

# **TEXAS COMMISSION ON FIRE PROTECTION**

October 5, 2011, 10:00 a.m.

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

1. Roll call---10:00 a.m.
2. Adoption of the August 1, 2011 Commission meeting minutes.
3. The Budget and Strategic Plan subcommittees will meet on October 5, 2011, 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.
4. Report from the Budget and Strategic Plan subcommittees with discussion and possible action relating to any recommendations developed by these subcommittees.
5. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Association of Fire Educators, the Texas Forest Service, the National Fire Protection Association, and the State Fire Marshal's Office.
6. Discussion and possible action concerning reports by the Commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).
7. New matters from the commission, staff, or public regarding rulemaking which may be discussed in future Commission meetings.
8. Discussion and possible action on future meeting dates.
9. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:
  - A. Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:
    1. Proposed amendments to 37 TAC, Chapter 435, Fire Fighter Safety, including, but not limited to, §435.1 Protective Clothing, and new §435.27, Live Fire Training Structure Evolutions.
    2. Proposed amendments to 37 TAC, Chapter 439, Examinations For Certification, Subchapter A, Examinations For On-Site Delivery Training, including, but not limited to, new §439.13, Special Accommodations for Testing.
  - B. Discussion and possible action on proposed amendments, new sections, repeals, and rule reviews as follows:
    1. Proposed amendments to 37 TAC, Chapter 425, Fire Service Instructors, including, but not limited to, §425.1 Minimum Standards for Fire Service Instructor Certification.
    2. Proposed amendments to 37 TAC, Chapter 429, Minimum Standards for Fire Inspectors, Subchapter B, Minimum Standards for Fire Inspector Certification,

including, but not limited to, §429.201 Minimum Standards for Fire Inspector Personnel – New Track, §429.203 Minimum Standards for Basic Fire Inspector Certification – New Track, §429.205 Minimum Standards for Intermediate Fire Inspector Certification – New Track, §429.207 Minimum Standards for Advanced Fire Inspector Certification – New Track, §429.209 Minimum Standards for Master Fire Inspector Certification – New Track, and §429.211 International Fire Service Accreditation Congress (IFSAC) Seal - New Track.

3. Proposed amendments to 37 TAC, Chapter 431, Fire Investigation, Subchapter A, Minimum Standards For Arson Investigator Certification, including but not limited to, §431.3 Minimum Standards for Basic Arson Investigator Certification.
  4. Proposed amendments to 37 TAC, Chapter 451, Fire Officer, Subchapter A, Minimum Standard for Fire Officer I, including, but not limited to, §451.3 Minimum Standards for Fire Officer I Certification, and Subchapter B, Minimum Standards for Fire Officer II, including, but not limited to, §451.203 Minimum Standards for Fire Officer II Certification.
10. 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.
  11. 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 in this position.
  12. Open session for further discussion and possible action regarding preceding agenda item.
  13. Adjourn meeting.

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

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

**2. Adoption of the August 1, 2011 Commission meeting minutes.**

## TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Chris Connealy, at 10:00 a.m. called the August 1, 2011 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

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

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Staff	Gary L. Warren, Sr. Joe Thrash, Assistant Attorney General	Deborah Cowan	Jake Soteriou	Don Wilson
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Guests	Mike Hunt Mike Jones Betty Wilkes	Mike Richardson Ken Dozier Scott Korwood	Miles Skipper Amado Cano Thayer Smith	James Bradshaw Hector Bennett	Mike Higgins Jerry Doyle	Steve Landin Jason Collier
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1. Roll call                      Presiding Officer, Chris Connealy called roll and 12 of 13 commissioners were present.

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  2. Adoption of Minutes                      A motion to approve the minutes of the April 28, 2011 and May 27, 2011 commission meeting was made by Steve Tull and seconded by Leonard Perez. The motion carried.

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  3. Budget and Strategic Plan Subcommittee Meeting                      The subcommittees met together to review the agency's current budget and performance measures.

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  4. Subcommittee Reports                      After discussion there was no action necessary.

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  5. Reports from Fire Service Interest Groups                      Brief reports were given by the Texas State Association of Fire Fighters and the Texas Chief's Association.

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  6. Report from Fire Service School Advisory Board & TEEX                      Commission representative, Michael Hunt gave a brief report on the activities of the board.

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  7. New Matters                      Nothing presented.

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  8. Future Meeting Dates                      A meeting was scheduled for October 5, 2011 beginning at 10:00 a.m.
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9. Matters from Fire Fighter Advisory Committee
- A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 427, §427.1, and §427.201 as discussed was made by Les Bunte and seconded by John Gillette. The motion carried.
  - 2. A motion to approve for final adoption the proposed repeal of 37 TAC, Chapter 429, Subchapter A, Minimum Standards for Fire Inspectors Certification, §§429.1, 429.3, 429.5, 429.7, 429.9, and 429.11 as discussed was made by Elroy Carson and seconded by Steve Tull. The motion carried.
  - 3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 437, §437.3, 437.5, 437.7, and 437.13 as discussed was made by Elroy Carson and seconded by John Green. The motion carried (9 for, 4 against)
  - B. 1. A motion to send Chapter 429, Minimum Standards for Fire Inspectors, Subchapter B, Minimum Standards for Fire Inspector Certification back to the Fire Fighter Advisory Committee for further review as discussed was made by Jody Gonzalez and seconded by John Gillette. The motion carried.
  - 2. A motion to approve for publication the proposed amendment to 37 TAC, Chapter 435, §435.1, and new §435.27 as discussed was made by Jody Gonzalez and seconded by Carl Giles. The motion carried.
  - C. A motion to approve the recommended changes to the Basic Aircraft Rescue Fire Suppression Curriculum and reference lists with an effective date of January 1, 2012 as discussed was made by Tony Cortes and seconded by Yusuf Farran. The motion carried.
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10. 37 TAC, Chapter 439
- A motion to approve for publication the proposed amendment to 37 TAC, Chapter 439 new §439.13 as discussed was made by Carl Giles and seconded by Tony Cortes. The motion carried.
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11. IFSAC Seals
- After discussion no action taken.
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12. Matters from Executive Director
- a. Mr. Warren informed commissioners the agency had no contested cases or consent orders.
  - b. Mr. Warren provided the commissioners with an update on the agency's space issue. He informed the commissioners that the agency had acquired additional space on the first floor of the WBT building adjacent to its current space and all employees are now housed on the first floor. The agency's new employee, Kyle Park, Network Specialist was introduced. Mr. Warren also reiterated to the commissioners of his intent to retire effective August 31, 2011.
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13. Executive Session
- Presiding Officer, Chris Connealy called the Executive Session at 1:53 p.m.
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14. Open  
Session

The Presiding Officer reopened the public meeting at 4:41 p.m.

A motion was made to appoint John "Jake" Soteriou as the Interim Executive Director of the agency effective September 1, 2011 for a period not to exceed six months and to increase Mr. Soteriou's pay to \$92,600 annually which is the maximum allowed by the General Appropriations Act for that position was made by Leonardo Perez and seconded by Carl Giles. The motion carried.

A motion was made to allow staff to post the position of executive director with the changes as discussed beginning August 3, 2011 until filled was made by Steve Tull and seconded by John Gillette. The motion carried.

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15. Adjournment

A motion to adjourn was made by John McMakin and seconded by Tony Cortes. The motion carried.

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Chris Connealy, Presiding Officer

- 3. The Budget and Strategic Plan subcommittees will meet on October 5, 2011, 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.**



**Texas Commission on Fire Protection  
Strategy Budget Transfer  
Request Form**

Fiscal Year:   11                        Transfer Number:   01                        Date Transferred:   08/24/11  

Justification for additional funds or transfer of funds (check one):

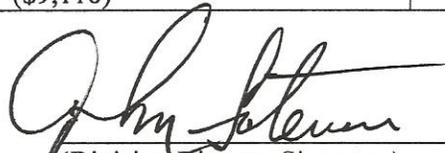
- Increase in Cost  
       Unforeseen Expense  
  X   Other    budget transfer

Explanation:   X   This transfer is to cover end of the year expenses in fund 0036.

**FROM:**

Appropriation Number	Strategy Name	Current Budget	DEBIT Amount	Revised Budget
13014	Standards and Certification	\$1,448,257	\$9,118	\$1,439,139

Amount Appropriated To Strategy	Cumulative Amount Transferred In Fiscal Year	Percent Transferred in Fiscal Year
13014      \$1,448,257	(\$9,118)	(0.63%)

  
 \_\_\_\_\_  
 (Division Director Signature)

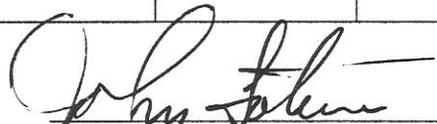
  8/24/11    
 (Date)

  
 \_\_\_\_\_  
 (Budget Director Signature)

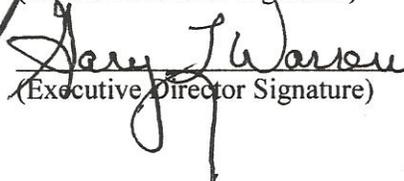
  8/24/2011    
 (Date)

**TO:**

Appropriation Number	Strategy Name	Current Budget	CREDIT Amount	Revised Budget
13008	Fire Safety Information Programs	\$72,948	\$9,118	\$82,066

  
 \_\_\_\_\_  
 (Division Director Signature)

  8/24/11    
 (Date)

  
 \_\_\_\_\_  
 (Executive Director Signature)

  8/24/11    
 (Date)



**Texas Commission on Fire Protection  
Strategy Budget Transfer  
Request Form**

Fiscal Year:   11                        Transfer Number:   02                        Date Transferred:  08/30/11 

Justification for additional funds or transfer of funds (check one):

- Increase in Cost  
 Unforeseen Expense  
 Other    budget transfer

Explanation:   X   This transfer is to cover end of the year expenses in fund 0036.

**FROM :**

Appropriation Number	Strategy Name	Current Budget	DEBIT Amount	Revised Budget
13014	Standards and Certification	\$1,439,139	\$10,000	\$1,429,139

Amount Appropriated To Strategy	Cumulative Amount Transferred In Fiscal Year	Percent Transferred in Fiscal Year
13014      \$1,448,257	(\$19,118)	(1.32%)

  
 (Division Director Signature)

  8/30/11    
 (Date)

  
 (Budget Director Signature)

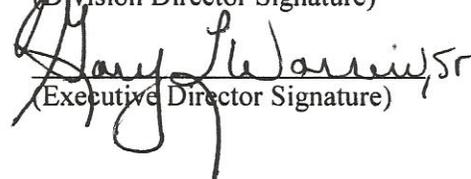
  8/31/2011    
 (Date)

**TO :**

Appropriation Number	Strategy Name	Current Budget	CREDIT Amount	Revised Budget
13800	Indirect Administration	\$801,463	\$10,000	\$811,463

  
 (Division Director Signature)

  8/30/11    
 (Date)

  
 (Executive Director Signature)

  8/31/11    
 (Date)

# Texas Commission on Fire Protection

## Fiscal Year 2011 - Operating Budget

Updated: 09/26/11

Thru: August 31, 2011

### Summary

Goals:	FY11 Budget	FY11 Expended	Encumb	Balance	%
Education, Information and Assistance	48,778	48,778		0	
Fire Department Standards	1,047,294	1,047,294		0	
Indirect Administration	642,856	642,856		0	
Merit Budget					
<b>1001 - Salaries &amp; Wages:</b>	<b>1,738,927</b>	<b>1,738,927</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	1,480	1,480		0	
Fire Department Standards	68,377	52,256		16,121	
Indirect Administration	57,032	57,032		0	
<b>1002 - Other Personnel Costs</b>	<b>126,889</b>	<b>110,768</b>	<b>0</b>	<b>16,121</b>	<b>13%</b>
Education, Information and Assistance	0	0		0	
Fire Department Standards	4,152	4,152		0	
Indirect Administration	52,135	46,547	5,588	0	
<b>2001 - Professional Fees and Services:</b>	<b>56,287</b>	<b>50,699</b>	<b>5,588</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	2,567	1,976	591	0	
Fire Department Standards	22,044	14,755	7,289	0	
Indirect Administration	1,871	1,622	249	0	
<b>2003 - Consumable Supplies:</b>	<b>26,482</b>	<b>18,353</b>	<b>8,130</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	327	300	27	0	
Fire Department Standards	23,132	22,147	986	0	
Indirect Administration	4,829	4,198	632	0	
<b>2004 - Utilities:</b>	<b>28,288</b>	<b>26,644</b>	<b>1,644</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	0	0		0	
Fire Department Standards	49,451	49,451		0	
Indirect Administration	18,775	18,775		0	
<b>2005 - Travel:</b>	<b>68,226</b>	<b>68,226</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	463	28	436	0	
Fire Department Standards	2,136	2,136		0	
Indirect Administration	1,098	1,098		0	
<b>2006 - Rent - Building (storage):</b>	<b>3,697</b>	<b>3,262</b>	<b>436</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	318	318		0	
Fire Department Standards	8,390	8,390		0	
Indirect Administration	4,457	4,457		0	
<b>2007 - Rent - Machine and Other:</b>	<b>13,165</b>	<b>13,165</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	5,537	3,751	1,786	0	
Fire Department Standards	175,982	44,528	32,945	98,509	
Indirect Administration	83,358	63,512	19,846	0	
<b>2009 - Other Operating Expense:</b>	<b>264,877</b>	<b>111,791</b>	<b>54,577</b>	<b>98,509</b>	<b>37%</b>
Education, Information and Assistance	1,000,000	1,000,000		0	
Fire Department Standards	0	0		0	
Indirect Administration	0	0		0	
<b>4000 - Grants:</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Education, Information and Assistance	26,110	26,110	0	0	
Fire Department Standards	6,790	279	6,511	0	
Indirect Administration	852	852		0	
<b>5000 - Capital Expenditures:</b>	<b>33,753</b>	<b>27,241</b>	<b>6,511</b>	<b>0</b>	<b>0%</b>
<b>TOTAL - ALL EXPENDITURES</b>	<b>3,360,591</b>	<b>3,169,075</b>	<b>76,886</b>	<b>114,630</b>	<b>3%</b>
			<b>3,360,591</b>	<b>0</b>	<b>* diff</b>

Assumes \$60,000 in IFSAC seals:

Appropriated Amt in GAA:

3,360,591

0

**Texas Commission on Fire Protection**  
**Fiscal Year 2011 - Operating Budget**

*Thru: August 31, 2011*

**Goal A: Education, Info and Assistance**

	Library	IT	Grants	Total	%
<b>Budget:</b>	48,778	0	0	48,778	0
Expended:	48,778	0	0	48,778	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Other Personnel Costs:					
7017- One-Time Merit	1,000	0	0	1,000	
7022- Longevity Pay	480	0	0	480	
7023- Lump Sum Termination	0	0	0	0	
<b>Budget:</b>	<b>1,480</b>	<b>0</b>	<b>0</b>	<b>1,480</b>	0
Expended:	1,480	0	0	1,480	
<b>1002 - Balance Other Personnel Costs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Professional Fees and Services:					
7242- Consulting Services - IT Computer	0	0	0	0	
7245- Financial & Accounting Services	0	0	0	0	
7253- Other Professional Fees (EAP)	0	0	0	0	
7274- Temporary Employment Agencies	0	0	0	0	
7275- Computer Programming Services	0	0	0	0	
<b>Budget:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	0
Expended:	0	0	0	0	
<b>2001 - Balance Professional Fees and Services:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>
<b>Budget:</b>	<b>567</b>	<b>2,000</b>	<b>0</b>	<b>2,567</b>	0
Expended:	127	1,849	0	1,976	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>440</b>	<b>151</b>	<b>0</b>	<b>591</b>	<b>23%</b>
Utilities:					
7501- Electricity	0	0	0	0	
7503- Telecommunications-Long Distance	0	0	0	0	
7504- Telecommunications-Monthly Charge	300	0	0	300	
7514- Telecommunications-Maint & Repair	0	0	0	0	
7516- Telecommunications-Other Charges (reg voice/internet)	0	0	0	0	
7517- Telecommunications Equipment-Expensed	0	0	0	0	
<b>Budget:</b>	<b>327</b>	<b>0</b>	<b>0</b>	<b>327</b>	0
Expended:	300	0	0	300	
<b>2004 - Balance Utilities:</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>27</b>	<b>8%</b>
Travel:					
7101- Travel I/S - Public Transportation Fares	0	0	0	0	
7102- Mileage	0	0	0	0	
7104- Travel I/S - Actual Expense Overnight	0	0	0	0	
7105- Travel I/S - Incidental Expenses	0	0	0	0	
7106- Travel I/S - Meals & Lodging	0	0	0	0	
7107- Travel I/S - Non-Overnight Travel (Meals)	0	0	0	0	
7110- Travel I/S - Board Member Meals & Lodging	0	0	0	0	
7111- Travel OOS - Public Transportation Fares	0	0	0	0	
7112- Travel OOS - Mileage	0	0	0	0	
7115- Travel OOS - Incidental Expenses	0	0	0	0	
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0	
7135- Travel I/S - State Occupancy Tax	0	0	0	0	
7136- Travel I/S - State Occupancy Tax Galveston	0	0	0	0	
<b>Budget:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	0
Expended:	0	0	0	0	
<b>2005 - Balance Travel:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>
<b>Budget:</b>	<b>463</b>	<b>0</b>	<b>0</b>	<b>463</b>	0
Expended:	28	0	0	28	
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>436</b>	<b>0</b>	<b>0</b>	<b>436</b>	<b>94%</b>

**Texas Commission on Fire Protection**  
**Fiscal Year 2011 - Operating Budget**

*Thru: August 31, 2011*

**Goal A: Education, Info and Assistance**

	Library	IT	Grants	Total	%
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	270	0	0	270	
7411- Rental - Computer Equipment	48	0	0	48	
<b>Budget:</b>	<b>318</b>	<b>0</b>	<b>0</b>	<b>318</b>	0
Expended:	318	0	0	318	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Other Operating Expense:					
7201- Membership Dues	495	0	0	495	
7203- Registration Fees-Employee Training	154	0	0	154	
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	20	0	0	20	
7276- Communication Services (T-1 Line)	93	0	0	93	
7281- Advertising Services	0	0	0	0	
7286- Freight & Delivery Services	0	0	0	0	
7291- Postage & Postal Services	322	0	0	322	
7299- Purchased Contracted Services	5	0	0	5	
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	11	0	0	11	
7335- Parts -Computer Equipment - Expensed	115	0	0	115	
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	57	0	0	57	
7378- Computer Equipment - Controlled	0	0	0	0	
7379- Computer Equipment - Cap (>1,000)	141	0	0	141	
7380- Computer Software - Expensed	2,301	0	0	2,301	
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)	39	0	0	39	
<b>Budget:</b>	<b>5,537</b>	<b>0</b>	<b>0</b>	<b>5,537</b>	0
Expended:	3,751	0	0	3,751	
<b>2009 - Balance Other Operating Expense:</b>	<b>1,786</b>	<b>0</b>	<b>0</b>	<b>1,786</b>	<b>32%</b>
Grants:					
7312- Medical Supplies	0	0	0	0	
7623- Grants- Community Serv. Programs	0	0	1,000,000	1,000,000	
7701- Loans to Political Subdivisions	0	0	0	0	
<b>Budget:</b>	<b>0</b>	<b>0</b>	<b>1,000,000</b>	<b>1,000,000</b>	0
Expended:	0	0	1,000,000	1,000,000	
<b>4000 - Balance Grants:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Capital Expenditures:					
7354- Remodeling of Bldg-State Owned - Capitalized	0	0	0	0	
7389- Books, Pre-Recorded Ref Material - Capitalized	26,110	0	0	26,110	
<b>Budget:</b>	<b>26,110</b>	<b>0</b>	<b>0</b>	<b>26,110</b>	0
Expended:	26,110	0	0	26,110	
<b>5000 - Balance Capital Expenditures:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Budget:</b>	<b>83,581</b>	<b>2,000</b>	<b>1,000,000</b>	<b>1,085,581</b>	
Expended:	80,892	1,849	1,000,000	1,082,741	
<b>TOTAL BALANCE</b>	<b>2,689</b>	<b>151</b>	<b>0</b>	<b>2,840</b>	<b>0%</b>

**Texas Commission on Fire Protection**

**Fiscal Year 2011 - Operating Budget**

*Thru: August 31, 2011*

**Goal B: Fire Department Standards**

	<b>Mgmt</b>	<b>Complnc</b>	<b>Cert</b>	<b>Testing</b>	<b>Curr Dev</b>	<b>Total</b>	<b>%</b>
<b>Budget:</b>	<b>91,542</b>	<b>420,575</b>	<b>170,407</b>	<b>272,749</b>	<b>92,020</b>	<b>1,047,294</b>	0.00
<b>Expended:</b>	91,542	420,575	170,407	272,749	92,020	1,047,294	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Other Personnel Costs:							
7017- One-Time Merit	5,000	6,000	3,000	4,000	2,000	20,000	
7022- Longevity Pay	1,200	6,960	3,880	8,360	1,300	21,700	
7023- Lump Sum Termination	0	4,578	3,496	2,482	0	10,556	
7030- Employee Incentive Bonus	0	0	0	0	0	0	
<b>Budget:</b>	<b>6,200</b>	<b>17,538</b>	<b>10,376</b>	<b>14,842</b>	<b>3,300</b>	<b>52,256</b>	16,121
<b>Expended:</b>	6,200	17,538	10,376	14,842	3,300	52,256	
<b>1002 - Balance Other Personnel Costs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Professional Fees and Services:							
7242- Consulting Services - IT Computer	0	0	0	0	0	0	
7245- Financial & Accounting Services	0	0	0	0	0	0	
7253- Other Professional Fees (EAP)	0	0	0	0	0	0	
7274- Temporary Employment Agencies	0	0	0	4,152	0	4,152	
7275- Computer Programming Services	0	0	0	0	0	0	
<b>Budget:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,152</b>	<b>0</b>	<b>4,152</b>	0
<b>Expended:</b>	0	0	0	4,152	0	4,152	
<b>2001 - Balance Professional Fees and Services</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Budget:</b>	<b>2,540</b>	<b>1,566</b>	<b>12,426</b>	<b>5,512</b>	<b>0</b>	<b>22,044</b>	0
<b>Expended:</b>	2,074	1,506	8,308	2,866	0	14,755	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>465</b>	<b>60</b>	<b>4,118</b>	<b>2,646</b>	<b>0</b>	<b>7,289</b>	<b>33%</b>
Utilities:							
7501- Electricity	0	0	0	0	0	0	
7503- Telecommunications-Long Distance	0	21	0	0	0	21	
7504- Telecommunications-Monthly Charge	7,796	3,648	0	0	0	11,444	
7514- Telecommunications-Maint & Repair	0	0	0	0	0	0	
7516- Telecommunications-Other Charges (reg voice/intel)	0	10,682	0	0	0	10,682	
7517- Telecommunications Equipment-Expensed	0	0	0	0	0	0	
<b>Budget:</b>	<b>7,796</b>	<b>15,337</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>23,132</b>	0
<b>Expended:</b>	7,796	14,351	0	0	0	22,147	
<b>2004 - Balance Utilities:</b>	<b>0</b>	<b>986</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>986</b>	<b>4%</b>
Travel:							
7101- Travel I/S - Public Transportation Fares	0	7,258	0	6,226	0	13,484	
7102- Mileage	0	7,529	0	530	0	8,058	
7104- Travel I/S - Actual Expense Overnight	0	0	0	0	0	0	
7105- Travel I/S - Incidental Expenses	0	3,758	30	2,571	0	6,359	
7106- Travel I/S - Meals & Lodging	0	15,646	409	4,996	0	21,050	
7107- Travel I/S - Non-Overnight Travel (Meals)	0	307	0	0	0	307	
7110- Travel I/S - Board Member Meals & Lodging	0	0	0	0	0	0	
7111- Travel OOS - Public Transportation Fares	0	0	0	28	0	28	
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	334	0	334	
7135- Travel I/S - State Occupancy Tax	0	(158)	0	(13)	0	(171)	
7136- Travel I/S - State Occupancy Tax Galveston	0	0	0	0	0	0	
<b>Budget:</b>	<b>0</b>	<b>34,339</b>	<b>440</b>	<b>14,672</b>	<b>0</b>	<b>49,451</b>	
<b>Expended:</b>	0	34,339	440	14,672	0	49,451	
<b>2005 - Balance Travel:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
7462- Rent office space - building		2,136				2,136	
<b>Budget:</b>	<b>0</b>	<b>2,136</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,136</b>	0
<b>Expended:</b>	0	2,136	0	0	0	2,136	
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>

**Texas Commission on Fire Protection**

**Fiscal Year 2011 - Operating Budget**

*Thru: August 31, 2011*

**Goal B: Fire Department Standards**

	<b>Mgmt</b>	<b>Complnc</b>	<b>Cert</b>	<b>Testing</b>	<b>Curr Dev</b>	<b>Total</b>	<b>%</b>
Rent - Machine and Other:							
7406- Rental - Furnishings & Equipment (copier)	7,033	0	0	0	0	7,033	
7411- Rental - Computer Equipment	1,357	0	0	0	0	1,357	
<b>Budget:</b>	<b>8,390</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,390</b>	<b>0</b>
<b>Expended:</b>	<b>8,390</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,390</b>	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Other Operating Expense:							
7201- Membership Dues	0	0	0	0	0	0	
7203- Registration Fees-Employee Training	1,930	250	250	0	0	2,430	
7210- Fees & Other Charges (DPS)	0	0	14	0	0	14	
7211- Awards	0	88	0	386	0	474	
7216- Insurance Premiums - appvd by oag	0	250	0	0	0	250	
7262- Maint & Repair - Computer Software	0	0	0	0	0	0	
7267- Maint & Repair - Computer Equipment	0	0	0	813	0	813	
7273- Reproduction & Printing	545	20	0	3,010	0	3,574	
7276- Communication Services (T-1 Line)	2,408	0	0	0	0	2,408	
7281- Advertising Services	0	0	0	0	0	0	
7286- Freight & Delivery Services	0	0	0	6,247	0	6,247	
7291- Postage & Postal Services	8,370	100	0	0	220	8,690	
7299- Purchased Contracted Services	172	0	18	0	0	190	
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	275	263	0	0	250	787	
7335- Parts -Computer Equipment - Expensed	2,989	0	0	0	0	2,989	
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	22	0	151	0	173	
7377- Computer Equipment - Expensed	1,470	544	0	0	0	2,014	
7378- Computer Equipment - Controlled	0	135	157	0	0	292	
7379- Computer Equipment - Cap (>1,000)	3,660	0	0	0	0	3,660	
7380- Computer Software - Expensed	7,209	0	0	99	1,200	8,508	
7382- Books - Expensed	0	0	0	0	0	0	
7806- Interest on Delayed Payment	3	2	0	2	0	7	
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)	1,007	0	0	0	0	1,007	
<b>Budget:</b>	<b>44,555</b>	<b>13,491</b>	<b>1,031</b>	<b>16,727</b>	<b>1,670</b>	<b>77,473</b>	<b>98,509</b>
<b>Expended:</b>	<b>30,037</b>	<b>1,674</b>	<b>439</b>	<b>10,708</b>	<b>1,670</b>	<b>44,528</b>	
<b>2009 - Balance Other Operating Expense:</b>	<b>14,518</b>	<b>11,817</b>	<b>592</b>	<b>6,019</b>	<b>0</b>	<b>32,945</b>	<b>43%</b>
Capital Expenditures:							
7312- Medical Supplies	0	0	0	0	0	0	
7354- Remodeling of Bldg-State Owned - Capitalized	0	0	0	0	0	0	
7389- Books, Pre-Recorded Ref Material - Capitalized	0	0	0	279	0	279	
<b>Budget:</b>	<b>6,511</b>	<b>0</b>	<b>0</b>	<b>279</b>	<b>0</b>	<b>6,790</b>	<b>0</b>
<b>Expended:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>279</b>	<b>0</b>	<b>279</b>	
<b>5000 - Balance Capital Expenditures:</b>	<b>6,511</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6,511</b>	<b>96%</b>
<b>Budget:</b>	<b>167,534</b>	<b>504,983</b>	<b>194,679</b>	<b>328,933</b>	<b>96,990</b>	<b>1,293,118</b>	<b>0</b>
<b>Expended:</b>	<b>146,039</b>	<b>492,120</b>	<b>189,969</b>	<b>320,268</b>	<b>96,990</b>	<b>1,245,386</b>	
<b>TOTAL BALANCE</b>	<b>21,495</b>	<b>12,862</b>	<b>4,710</b>	<b>8,665</b>	<b>0</b>	<b>47,731</b>	<b>4%</b>

**Texas Commission on Fire Protection**  
**Fiscal Year 2011 - Operating Budget**

*Thru: August 31, 2011*

**Goal C: Indirect Administration**

	Exec Office	Supp Svcs	Commis	Total	%
<b>Budget:</b>	372,629	270,227	0	642,856	0
Expended:	372,629	270,227	0	642,856	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Other Personnel Costs:					
7004- Non-Permanent Full-Time Employee	14,090	0	0	14,090	
7017- One-Time Merit	1,000	2,000	0	3,000	
7022- Longevity Pay	5,380	9,840	0	15,220	
7023- Lump Sum Termination	17,735	6,987	0	24,722	
7030- Employee Incentive Bonus	0	0	0	0	
<b>Budget:</b>	<b>38,205</b>	<b>18,827</b>	<b>0</b>	<b>57,032</b>	0
Expended:	38,205	18,827	0	57,032	
<b>1002 - Balance Other Personnel Costs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Professional Fees and Services:					
7242- Consulting Services - IT Computer	0	7,944	0	7,944	
7245- Financial & Accounting Services	0	867	0	867	
7253- Other Professional Fees (EAP)	0	0	0	0	
7274- Temporary Employment Agencies	0	7,650	0	7,650	
7275- Computer Programming Services	30,085	0	0	30,085	
<b>Budget:</b>	<b>30,085</b>	<b>22,050</b>	<b>0</b>	<b>52,135</b>	0
Expended:	30,085	16,462	0	46,547	
<b>2001 - Balance Professional Fees and Services:</b>	<b>0</b>	<b>5,588</b>	<b>0</b>	<b>5,588</b>	<b>11%</b>
<b>Budget:</b>	<b>385</b>	<b>1,486</b>	<b>0</b>	<b>1,871</b>	0
Expended:	385	1,236	0	1,622	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>0</b>	<b>249</b>	<b>0</b>	<b>249</b>	<b>13%</b>
Utilities:					
7501- Electricity	0	0	0	0	
7503- Telecommunications-Long Distance	0	0	0	0	
7504- Telecommunications-Monthly Charge	0	4,198	0	4,198	
7514- Telecommunications-Maint & Repair	0	0	0	0	
7516- Telecommunications-Other Charges (reg voice/internet)	0	0	0	0	
7517- Telecommunications equipment - Expensed	0	0	0	0	
<b>Budget:</b>	<b>0</b>	<b>4,829</b>	<b>0</b>	<b>4,829</b>	0
Expended:	0	4,198	0	4,198	
<b>2004 - Balance Utilities:</b>	<b>0</b>	<b>632</b>	<b>0</b>	<b>632</b>	<b>13%</b>
Travel:					
7101- Travel I/S - Public Transportation Fares	0	217	5,359	5,576	
7102- Mileage	227	517	7,981	8,725	
7104- Travel I/S - Actual Expense Overnight	0	0	0	0	
7105- Travel I/S - Incidental Expenses	5	20	437	462	
7106- Travel I/S - Meals & Lodging	87	0	393	480	
7107- Travel I/S - Non-Overnight Travel (Meals)	40	36	61	137	
7110- Travel I/S - Board Member Meals & Lodging	0	0	3,394	3,394	
7111- Travel OOS - Public Transportation Fares	0	0	0	0	
7112- Travel OOS - Mileage	0	0	0	0	
7115- Travel OOS - Incidental Expenses	0	0	0	0	
7116- Travel OOS - Meals, Lodging Allowable	0	0	0	0	
7135- Travel I/S - State Occupancy Tax	0	0	0	0	
7136- Travel I/S - State Occupancy Tax Galveston	0	0	0	0	
<b>Budget:</b>	<b>359</b>	<b>790</b>	<b>17,626</b>	<b>18,775</b>	0.00
Expended:	359	790	17,626	18,775	
<b>2005 - Balance Travel:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Budget:</b>	<b>240</b>	<b>858</b>	<b>0</b>	<b>1,098</b>	0

# Texas Commission on Fire Protection

## Fiscal Year 2011 - Operating Budget

Thru: August 31, 2011

### Goal C: Indirect Administration

	Exec Office	Supp Svcs	Commis	Total	%
Expended:	240	858	0	1,098	
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0	3,787	0	3,787	
7411- Rental - Computer Equipment	0	670	0	670	
<b>Budget:</b>	<b>0</b>	<b>4,457</b>	<b>0</b>	<b>4,457</b>	0
Expended:	0	4,457	0	4,457	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
Other Operating Expense:					
7201- Membership Dues	0	0	0	0	
7203- Registration Fees-Employee Training	830	1,039	0	1,869	
7210- Fees & Other Charges (DPS)	0	0	0	0	
7211- Awards	694	0	0	694	
7216- Insurance Premiums - appvd by oag	0	0	0	0	
7262- Maint & Repair - Computer Software	0	0	0	0	
7266- Maint & Repair - Building	1,213	0	0	1,213	
7267- Maint & Repair - Computer Equipment	0	0	0	0	
7273- Reproduction & Printing	0	390	0	390	
7276- Communication Services (T-1 Line)	2,560	1,297	0	3,857	
7281- Advertising Services	0	0	0	0	
7286- Freight & Delivery Services	0	0	0	0	
7291- Postage & Postal Services	0	4,507	0	4,507	
7299- Purchased Contracted Services	4,549	63	0	4,612	
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	3,012	148	0	3,160	
7335- Parts -Computer Equipment - Expensed	118	1,610	0	1,727	
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	6,644	0	0	6,644	
7377- Computer Equipment - Expensed	1,830	857	0	2,686	
7378- Computer Equipment - Controlled	1,571	0	0	1,571	
7379- Computer Equipment - Cap (>1,000)	0	0	0	0	
7380- Computer Software - Expensed	2,184	25,181	0	27,366	
7382- Books - Expensed	0	0	0	0	
7806- Interest on Delayed Payment	0	2	10	11	
7947- Workers Compensation Transfer (SORM)	0	2,662	0	2,662	
7953- SWCAP payment/cost allocation	0	0	0	0	
7961- STS Transfers-Telecommunications (TexAn)	0	542	0	542	
<b>Budget:</b>	<b>26,005</b>	<b>57,344</b>	<b>10</b>	<b>83,358</b>	0
Expended:	25,205	38,298	10	63,512	
<b>2009 - Balance Other Operating Expense:</b>	<b>800</b>	<b>19,046</b>	<b>0</b>	<b>19,846</b>	<b>24%</b>
Capital Expenditures:					
7312- Medical Supplies	0	0	0	0	
7354- Remodeling of Bldg-State Owned - Capitalized	0	0	0	0	
7389- Books, Pre-Recorded Ref Material - Capitalized	657	195	0	852	
<b>Budget:</b>	<b>657</b>	<b>195</b>	<b>0</b>	<b>852</b>	0
Expended:	657	195	0	852	
<b>5000 - Balance Capital Expenditures:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Budget:</b>	<b>468,565</b>	<b>381,062</b>	<b>17,636</b>	<b>867,263</b>	0
Expended:	467,765	355,547	17,636	840,947	
<b>TOTAL - BALANCE</b>	<b>800</b>	<b>25,515</b>	<b>0</b>	<b>26,315</b>	<b>3%</b>

**Texas Commission on Fire Protection**  
**Fiscal Year 2012 - Operating Budget**

Updated: 9/26/11

**Summary**

Goals:	FY12		FY12		%
	Budget	Expended	Encumb	Balance	
Education, Information and Assistance	48,778	0		48,778	
Fire Department Standards	1,121,217	0		1,121,217	
Indirect Administration	450,752	0		450,752	
Merit Budget					
<b>1001 - Salaries &amp; Wages:</b>	<b>1,620,747</b>	<b>0</b>	<b>0</b>	<b>1,620,747</b>	<b>100%</b>
Education, Information and Assistance	500	0		500	
Fire Department Standards	38,700	0		38,700	
Indirect Administration	16,920	0		16,920	
<b>1002 - Other Personnel Costs</b>	<b>56,120</b>	<b>0</b>	<b>0</b>	<b>56,120</b>	<b>100%</b>
Education, Information and Assistance	0	0		0	
Fire Department Standards	2,578	0		2,578	
Indirect Administration	15,682	0		15,682	
<b>2001 - Professional Fees and Services:</b>	<b>18,260</b>	<b>0</b>	<b>0</b>	<b>18,260</b>	<b>100%</b>
Education, Information and Assistance	4,356	0		4,356	
Fire Department Standards	16,243	0		16,243	
Indirect Administration	3,313	0		3,313	
<b>2003 - Consumable Supplies:</b>	<b>23,912</b>	<b>0</b>	<b>0</b>	<b>23,912</b>	<b>100%</b>
Education, Information and Assistance	386	0		386	
Fire Department Standards	24,384	0		24,384	
Indirect Administration	2,699	0		2,699	
<b>2004 - Utilities:</b>	<b>27,468</b>	<b>0</b>	<b>0</b>	<b>27,468</b>	<b>100%</b>
Education, Information and Assistance	0	0		0	
Fire Department Standards	53,708	0		53,708	
Indirect Administration	18,775	0		18,775	
<b>2005 - Travel:</b>	<b>72,483</b>	<b>0</b>	<b>0</b>	<b>72,483</b>	<b>100%</b>
Education, Information and Assistance	480	0		480	
Fire Department Standards	2,136	0		2,136	
Indirect Administration	1,128	0		1,128	
<b>2006 - Rent - Building (storage):</b>	<b>3,744</b>	<b>0</b>	<b>0</b>	<b>3,744</b>	<b>100%</b>
Education, Information and Assistance	641	0		641	
Fire Department Standards	12,568	0		12,568	
Indirect Administration	6,675	0		6,675	
<b>2007 - Rent - Machine and Other:</b>	<b>19,885</b>	<b>0</b>	<b>0</b>	<b>19,885</b>	<b>100%</b>
Education, Information and Assistance	2,316	0		2,316	
Fire Department Standards	43,816	0		43,816	
Indirect Administration	26,145	0		26,145	
<b>2009 - Other Operating Expense:</b>	<b>72,278</b>	<b>0</b>	<b>0</b>	<b>72,278</b>	<b>100%</b>
Education, Information and Assistance	0	0		0	
Fire Department Standards	5,000	0		5,000	
Indirect Administration	0	0		0	
<b>4000 - Grants:</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>5,000</b>	<b>100%</b>
Education, Information and Assistance	4,205	0		4,205	
Fire Department Standards	0	0		0	
Indirect Administration	0	0		0	
<b>5000 - Capital Expenditures:</b>	<b>4,205</b>	<b>0</b>	<b>0</b>	<b>4,205</b>	<b>100%</b>
<b>TOTAL - ALL EXPENDITURES</b>	<b>1,924,102</b>	<b>0</b>	<b>0</b>	<b>1,924,102</b>	<b>100%</b>
			<b>1,944,829</b>	<b>(20,727) * diff</b>	

Assumes \$45,000 in IFSAC seals:

Appropriated Amt in GAA:

1,944,829

0

**Texas Commission on Fire Protection**  
**Fiscal Year 2012 - Operating Budget**

**Goal A: Education, Info and Assistance**

	Library	IT	Grants	Total	%
Budget:	48,778	0	0	48,778	0
Expended:				0	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>48,778</b>	<b>0</b>	<b>0</b>	<b>48,778</b>	<b>100%</b>
Other Personnel Costs:					
7017- One-Time Merit				0	
7022- Longevity Pay				0	
7023- Lump Sum Termination				0	
Budget:	500	0	0	500	0
Expended:	0	0	0	0	
<b>1002 - Balance Other Personnel Costs</b>	<b>500</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>100%</b>
Professional Fees and Services:					
7242- Consulting Services - IT Computer				0	
7245- Financial & Accounting Services				0	
7253- Other Professional Fees (EAP)				0	
7274- Temporary Employment Agencies				0	
7275- Computer Programming Services				0	
Budget:	0	0	0	0	0
Expended:	0	0	0	0	
<b>2001 - Balance Professional Fees and Services:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>
Budget:	356	4,000	0	4,356	0
Expended:				0	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>356</b>	<b>4,000</b>	<b>0</b>	<b>4,356</b>	<b>100%</b>
Utilities:					
7501- Electricity				0	
7503- Telecommunications-Long Distance				0	
7504- Telecommunications-Monthly Charge				0	
7514- Telecommunications-Maint & Repair				0	
7516- Telecommunications-Other Charges (reg voice/internet)				0	
7517- Telecommunications Equipment-Expensed				0	
Budget:	386	0	0	386	0
Expended:				0	
<b>2004 - Balance Utilities:</b>	<b>386</b>	<b>0</b>	<b>0</b>	<b>386</b>	<b>100%</b>
Travel:					
7101- Travel I/S - Public Transportation Fares				0	
7102- Mileage				0	
7104- Travel I/S - Actual Expense Overnight				0	
7105- Travel I/S - Incidental Expenses				0	
7106- Travel I/S - Meals & Lodging				0	
7107- Travel I/S - Non-Overnight Travel (Meals)				0	
7110- Travel I/S - Board Member Meals & Lodging				0	
7111- Travel OOS - Public Transportation Fares				0	
7112- Travel OOS - Mileage				0	
7115- Travel OOS - Incidental Expenses				0	
7116- Travel OOS - Meals, Lodging Allowable				0	
7135- Travel I/S - State Occupancy Tax				0	
7136- Travel I/S - State Occupancy Tax Galveston				0	
Budget:	0	0	0	0	0
Expended:				0	
<b>2005 - Balance Travel:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>

**Texas Commission on Fire Protection**  
**Fiscal Year 2012 - Operating Budget**

**Goal A: Education, Info and Assistance**

	Library	IT	Grants	Total	%
<b>Budget:</b>	480	0	0	480	0
Expended:				0	
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>480</b>	<b>0</b>	<b>0</b>	<b>480</b>	<b>100%</b>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)				0	
7411- Rental - Computer Equipment				0	
<b>Budget:</b>	641	0	0	641	0
Expended:				0	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>641</b>	<b>0</b>	<b>0</b>	<b>641</b>	<b>100%</b>
Other Operating Expense:					
7201- Membership Dues				0	
7203- Registration Fees-Employee Training				0	
7210- Fees & Other Charges (DPS)				0	
7211- Awards				0	
7216- Insurance Premiums - appvd by oag				0	
7262- Maint & Repair - Computer Software				0	
7267- Maint & Repair - Computer Equipment				0	
7273- Reproduction & Printing				0	
7276- Communication Services (T-1 Line)				0	
7281- Advertising Services				0	
7286- Freight & Delivery Services				0	
7291- Postage & Postal Services				0	
7299- Purchased Contracted Services				0	
7303- Subscriptions, Periodicals and Info Services				0	
7312- Medical Supplies				0	
7330- Parts -equip, furn				0	
7334- Furnishings & Equipment -Expensed				0	
7335- Parts -Computer Equipment - Expensed				0	
7354- Bldg Remodel - State Leased -Expensed				0	
7367- Personal Property - Maint & Repair				0	
7374- Personal Property-Furn & Equip - Controlled				0	
7377- Computer Equipment - Expensed				0	
7378- Computer Equipment - Controlled				0	
7379- Computer Equipment - Cap (>1,000)				0	
7380- Computer Software - Expensed				0	
7382- Books - Expensed				0	
7806- Interest on Delayed Payment				0	
7947- Workers Compensation Transfer (SORM)				0	
7953- SWCAP payment/cost allocation				0	
7961- STS Transfers-Telecommunications (TexAn)				0	
<b>Budget:</b>	2,316	0	0	2,316	0
Expended:				0	
<b>2009 - Balance Other Operating Expense:</b>	<b>2,316</b>	<b>0</b>	<b>0</b>	<b>2,316</b>	<b>100%</b>
Grants:					
7312- Medical Supplies				0	
7623- Grants- Community Serv. Programs				0	
7701- Loans to Political Subdivisions				0	
<b>Budget:</b>	0	0	0	0	0
Expended:				0	
<b>4000 - Balance Grants:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>
Capital Expenditures:					
7354- Remodeling of Bldg-State Owned - Capitalized				0	
7389- Books, Pre-Recorded Ref Material - Capitalized				0	
<b>Budget:</b>	4,205	0	0	4,205	0
Expended:				0	
<b>5000 - Balance Capital Expenditures:</b>	<b>4,205</b>	<b>0</b>	<b>0</b>	<b>4,205</b>	<b>100%</b>
<b>Budget:</b>	57,662	4,000	0	61,662	
Expended:				0	
<b>TOTAL BALANCE</b>	<b>57,662</b>	<b>4,000</b>	<b>0</b>	<b>61,662</b>	<b>100%</b>

**Texas Commission on Fire Protection**  
**Fiscal Year 2012 - Operating Budget**

**Goal B: Fire Department Standards**

	<b>Mgmt</b>	<b>Complnc</b>	<b>Cert</b>	<b>Testing</b>	<b>Curr Dev</b>	<b>Stand Admin</b>	<b>Total</b>	<b>%</b>
<b>Budget:</b>	91,542	442,475	188,475	251,229	44,837	102,659	1,121,217	0
<b>Expended:</b>							0	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>91,542</b>	<b>442,475</b>	<b>188,475</b>	<b>251,229</b>	<b>44,837</b>	<b>102,659</b>	<b>1,121,217</b>	<b>100%</b>
Other Personnel Costs:								
7017- One-Time Merit								0
7022- Longevity Pay								0
7023- Lump Sum Termination								0
7030- Employee Incentive Bonus								0
<b>Budget:</b>	16,260	8,000	5,500	6,480	440	2,020	38,700	0
<b>Expended:</b>							0	
<b>1002 - Balance Other Personnel Costs</b>	<b>16,260</b>	<b>8,000</b>	<b>5,500</b>	<b>6,480</b>	<b>440</b>	<b>2,020</b>	<b>38,700</b>	<b>100%</b>
Professional Fees and Services:								
7242- Consulting Services - IT Computer								0
7245- Financial & Accounting Services								0
7253- Other Professional Fees (EAP)								0
7274- Temporary Employment Agencies								0
7275- Computer Programming Services								0
<b>Budget:</b>	0	0	0	2,578	0	0	2,578	0
<b>Expended:</b>							0	
<b>2001 - Balance Professional Fees and Services</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,578</b>	<b>0</b>	<b>0</b>	<b>2,578</b>	<b>100%</b>
<b>Budget:</b>	3,568	500	8,400	3,675	100	0	16,243	0
<b>Expended:</b>							0	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>3,568</b>	<b>500</b>	<b>8,400</b>	<b>3,675</b>	<b>100</b>	<b>0</b>	<b>16,243</b>	<b>100%</b>
Utilities:								
7501- Electricity								0
7503- Telecommunications-Long Distance								0
7504- Telecommunications-Monthly Charge								0
7514- Telecommunications-Maint & Repair								0
7516- Telecommunications-Other Charges (reg voice/internet)								0
7517- Telecommunications Equipment-Expensed								0
<b>Budget:</b>	8,868	15,516	0	0	0	0	24,384	0
<b>Expended:</b>							0	
<b>2004 - Balance Utilities:</b>	<b>8,868</b>	<b>15,516</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>24,384</b>	<b>100%</b>
Travel:								
7101- Travel I/S - Public Transportation Fares								0
7102- Mileage								0
7104- Travel I/S - Actual Expense Overnight								0
7105- Travel I/S - Incidental Expenses								0
7106- Travel I/S - Meals & Lodging								0
7107- Travel I/S - Non-Overnight Travel (Meals)								0
7110- Travel I/S - Board Member Meals & Lodging								0
7111- Travel OOS - Public Transportation Fares								0
7112- Travel OOS - Mileage								0
7115- Travel OOS - Incidental Expenses								0
7116- Travel OOS - Meals, Lodging Allowable								0
7135- Travel I/S - State Occupancy Tax								0
7136- Travel I/S - State Occupancy Tax Galveston								0
<b>Budget:</b>	0	30,085	8,082	15,011	530	0	53,708	0
<b>Expended:</b>							0	
<b>2005 - Balance Travel:</b>	<b>0</b>	<b>30,085</b>	<b>8,082</b>	<b>15,011</b>	<b>530</b>	<b>0</b>	<b>53,708</b>	<b>100%</b>
7462- Rent office space - building								0
<b>Budget:</b>	0	2,136	0	0	0	0	2,136	0
<b>Expended:</b>							0	
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>0</b>	<b>2,136</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,136</b>	<b>100%</b>

**Texas Commission on Fire Protection**  
**Fiscal Year 2012 - Operating Budget**

**Goal B: Fire Department Standards**

	<b>Mgmt</b>	<b>Complnc</b>	<b>Cert</b>	<b>Testing</b>	<b>Curr Dev</b>	<b>Stand Admin</b>	<b>Total</b>	<b>%</b>
Rent - Machine and Other:								
7406- Rental - Furnishings & Equipment (copier)							0	
7411- Rental - Computer Equipment							0	
<b>Budget:</b>	<b>12,568</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12,568</b>	<b>0</b>
<b>Expended:</b>							<b>0</b>	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>12,568</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12,568</b>	<b>100%</b>
Other Operating Expense:								
7201- Membership Dues							0	
7203- Registration Fees-Employee Training							0	
7210- Fees & Other Charges (DPS)							0	
7211- Awards							0	
7216- Insurance Premiums - appvd by oag							0	
7262- Maint & Repair - Computer Software							0	
7267- Maint & Repair - Computer Equipment							0	
7273- Reproduction & Printing							0	
7276- Communication Services (T-1 Line)							0	
7281- Advertising Services							0	
7286- Freight & Delivery Services							0	
7291- Postage & Postal Services							0	
7299- Purchased Contracted Services							0	
7303- Subscriptions, Periodicals and Info Services							0	
7312- Medical Supplies							0	
7330- Parts -equip, furn							0	
7334- Furnishings & Equipment -Expensed							0	
7335- Parts -Computer Equipment - Expensed							0	
7354- Bldg Remodel - State Leased -Expensed							0	
7367- Personal Property - Maint & Repair							0	
7374- Personal Property-Furn & Equip - Controlled							0	
7377- Computer Equipment - Expensed							0	
7378- Computer Equipment - Controlled							0	
7379- Computer Equipment - Cap (>1,000)							0	
7380- Computer Software - Expensed							0	
7382- Books - Expensed							0	
7806- Interest on Delayed Payment							0	
7947- Workers Compensation Transfer (SORM)							0	
7953- SWCAP payment/cost allocation							0	
7961- STS Transfers-Telecommunications (TexAn)							0	
<b>Budget:</b>	<b>24,672</b>	<b>4,863</b>	<b>1,945</b>	<b>10,862</b>	<b>448</b>	<b>1,027</b>	<b>43,816</b>	<b>0</b>
<b>Expended:</b>							<b>0</b>	
<b>2009 - Balance Other Operating Expense:</b>	<b>24,672</b>	<b>4,863</b>	<b>1,945</b>	<b>10,862</b>	<b>448</b>	<b>1,027</b>	<b>43,816</b>	<b>100%</b>
7623- Grant - community service program				0				
<b>Budget:</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,000</b>	
<b>Expended:</b>							<b>0</b>	
<b>4000 - Balance Grants:</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,000</b>	
Capital Expenditures:								
7354- Remodeling of Bldg-State Owned - Capitalized							0	
7389- Books, Pre-Recorded Ref Material - Capitalized							0	
<b>Budget:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Expended:</b>							<b>0</b>	
<b>5000 - Balance Capital Expenditures:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>
<b>Budget:</b>	<b>162,478</b>	<b>503,575</b>	<b>212,402</b>	<b>289,834</b>	<b>46,355</b>	<b>105,706</b>	<b>1,320,351</b>	<b>0</b>
<b>Expended:</b>							<b>0</b>	
<b>TOTAL BALANCE</b>	<b>162,478</b>	<b>503,575</b>	<b>212,402</b>	<b>289,834</b>	<b>46,355</b>	<b>105,706</b>	<b>1,320,351</b>	<b>100%</b>

**Texas Commission on Fire Protection**  
**Fiscal Year 2012 - Operating Budget**

**Goal C: Indirect Administration**

	Exec Office	Supp Svcs	Commis	Total	%	
	Budget:	348,093	102,659	0	450,752	0
	Expended:				0	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>348,093</b>	<b>102,659</b>	<b>0</b>	<b>450,752</b>	<b>100%</b>	
Other Personnel Costs:						
7004- Non-Permanent Full-Time Employee				0		
7017- One-Time Merit				0		
7022- Longevity Pay				0		
7023- Lump Sum Termination				0		
7030- Employee Incentive Bonus				0		
	Budget:	14,900	2,020	0	16,920	0
	Expended:				0	
<b>1002 - Balance Other Personnel Costs</b>	<b>14,900</b>	<b>2,020</b>	<b>0</b>	<b>16,920</b>	<b>100%</b>	
Professional Fees and Services:						
7242- Consulting Services - IT Computer				0		
7245- Financial & Accounting Services				0		
7253- Other Professional Fees (EAP)				0		
7274- Temporary Employment Agencies				0		
7275- Computer Programming Services				0		
	Budget:	0	15,682	0	15,682	0
	Expended:				0	
<b>2001 - Balance Professional Fees and Services:</b>	<b>0</b>	<b>15,682</b>	<b>0</b>	<b>15,682</b>	<b>100%</b>	
	Budget:	913	2,400	0	3,313	0
	Expended:				0	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>913</b>	<b>2,400</b>	<b>0</b>	<b>3,313</b>	<b>100%</b>	
Utilities:						
7501- Electricity				0		
7503- Telecommunications-Long Distance				0		
7504- Telecommunications-Monthly Charge				0		
7514- Telecommunications-Maint & Repair				0		
7516- Telecommunications-Other Charges (reg voice/internet)				0		
7517- Telecommunications equipment - Expensed				0		
	Budget:	0	2,699	0	2,699	0
	Expended:				0	
<b>2004 - Balance Utilities:</b>	<b>0</b>	<b>2,699</b>	<b>0</b>	<b>2,699</b>	<b>100%</b>	
Travel:						
7101- Travel I/S - Public Transportation Fares				0		
7102- Mileage				0		
7104- Travel I/S - Actual Expense Overnight				0		
7105- Travel I/S - Incidental Expenses				0		
7106- Travel I/S - Meals & Lodging				0		
7107- Travel I/S - Non-Overnight Travel (Meals)				0		
7110- Travel I/S - Board Member Meals & Lodging				0		
7111- Travel OOS - Public Transportation Fares				0		
7112- Travel OOS - Mileage				0		
7115- Travel OOS - Incidental Expenses				0		
7116- Travel OOS - Meals, Lodging Allowable				0		
7135- Travel I/S - State Occupancy Tax				0		
7136- Travel I/S - State Occupancy Tax Galveston				0		
	Budget:	359	790	17,626	18,775	0.00
	Expended:				0	
<b>2005 - Balance Travel:</b>	<b>359</b>	<b>790</b>	<b>17,626</b>	<b>18,775</b>	<b>100%</b>	

**Texas Commission on Fire Protection**  
**Fiscal Year 2012 - Operating Budget**

**Goal C: Indirect Administration**

	Exec Office	Supp Svcs	Commis	Total	%
Budget:	240	888	0	1,128	0
Expended:				0	
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>240</b>	<b>888</b>	<b>0</b>	<b>1,128</b>	<b>100%</b>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)				0	
7411- Rental - Computer Equipment				0	
Budget:	0	6,675	0	6,675	0
Expended:				0	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>0</b>	<b>6,675</b>	<b>0</b>	<b>6,675</b>	<b>100%</b>
Other Operating Expense:					
7201- Membership Dues				0	
7203- Registration Fees-Employee Training				0	
7210- Fees & Other Charges (DPS)				0	
7211- Awards				0	
7216- Insurance Premiums - appvd by oag				0	
7262- Maint & Repair - Computer Software				0	
7266 Maint & Repair - Building				0	
7267- Maint & Repair - Computer Equipment				0	
7273- Reproduction & Printing				0	
7276- Communication Services (T-1 Line)				0	
7281- Advertising Services				0	
7286- Freight & Delivery Services				0	
7291- Postage & Postal Services				0	
7299- Purchased Contracted Services				0	
7303- Subscriptions, Periodicals and Info Services				0	
7312- Medical Supplies				0	
7330- Parts -equip, furn				0	
7334- Furnishings & Equipment -Expensed				0	
7335- Parts -Computer Equipment - Expensed				0	
7354- Bldg Remodel - State Leased -Expensed				0	
7367- Personal Property - Maint & Repair				0	
7374- Personal Property-Furn & Equip - Controlled				0	
7377- Computer Equipment - Expensed				0	
7378- Computer Equipment - Controlled				0	
7379- Computer Equipment - Cap (>1,000)				0	
7380- Computer Software - Expensed				0	
7382- Books - Expensed				0	
7806- Interest on Delayed Payment				0	
7947- Workers Compensation Transfer (SORM)				0	
7953- SWCAP payment/cost allocation				0	
7961- STS Transfers-Telecommunications (TexAn)				0	
Budget:	8,703	17,442	0	26,145	0
Expended:				0	
<b>2009 - Balance Other Operating Expense:</b>	<b>8,703</b>	<b>17,442</b>	<b>0</b>	<b>26,145</b>	<b>100%</b>
Capital Expenditures:					
7354- Remodeling of Bldg-State Owned - Capitalized				0	
7389- Books, Pre-Recorded Ref Material - Capitalized				0	
Budget:	0	0	0	0	0
Expended:				0	
<b>5000 - Balance Capital Expenditures:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>
Budget:	373,208	151,255	17,626	542,089	0
Expended:	0	0	0	0	
<b>TOTAL - BALANCE</b>	<b>373,208</b>	<b>151,255</b>	<b>17,626</b>	<b>542,089</b>	<b>100%</b>

## TCFP FY11 Measures, FY10 Strategic Plan

Key	Division	FY11 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY11 YTD Sum	FY11 Target	% Target ytd/tar	Measures/Explanation
<b>Output:</b> <i>A quantifiable indicator of the number of goods or services an agency produces</i>									
<input type="checkbox"/>	Lib	01-01-01:01	123	141	161	137	562	868	65% <b>Number of requests from fire department and other entities for agency training and education resources.</b>
						Cumulative			Lower than expected as demand is down.
<input type="checkbox"/>	Lib	01-01-01:02	36	26	49	44	155	124	125% <b>Number of research requests for agency information resource center.</b>
						Cumulative			Exceeded target.
<input type="checkbox"/>	Std	02-01-01:01	124	117	227	204	672	600	112% <b>Number of inspections of regulated entities.</b>
						Cumulative			Exceeded target
<input type="checkbox"/>	Std	02-01-01:02	2,096	2,047	2,254	2,567	8,964	9,000	100% <b>Number of new certifications issued to individuals.</b>
						Cumulative			Met target
<input type="checkbox"/>	Std	02-01-01:03	25,365	470	2,011	381	28,227	26,500	107% <b>Number of certifications renewed (individuals).</b>
						Cumulative			Exceeded target
<input type="checkbox"/>	Std	02-01-01:04	2,417	1,927	2,730	1,615	8,689	10,000	87% <b>Number of individuals examined.</b>
						Cumulative			Lower than target agency no longer administers skill tests.
<input type="checkbox"/>	Adm	04-01-01:01	3,247	5,581	20	168,859	177,707	13,000	1367% <b>Dollar value of HUB contacts awarded.</b>
						Cumulative			
<b>Explanatory:</b> <i>(Annual) An indicator of factors, agency resources, or requests received that affect a state entity's performance.</i>									
<input type="checkbox"/>	Fin	01-02-01:01	0				0	1,000,000	0% <b>Amount available to fire departments for loans and grants.</b>
						Cumulative			Program transferred to Texas Forest Service.
<input type="checkbox"/>	Fin	01-02-01:02	0				0	3,779,224	0% <b>Amount requested by fire departments for loans and grants.</b>
						Cumulative			Program transferred to Texas Forest Service.
<input type="checkbox"/>	Std	02-01-01:01	<del>91.06</del>	<del>90.61</del>	<del>92.64</del>	<del>90.03</del>	90	92	98% <b>Pass Rate (Percent)</b>
						Non-Cumulative			Within Target
<input checked="" type="checkbox"/>	Std	02-01-01:02	<del>28,641</del>	<del>29,385</del>	<del>28,845</del>	<del>29,727</del>	29,727	26,750	111% <b>Number of fire service personnel certified by the Commission.</b>
						Non-Cumulative			Exceeded target.
<input type="checkbox"/>	Std	02-01-01:03	<del>236</del>	<del>215</del>	<del>232</del>	<del>239</del>	239	210	114% <b>Number of fire service training facilities certified by the Commission.</b>
						Non-Cumulative			Exceeded target.

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

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

**TCFP FY11 Measures, FY10 Strategic Plan**

Key	Division	FY11 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY11 YTD Sum	FY11 Target	% Target ytd/tar	Measures/Explanation
<b>Efficiency</b> <i>A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units</i>									
<input type="checkbox"/>	Std	02-01-01:01	1.89	19.09	10.32	14.82	5.05	6	84% <b>Average certification cost per individual certificate issued.</b>
									Non-Cumulative Lower than target which is desired
<input type="checkbox"/>	Std	02-01-01:02	2.23	2.25	1.92	1.85	1.85	2.5	74% <b>Average certification cost per facility certificate issued.</b>
									Non-Cumulative Lower than target which is desired
<input type="checkbox"/>	Std	02-01-01:03	98.09	97.51	98.54	87.07	87.07	90	97% <b>Percentage of new individual certificates issued within 10 days.</b>
									Non-Cumulative Within Target.
<input type="checkbox"/>	Std	02-01-01:05	35.09	40.97	29.02	39.96	35.42	21	169% <b>Average cost per exam administered.</b>
									Non-Cumulative Cost higher due to the fact Commission removed skills testing during written test for structure.
<b>Outcome (Annual)</b> <i>A quantifiable indicator of the public and customer benefits from an agency's actions</i>									
<input checked="" type="checkbox"/>	Fin	01-02:01	0				0.0%	32%	0% <b>Percent of total amount requested for loans/grants compared with requests awarded.</b>
									Non-Cumulative Program transferred to Texas Forest Service.
<input checked="" type="checkbox"/>	Std	02-01:01	93%	94%	93%	92.93	93.0%	95%	98% <b>Percent of inspected certificate holders with no recent violations.</b>
									Non-Cumulative Within target
<input type="checkbox"/>	Fin	04-01:01	6%	0%	0%	6100%	6.0%	10%	60% <b>Percent of total dollar value of purchasing contracts awarded to HUBs.</b>
									Non-Cumulative

Note: Explanations are provided for measures that are 5% or more off target. Targets were requested in the FY10 operating budget document.

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

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

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

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

**8. Discussion and possible action on future meeting dates.**

- 9. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
  - A. Discussion and possible final adoption on proposed amendments, new sections, repeals, and rule reviews as follows:**
    - 1. Proposed amendments to 37 TAC, Chapter 435, Fire Fighter Safety, including, but not limited to, §435.1 Protective Clothing, and new §435.27, Live Fire Training Structure Evolutions.**

## Chapter 435

### FIRE FIGHTER SAFETY

#### §435.1. Protective Clothing.

- (a) A regulated fire department shall:
- (1) purchase, provide, and maintain a complete set of protective clothing for all fire protection personnel who would be exposed to hazardous conditions from fire or other emergencies or where the potential for such exposure exists. A complete set of protective clothing shall consist of garments including bunker coats, bunker pants, boots, gloves, helmets, and protective hoods, worn by fire protection personnel in the course of performing fire-fighting operations;
  - (2) ensure that all protective clothing which are used by fire protection personnel assigned to fire suppression duties comply with the minimum standards of the National Fire Protection Association suitable for the tasks the individual is expected to perform. The National Fire Protection Association standard applicable to protective clothing is the standard in effect at the time the entity contracts for new, rebuilt, or used protective clothing; and
  - (3) maintain and provide upon request by the Commission, a departmental standard operating procedure regarding the use, selection, care, and maintenance of protective clothing which complies with NFPA 1851, Standard on Selection, Care, and Maintenance of Structural Fire Fighting Protective Ensembles.
- (b) An entity may continue to use protective clothing in use or contracted for before a change in the National Fire Protection Association standard, unless the Commission determines that the protective clothing constitutes an undue risk to the wearer, in which case the Commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard.
- (c) Protective clothing in use or contracted for prior to January 1, 2002, shall be exempted from the record keeping requirements contained in Section 2.3, Records, of NFPA 1851.
- ~~[(d) In accordance with §419.043, Texas Government Code and subsection (b) of this section as set out hereinabove and consistent with past practice with respect to the implementation of NFPA standards when immediate implementation of a standard as written is impractical for Texas, the modifications contained in Sections 10.1.2, 10.1.3, and 10.1.3.1 of the 2008 Edition of NFPA 1851 (effective June 24, 2007) shall be implemented as follows:]~~
- ~~[(1) with respect to Section 10.1.2, structural fire fighting ensembles and ensemble elements shall be retired in accordance with Section 10.2.1 of the 2008 Edition of NFPA 1851, no more than 12 years from the date the ensembles or ensemble elements were manufactured, or no more than 10 years from the date the ensemble or ensemble elements were first put into service;]~~
- ~~[(2) with respect to Section 10.1.3, proximity fire fighting ensembles and ensemble elements shall be retired in accordance with Section 10.2.1 of the 2008 Edition of NFPA 1851, no more than 12 years from the date the ensembles or ensemble elements were manufactured, or no more than ten years from the date the ensemble or ensemble elements were first put into service; and]~~
- ~~[(3) with respect to Section 10.1.3.1, the radiant reflective outer shells shall be retired in accordance with Section 10.2.1 of the 2008 Edition of NFPA 1851, no more than 7 years from the date the~~

~~outer shells are manufactured or no more than 5 years from the date the outer shells were first put into service.]~~

~~[(e) Subsections (d) and (e) of this section will expire March 1, 2011.]~~

### **§435.3. Self-Contained Breathing Apparatus.**

The employing entity shall:

- (1) purchase, provide, and maintain a complete self-contained breathing apparatus for each on-duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, where the atmosphere is unknown or would be exposed to hazardous atmospheres from fire or other emergencies or where the potential for such exposure exists;
- (2) ensure that all self-contained breathing apparatus used by fire protection personnel complies with the minimum standards of the National Fire Protection Association identified in NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire Fighters.
  - (A) the National Fire Protection Association standard applicable to a self-contained breathing apparatus is the standard in effect at the time the entity contracts for new, rebuilt, or used self-contained breathing apparatus;
  - (B) an entity may continue to use a self-contained breathing apparatus in use or contracted for before a change in the National Fire Protection Association standard, unless the Commission determines that the continued use of the self-contained breathing apparatus constitutes an undue risk to the wearer, in which case the Commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;
- (3) develop an air quality program that complies with the most recent edition of the NFPA 1989 Standard on Breathing Air Quality for Emergency Services Respiratory Protection;
- (4) maintain and supply upon request by the Commission, records and reports documenting compliance with Commission requirements concerning self-contained breathing apparatus and breathing air. Records of all tests shall be made and the records shall be retained for a period of no less than three years;
- (5) maintain and provide upon request by the Commission, a departmental standard operating procedure regarding the use of self-contained breathing apparatus; and
- (6) maintain and provide upon request by the Commission, a department standard operating procedure regarding the selection, care, and maintenance of self-contained breathing apparatus that complies with the most recent edition of the NFPA 1852 Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA).

### **§435.5. Commission Recommendations.**

The commission recommends that all employing entities use as a guide the following publications:

- (1) NFPA 1403 "Live Fire Training Evolutions";
- (2) NFPA 1500 "Fire Department Occupational Safety and Health Program;"
- (3) IAFF/IAFC - "Fire Service Joint Labor Management Wellness-Fitness Initiative."

#### **§435.7. Fire Department Staffing Studies.**

- (a) Section 419.022(a)(4) Texas Government Code provides that the commission may "on request, assist in performing staffing studies of fire departments." Staffing studies must take into consideration all the objectives and missions of the fire department. The commission does not have the resources or the staff to directly assist in performing the necessary tasks to perform a staffing study. Many staffing studies have been developed that can be used to assist in evaluating the needs of a fire department.
- (b) A city should ultimately decide on the level of fire protection it is willing to provide to its citizens. The city and fire department should, as a minimum, address the needs of prevention, investigation and suppression as outlined in the appropriate NFPA Standards. That decision should be based on facts, the safety of its citizens, and the safety of the fire fighters providing that protection.
- (c) The commission will assist by maintaining information pertinent to fire department staffing. The information shall be maintained in the Ernest A. Emerson Fire Protection Resource Library at the Texas Commission on Fire Protection. Copies shall be made available, free of charge, to anyone requesting such information to the extent permitted by copyright laws.

#### **§435.9. Personal Alert Safety System (PASS).**

The employing entity shall:

- (1) purchase, provide, and maintain a PASS device for each on duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, or where the atmosphere is unknown, or where hazardous conditions from fire or other emergencies exist, or where the potential for such exposure exists;
- (2) ensure that all PASS devices used by fire protection personnel comply with the minimum standards of the National Fire Protection Association identified in NFPA 1982, Standard on Personal Alert Safety Systems (PASS) for Fire Fighters:
  - (A) the National Fire Protection Association standard applicable to a PASS device is the standard in effect at the time the entity contracts for new, rebuilt, or used PASS devices;
  - (B) an entity may continue to use a PASS device that meets the requirements of an earlier edition of NFPA 1982, unless the commission determines that the continued use of the PASS device constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;
- (3) ensure that the PASS device assigned to an individual user be inspected at the beginning of each duty period and before each use.
- (4) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the proper use, selection, care and maintenance of PASS devices.

#### **§435.11. Incident Management System (IMS)**

- (a) The fire department shall develop, maintain and use an incident management system.
- (b) The incident management system shall:

- (1) include a written operating procedure for the management of emergency incidents;
  - (2) require that the IMS be used at all emergency incidents;
  - (3) require operations to be conducted in a manner that recognizes hazards and assists in the prevention of accidents and injuries;
  - (4) require that all fire protection personnel be trained in the use of the IMS; and
  - (5) require that the IMS be applied to all drills, exercises and all other situations that involve hazards similar to those encountered at an actual emergency.
- (c) The IMS shall meet the requirements of the applicable sections of the National Fire Protection Association 1561, Standard on Fire Department Incident Management System.
  - (d) The Commission recommends departments follow the National Incident Management System (NIMS) when developing their incident management system.

**§435.13. Personnel Accountability System.**

- (a) The fire department shall develop, maintain and use a personnel accountability system that provides for a rapid accounting of all personnel at an emergency incident.
- (b) The accountability system shall:
  - (1) require all fire protection personnel be trained in the use of the accountability system;
  - (2) require that the fire protection personnel accountability system be used at all incidents;
  - (3) require that all fire protection personnel operating at an emergency incident to actively participate in the personnel accountability system; and
  - (4) require that the incident commander be responsible for the overall personnel accountability system for the incident.
- (c) The fire department shall be responsible for developing the system components required to make the personnel accountability system effective.
- (d) The personnel accountability system shall meet the minimum standards required by the National Fire Protection Association 1561, Standard on Fire Department Incident Management System. If the standard is revised, the fire department shall have one (1) year from the effective date of the new standard to comply.

**§435.15. Operating At Emergency Incidents.**

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

- (1) specify an adequate number of personnel to safely conduct emergency scene operations;
  - (2) limit operations to those that can be safely performed by personnel at the scene;
  - (3) require all personnel to be trained in and use the standard operating procedures; and
  - (4) comply with §435.17 (Procedures for Interior Structural Fire Fighting).
- (c) The fire department may use standards established by the National Fire Protection Association for fire protection personnel operating at an emergency incident.

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

- (a) The fire department shall develop written procedures that comply with the Occupational Safety and Health Administration's Final Rule, 29 CFR Section 1910.134(g)(4) by requiring:
- (1) a team of at least four fire protection personnel must be assembled before an interior fire attack can be made when the fire has progressed beyond the incipient stage;
  - (2) at least two fire protection personnel to enter the IDLH atmosphere and remain in visual or voice (not radio) contact with each other;
    - (A) Visual means that the fire protection personnel must be close enough to see each other.
    - (B) Voice means that the fire protection personnel of the entry team must be close enough to speak to one another without the use of radios.
  - (3) at least two fire protection personnel remain located outside the IDLH atmosphere to perform rescue of the fire protection personnel inside the IDLH atmosphere;
  - (4) all fire protection personnel engaged in interior structural fire fighting use self-contained breathing apparatus and be clothed in a complete set of protective clothing as identified in Chapter 435;
  - (5) all fire protection personnel located outside the IDLH atmosphere be equipped with appropriate retrieval equipment where retrieval equipment would contribute to the rescue of the fire protection personnel that have entered the IDLH atmosphere;
  - (6) one of the outside fire protection personnel must actively monitor the status of the inside fire protection personnel and not be assigned other duties. The second outside fire protection personnel may be assigned to an additional role, including, but not limited to, incident commander, safety officer, driver-operator, command technician or aide, or fire fighter/EMS personnel, so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any fire protection personnel working at the scene;
  - (7) the fire protection personnel outside the IDLH atmosphere must remain in communication (including, but not limited to, radio) with the fire protection personnel in the IDLH atmosphere. Use of a signal line (rope) as a communications instrument for interior fire fighting is not permitted by the commission. This does not preclude the use of rescue guide ropes (guide line or lifeline or by what ever name they may

be called) used during structural searches; and

- (8) each outside fire protection personnel must have a complete set of protective clothing and self-contained breathing apparatus, as identified in Chapter 435, immediately accessible for use if the need for rescue activities inside the IDLH atmosphere is necessary.
- (b) The fire department shall comply with the 2-in/2-out rule as described in this section except in an imminent life-threatening situation when immediate action could prevent the loss of life or serious injury before the team of four fire protection personnel are assembled.

**§435.19. Enforcement of Commission Rules.**

- (a) The Commission shall enforce all Commission rules at any time, including, but not limited to, Commission investigations, fire department inspections, or upon receiving a written complaint from an identified person or entity of an alleged infraction of a Commission rule.
- (b) The Commission shall not provide prior notification of an inspection to a fire department.
- (c) Upon receipt of a signed complaint alleging a violation of a Commission rule, the Commission shall have 30 days to initiate an investigation and report back to the complainant its progress.
- (d) Upon substantiating the validity of a written complaint, the Commission shall follow the procedures outlined in Government Code, Chapter 419, §419.011(b) and (c).

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

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

**§435.23. Fire Fighter Injuries.**

- (a) A fire department shall report all Texas Workers' Compensation Commission reportable injuries that occur to on-duty regulated fire protection personnel on the Commission form.
- (b) Minor injuries are those injuries that do not result in the fire fighter missing more than one duty period or does not involve the failure of personal protective equipment. Minor injuries shall be reported within 30 business days of the injury event.
- (c) Major injuries are those that require the fire fighter to miss more than one duty period. Major injuries shall be reported within five business days of the injury event.
- (d) Investigatable injuries are those resulting from the malfunction of personal protective equipment, failure of personal protective equipment to protect the fire fighter from injury, or injuries sustained from failure to comply with any provision of Commission mandated department SOPs. Investigatable injuries shall be reported within five business days of the injury event.

- (e) The regulated entity shall secure any personal protective equipment involved in a fire fighter injury and shall be made available to the Commission for inspection.

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

- (a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program be completed as part of the continuing education required for certified fire protection personnel by December 1, 2015. Individuals will be credited with four hours of continuing education credit for completing this program.
- (b) All regulated fire protection personnel must complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program prior to December 1, 2015.
- (c) All fire protection personnel appointed after December 1, 2015 will be required to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program training within one year of appointment to a fire department.
- (d) Departments will report the completion of training through the Commission web based reporting system.
- (e) Failure to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program before the required deadlines will be considered a violation of continuing education rules found in Chapter 441 of the Commission's Standards Manual.

**§435.27. Live Fire Training Structure Evolutions.**

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

- (1) The officer in charge or instructor will insure that the water supply rate and duration for each individual Live Fire Training Structure Evolution is adequate to control and extinguish the training fire, the supplies necessary for backup lines to protect personnel, and any water needed to protect exposed property.**
  - (a) The instructor-in-charge shall assign the following personnel:**
    - (1) One instructor to each functional crew, which shall not exceed five students.**
    - (2) One instructor to each backup line**
    - (3) Additional personnel to backup lines to provide mobility**
    - (4) One additional instructor for each additional functional assignment.**
- (2) The officer in charge or instructor will insure that the buildings or props being utilized for live fire training are in a condition that would not pose an undue safety risk.**
- (3) A safety officer shall be appointed for all Live Fire Training Structure Evolutions. The safety officer shall have the authority, regardless of rank, to alter, suspend or control any aspect of the operations when, in his or her judgment, a potential or actual danger, accident, or unsafe condition exists. The safety officer shall not be assigned other duties that interfere with safety responsibilities.**
- (4) No person(s) shall play the role of a victim inside the building. .**
- (5) Prior to the ignition of any fire, instructors shall insure that all personal protective clothing and/or**

self-contained breathing apparatus are NFPA compliant and being worn in the proper manner.

- 6) Prior to conducting any live fire training, a pre-burn briefing session shall be conducted. All participants shall be required to conduct a walk-through of the structure in order to have a knowledge of, and familiarity with, the layout of the building and to be able to facilitate any necessary evacuation of the building.
- 7) A standard operating procedure shall be developed and utilized for Live Fire Training Evolutions. The standard operating procedure shall include, but not be limited to:
  - (A) a Personal Alert Safety System (PASS). A PASS device shall be provided for all participating in live fire training and shall meet the requirements in §435.9 of this title (relating to PASS devices);
  - (B) a Personnel Accountability System that complies with §435.13 of this title shall be utilized;
  - (C) an Incident Management System;
  - (D) use of personal protective clothing and self-contained breathing apparatus;
  - (E) an evacuation signal and procedure; and pre-burn, burn and post-burn procedures.

- 9. 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 439, Examinations For Certification, Subchapter A, Examinations For On-Site Delivery Training, including, but not limited to, new §439.13, Special Accommodations for Testing.**

# CHAPTER 439

## EXAMINATIONS FOR CERTIFICATION

### SUBCHAPTER A

#### EXAMINATIONS FOR ON-SITE DELIVERY TRAINING

##### §439.1. Requirements—General.

- (a) The administration of examinations for certification, including performance skill evaluations, shall be conducted in compliance with the Commission and International Fire Service Accreditation Congress (IFSAC) regulations. It is incumbent upon Commission staff, committee members, training officers and field examiners to maintain the integrity of any state examination (or portion thereof) for which they are responsible.
- (b) Exams will be based on curricula as currently adopted in the Commission's Certification Curriculum Manual.
- (c) Commission examinations that receive a passing grade shall expire two years from the date of the examination.
- (d) The Commission shall prescribe the content of any certification examination that tests the knowledge and/or skill of the examinee concerning the discipline addressed by the examination.
  - (1) An examination based on Chapter 1, "Basic Fire Suppression Curriculum" as identified in the Certification Curriculum Manual may consist of four sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, and First Responder Operations.
  - (2) An examination based on Chapter 4, "Basic Fire Inspector Curriculum" as identified in the Certification Curriculum Manual may consist of three sections: Inspector I, Inspector II, and Plan Examiner I.
  - (3) All other state examinations consist of only one section.
  - (4) The Head of Department examination will be based on NFPA 1021, Chapter 7.
- (e) The individual who fails to pass a Commission examination for state certification will be given one additional opportunity to pass the examination or section thereof. This opportunity must be exercised within 180 days after the date of the first failure. An individual who passes the applicable state certification examination but fails to pass a section thereof for an IFSAC seal(s) will be given one additional opportunity to pass the section thereof. This opportunity must be exercised within two years after the date of the first attempt. An examinee who fails to pass the examination within the required time may not sit for the same examination again until the examinee has re-qualified by repeating the curriculum applicable to that examination.
- (f) An individual may obtain a new certificate in a discipline which was previously held by passing a Commission proficiency examination.
- (g) If an individual who has never held certification in a discipline defined in §421.5 of this title (relating to Definitions), seeks certification in that discipline, the individual shall complete all certification requirements.

- (h) If an individual completes an approved training program that has been evaluated and deemed equivalent to a certification curriculum approved by the Commission, such as an out-of-state or military training program or a training program administered by the State Firemen's and Fire Marshals' Association of Texas, the individual must pass a Commission examination for certification status and meet any other certification requirements in order to become eligible for certification by the Commission as fire protection personnel.
- (i) An individual or entity may petition the Commission for a waiver of the examination required by this section if the person's certificate expired because of the individual's or employing entity's good faith clerical error, or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action. All required renewal fees including applicable late fees and all required continuing education must be submitted before the waiver request may be considered.
  - (1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with Commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.
  - (2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order, ruling or agreement restoring the applicant to employment.

### **§439.3. Definitions.**

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

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

- (8) Field examiner--An individual authorized to evaluate performance skills in Commission-approved curricula. The field examiner must possess a Fire Instructor Certification, complete the on-line Commission field examiner course, and sign an agreement to comply with the Commission's testing procedures. The field examiner must be approved by the Commission to instruct all subject areas identified in the curriculum that he or she will be evaluating. The field examiner must repeat the examiner course every two years and submit a new Letter of Intent.
- (9) Lead Examiner--A member of the Commission staff or a designee who has been assigned by the Commission to administer a Commission examination.
- (10) Letter of Intent--A statement, signed by an individual applying to the Commission for field examiner status, that he or she is familiar with the Commission's examination procedures, and agrees to abide by the policies and guidelines as set out in Chapter 439 of this title.

**§439.5. Procedures.**

- (a) Procedures for conducting examinations are determined by the Commission.
- (b) All application processing fees due to the Commission must be paid in a timely manner.
- (c) Each examination must be administered by a lead examiner.
- (d) The lead examiner must:
  - (1) ensure that the tests remain secure and that the examination is conducted under conditions warranting honest results;
  - (2) monitor the examination while in progress;
  - (3) control entrance to and exit from the test site;
  - (4) assign or re-assign seating; and
  - (5) bar admission to or dismiss any examinee who fails to comply with any of the applicable provisions of this chapter.
- (e) All official grading and notification must come from the Commission or its designee. The preliminary test results shall be made available within seven (7) business days after completion of the examination.

**§439.7. Eligibility.**

- (a) An examination may not be taken by an individual who currently holds an active certificate from the Commission in the discipline to which the examination pertains, unless required by the Commission in a disciplinary matter, or test scores have expired and the individual is testing for IFSAAC seals.
- (b) An individual who passes an examination and is not certified in that discipline, will not be allowed to test again until 30 days before the expiration date of the previous examination unless required by the Commission in a disciplinary matter.
- (c) In order to qualify for a Commission examination, the examinee must:
  - (1) meet or exceed the minimum requirements set by the Commission as a prerequisite for the specified examination;

- (2) submit a test application with documentation showing completion of a Commission-approved curriculum and any other prerequisite requirements, along with the appropriate application processing fee(s).
  - (3) receive from the Commission an "Endorsement of Eligibility" letter and provide this letter to the lead examiner.
  - (4) bring to the test site, and display upon request, state issued identification which contains the name and photograph of the examinee;
  - (5) report on time to the proper location; and
  - (6) comply with all the written and verbal instructions of the lead examiner.
- (d) No examinee shall be permitted to:
- (1) violate any of the fraud provisions of this section;
  - (2) disrupt the examination;
  - (3) bring into the examination site any books, notes, or other written materials related to the content of the examination;
  - (4) refer to, use, or possess any such written material at the examination site;
  - (5) give or receive answers or communicate in any manner with another examinee during the examination;
  - (6) communicate at any time or in any way, the contents of an examination to another person for the purpose of assisting or preparing a person to take the examination;
  - (7) steal, copy, or reproduce any part of the examination;
  - (8) engage in any deceptive or fraudulent act either during an examination or to gain admission to it;
  - (9) solicit, encourage, direct, assist, or aid another person to violate any provision of this section; or
  - (10) bring into the examination site any electronic devices.
- (e) No person shall be permitted to sit for any Commission examination who has an outstanding debt owed to the Commission.

**§439.9. Grading.**

- (a) If performance skills are required as a part of the examination, the examinee must demonstrate performance skill objectives in a manner consistent with performance skill evaluation forms provided by the Commission. The evaluation format for a particular performance skill will determine the requirements for passage of the skill. Each performance skill evaluation form will require successful completion of one of the following formats:
- (1) all mandatory tasks; or
  - (2) an accumulation of points to obtain a passing score of at least 70%; or
  - (3) a combination of both paragraphs (1) and (2) of this subsection.

- (b) The minimum passing score on each examination or section thereof as outlined in §439.1(d) of this title (relating to Requirements--General) shall be 70%. This means that 70% of the total possible active questions must be answered correctly. The Commission may, at its discretion, invalidate any question.
- (c) If the Commission invalidates an examination score for any reason, it may also, at the discretion of the Commission, require a retest to obtain a substitute valid test score.

#### **§439.11. Commission-Designated Performance Skill Evaluations.**

- (a) The Commission-designated performance evaluations are randomly selected from each subject area within the applicable curriculum containing actual skill evaluations. This applies only for curricula in which performance standards have been developed. The provider of training will receive from the Commission, with the course approval notice, one envelope for each subject area as identified in the applicable curriculum.
- (b) During the course of instruction, the training provider shall test for competency, the Commission-designated performance skills. The skill evaluations may be scheduled at any time during the course, but must take place after all training on the identified subject area has been completed. The date(s), time(s) and location(s) for the Commission-designated skill evaluations must be submitted on the Commission-designated skill schedule contained within the Training Prior Approval form. The Commission must be notified immediately of any deviation from the submitted Commission-designated skill schedule. All skills must be evaluated by a Commission-approved field examiner.
- (c) In order to qualify for the Commission certification examination, the student must successfully complete and pass all designated skill evaluations. The student may be allowed two attempts to complete each skill. A second failure during the evaluation process will require remedial training in the failed skill area with a certified instructor before being allowed a third attempt. A third failure shall require that the student repeat the entire certification curriculum.
- (d) The training facility must maintain records (electronic or paper) of skills testing on each examinee. The records must reflect the results of the evaluation of skills, the dates the evaluation of skills took place, and the names of the field examiners who conducted the evaluations.

#### **§439.13. Special Accommodations for Testing.**

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

- (1) **A testing room to oneself (examinee is allowed to read the questions out loud to him or her self). To accommodate the request the examinee will have to test in the commission's Austin headquarters location or any location deemed appropriate by the commission.**
- (2) **The test to be split in two with up to an hour break in between (no access to the first half of the examination will be allowed during or after the break). To accommodate the request the examinee will have to test in the commission's Austin headquarters location or any location deemed appropriate by the commission.**
- (3) **The questions to be printed in a larger font (approximately 7% larger).**
- (4) **The test to be copied on off-white paper (i.e.cream colored).**

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

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

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

**§439.19. Number of Test Questions.**

- (a) Each examination may have two types of questions: pilot
- (b) The number of questions on the state examination will be 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. based upon the number of recommended hours in the particular curriculum or section being tested. The standard is outlined below:

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

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

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

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

**1. Proposed amendments to 37 TAC, Chapter 425, Fire Service Instructors, including, but not limited to, 425.1 Minimum Standards for Fire Service Instructor Certification.**

## CHAPTER 425

### FIRE SERVICE INSTRUCTORS

#### §425.1. Minimum Standards for Fire Service Instructor Certification.

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

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

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

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

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

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

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

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

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

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

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

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

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

**§425.11. International Fire Service Accreditation Congress Seal.**

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

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

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

**2. Proposed amendments to 37 TAC, Chapter 429, Minimum Standards for Fire Inspectors, Subchapter B, Minimum Standards for Fire Inspector Certification, including, but not limited to, §429.201 Minimum Standards for Fire Inspector Personnel - New Track, §429.203 Minimum Standards for Basic Fire Inspector Certification – New Track, §429.205 Minimum Standards for Intermediate Fire Inspector Certification – New Track, §429.207 Minimum Standards for Advanced Fire Inspector Certification – New Track, §429.209 Minimum Standards for Master Fire Inspector Certification – New Track, and §429.211 International Fire Service Accreditation Congress (IFSA) Seal - New Track.**

# Chapter 429

## MINIMUM STANDARDS FOR FIRE INSPECTORS

### ~~[SUBCHAPTER B]~~

#### ~~[Minimum Standards for Fire Inspector Certification]~~

#### **§429.201. Minimum Standards for Fire Inspector Personnel[ –New Track].**

- (a) Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties must be certified, as a minimum, as a basic fire inspector as specified in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector Certification~~[–New Track]~~) within one year of initial appointment to such position.
- (b) Prior to being appointed to fire code enforcement duties, all personnel must complete a Commission-approved basic fire inspection training program and successfully pass the Commission examination pertaining to that curriculum.
- (c) Individuals holding any level of fire inspector certification shall be required to comply with the continuing education requirements in §441.13 of this title (relating to Continuing Education for Fire Inspection Personnel).
- (d) Code enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.

#### **§429.203. Minimum Standards for Basic Fire Inspector Certification[ –New Track].**

In order to be certified as a basic fire inspector, an individual must:

- (1) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as an Inspector I, Inspector II, and Plans Examiner I; or
- (2) complete a Commission-approved Basic Fire Inspector program and successfully pass the Commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved basic fire inspection training program shall consist of one or any combination of the following:
  - (A) completion of the Commission-approved Basic Fire Inspector Curriculum, as specified in Chapter 4 of the Commission's Certification Curriculum Manual; or
  - (B) successful completion of an out-of-state, NFA, and/or military training program which has been submitted to the Commission for evaluation and found to meet the minimum requirements as listed in the Commission-approved Basic Fire Inspector Curriculum as specified in Chapter 4 of the Commission's Certification Curriculum Manual; or
  - (C) successful completion of the following college courses:
    - (i) Fire Protection Systems, three semester hours;
    - (ii) ~~[Fire Prevention, three semester hours; or ]~~Fire Prevention Codes and Inspections, three semester hours;

(iii) **Building Construction in the Fire Service or Building Codes and Construction** [~~Building Code~~], three semester hours;

[~~(iv) Building Construction, three semester hours;~~]

~~(iv) [(v)] Hazardous Materials **I, II, or III**, three semester hours. (Total semester hours, **12**).<sup>[15\*</sup> NOTE: ~~Building Code and Building Construction may be combined into a single three-semester hour class. If this is the case, the total semester hours may be reduced to 12. Hazardous Materials I or II may be used to satisfy the requirements of Hazardous Material).~~]~~

**§429.205. Minimum Standards for Intermediate Fire Inspector Certification** [~~New Track~~].

**(a) Applicants for Intermediate Fire Inspector Certification must meet the following requirements:**

**(1) hold as a prerequisite Basic Fire Inspector Certification as defined in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector Certification); and**

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

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

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

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

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

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

[~~Applicants for Intermediate Fire Inspector certification holding a prerequisite Basic Fire Inspector certification as defined in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector Certification—New Track) must have acquired four (4) years experience appointed as a fire inspector.~~]

**§429.207. Minimum Standards for Advanced Fire Inspector Certification[~~--New Track~~].**

**(a) Applicants for Advanced Fire Inspector Certification must complete the following requirements:**

**(1) hold as a prerequisite an Intermediate Fire Inspector Certification as defined in §429.205 of this title (relating to Minimum Standards for Intermediate Fire Inspector Certification); and**

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

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

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

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

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

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

~~[Applicants for Advanced Fire Inspector Certification must complete the following requirements:]~~

~~[(1) hold as a prerequisite an Intermediate Fire Inspector certification as defined in §429.205 of this title (relating to Minimum Standards for Intermediate Fire Inspector Certification -- New Track)];~~

~~[(2) acquire as a minimum eight (8) years experience appointed as a fire inspector; and]~~

~~[(3) show successful completion of Fire Inspector III and Plans Examiner II courses meeting the applicable job performance requirements as identified in NFPA 1031, Professional Qualifications for Fire Inspector and Plan Examiner.]~~

**§429.209. Minimum Standards for Master Fire Inspector Certification[ ~~--New Track~~].**

(a) Applicants for Master Fire Inspector Certification must complete the following requirements:

- (1) hold as a prerequisite an Advanced Fire Inspector **Certification**~~[certification]~~ as defined in §429.207 of this title (relating to Minimum Standards for Advanced Fire Inspector Certification~~[ —New Track]~~); and
  - (2) acquire a minimum of 12 years **of fire protection** experience~~[ appointed as a fire inspector]~~, and 60 college semester hours or an **associate's**~~[associate]~~ degree, which includes at least 18 college semester hours in fire science subjects.
- (b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Fire Inspector Certification.

**§429.211. International Fire Service Accreditation Congress (IFSAC) Seal~~[ —New Track]~~.**

- (a) Individuals who hold commission Fire Inspector certification prior to January 1, 2005, may be granted International Fire Service Accreditation Congress (IFSAC) seals for Inspector I and Inspector II by making application to the commission for the IFSAC seals and paying applicable fees.
- (b) Individuals who hold commission Fire Inspector certification prior to January 1, 2005, may apply to test for Plan Examiner I. Upon successful completion of the examination an IFSAC seal for Plan Examiner I may be granted by making application to the commission for the IFSAC seal and paying the applicable fee.
- ~~[(c) Individuals who pass the applicable state examination prior to January 1, 2005, may be granted IFSAC seals for Inspector I and Inspector II by making application to the commission for the IFSAC seals and paying applicable fees.]~~
- ~~[(d) Individuals who pass the applicable state examination prior to January 1, 2005, may apply to test for Plan Examiner I. Upon successful completion of the examination an IFSAC seal for Plan Examiner I may be granted by making application to the commission for the IFSAC seal and paying the applicable fee.]~~
- (c)(e)** Individuals who pass the applicable section of the state examination on or after January 1, 2005, may be granted IFSAC seal(s) for Inspector I, Inspector II, and/or Plan Examiner I by making application to the commission for the IFSAC seal(s) and paying the applicable fees, provided they meet the following provisions:
  - (1) To receive the IFSAC Inspector I seal, the individual must:
    - (A) complete the Inspector I section of a commission-approved course; and
    - (B) pass the Inspector I section of a commission examination.
  - (2) To receive the IFSAC Inspector II seal, the individual must:
    - (A) complete the Inspector II section of a commission-approved course;
    - (B) document possession of an IFSAC Inspector I seal; and
    - (C) pass the Inspector II section of a commission examination.
  - (3) To receive the IFSAC Plan Examiner I seal, the individual must:
    - (A) complete the Plan Examiner I section of a commission-approved course; and
    - (B) pass the Plan Examiner I section of a commission examination.

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

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

**3. Proposed amendments to 37 TAC, Chapter 431, Fire Investigation, Subchapter A, Minimum Standards for Arson Investigator Certification, including but not limited to, §431.3, Minimum Standards for Basic Arson Investigator Certification.**

# CHAPTER 431

## FIRE INVESTIGATION

### Subchapter A

#### MINIMUM STANDARDS FOR ARSON INVESTIGATOR CERTIFICATION

##### **§431.1. Minimum Standards for Arson Investigation Personnel.**

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

##### **§431.3. Minimum Standards for Basic Arson Investigator Certification.**

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

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

- (C) successful completion of the following college courses: **Fire and Arson Investigation I or II** [Arson Investigator], 3 semester hours; Hazardous Materials **I, II, or III**, 3 semester hours; Building Construction **in the Fire Service or Building Codes and Construction**, 3 semester hours; Fire Protection Systems, 3 semester hours. Total semester hours, 12. ~~[The three semester hour course "Building Codes and Construction" may be substituted for Building Construction. Arson Investigator I or II may be used to satisfy the requirements of Arson Investigation. Hazardous Materials I or II may be used to satisfy the requirements of Hazardous Materials.]~~

#### **§431.5. Minimum Standards for Intermediate Arson Investigator Certification.**

- (a) Applicants for Intermediate Arson Investigator Certification must complete the following requirements:
- (1) hold as a prerequisite a Basic Arson Investigator Certification as defined in §431.3 of this title (relating to Minimum Standards for Basic Arson Investigator Certification); and
  - (2) acquire a minimum of four years of fire protection experience and complete the requirements listed in one of the following options:
    - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
    - (B) Option 2—Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
    - (C) Option 3—Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section); or
    - (D) Option 4—Hold current Intermediate Peace Officer certification from the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) with four additional law enforcement courses applicable for fire investigations. (See exception outlined in subsection (c) of this section.)
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

#### **§431.7. Minimum Standards for Advanced Arson Investigator Certification.**

- (a) Applicants for Advanced Arson Investigator certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Arson Investigator Certification as defined in §431.5 of this title (relating to Minimum Standards for Intermediate Arson Investigator Certification); and

- (2) acquire a minimum of eight years of fire protection experience and complete the requirements listed in one of the following options:
  - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
  - (B) Option 2—Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
  - (C) Option 3—Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section); or
  - (D) Option 4--Advanced Arson for Profit or Complex Arson Investigative Techniques (Bureau of Alcohol, Tobacco, Firearms, and Explosives resident or field course, 80 hours); or
  - (E) Option 5—Hold current Advanced Peace Officer certification from the Texas Commission on Law Enforcement Officer Standards & Education (TCLEOSE) with four additional law enforcement courses applicable for fire investigations. (See exception outlined in subsection (c) of this section.)
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

**§431.9. Minimum Standards for Master Arson Investigator Certification.**

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

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

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

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

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

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

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

**4. Proposed amendments to 37 TAC, Chapter 451, Fire Officer, Subchapter A, Minimum Standard for Fire Officer I, including, but not limited to, §451.3 Minimum Standards for Fire Officer I Certification, and Subchapter B, Minimum Standards for Fire Officer II, including, but not limited to, §451.203 Minimum Standards for Fire Officer II Certification.**

# Chapter 451

## FIRE OFFICER

### Subchapter A

#### MINIMUM STANDARDS FOR FIRE OFFICER I

##### §451.1. Fire Officer I Certification.

A Fire Officer I is defined as an individual who may supervise fire personnel during emergency and non-emergency work periods; serve in a public relations capacity with members of the community; implement departmental policies and procedures at the unit level; secure fire scenes and perform fire investigations to determine preliminary cause; conduct pre-incident planning; supervise emergency operations; or ensure a safe working environment for all personnel.

##### §451.3. Minimum Standards for Fire Officer I Certification.

- (a) In order to be certified as a Fire Officer I an individual must:
- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
  - (2) hold Fire Service Instructor I certification through the Commission; and
    - (A) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Fire Fighter II and Fire Officer I; or
    - (B) complete a Commission-approved Fire Officer I program and successfully pass the Commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Officer I program must consist of one of the following:
      - (i) completion of a Commission-approved Fire Officer I Curriculum as specified in Chapter 9 of the Commission's Certification Curriculum Manual;
      - (ii) completion of an out-of-state and/or military training program that has been submitted to the Commission for evaluation and found to be equivalent to or exceed the Commission approved Fire Officer I Curriculum; or
      - (iii) successful completion of 12 ~~[15]~~ college semester hours consisting of the following courses or their equivalent:
        - (I) Fire Prevention Codes and Inspections, 3 semester hours;
        - (II) Fire and Arson Investigation I or II, 3 semester hours;
        - (III) Fire Administration I, 3 semester hours; **and**
        - (IV) Firefighting Strategies and Tactics I or II, 3 semester hours; ~~[and]~~
        - ~~[(V) Company Fire Officer, 3 semester hours].~~

- (b) Out-of-state or military training programs which are submitted to the Commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 9 (pertaining to Fire Officer I) of the Commission's Certification Curriculum Manual are met.
- (c) College courses will be considered equivalent if the course description is substantially similar to the course description contained in the Workforce Education Course Manual (WECM) from the Texas Higher Education Coordinating Board.

**§451.5. Examination Requirements.**

- (a) 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) 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.

**§451.7. International Fire Service Accreditation Congress (IFSAC) Seal.**

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

## SUBCHAPTER B

### MINIMUM STANDARDS FOR FIRE OFFICER II

#### §451.201. Fire Officer II Certification.

A Fire Officer II is defined as an individual who may evaluate the performance of personnel; deliver public education programs; prepare budget requests, news releases, and policy changes; conduct inspections and investigations; supervise multi-unit emergency operations; and identify unsafe work environments and take preventive action; or review injury, accident, and health exposure reports. Individuals who perform inspections must comply with Chapter 429 of this title (relating to Minimum Standards for Fire Inspectors). Individuals who perform investigations must comply with Chapter 431 of this title (relating to Fire Investigation).

#### §451.203. Minimum Standards for Fire Officer II Certification.

- (a) In order to be certified as a Fire Officer II an individual must:
- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel and;
  - (2) hold Fire Officer I certification through the Commission; and
  - (3) hold, as a minimum, Fire Service Instructor I certification through the Commission; and
    - (A) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Fire Officer II; or
    - (B) complete a Commission-approved Fire Officer II program and successfully pass the Commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Officer II program must consist of one of the following:
      - (i) completion of a Commission-approved Fire Officer II Curriculum as specified in Chapter 9 of the Commission's Certification Curriculum Manual;
      - (ii) completion of an out-of-state and/or military training program that has been submitted to the Commission for evaluation and found to be equivalent to or exceed the Commission-approved Fire Officer II Curriculum; or
      - (iii) successful completion of 15 [48] college semester hours consisting of the following courses or their equivalent:
        - (I) Fire Prevention Codes and Inspections, 3 semester hours;
        - (II) Fire and Arson Investigation I or II, 3 semester hours;
        - (III) Fire Administration I, 3 semester hours;
        - (IV) Fire Administration II or Company Fire Officer, 3 semester hours; and
        - (V) Firefighting Strategies and Tactics I or II, 3 semester hour~~s~~; ~~and~~
        - ~~[(VI) Company Fire Officer, 3 semester hours.]~~

- (b) Out-of-state or military training programs which are submitted to the Commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 9 (pertaining to Fire Officer) of the Commission's Certification Curriculum Manual are met.

- (c) College courses will be considered equivalent if the course description is substantially similar to the course description contained in the Workforce Education Course Manual (WECM) from the Texas Higher Education Coordinating Board.

**§451.205. Examination Requirements.**

- (a) 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) 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.

**§451.207. International Fire Service Accreditation Congress (IFSAC) Seal.**

- (a) Individuals holding a current Commission Fire Officer II certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Fire Officer II by making application to the Commission for the IFSAC seal and paying applicable fees.
- (b) Individuals completing a Commission-approved Fire Officer II program; documenting IFSAC seals for Fire Fighter II, Instructor I and Fire Officer I; and passing the applicable state examination, may be granted an IFSAC seal as a Fire Officer II by making application to the Commission for the IFSAC seal and paying applicable fees.

**10. 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.**

**Texas Commission on Fire Protection  
Results of Informal Conferences – Good Faith Clerical Error Letters  
2011**

<b>RESULTS</b>	<b>NAME</b>	<b>DATE</b>	<b>ADMINISTRATIVE VIOLATION</b>	<b>SUMMARY</b>
GFCE letter was mailed 1/13/2011	Lloyd Hatley	1/12/2011	Failed to certify prior to test expiration. Test expire in two years from date administered as per §439.1 (c) TAC	Determined a good faith clerical error on behalf of the Pasadena Fire Marshal's Office. Allowed to certify without retesting as per §419.034(e)(1) of the Government Code
GFCE letter was mailed 3/25/2011	Wynn C. Myers	3/24/2011	Failed to certify prior to test expiration. Test expire in two years from date administered as per §439.1 (c) TAC	Determined a good faith clerical error on behalf of the City of Hurst Fire Department. Allowed to certify without retesting as per §419.034(e)(1) of the Government Code
GFCE letter was mailed 3/25/2011	Brandon Clark	3/24/2011	Failed to certify prior to test expiration. Test expire in two years from date administered as per §439.1 (c) TAC	Determined a good faith clerical error on behalf of the Lewisville Fire Department. Allowed to certify without retesting as per §419.034(e)(1) of the Government Code
GFCE letter was mailed 3/25/2011	Bradley Nelson	3/30/2011	Failed to certify prior to test expiration. Test expire in two years from date administered as per §439.1 (c) TAC	Determined a good faith clerical error on behalf of the Lewisville Fire Department. Allowed to certify without retesting as per §419.034(e)(1) of the Government Code
GFCE letter was mailed 5/10/2011	Dillon Ischy	5/10/2011	Failed to certify prior to test expiration. Test expire in two years from date administered as per §439.1 (c) TAC	Determined a good faith clerical error on behalf of the North Hays County Fire/Rescue. Allowed to certify without retesting as per §419.034(e)(1) of the Government Code
GFCE letter was sent 9/2/2011	Christopher B. Nelson	9/1/2011	Failed to certify prior to test expiration. Test expire in two years from date administered as per §439.1 (c) TAC	Determined a good faith clerical error on behalf of the Fort Worth Fire Department. Allowed to certify without retesting as per §419.034(e)(1) of the Government Code



**11. 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.**

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

**13. Adjourn meeting.**