn)	26	0	0	26	
Budget:	2,192	0	0	2,192	0
Expended:	1,048	0	0	1,048	
2009 - Balance Other Operating Expense:	1,144	0	0	1,144	52%
Grants:					
7312- Medical Supplies	0	0	0	0	
7623- Grants- Community Serv. Programs	0	0	440,043	440,043	
7701- Loans to Political Subdivisions	0	0	48,000	48,000	
Budget:	0	0	987,000	987,000	0
Expended:	0	0	488,043	488,043	
4000 - Balance Grants:	0	0	498,957	498,957	51%
Capital Expenditures:					
7354- Remodeling of Bldg-State Owned - Capitalized	0	0	0	0	
7389- Books, Pre-Recorded Ref Material - Capitalized	2,300	0	0	2,300	
Budget:	716	0	0	716	0
Expended:	2,300	0	0	2,300	
5000 - Balance Capital Expenditures:	(1,584)	0	0	(1,584)	-221%
Budget:	30,709	0	987,000	1,017,709	
Expended:	8,771	1,325	488,043	498,139	
TOTAL BALANCE	21,938	(1,325)	498,957	519,570	51%

Texas Commission on Fire Protection

Fiscal Year 2009 - Operating Budget

Thru: March 31, 2009

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%	
	Budget:	133,240	403,741	189,467	175,157	1,011,859	-15,877	
	Expended:	77,722	235,515	109,473	102,169	594,844		
1001 - Balance Salaries & Wages:	55,518	168,226	79,994	72,988	56,166	432,892	43%	
Other Personnel Costs:								
7017- One-Time Merit	0	0	0	0	0	0		
7022- Longevity Pay	1,820	5,120	1,960	4,060	800	13,760		
7023- Lump Sum Termination	0	0	0	0	0	0		
	Budget:	3,120	9,040	3,400	6,980	23,900	-200	
	Expended:	1,820	5,120	1,960	4,060	13,760		
1002 - Balance Other Personnel Costs	1,300	3,920	1,440	2,920	760	10,340	43%	
Professional Fees and Services:								
7245- Financial & Accounting Services	0	0	0	0	0	0		
7253- Other Professional Fees (EAP)	942	0	0	0	0	942		
7274- Temporary Employment Agencies	0	0	0	0	0	0		
7275- Computer Programming Services	0	0	0	0	0	0		
	Budget:	0	0	0	0	0	0	
	Expended:	942	0	0	0	942		
2001 - Balance Professional Fees and Serv	(942)	0	0	0	0	(942)	#DIV/0!	
	Budget:	500	2,500	2,000	3,000	1,000	13,776	
	Expended:	1,717	274	0	2,516	4,507		
2003 - (7300) Balance Consumable Supplies:	(1,217)	2,226	2,000	484	1,000	4,493	20%	
Utilities:								
7501- Electricity	0	0	0	0	0	0		
7503- Telecommunications-Long Distance	0	0	0	0	0	0		
7504- Telecommunications-Monthly Charge	3,218	2,141	0	0	0	5,359		
7514- Telecommunications-Maint & Repair	0	0	0	0	0	0		
7516- Telecommunications-Other Charges (reg voice/ir	0	4,875	0	0	0	4,875		
7517- Telecommunications Equipment-Expensed	0	0	0	0	0	0		
	Budget:	16,861	4,700	0	0	21,561	0	
	Expended:	3,218	7,017	0	0	10,235		
2004 - Balance Utilities:	13,643	(2,317)	0	0	0	11,326	53%	
Travel:								
7101- Travel I/S - Public Transportation Fares	0	646	0	3,322	103	4,070		
7102- Mileage	0	6,670	212	226	231	7,338		
7104- Travel I/S - Actual Expense Overnight	0	0	0	0	0	0		
7105- Travel I/S - Incidental Expenses	0	946	15	581	88	1,630		
7106- Travel I/S - Meals & Lodging	0	7,392	234	2,583	569	10,777		
7107- Travel I/S - Non-Overnight Travel (Meals)	0	235	0	22	12	269		
7110- Travel I/S - Board Member Meals & Lodging	0	0	0	0	0	0		
7111- Travel OOS - Public Transportation Fares	0	0	0	0	0	0		
7112- Travel OOS - Mileage	0	0	0	0	0	0		
7115- Travel OOS - Incidental Expenses	0	0	0	0	0	0		
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0	0	0		
7135- Travel I/S - State Occupancy Tax	0	-89	0	0	0	-89		
	Budget:	0	60,264	500	23,000	500	84,264	0
	Expended:	0	15,801	461	6,733	1,002	23,996	
2005 - Balance Travel:	0	44,464	39	16,267	(502)	60,268	72%	
	Budget:	2,314	0	0	0	2,314	0	
	Expended:	0	0	0	0	0		
2006 - (7470) Balance Rent - Building (storage):	2,314	0	0	0	0	2,314	100%	

Texas Commission on Fire Protection

Fiscal Year 2009 - Operating Budget

Thru: March 31, 2009

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
Rent - Machine and Other:							
7406- Rental - Furnishings & Equipment (copier)	3,851	0	0	0	0	3,851	
7411- Rental - Computer Equipment	3,314	0	0	0	0	3,314	
Budget:	14,668	0	0	0	0	14,668	0
Expended:	7,165	0	0	0	0	7,165	
2007 - Balance Rent - Machine and Other:	7,503	0	0	0	0	7,503	51%

Other Operating Expense:							
7201- Membership Dues	0	0	0	0	0	0	
7203- Registration Fees-Employee Training	75	0	0	0	0	75	
7210- Fees & Other Charges (DPS)	0	0	905	0	0	905	
7211- Awards	0	0	0	0	0	0	
7216- Insurance Premiums - appvd by oag	0	225	0	0	0	225	
7262- Maint & Repair - Computer Software	0	0	0	0	0	0	
7267- Maint & Repair - Computer Equipment	0	0	0	724	0	724	
7273- Reproduction & Printing	653	0	2,893	820	0	4,366	
7276- Communication Services (T-1 Line)	2,114	0	0	0	0	2,114	
7281- Advertising Services	0	0	0	0	0	0	
7286- Freight & Delivery Services	294	0	0	1,543	0	1,837	
7291- Postage & Postal Services	5,475	0	0	0	0	5,475	
7299- Purchased Contracted Services	133	0	0	0	0	133	
7303- Subscriptions, Periodicals and Info Services	0	0	0	0	0	0	
7312- Medical Supplies	0	0	0	0	0	0	
7330- Parts -equip, furn	0	0	0	0	0	0	
7334- Furnishings & Equipment -Expensed	0	0	0	0	0	0	
7335- Parts -Computer Equipment - Expensed	0	0	0	0	0	0	
7354- Bldg Remodel - State Leased -Expensed	0	0	0	0	0	0	
7367- Personal Property - Maint & Repair	0	0	0	0	0	0	
7374- Personal Property-Furn & Equip - Controlled	0	0	0	0	165	165	
7377- Computer Equipment - Expensed	0	0	0	0	0	0	
7378- Computer Equipment - Controlled	0	0	0	0	0	0	
7379- Computer Equipment - Cap (>1,000)	0	0	0	0	0	0	
7380- Computer Software - Expensed	0	0	0	0	0	0	
7382- Books - Expensed	0	0	0	0	0	0	
7806- Interest on Delayed Payment	0	0	0	0	0	0	
7947- Workers Compensation Transfer (SORM)	0	0	0	0	0	0	
7953- SWCAP payment/cost allocation	0	0	0	0	0	0	
7961- STS Transfers-Telecommunications (TexAn)	545	0	0	0	0	545	
Budget:	19,669	7,000	4,000	4,000	1,000	37,138	1,469
Expended:	9,290	225	3,798	3,086	165	16,564	
2009 - Balance Other Operating Expense:	10,379	6,775	202	914	835	19,105	51%

Capital Expenditures:							
7312- Medical Supplies	0	0	0	0	0	0	
7354- Remodeling of Bldg-State Owned - Capitalized	133	0	0	0	0	133	
7389- Books, Pre-Recorded Ref Material - Capitalized	0	0	0	0	0	0	
Budget:	0	0	0	0	0	0	0
Expended:	133	0	0	0	0	133	
5000 - Balance Capital Expenditures:	(133)	0	0	0	0	(133)	#DIV/0!
Budget:	190,372	487,245	199,367	212,137	130,191	1,219,312	0
Expended:	102,007	263,952	115,691	118,564	71,931	672,145	
TOTAL BALANCE	88,365	223,293	83,676	93,573	58,260	547,167	45%

Current Costs for Performance Measures: salaries, travel, consumables:

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
4006 - Certification	48,228	47,746	15,919	0	111,893
4007 - Testing	49,141	50,574	15,762	0	115,477

Texas Commission on Fire Protection
Fiscal Year 2009 - Operating Budget

Thru: March 31, 2009

Goal C: Indirect Administration

	Exec Office	Supp Svcs	Commis	Total	%	
	Budget:	335,841	303,651	0	605,787	-33,705
	Expended:	195,908	150,154	0	346,062	
1001 - Balance Salaries & Wages:	139,933	153,497	0	259,725	43%	
Other Personnel Costs:						
7017- One-Time Merit	0	0	0	0		
7022- Longevity Pay	2,460	4,177	0	6,637		
7023- Lump Sum Termination	0	0	0	0		
	Budget:	4,260	7,820	0	11,760	-320
	Expended:	2,460	4,177	0	6,637	
1002 - Balance Other Personnel Costs	1,800	3,643	0	5,123	44%	
Professional Fees and Services:						
7245- Financial & Accounting Services	0	1,243	0	1,243		
7253- Other Professional Fees (EAP)	0	494	0	494		
7274- Temporary Employment Agencies	0	0	0	0		
7275- Computer Programming Services	0	0	0	0		
	Budget:	0	550	0	550	0
	Expended:	0	1,737	0	1,737	
2001 - Balance Professional Fees and Services:	0	(1,187)	0	(1,187)	-216%	
	Budget:	500	1577	0	9,412	7,335
	Expended:	31	1,075	0	1,106	
2003 - (7300) Balance Consumable Supplies:	469	502	0	971	10%	
Utilities:						
7501- Electricity	0	0	0	0		
7503- Telecommunications-Long Distance	0	0	0	0		
7504- Telecommunications-Monthly Charge	0	1,686	0	1,686		
7514- Telecommunications-Maint & Repair	0	0	0	0		
7516- Telecommunications-Other Charges (reg voice/intern)	0	0	0	0		
7517- Telecommunications equipment - Expensed	0	0	0	0		
	Budget:	0	3800	0	3,800	0
	Expended:	0	1,686	0	1,686	
2004 - Balance Utilities:	0	2,114	0	2,114	56%	
Travel:						
7101- Travel I/S - Public Transportation Fares	0	0	1,549	1,549		
7102- Mileage	0	259	2,713	2,971		
7104- Travel I/S - Actual Expense Overnight	0	0	0	0		
7105- Travel I/S - Incidental Expenses	0	0	324	324		
7106- Travel I/S - Meals & Lodging	0	0	0	0		
7107- Travel I/S - Non-Overnight Travel (Meals)	9	0	0	9		
7110- Travel I/S - Board Member Meals & Lodging	0	0	2,467	2,467		
7111- Travel OOS - Public Transportation Fares	0	0	0	0		
7112- Travel OOS - Mileage	0	0	0	0		
7115- Travel OOS - Incidental Expenses	0	0	0	0		
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0		
7135- Travel I/S - State Occupancy Tax	0	0	0	0		
	Budget:	0	500	15,397	15,897	0
	Expended:	9	259	7,052	7,319	
2005 - Balance Travel:	(9)	241	8,345	8,578	54%	
	Budget:	0	828	0	828	0
	Expended:	120	521	0	641	
2006 - (7470) Balance Rent - Building (storage):	(120)	307	0	187	23%	

Texas Commission on Fire Protection
Fiscal Year 2009 - Operating Budget

Thru: March 31, 2009

Goal C: Indirect Administration

	<u>Exec Office</u>	<u>Supp Svcs</u>	<u>Commis</u>	<u>Total</u>	<u>%</u>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0	2,016	0	2,016	
7411- Rental - Computer Equipment	0	1,735	0	1,735	
Budget:	0	7,683	0	7,683	0
Expended:	0	3,751	0	3,751	
2007 - Balance Rent - Machine and Other:	0	3,932	0	3,932	51%
Other Operating Expense:					
7201- Membership Dues	0	50	0	50	
7203- Registration Fees-Employee Training	35	195	0	230	
7210- Fees & Other Charges (DPS)	0	0	0	0	
7211- Awards	239	0	0	239	
7216- Insurance Premiums - appvd by oag	0	0	0	0	
7262- Maint & Repair - Computer Software	0	0	0	0	
7267- Maint & Repair - Computer Equipment	0	0	0	0	
7273- Reproduction & Printing	51	17	0	68	
7276- Communication Services (T-1 Line)	1,850	850	0	2,700	
7281- Advertising Services	0	0	0	0	
7286- Freight & Delivery Services	0	158	0	158	
7291- Postage & Postal Services	11	2,868	0	2,879	
7299- Purchased Contracted Services	0	70	0	70	
7303- Subscriptions, Periodicals and Info Services	0	0	0	0	
7312- Medical Supplies	0	0	0	0	
7330- Parts -equip, furn	0	0	0	0	
7334- Furnishings & Equipment -Expensed	0	0	0	0	
7335- Parts -Computer Equipment - Expensed	0	0	0	0	
7354- Bldg Remodel - State Leased -Expensed	0	0	0	0	
7367- Personal Property - Maint & Repair	0	0	0	0	
7374- Personal Property-Furn & Equip - Controlled	0	0	0	0	
7377- Computer Equipment - Expensed	0	0	0	0	
7378- Computer Equipment - Controlled	0	0	0	0	
7379- Computer Equipment - Cap (>1,000)	0	0	0	0	
7380- Computer Software - Expensed	1,982	0	0	1,982	
7382- Books - Expensed	0	0	0	0	
7806- Interest on Delayed Payment	0	0	0	0	
7947- Workers Compensation Transfer (SORM)	0	2,127	0	2,127	
7953- SWCAP payment/cost allocation	0	936	0	936	
7961- STS Transfers-Telecommunications (TexAn)	0	286	0	286	
Budget:	2,000	22,223	0	25,629	1,406
Expended:	4,168	7,557	0	11,725	
2009 - Balance Other Operating Expense:	(2,168)	14,666	0	12,498	49%
Capital Expenditures:					
7312- Medical Supplies	0	0	0	0	
7354- Remodeling of Bldg-State Owned - Capitalized	0	70	0	70	
7389- Books, Pre-Recorded Ref Material - Capitalized	0	0	0	0	
Budget:	0	0	0	0	0
Expended:	0	70	0	70	
5000 - Balance Capital Expenditures:	0	(70)	0	(70)	#DIV/0!
Budget:	342,601	348,632	15,397	706,630	0
Expended:	202,696	170,988	7,052	380,735	
TOTAL - BALANCE	139,905	177,644	8,345	325,895	46%

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, 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. **Presentation/update on revisions to the Insurance Services Organization (ISO) Fire Suppression Rating Schedule (FSRS).**

9. **New matters from the commission, staff, or public regarding rulemaking 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 action on proposed amendments, new sections, repeals, and rule reviews as follows:

- 1. Proposed amendments to 37 TAC Chapter 421, Standards for Certification, including, but not limited to §421.5 and §421.17.**

CHAPTER 421

STANDARDS FOR CERTIFICATION

§421.5. DEFINITIONS

- (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.

§421.17. 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, Renewal Fees, and Chapter 441, 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 retest and meet the requirements in Chapter 439.**
- (de)** The commission will provide proof of current certification to individuals whose certification has been renewed.

From: Worley, Kent [mailto:Kent.Worley@fortworthgov.org]
Sent: Friday, March 20, 2009 8:42 AM
To: John (Jake) Soteriou
Subject: RE: Proposed language Chapter 421

Why I sent in the language that I did is because I listened to the audio file of the meeting and a portion of what was passed is incorrect in my view. The second sentence in what you have below states that "an individual MUST retest." That is not correct. If the person gets their new certificate due to court proceedings then they do not retest. If a person gets a new certificate due to a documented clerical error they do not retest.

That is why I sent in my suggested language. The person gets a new certificate by meeting the requirements in Chapter 439.1. That may require a retest, but it may only require paying the appropriate fees and getting it issued.

My point is to take out the "must retest" part of what was passed.

From: John (Jake) Soteriou [mailto:john.soteriou@tcfp.state.tx.us]
Sent: Friday, March 20, 2009 8:35 AM
To: Worley, Kent
Subject: RE: Proposed language Chapter 421

Section 439.15 was being deleted. The language in 421.17 was added there as that is the section that addresses the maintaining of the certification. The section 421.17 (c) will read: "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 retest and meet the requirements to test in Chapter 439."

Jake Soteriou
 Director - Standards & Certification
 office - (512) 936-3820
 fax - (512) 936-3808

From: Worley, Kent [mailto:Kent.Worley@fortworthgov.org]
Sent: Thursday, March 19, 2009 3:59 PM
To: John (Jake) Soteriou; Deborah Cowan
Subject: Proposed language Chapter 421

I respectfully request that the following amended language be presented to the full commission at their April 30, 2009 meeting

421.17 Requirement to Maintain Certification.

(c) An individual whose certification has expired for one year or longer may not renew the certificate that was previously held. A new certification may be issued by meeting the requirements set forth in Chapter 439.15.

Lt. Kent Worley

Executive Assistant / Media Relations Officer
 Office of the Fire Chief
 817-392-6886 (office) / 817-994-0877 (cell)
Kent.Worley@FortWorthGov.org

CHAPTER 421

STANDARDS FOR CERTIFICATION

§421.5. DEFINITIONS

- (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.

§421.17. 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, Renewal Fees, and Chapter 441, 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 retest and meet the requirements in Chapter 439.**
- (d) **An individual or entity may petition the Commission for a waiver of the examination required by this section if the person's certificate expired because of the individual or employing entity's good faith clerical error, or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action. All required renewal fees including applicable late fees and all required continuing education must be submitted before the waiver request may be considered.**

- (1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with Commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.**
 - (2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order restoring the applicant to employment.**
- (ee)** The commission will provide proof of current certification to individuals whose certification has been renewed.

From: Worley, Kent [mailto:Kent.Worley@fortworthgov.org]
Sent: Tuesday, April 14, 2009 10:30 AM
To: John (Jake) Soteriou
Subject: RE:

Yes. I believe that wording takes into account all aspects that we have discussed and provides an excellent explanation of the procedures that must be taken.

From: John (Jake) Soteriou [mailto:john.soteriou@tcfp.state.tx.us]
Sent: Tuesday, April 14, 2009 10:24 AM
To: Worley, Kent
Subject: FW:

Kent,
Would this proposal resolve your issues with the proposal from the Advisory Committee?

Jake Soteriou
Director - Standards & Certification
office - (512) 936-3820
fax - (512) 936-3808

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

- A. Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:**
 - 2. Proposed amendments to 37 TAC Chapter 427 Training Facility Certification including, but not limited to §§427.201, 427.303 and 427.305.**

Chapter 427

TRAINING FACILITY CERTIFICATION

SUBCHAPTER B

DISTANCE TRAINING PROVIDERS

§427.201. Minimum Standards for Distance Training Provider.

- (a) The following definition is applicable to this subchapter only. Approved distance training is defined as fire training where instructors and students are primarily in different locations and content is instructed primarily using the internet or an intranet and courses must contain some level of interactivity. Distance training that serves as nothing more than electronic text is not acceptable. Online courses must provide the opportunity for the student to interact or ask questions via e-mail, chat rooms or some other method of communication. Other computer-mediated methods of instruction may be used to enhance instruction; however, the primary delivery method must be through the internet or an intranet.
- (b) A distance training provider must seek certification as a training facility in each discipline it intends to instruct.
- (c) In order to become a commission approved distance training provider; the provider must submit a completed commission training facility application with supporting documentation and fee. Such application will include descriptions and addresses of where the distance training provider will have their course delivery and materials. A distance training provider must provide documentation of its ability to meet all minimum requirements for each discipline for which it seeks certification. The documentation must also identify how students and instructors will access resources as identified in the curriculum.
- ~~(d) All training for certification must be submitted to the commission for approval at least 20 days prior to the proposed starting date of the training. Approved courses are subject to audit by commission staff any time during the approved schedule. Any deviation in the approved course schedule or content must be reported to the commission within three business days of the deviation. The academy coordinator will:~~
- ~~(1) attest to the fact that the training meets the competencies in the applicable Commission Curriculum and/or NFPA Standards;~~
 - ~~(2) submit a testing schedule for all academy periodic, final, or skills examinations as required in §427.305 of this title; and~~
 - ~~(3) notify the Commission of any changes in instructor staff and/or field examiners.~~
- (d)** A distance training provider that applies for certification as a training facility in a discipline that includes skills training shall comply with Subchapter A of this chapter concerning minimum standards, facilities, apparatus, protective clothing, equipment, and live fire training utilized to teach and test the required skills.
- (e)** A distance training provider certified for the first time by the commission will receive, at no charge, one Commission Certification Curriculum and Standards Manual on CD to be utilized by the certified distance training provider's instructors. The distance training provider is responsible for ensuring that all subjects are taught as required by the curricula. Additional CD copies may be purchased from the commission or downloaded from the agency web site. Distance training providers that renew their certification will receive appropriate updates at no charge.

SUBCHAPTER C

TRAINING PROGRAMS FOR ON-SITE AND DISTANCE TRAINING PROVIDERS

§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, a schedule of periodic, final, and skills tests, and a class schedule at least 20 days prior to the proposed starting 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. See §439.5(b) of this title.
 - (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.
- (d) Approved courses are subject to audit by commission staff at any time during the approved schedule. Any deviation in the approved course schedule, content, field examiners, or the substitution of one instructor for another (this does not apply to the addition of an instructor to the roster of instructors already approved **for the course** by the commission) 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, final, and skills testing conducted by training providers during and at the end of a training program. For procedures regarding state examinations for certification (commission examinations that occur after a training program is completed), see Chapter 439 of this title.
- (b) Periodic and comprehensive final tests shall be given by the training provider in addition to the commission examination required in Chapter 439 of this title.
- (c) Periodic written tests shall be administered at the ratio of one test per 50 hours of recommended training, or portion thereof. In addition to periodic tests, a comprehensive final written test must be administered. A passing score of 70% must be achieved on all required written tests. If a course is taught in phases, one comprehensive final written test shall be administered at the completion of all phases and a passing score of 70% must be achieved.
- (d) If performance skill evaluations are part of the applicable curriculum, performance testing ~~shall be done and~~ records **shall be** kept in accordance with §427.301 of this title. This will ensure that each trainee has demonstrated an ability to competently and carefully perform all tasks and operations associated with the training, both individually and as a member of a team.
- (e) **During the course of instruction, the provider of training shall test for competency all performance skills listed in the applicable curriculum. This applies only for curricula in which performance standards have been developed. Skill evaluations may take place at any time during the academy but must take place after all training on the identified subject area has been completed. The number of opportunities to successfully complete particular performance skill objectives evaluated during an academy is at the discretion of the designated training officer. Retests must be conducted prior to the administration of the Commission designated performance evaluations. All skills must be demonstrated in the presence of a commission approved field examiner.** ~~Performance testing should be used to the maximum extent practical. The performance skills contained in the applicable curriculum shall be used to satisfy performance skills requirements. Each trainee shall be prepared to demonstrate any performance skill in the presence of a commission representative as required in Chapter 439 of this title.~~

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:

- 3. Proposed amendments to 37 TAC, Chapter 433, Minimum Standards for Driver/Operator-Pumper including, but not limited to §433.5.**

Chapter 433

Minimum Standards for Driver/Operator-Pumper

§433.5. Examination Requirements.

- (a) ~~The written~~ Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive driver/operator-pumper certification.
- ~~(b) Performance skills must meet the requirements in Chapter 439.~~
- ~~(b)~~ **(b)** No Individual **Individuals** will be permitted to take the Commission examination for driver/operator-pumper **by documenting** ~~unless the individual documents,~~ as a minimum, completion of the NFPA 1001 Fire Fighter I training, **and completing a commission-approved driver/operator-pumper curriculum.**

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:

4. Proposed amendments to 37 TAC Chapter 437, Fees including, but not limited to §437.13.

Chapter 437

Fees

§437.13. Processing Fees for Test Application.~~Basic Certification Examination Fees.~~

- (a) A non-refundable **application** processing fee of \$15 shall be charged for each ~~[written or performance skill]~~ examination~~[administered by the Commission].~~
- (b) ~~[Academy testing]~~ Fees will be paid in advance with the ~~[students']~~ application or the provider of training may be invoiced or billed if previous arrangements have been made with the Commission. ~~[to test or be billed after the state testing has been completed. The exceptions to this rule are:]~~

~~[(1) individual walk-ins; and]~~

~~[(2) retesting of a failed skill administered the same day.]~~

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:**
 - 5. Proposed amendments to 37 TAC, Chapter 439, Examinations for Certification including, but not limited to §§439.1, 439.3, 439.5, 439.7, 439.9, 439.11, 439.13, 439.15, 439.17, 439.19, 439.203, and 439.205.**

CHAPTER 439

EXAMINATIONS FOR CERTIFICATION

SUBCHAPTER A

EXAMINATIONS FOR ON-SITE DELIVERY TRAINING

§439.1. Requirements – General.

- (a) The administration of examinations for certification, including performance skill evaluations, shall be conducted in compliance with commission and International Fire Service Accreditation Congress (IFSAC) regulations. It is incumbent upon commission staff, committee members, training officers and field examiners to maintain the integrity of any state examination (or portion thereof) for which they are responsible.
- (b) Exams will be based on curricula as currently adopted in the commission's Certification Curriculum Manual. ~~[The state test can consist of only a written test or it can consist of a test that contains both a written portion and a performance skills portion. If the training program is conducted in the phase format, the examination will be based on the curriculum in effect at the time of the examination.]~~
- ~~(c) [If performance skills are required as part of a certification examination, the entity applying for the certification examination shall be responsible for providing the required number of approved field examiners. The number of field examiners shall be determined by the commission.]~~
- (cd)** Commission examinations that receive a passing grade shall expire two years from the date of the examination.
- (de)** The commission shall prescribe the content of any certification examination that tests the knowledge and/or skill of the examinee concerning the discipline addressed by the examination.
- (1) An examination based on Chapter 1, "Basic Fire Suppression Curriculum" as identified in the Certification Curriculum Manual may consist of four sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, and First Responder Operations.
 - (2) An examination based on Chapter 4, "Basic Fire Inspector Curriculum" as identified in the Certification Curriculum Manual may consist of three sections: Inspector I, Inspector II, and Plan Examiner I.
 - (3) All other state examinations consist of only one section.
 - (4) The Head of Department examination will be based on NFPA 1021, Chapter 7.
- (ef)** ~~The~~**[An]** individual who fails to pass a commission ~~[written]~~ 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.
- (g)** ~~[An examinee who fails a state performance skill evaluation may be allowed a retest at a time and place to be determined by the lead examiner. If the candidate fails the retest, remedial training conducted by a certified instructor who is approved to teach in that specific subject area is required for a second retest. Remedial training must be of a duration no less than the recommended curriculum instructional hours for the section in which the failed skill(s) is reflected. An examinee being retested on a performance skill must be retested on any skill,~~

randomly selected by the lead examiner, from the same subject area as the performance skill objective that was failed. If the examinee fails the final retest as part of a state performance skill evaluation, the examinee must requalify by repeating the entire curriculum applicable to the examination.]

- (f) An individual may obtain a new certificate in a discipline which was previously held by passing a Commission proficiency examination.**
- (g) If an individual who has never held certification in a discipline defined in §421.5 of this title, seeks certification in that discipline, the individual shall complete all certification requirements.**
- (h) If an individual completes an approved training program that has been evaluated and deemed equivalent to a certification curriculum approved by the Commission, such as an out-of-state or military training program or a training program administered by the State Firemen's and Fire Marshals' Association of Texas, the individual must pass a Commission examination for certification status and meet any other certification requirements in order to become eligible for certification by the Commission as fire protection personnel.**
- (i) An individual or entity may petition the Commission for a waiver of the examination required by this section if the person's certificate expired because of the individual's or employing entity's good faith clerical error, or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action. All required renewal fees including applicable late fees and all required continuing education must be submitted before the waiver request may be considered.**
- (1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with Commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.**
- (2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order, ruling or agreement restoring the applicant to employment.**

§439.3. Definitions.

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

- (1) Certificate of Completion - A signed statement certifying that an individual has successfully completed a commission-approved certification curriculum or phase program for a particular discipline, including having been evaluated by field examiners on performance skills identified by the commission. The certificate of completion will be on a form provided by the commission and is to be completed and signed by the provider of training and issued to the individual upon successful completion of the training. The certificate of completion must, as a minimum, identify the provider of training, the course I.D. number, the course approval number, date issued, curriculum name, training officer, and the name of the person completing the course. The certificate of completion qualifies an individual to take an original certification examination.
- (2) Curriculum - The competencies established by the commission as a minimum requirement for certification in a particular discipline.
- (3) Designee - An entity or individual approved by the standards division director to administer commission certification examinations and/or performance skills in accordance with this chapter.
- (4) Eligibility - A determination of whether or not an individual has met the requirements set by the commission and would therefore be allowed to take a commission examination.
- (5) Endorsement of eligibility - A signed statement testifying to the fact that an individual has met all requirements specified by the commission and is qualified to take a commission examination. An endorsement of eligibility will

be issued ~~[when appropriate,]~~ by a member of the commission staff.

- (6) Examination - A state test ~~[administered by the commission]~~ 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 will work under the supervision of a lead examiner during a commission-administered examination].~~ 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 ~~[written and/or performance]~~ examinations are determined by the commission.
- (b) ~~[As part of the training approval process, the designated training officer, except for a Basic Fire Suppression academy, will choose a test location and date from the list provided by the commission. The designated training officer of a Basic Fire Suppression academy may request during the training approval process to schedule the examination as soon as possible after the completion of the applicable course and at a place agreeable to the commission. The provider of training will receive from the commission an Application for Testing form with the course approval notice which will reflect the tentative date, time, and location of the examination. The provider of training must have each examinee complete the Application for Testing form and return it to the commission office no later than the third day of instruction. The commission, upon receipt of the Application for Testing form, will confirm the time and place for the examination.]~~
- (be) All ~~[training providers are responsible for ensuring that all]~~ **application processing** ~~[testing fees due to the commission **must be** are paid in a timely manner. In addition, all training providers of a Basic Fire Suppression academy that schedule through the commission an examination for less than ten (10) examinees must pay an examination fee equal to the amount that would be charged for ten (10) examinees.]~~
- ~~(d) [If the designated training officer determines that the time and/or place of the examination as set by the commission is not acceptable for good cause, he or she may request the commission to reschedule or relocate the examination providing the request is received at least 20 days prior to the original scheduled time of the examination or the new proposed time, whichever would result in the earliest notification. The commission shall give all such requests due consideration and may reschedule or relocate the examination as necessary.]~~
- (ce) Each examination must be administered by a lead examiner.
- ~~(f) [The lead examiner may administer the examination alone or with the assistance of field examiner(s). The field examiners shall be approved by the commission prior to the administration of the examination.]~~
- (dg) The lead examiner must:

- (1) ensure that the tests remain secure and that the examination is conducted under conditions warranting honest results;
 - ~~(2) [collect all examination materials from any examinee who is dismissed;]~~
 - (23)** monitor the examination while in progress;
 - (34)** control entrance to and exit from the test site;
 - ~~(5) [permit no one in the room while the written test is in progress except examiners, examinees, and commission staff;]~~
 - (46)** assign or re-assign seating; and
 - (57)** bar admission to or dismiss any examinee who fails to comply with any of the applicable provisions of this chapter.
- ~~(h) [Examination booklets, answer sheets, scratch paper and grade roster(s) will be delivered to the lead examiner by means specified by the commission. The lead examiner must immediately notify the commission and document any errors detected in the examination materials provided.]~~
 - ~~(i) [Immediately following the completion of the written examination, the lead examiner must remit to the commission all examination booklets, answer sheets and scratch paper in the return container provided by the commission.]~~
 - (ej)** All official grading and notification must come from the commission or its designee. The ~~[commission staff must make available 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.**
 - ~~(2) [provide the lead examiner with a copy of a Certificate of Completion for the course required for the specific examination sought or an endorsement of eligibility issued by the commission;]~~
 - (43)** bring to the test site, and display upon request, ~~[some form of]~~ **state issued** identification which contains the name and a photograph of the examinee;

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

(65) 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) ~~[For a score to be valid and remain valid:]~~

~~(1) [the examinee must complete the answer sheet, or otherwise record the answers, as instructed by the lead examiner; and]~~

~~(2)~~ 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:

(1A) all mandatory tasks; or

(2B) an accumulation of points to obtain a passing score of at least 70%; or

(3C) a combination of both (1) and (2).

(b) The minimum passing score on each ~~[written]~~ examination or section thereof as outlined in §439.1d(e) of this title 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 [and for good cause shown,] require a retest to obtain a substitute valid test score.

439.11. ~~[Academy Administered]~~ Commission-designated Performance Skill Evaluations

- (a) The evaluation for competency of the Commission-designated skills will take place at the end of all training. The date(s), time(s) and location(s) will be provided to the commission on the Training Prior Approval form. The evaluation will be a formal test setting supervised by the chief training officer. All evaluators must be a current field examiner with the Commission.
- (b) The provider of training for commission certification courses will receive from the commission, with the course approval notice, a set of randomly selected performance skills as outlined in §439.11(d).
- (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 randomly selected Commission-designated skills will be based off the following table:

<u>DISCIPLINE</u>	<u>TOTAL # OF SKILL EVALUATIONS IN CURRICULUM</u>	<u>MINIMUM OF 3 OR 10% (ROUNDED UP)</u>
<u>Structure</u>	<u>129</u>	<u>13</u>
<u>FFI</u>	<u>89</u>	<u>9</u>
<u>FFII</u>	<u>20</u>	<u>3</u>
<u>AW</u>	<u>6</u>	<u>3</u>
<u>OPS</u>	<u>14</u>	<u>3</u>
<u>INSPECTOR</u>	<u>57</u>	<u>6</u>
<u>INSPECTOR I</u>	<u>21</u>	<u>3</u>
<u>INSPECTOR II</u>	<u>22</u>	<u>3</u>
<u>PLAN EXAMINER I</u>	<u>14</u>	<u>3</u>
<u>INVESTIGATOR</u>	<u>27</u>	<u>3</u>
<u>INSTRUCTOR I</u>	<u>14</u>	<u>3</u>
<u>INSTRUCTOR II</u>	<u>12</u>	<u>3</u>
<u>INSTRUCTOR III</u>	<u>15</u>	<u>3</u>
<u>FIRE OFFICER I</u>	<u>16</u>	<u>3</u>
<u>FIRE OFFICER II</u>	<u>12</u>	<u>3</u>
<u>HAZMAT TECH</u>	<u>22</u>	<u>3</u>
<u>DRIVER/OPERATOR PUMPER</u>	<u>15</u>	<u>3</u>
<u>ARFF</u>	<u>19</u>	<u>3</u>

~~§439.13. State Administered Performance Skill Evaluation.~~

- ~~[(a) — The examinee must complete a state performance skill evaluation in accordance with subsection (b) of this section.]~~
- ~~[(b) — The state performance skill evaluation must consist of at least three successfully completed performance skill objectives evaluated by field examiners under the supervision of a lead examiner after completion of an approved curriculum.]~~
- ~~[(1) — The state performance skill evaluation of a Basic Fire Fighter I academy or a combined Fire Fighter I and Fire Fighter II academy must consist of one skill pertaining to self-contained breathing apparatus and at least two other skills identified as a critical skill in Section I of the Performance Evaluation Forms.]~~

~~[(2) — Each student's performance skill evaluation routing card must show the results of the evaluations and be signed by the field examiner(s) performing the evaluation(s).]~~

§439.15. Proof of Proficiency.

- ~~(a) — [An individual whose certificate has been expired for one year or longer may not renew the certificate that was previously held.]~~
- ~~[(b) — The individual may obtain a new certificate in the discipline which was previously held by passing a Commission proficiency examination pertaining to the discipline held.]~~
- ~~[(c) — An individual or entity may petition the Commission for a waiver of the examination required by this section if the person's certificate expired because of the individual or employing entity's good faith clerical error, or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action. All required renewal fees including applicable late fees and all required continuing education must be submitted before the waiver request may be considered.]~~
- ~~[(1) — Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with Commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.]~~
- ~~[(2) — Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order restoring the applicant to employment.]~~

§439.17. Testing for Certification Status.

- ~~[(a) — If an individual who has never held certification in a discipline defined in §421.5 of this title, seeks certification in that discipline, the individual shall:]~~
- ~~[(1) — complete all certification requirements; and]~~
- ~~[(2) — complete the examination process pertaining to that discipline. All portions of an examination must be passed before the individual is considered to have passed the examination.]~~
- ~~[(b) — If an individual completes an approved training program that has been evaluated and deemed equivalent to a certification curriculum approved by the Commission, such as an out of state or military training program or a training program administered by the State Firemen and Fire Marshals' Association of Texas, the individual must pass a Commission examination for certification status and meet any other certification requirements in order to become eligible for certification by the Commission as fire protection personnel.]~~

§439.19. Number of Test Questions.

- (a) Each ~~written~~ 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 ~~written portion of 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~~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.

SUBCHAPTER B

EXAMINATIONS FOR DISTANCE TRAINING

§439.201. Requirements – General.

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

§439.203. Procedures.

- (a) Once distance training is completed, each individual receiving a certificate of completion must ~~contact the commission to~~ obtain the appropriate test application packet. ~~[unless the commission has established an examination with the provider of training.]~~
- ~~[(b) — To apply for a state administered commission examination, an individual who completes distance training must complete the Application for Testing form and return it to the commission with the individual's certificate of completion. The commission, upon receipt of the Application for Testing form and supporting documentation, will confirm the time and place for the examination.]~~

§439.205. Performance Skill Evaluation.

- ~~[(a) — State performance skill evaluation. If a performance skill test is part of a commission examination, the examinee must complete a state performance skill evaluation as indicated in the particular standard related to the curriculum being tested or examined.]~~
- ~~[(b)]~~ ~~[Evaluation procedures.]~~ If the performance skill portion of a state exam is to be evaluated by an approved field examiner who will not observe the completion of the skill while in the immediate physical presence of the examinee, a letter of assurance from the candidate's training officer or fire chief is required stating that the fire department assures the integrity of the evaluation procedure. If the candidate is not a member of a fire department, then a certified fire instructor, fire chief, or training officer may provide a letter of assurance that meets the requirements of this subsection. The provider of distance training is required to keep a record of this assurance and provide it to the commission upon request.

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:**
 - 6. Proposed amendments to 37 TAC Chapter 449, Head of a Fire Department including, but not limited to §449.3 and §449.5.**

Chapter 449

HEAD OF A FIRE DEPARTMENT

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

- (a) In order to be certified as a head of a fire department providing fire suppression, an individual must be appointed as head of a fire department; and
- (1) hold a certification as a fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification and five years experience in a full-time fire suppression position; or
 - (2) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn non self serving affidavit of five years experience in a full-time fire suppression position; or
 - (3) provide documentation in the form of a non self serving sworn affidavit of ten years experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; and successfully pass a ~~written~~ commission Head of Department examination as specified in Chapter 439; or
 - (4) provide documentation in the form of a sworn non self serving affidavit of ten years of experience as a certified structural part-time fire protection employee; or
 - (5) provide documentation in the form of a sworn non self serving affidavit of ten years experience as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section and successfully pass a ~~written~~ commission Head of Department examination as specified in Chapter 439.
- (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.
- (d) An individual certified as head of a fire department under this section may engage in fire fighting activities only as the head of a fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response.

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

- (a) In order to be certified as the head of a fire department providing fire prevention activities only, an individual must be appointed as head of a Fire Prevention Department; and
- (1) hold a certification as a fire inspector, fire investigator, or arson investigator and have five years of full-time experience in fire prevention activities; or

- (2) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non self serving affidavit of five years experience in a full-time fire prevention position; or
 - (3) provide documentation in the form of a sworn non self serving affidavit of ten years experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas and successfully pass a ~~written~~ commission Head of Department examination as specified in Chapter 439; or
 - (4) provide documentation in the form of a sworn non self serving affidavit of ten years experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or
 - (5) provide documentation in the form of a sworn non self serving affidavit of ten years experience as an active volunteer fire inspector, fire investigator, or arson investigator with ten years experience in fire prevention and successfully pass a ~~written~~ commission Head of Department examination as specified in Chapter 439.
- (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.

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:

7. Proposed amendments to 37 TAC Chapter 451, Fire Officer including, but not limited to §451.5 and §451.205.

Chapter 451

FIRE OFFICER

Subchapter A

MINIMUM STANDARDS FOR FIRE OFFICER I

§451.5. Examination Requirements.

- (a) ~~[The written]~~ Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Fire Officer I certification.
- (b) ~~[Performance skills must meet the requirements in Chapter 439.]~~
- (be) ~~No~~ Individuals will be permitted to take the commission examination for Fire Officer I certification **by documenting the following: Structure Fire Protection Personnel certification and Fire Service Instructor certification through the commission or the equivalent IFSAC seals, and completing a Commission-approved Fire Officer I curriculum.** ~~[unless the individual documents completion of the Fire Fighter I and Fire Fighter II level as required by Chapter 1, Basic Fire Suppression, of the commission's Certification Curriculum Manual and holds, as a minimum, Fire Service Instructor I certification through the commission, or documents accreditation from International Fire Service Accreditation Congress as an Instructor I.]~~

SUBCHAPTER B

MINIMUM STANDARDS FOR FIRE OFFICER II

§451.205. Examination Requirements.

- (a) ~~[The written]~~ Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Fire Officer II certification.
- (b) ~~[Performance skills must meet the requirements in Chapter 439.]~~
- (be) ~~[No]~~ Individuals will be permitted to take the commission examination for Fire Officer II certification **by documenting the following: Structure Fire Protection Personnel certification, Fire Service Instructor certification and Fire Officer I certification through the commission or the equivalent IFSAC seals, and completing a Commission-approved Fire Officer II curriculum.** ~~[unless the individual documents completion of the Fire Fighter I and Fire Fighter II level training as required by Chapter 1, Basic Fire Suppression, of the commission's Certification Curriculum Manual and holds, as a minimum, Fire Service Instructor I certification through the commission, documents accreditation from the International Fire Service Accreditation Congress as an Instructor I.]~~

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:

- 8. Proposed amendments to 37 TAC Chapter 453, Minimum Standards for Hazardous Materials including, but not limited to §453.5.**

Chapter 453

Minimum Standards for Hazardous Materials Technician

§453.5. Examination Requirements.

- (a) ~~[The written]~~ Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Technician Certification.
- ~~[(b) Performance skills must meet the requirements in Chapter 439.]~~
- (b) ~~[No]~~ **Individuals** will be permitted to take the Commission examination for Hazardous Materials Technician **by documenting** ~~[unless the individual documents]~~ completion of the **NFPA 472 Awareness and Operations level training** ~~[First Responder Awareness and Operations level training as required by Chapter 1, Basic Fire Suppression, of the Commission's Certification Curriculum Manual]~~ **and completing a commission-approved Hazardous Materials Technician curriculum.**

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

B. Discussion and possible action on recommendations from the Curriculum and Testing Committee.

BASIC FIRE INSPECTOR

(All three curricula are to be completed for Basic Fire Inspector certification)

FIRE INSPECTOR I		
401-4.1	General	1
401-4.2	Administration	8
401-4.3	Field Inspection	75
401-4.4	Plans Review	0
401-9.1	Hazardous Materials	12**
FIRE INSPECTOR II		
402-5.1	General	1
402-5.2	Administration	4
402-5.3	Field Inspection	57
402-5.4	Plans Review	8
PLAN EXAMINER I		
470-7.1	General	1
470-7.2	Administration	6
470-7.3	Plans Review	29/33
TOTAL RECOMMENDED HOURS		202*

*The recommended hours include time for skills evaluation and are based on 12 students. Hours needed depends on the actual number of students.

****NOTE: A MINIMUM OF 8 HOURS MUST BE TAUGHT.**

- 12. Matters referred from the Funds Allocation Advisory Committee (FAAC), including, but not limited to:**
 - A. Discussion and possible action on recommendations for funding from the FAAC.**
 - B. Discussion and possible action on the interest rate to be used for loans under the Fire Department Emergency Program.**
 - C. Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:**
 - 1. Proposed amendments to 37 TAC, Chapter 461, General Administration, including, but not limited to §461.4.**
 - 2. Proposed amendments to 37 TAC, Chapter 463, Application Criteria, including, but not limited to §§463.2, 463.3, and 463.4.**
 - 3. Proposed amendments to 37 TAC, Chapter 465, Equipment, Facilities and Training Standards, including, but not limited to §465.1.**

**13. Discussion and possible action on proposed amendments to 37 TAC Chapter 437,
Fees including, but not limited to §437.3 and §437.5.**

14. Discussion and possible action on the discontinuance of issuing wallet-sized certification cards upon renewal of certification(s).

15. Discussion and possible action on the development of on-line testing.

16. Update from standards division director on matters relating to the activities of the following committees: International Fire Service Accreditation Congress, Respiratory Protection and Personal Alarm Equipment Committee, Fire Service Occupational Safety Committee, NFPA 1971 Technical Committee, and NFPA Technical Correlating Committee on Fire and Emergency Services Protective Clothing and Equipment.

17. 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.**

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

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

20. Adjourn meeting.