5. **Discussion and possible action regarding proposed rule changes to title 37 TAC, Chapter 427, Training Facility Certification, including but not limited to, Subchapter C, Training Programs for On-Site and Distance Training Providers, §427.301, General Provisions for Training Programs—On-Site and Distance Training Providers, §427.303, Training Approval Process for On-Site and Distance Training Providers, §427.305, Procedures for Testing Conducted by On-Site and Distance Training Providers, and §427.307, Onsite and Distance Training Provider Staff Requirements.**

Chapter 427

Training Facility Certification

Subchapter C

Training Programs for On-Site and Distance Training Providers

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

(a) Training programs that are intended to satisfy the requirements for fire protection personnel certification for each curriculum must meet the objectives and competencies in that curriculum.

(b) A system for evaluating the comprehension of the trainee, including periodic and comprehensive written tests, is required. If performance skills are part of the applicable curriculum, performance testing shall be done in accordance with §439.11 of this title.

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

(a) When seeking training approvals, a training provider, whether on-site or distance, shall certify that it has provided the resources described in §427.1(f) of this title.

(b) All training for certification must be approved by the Commission. A training provider must submit to the Commission a completed Training Prior Approval Form at least 20 days prior to the proposed start date of the training.

(c) The provider of training will receive from the Commission the following documents.

(1) A Notice of Course Approval. This document will serve as notification that the course has been approved by the Commission and will contain the approval number assigned by the Commission and the course I.D. number.

(2) An Application for Testing Form, when applicable.

(3) A Certificate of Completion Form. This document must be completed by the training provider and issued to each student when the student has successfully completed the applicable curriculum.

(4) Commission-designated skills envelope when applicable.

(d) Approved courses are subject to audit by Commission staff at any time. Any deviation from the approved start-and-end date of the class, periodic and final test schedule, field examiners or the substitution of one instructor for another (this does not apply to an instructor already approved for the course) must be reported to the Commission within three business days of the deviation.

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

(a) The requirements and provisions in this section apply to procedures for periodic and final testing conducted by training providers. For procedures regarding state examinations for

certification Commission examinations that occur after a training program is completed, see Chapter 439 of this title (relating to Examinations for Certification).

(b) Periodic and comprehensive final tests shall be given by the training provider in addition to the Commission examination required in Chapter 439 of this title.

(c) Periodic tests shall be administered at the ratio of one test per 50 hours of recommended training, or portion thereof. An average score of 70% must be achieved on all required periodic tests.

(d) In addition to periodic tests, a comprehensive final test must be administered. The final test must be conducted in a proctored setting. For purposes of this section, a proctor can be an approved TCFP Field Examiner, or a member or testing center of an educational institution. A passing score of 70% must be achieved.

(e) If a course is taught in phases, a comprehensive exam for each phase shall be administered upon completion of each phase and a passing score of 70% must be achieved.

§427.307 Onsite and Distance Training Provider Staff Requirements

(a) The chief training officer of a training facility, as a minimum, must possess Fire Service Instructor III certification.

(b) **Other than guest instructors, all training instructors (including unit instructors)**[~~All training instructors (except guest instructors)~~] must possess fire instructor certification. The instructor(s) must be certified in the applicable discipline or be approved by the commission to instruct in the applicable subject.

(c) The lead instructor, as a minimum, shall possess a Fire Service Instructor II certification and must be certified by the commission in the applicable discipline**, except as stated in 427.307(h)(2) and 427.307(i)(2)**.

(d) Guest instructors are not required to be certified as instructors. A guest instructor is defined as an individual with special knowledge, skill, and expertise in a specific subject area who has the ability to enhance the effectiveness of the training. Guest instructors shall teach under the endorsement of the lead instructor.

(e) In order to teach fire officer certification courses, an individual who does not meet the requirements of subsection (a) or (c) of this section, shall possess a minimum of a bachelor's degree in management or its equivalent.

(f) In order to teach an instructor certification training course for Fire Service Instructor I, an individual must hold one of the following three qualifications:

(1) Hold a Fire Service Instructor II or higher; or

(2) A Bachelor's degree with the following:

(A) As a minimum, a minor in education; and

(B) Three years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 200 class hours; or

(3) An Associate's degree with the following:

(A) twelve semester hours of education instructional courses; and

(B) five years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 400 class hours.

(g) In order to teach an instructor certification training course for Fire Service Instructor II or III, an individual must hold one of the following three qualifications:

(1) Hold a Fire Service Instructor III; or

(2) A Bachelor's degree with the following:

(A) As a minimum, a minor in education; and

(B) Three years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 200 class hours; or

(3) An Associate's degree with the following:

(A) twelve semester hours of education instructional courses; and

(B) five years of teaching experience in a fire department, department of a state agency, educational institution, or political subdivision of the state, during which time the individual taught a minimum of 400 class hours.

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

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

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

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

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

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

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

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