

TEXAS COMMISSION ON FIRE PROTECTION
October 25, 2018, 10:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

- 1. Call to order with Invocation, presentation of colors, and Pledge of Allegiance.**
- 2. Roll call – 10:00 a.m. (including consideration of whether to excuse absences).**
- 3. Adoption of the commission meeting minutes of July 11, 2018 and July 12, 2018.**
- 4. The Budget and Strategic Plan subcommittee may meet on October 25, 2018 during the commission meeting and provide a report for discussion and possible action relating to any recommendations developed by the subcommittee, including but not limited to, modifications to the agency operating budget and strategic plan.**
- 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 Fire Marshal’s Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal’s Office.**
- 6. Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**
- 7. Discussion and possible action regarding report from commission representative to the Homeland Security Council.**
- 8. New matters from the commission, staff, or public which may be discussed in future commission meetings.**
- 9. Discussion and possible action on future meeting dates.**
- 10. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:**

Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:
 - 1. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 449, Head of a Fire Department.**
 - 2. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.**
- 11. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 429, Minimum Standards For Fire Inspector Certification.**
- 12. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 439, Examinations For Certification.**

13. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 441, Continuing Education.
14. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 459, Minimum Standards For Fire and Life Safety Educator Certification.
15. Discussion and possible action regarding the addition of classes or courses to the A List and B List for higher levels of certification.
16. Discussion and possible action on the review and evaluation by the Curriculum and Testing Committee regarding the International Code Council Inspector Certification Program.
17. Discussion and possible action regarding Texas Government Code, Chapter 419, Section 419.078 Fire Protection Personnel Injury Data; Recommendations to Reduce Injuries.
18. Discussion and possible action on the appointment of a new member to the fire fighter advisory committee.
19. Discussion and possible action on matters from the Executive Director.
 - A. Decisions of the Executive Director in contested cases and consent orders.
 - B. Status of division functions.
20. Executive session pursuant to Texas Government Code, Section 551.074(1), for the discussion of personnel matters regarding 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.
21. Open session for further discussion and possible action regarding preceding agenda item.
22. Adjourn meeting.

Any invocation that may be offered before the official start of the commission meeting shall be voluntary offering of a chaplain, to and for the benefit of the commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the commission and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the commission. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the commission Clerk.

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. **Call to order with Invocation, Presentation of colors and Pledge of Allegiance.**

2. Roll call - 10:00 a.m. (including consideration of whether to excuse absences).

3. Adoption of the commission meeting minutes of July 11, 2018 and July 12, 2018.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 2:00 p.m. called the July 11, 2018 Commission Workshop to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Commissioners	Tommy Anderson	Carlos Cortez*	Kelly Doster	Joseph Gonzalez	Mike Jones
	John McMakin	Robert Moore	Bob Morgan*	Leonardo Perez	Mala Sharma*
	J P Steelman	Steve Tull	Tivy Whitlock*		

*absent entire meeting

**absent part of meeting

Staff Present	Tim Rutland	Deborah Cowan
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1. **Roll call.**
Robert Moore, Presiding Officer called roll and a quorum was present.
2. **Discussion and review of the 2017 fire fighter injury report.**
Discussion only. No action taken.
1. **Overview and discussion of compliance program and activities including but not limited to, types of inspections performed, schedules for inspections, procedures for inspections and implementation of rules.**
Discussion only. No action necessary.
4. **Discussion regarding possible future changes to NFPA 1031: Fire Inspector.**
Discussion only. No action taken.
5. **Adjourn meeting.**
The meeting was adjourned at 4:15 p.m.

Robert Moore, Presiding Officer

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 9:00 a.m. called the July 12, 2018 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Tommy Anderson John McMakin J. P. Steelman	Carlos Cortez* Robert Moore Steve Tull	Kelly Doster Bob Morgan* Tivy Whitlock*	Joseph Gonzalez Leonardo Perez	Mike Jones Mala Sharma*
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*absent entire meeting
**absent part of meeting

Staff	Tim Rutland Servando Sanchez	Deborah Cowan Grace Wilson	Sylvia Miller Andrew Lutostanski, Assistant Attorney General	Paul Maldonado	Joyce Guinn
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Guests	Chris Barron Timothy Welch Mark Wobus Michael Richardson Kelly Kistner Noel Horan Paul Stubblefield James Mallinger Aaron Woolverton Rick Wallace Thomas McMonigle	John Overstreet Randy Paige Scott Kerwood Christopher Perez Les Stephens Howie Minor Darrell Rutledge Doug Boeker Daniel DeYear Jim Reidy Cameron Kraemer	Richard Van Winkle Danny Kistner Eric Woods Mike Wisko Jason Jackson Glenn DeShields Bill Pearson Scott Thompson Laurie Christensen Lauren Johnson	Mark Piland Juan Gloria Rob Bocanegra Ariana Hargrove Jason Shafer Rich Kasko Leonard Chan Brandon Wade Fred Green Ernie Null	Jon Lopez Cary Roccaforte Joe Garcia Chris Caster Valerie Frausto Dave Lowe Marty Lancton Tim Gardner Bob Manley Richard Davis
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1. Invocation The invocation was given by Jeremy Van Delinder, Emergency Chaplain Group, the Presentation of Colors and Pledge of Allegiance presentation of colors was performed by the San Antonio Fire Department and Assistant Presiding Officer Joseph Gonzalez led the Pledge of Allegiance.

 2. Roll call Commission Secretary, Lenny Perez called roll and a quorum was present.

 3. Adoption of Minutes A motion to approve the minutes of April 25, 2018 and April 26, 2018 commission meeting was made by Kelly Doster and seconded by Steve Tull. The motion carried.

 4. Report from Budget and Strategic Plan Subcommittee Nothing to report.

 5. Reports from Interest Groups A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, State Fire Marshal's Office, Texas Fire Marshal's Association, and the Center for Public Safety Excellence.

 6. Report from Advisory Board & TEEEX Commission Representative Juan Gloria gave a brief update since the last meeting.

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7. Report from Homeland Security Representative
Commission Representative, Joseph Gonzalez reported the last meeting was May 22, 2018 and he gave a brief overview of the meeting topics. He also informed the commission the next scheduled meeting would be on July 31, 2018.
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8. New matters
Nothing for October 2018 meeting. Public relations/outreach for January 2019 workshop
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9. Future meeting dates
The next meeting had previously been set for October 25, 2018 beginning at 10:00 a.m.
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10. Matters from Fire Fighter Advisory Committee
A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 433, §433.201 as discussed was made by Steve Tull and seconded by Leonardo Perez. The motion carried.
2. A motion to approve for final adoption proposed amendment to 37 TAC, Chapter 435, §435.1 with changes recommended by the fire fighter advisory committee was made by Joseph Gonzalez and seconded by Mike Jones. The motion carried.
3. A motion to approve for final adoption proposed amendment to 37 TAC, Chapter 439, §§439.7, 439.9 and 439.11 as discussed was made by Steve Tull and seconded by J. P. Steelman. The motion carried.
B. A motion to approve new overview, course instructor information sheet, curriculum outline and reference list for new Fire and Life Safety Educator II and updates to the overview, course instructor information sheet, curriculum outline and reference list for Fire and Life Safety Educator I to be effective January 1, 2019 as discussed was made by Leonardo Perez and seconded by Kelly Doster. The motion carried.
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11. Injury Report Program
A motion was made by Joseph Gonzalez and seconded by Tommy Anderson to submit the 2017 fire fighter injury report to the State Fire Marshal's Office with recommendations to include clarifications in descriptions and definitions with injury report including updates and public service announcements on trends and injuries to the fire service as well as increase capability of reports and trends in the reports to the fire service specifically the Head of Department through Facebook page, posts, emails, on public websites and to have staff evaluate necessity for including CE hours toward review of the report. The motion carried.
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12. Request from Danny Kistner
After discussion, a motion to appoint a Health & Wellness committee as presented by Chief Danny Kistner and have Robert Moore, Presiding Officer to appoint a commissioner to serve as Chair of the committee was made by Joseph Gonzalez and seconded by Tommy Anderson. The motion carried.
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13. 37 TAC, Chapter 421 Standards For Certification
A motion was made by Steve Tull and seconded by Mike Jones to take no action and leave rule in its current version. The motion carried.

14. 37 TAC, Chapter 429 Fire Inspector A motion was made by Robert Moore and seconded by Joseph Gonzalez to table the item and to create an ad-hoc committee of fire fighter advisory committee members and commissioners to review the issue for resolution. The motion carried.

15. Petition for Rule change A motion was made by Joseph Gonzalez and seconded by Tommy Anderson to send this item to the Curriculum and Testing Committee for review and evaluation to see if it meets the requirements to challenge the commission examination. The motion carried.

16. 37 TAC, Chapter 449 Head of Dept. A motion to approve for publication amendments to 37 TAC, Chapter 449, §449.1, 449.3, 449.201 and 449.203 as discussed was made by Steve Tull and seconded by J. P. Steelman. The motion carried.

17. 37 TAC, Chapter 455 Minimum Standards for Wildland Certification A motion to approve for publication amendments to 37 TAC, Chapter 455, §455.5 as discussed was made by John McMakin and seconded by Kelly Doster. The motion carried.

18. Matters from Executive Director a. Tim Rutland, Executive Director reported no informal conferences had occurred since the last commission meeting.
b. Mr. Rutland provided commissioners information regarding agency division functions.

19. Executive Session 551.074(1) Presiding Officer, Robert Moore did not call for Executive Session.

20. Open Session No action necessary.

21. Adjournment A motion to adjourn was made by Steve Tull and seconded by J. P. Steelman. The motion carried.

Robert Moore, Presiding Officer

- 4. The Budget and Strategic Plan subcommittee may meet on October 25, 2018 during the commission meeting and provide a report for discussion and possible action relating to any recommendations developed by the subcommittee, including but not limited to, modifications to the agency operating budget and strategic plan.**

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
August 31, FY2018

Summary

Goals:	FY18 Budget	FY18 Expended	Balance	Remaining
Education, Information and Assistance	107,896.24	107,781.37	114.87	
Fire Department Standards	920,642.00	915,419.42	5,222.58	
Indirect Administration	594,256.96	594,238.48	18.48	
1001 - Salaries & Wages:	1,622,795.20	1,617,439.27	5,355.93	0%
Education, Information and Assistance	20,735.00	20,623.06	111.94	
Fire Department Standards	61,640.00	58,503.74	3,136.26	
Indirect Administration	24,540.44	24,540.00	0.44	
1002 - Other Personnel Costs	106,915.44	103,666.80	3,248.64	3%
Education, Information and Assistance	358.27	356.95	1.32	
Fire Department Standards	3,633.89	3,633.49	0.40	
Indirect Administration	1,959.12	1,955.26	3.86	
2001 - Professional Fees and Services:	5,951.28	5,945.70	5.58	0%
Education, Information and Assistance	1,079.15	1,076.69	2.46	
Fire Department Standards	11,538.85	11,531.76	7.09	
Indirect Administration	2,114.69	2,050.94	63.75	
2003 - Consumable Supplies:	14,732.69	14,659.39	73.30	0%
Education, Information and Assistance	6.45	0.00	6.45	
Fire Department Standards	5,204.84	4,902.29	302.55	
Indirect Administration	38.71	0.00	38.71	
2004 - Utilities:	5,250.00	4,902.29	347.71	7%
Education, Information and Assistance	1,216.79	1,208.57	8.22	
Fire Department Standards	82,885.40	82,749.42	135.98	
Indirect Administration	15,915.04	15,493.11	421.93	
2005 - Travel:	100,017.23	99,451.10	566.13	1%
Education, Information and Assistance	60.00	12.93	47.07	
Fire Department Standards	120.00	111.11	8.89	
Indirect Administration	310.00	308.20	1.80	
2006 - Rent - Building (storage):	490.00	432.24	57.76	12%
Education, Information and Assistance	430.64	293.82	136.82	
Fire Department Standards	2,915.44	2,520.53	394.91	
Indirect Administration	1,503.84	1,484.64	19.20	
2007 - Rent - Machine and Other:	4,849.92	4,298.99	550.93	11%
Education, Information and Assistance	16,680.46	16,677.83	2.63	
Fire Department Standards	88,340.78	83,572.83	4,767.95	
Indirect Administration	16,848.20	16,220.32	627.88	
2009 - Other Operating Expense:	121,869.44	116,470.98	5,398.46	4%
Education, Information and Assistance	0.00	0.00	0.00	
Fire Department Standards	31,461.97	31,461.97	0.00	
Indirect Administration	0.00	0.00	0.00	
4000 - Grants:	31,461.97	31,461.97	0.00	0%
FY18 EXPENDITURES YTD		1,998,728.73		
FY18 Encumbrances Outstanding		11,455.61		
FY18 ORIGINAL APPROPRIATION	1,960,652.00			
FY18 SPENDING AUTHORITY	2,014,333.17	2,010,184.34	4,148.83	0%

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
August 31, FY2018

3008 PCA

4001

Goal A: Education, Info and Assistance

	Library	Total	%
			Remaining
7002- Salaries	107,781.37	107,781.37	
Budget:	107,896.24	107,896.24	
Expended:	107,781.37	107,781.37	
1001 - Balance Salaries & Wages:	114.87	114.87	0%
Other Personnel Costs:			
7022- Longevity Pay	2,160.00	2,160.00	
7023- Lump Sum Termination	18,463.06	18,463.06	
Budget:	20,735.00	20,735.00	
Expended:	20,623.06	20,623.06	
1002 - Balance Other Personnel Costs	111.94	111.94	1%
Professional Fees and Services:			
7245- Financial & Accounting Services	228.48	228.48	
7253- Other Professional Fees (EAP)	128.47	128.47	
Budget:	358.27	358.27	
Expended:	356.95	356.95	
2001 - Balance Professional Fees and Services:	1.32	1.32	0%
7300- Consumables	1,076.69	1,076.69	
Budget:	1,079.15	1,079.15	
Expended:	1,076.69	1,076.69	
2003 - Balance Consumable Supplies:	2.46	2.46	0%
Utilities:			
Budget:	6.45	6.45	
Expended:	0.00	0.00	
2004 - Balance Utilities:	6.45	6.45	100%
Travel:			
7102- Mileage	53.98	53.98	
7105- Travel I/S - Incidental Expenses	85.36	85.36	
7106- Travel I/S - Meals & Lodging	1,033.38	1,033.38	
7107- Travel I/S - Non-Overnight Travel (Meals)	35.85	35.85	
Budget:	1,216.79	1,216.79	
Expended:	1,208.57	1,208.57	
2005 - Balance Travel:	8.22	8.22	1%
Rent:			
7470- Rent Space - storage	12.93	12.93	
Budget:	60.00	60.00	
Expended:	12.93	12.93	
2006 - Balance Rent - Building (storage):	47.07	47.07	78%
Rent - Machine and Other:			
7406- Rental - Furnishings & Equipment (copier)	293.82	293.82	
Budget:	430.64	430.64	
Expended:	293.82	293.82	
2007 - Balance Rent - Machine and Other:	136.82	136.82	32%

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
August 31, FY2018

3008 PCA

4001

Goal A: Education, Info and Assistance

	<u>Library</u>	<u>Total</u>	<u>% Remaining</u>
Other Operating Expense:			
7040- ERS-Retirement Contribution	539.06	539.06	
7042- ERS Insurance Payment	1,074.18	1,074.18	
7203- Tuition - Employee Training	36.00	36.00	
7204- Insurance Premiums and Deductibles	19.03	19.03	
7211- Awards	31.38	31.38	
7262- Maint & Repair - Computer Software	430.00	430.00	
7276- Communication Services (T-1 Line)	444.00	444.00	
7291- Postage & Postal Services	125.97	125.97	
7299- Purchased Contracted Services	30.62	30.62	
7303- subs, periodic, info serv	26.32	26.32	
7309- Promotional Items	1,321.72	1,321.72	
7330- Parts -equip, furn	1.80	1.80	
7334- Furnishings & Equipment -Expensed	510.15	510.15	
7380- Computer Software - Expensed	1,383.18	1,383.18	
7382- Books - Expensed	9,590.95	9,590.95	
7806- Interest on Delayed Payment	0.28	0.28	
7947- Workers Compensation Transfer (SORM)	134.22	134.22	
7961- STS Transfers-Telecommunications (TexAn)	577.93	577.93	
7962- Capitol Complex (CCTS)	401.04	401.04	
Budget:	16,680.46	16,680.46	
Expended:	16,677.83	16,677.83	
2009 - Balance Other Operating Expense:	2.63	2.63	0%
Budget:	148,463.00	148,463.00	
Expended:	148,031.22	148,031.22	
TOTAL BALANCE	431.78	431.78	0%
% Remaining	0%	0%	

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
August 31, FY2018

3014

PCA

4004

4005

4006

4007

4008

Goal B: Fire Department Standards

		Mgmt	Complnc	Cert	Testing	Curr Dev	Total	% Remaining
			0.45	0.16	0.34	0.04		
7002- Salaries		0.00	413,846.66	150,861.13	309,605.10	41,106.53	915,419.42	
	Budget:	0.00	416,207.71	151,721.81	311,371.44	41,341.05	920,642.00	
	Expended:	0.00	413,846.66	150,861.13	309,605.10	41,106.53	915,419.42	
1001 - Balance Salaries & Wages:		0.00	2,361.05	860.68	1,766.34	234.52	5,222.58	1%
Other Personnel Costs:			0.31	0.47	0.21	0.01		
7017- One-Time Merit		0.00	7,000.00	6,000.00	6,000.00	0.00	19,000.00	
7022- Longevity Pay		0.00	8,480.00	3,640.00	4,800.00	680.00	17,600.00	
7023- Lump Sum Termination		0.00	0.00	14,515.23	1,550.00	0.00	16,065.23	
7033- Employee Retirement - Other expenses		0.00	2,707.83	3,130.68	0.00	0.00	5,838.51	
	Budget:	0.00	19,162.84	28,748.65	13,012.06	716.45	61,640.00	
	Expended:	0.00	18,187.83	27,285.91	12,350.00	680.00	58,503.74	
1002 - Balance Other Personnel Costs		0.00	975.01	1,462.74	662.06	36.45	3,136.26	5%
		0.32	0.00	0.00	0.68	0.00		
Professional Fees and Services:								
7253- Other Professional Fees (EAP)		1,158.29	0.00	0.00	0.00	0.00	1,158.29	
	Budget:	1,158.42	0.00	0.00	2,475.47	0.00	3,633.89	
	Expended:	1,158.29	0.00	0.00	2,475.20	0.00	3,633.49	
2001 - Balance Professional Fees/Services:		0.13	0.00	0.00	0.27	0.00	0.40	0%
		0.37	0.07	0.23	0.33	0.00		
7300- Consumables		4,307.48	776.21	2,629.32	3,818.75	0.00	11,531.76	
	Budget:	4,310.13	776.69	2,630.94	3,821.10	0.00	11,538.85	
	Expended:	4,307.48	776.21	2,629.32	3,818.75	0.00	11,531.76	
2003 - Balance Consumable Supplies:		2.65	0.48	1.62	2.35	0.00	7.09	0%
Utilities:		0.00	1.00	0.00	0.00	0.00		
7516- Telecom-Other (reg voice/internet)		0.00	4,902.29	0.00	0.00	0.00	4,902.29	
	Budget:	0.00	5,204.84	0.00	0.00	0.00	5,204.84	
	Expended:	0.00	4,902.29	0.00	0.00	0.00	4,902.29	
2004 - Balance Utilities:		0.00	302.55	0.00	0.00	0.00	302.55	6%
Travel:		0.00	0.90	0.01	0.07	0.03		
7101- Travel I/S - Public Transportation Fares		0.00	9,402.30	74.00	2,154.84	0.00	11,631.14	
7102- Mileage		0.00	23,647.07	193.23	59.28	4.14	23,903.72	
7105- Travel I/S - Incidental Expenses		29.86	5,180.44	51.16	1,003.59	0.00	6,265.05	
7106- Travel I/S - Meals & Lodging		0.00	34,693.49	397.93	2,093.91	0.00	37,185.33	
7107- Travel I/S - Non-Overnight Travel (Meals)		0.00	857.96	0.00	149.25	0.00	1,007.21	
7111- Travel OOS - Public Transportation Fares		0.00	0.00	0.00	0.00	650.41	650.41	
7112- Travel OOS - Mileage		0.00	0.00	0.00	0.00	22.55	22.55	
7115- Travel OOS - Incidental Expenses		0.00	0.00	0.00	0.00	302.67	302.67	
7116- Travel OOS - Meals, Lodging Allowable		0.00	0.00	0.00	0.00	1,490.34	1,490.34	
7135- Travel I/S - State Occupancy Tax		0.00	291.00	0.00	0.00	0.00	291.00	
	Budget:	29.91	74,193.98	717.50	5,469.84	2,474.17	82,885.40	
	Expended:	29.86	74,072.26	716.32	5,460.87	2,470.11	82,749.42	
2005 - Balance Travel:		0.05	121.72	1.18	8.97	4.06	135.98	0%
Rent:								
7470- Rent Space - storage		111.11	0.00	0.00	0.00	0.00	111.11	
	Budget:	120.00	0.00	0.00	0.00	0.00	120.00	
	Expended:	111.11	0.00	0.00	0.00	0.00	111.11	
2006 - Balance Rent - Building :		8.89	0.00	0.00	0.00	0.00	8.89	7%
Rent - Machine and Other:								
7406- Rental - Furnishings & Equipment (copier)		2,520.53	0.00	0.00	0.00	0.00	2,520.53	
	Budget:	2,915.44	0.00	0.00	0.00	0.00	2,915.44	
	Expended:	2,520.53	0.00	0.00	0.00	0.00	2,520.53	
2007 - Balance Rent - Machine and Other:		394.91	0.00	0.00	0.00	0.00	394.91	14%

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
August 31, FY2018

3014

PCA

4004

4005

4006

4007

4008

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	% Remaining
Other Operating Expense:	0.60	0.11	0.10	0.18	0.01		
7040- ERS Retirement Contribution	0.00	2,069.33	754.38	1,551.24	205.41	4,580.36	
7042- ERS Insurance Payment	0.00	4,123.55	1,467.26	2,920.48	321.30	8,832.59	
7203- Registration Fees-Employee Training	324.00	750.00	0.00	0.00	300.00	1,374.00	
7276- Communication Services (T-1 Line)	3,996.00	1,992.75	0.00	0.00	0.00	5,988.75	
7286- Freight & Delivery Services	0.00	0.00	0.00	10,360.48	0.00	10,360.48	
7291- Postage & Postal Services	1,070.79	52.00	0.00	0.00	0.00	1,122.79	
7295- Fees & Other Charges (DPS)	0.00	0.00	365.00	25.53	25.53	416.06	
7299- Purchased Contracted Services	1,261.78	0.00	0.00	0.00	0.00	1,261.78	
7334- Furnishings & Equipment -Expensed	7,055.09	0.00	79.00	366.67	0.00	7,500.76	
7377- Computer Equipment - Expensed	4,906.48	46.16	2,941.19	0.00	0.00	7,893.83	
7380- Computer Software - Expensed	15,488.31	0.00	0.00	0.00	98.80	15,587.11	
7382- Books - Expensed	32.90	0.00	145.73	0.00	0.00	178.63	
7806- Interest on Delayed Payment	2.51	0.00	0.00	0.81	0.00	3.32	
7947- Workers Compensation Transfer (SORM)	1,409.30	0.00	0.00	0.00	0.00	1,409.30	
7961- STS Transfers-Telecommunications (TexAn)	5,444.55	0.00	0.00	0.00	0.00	5,444.55	
7962- STS transfer to GR (CCTS)	4,482.87	0.00	0.00	0.00	0.00	4,482.87	
Budget:	52,912.01	9,606.26	8,723.38	16,093.83	1,005.30	88,340.78	
Expended:	50,056.23	9,087.79	8,252.56	15,225.21	951.04	83,572.83	
2009 - Balance Other Operating Expense:	2,855.78	518.47	470.82	868.62	54.26	4,767.95	5%
Budget:	61,445.90	525,152.32	192,542.27	352,243.74	45,536.97	1,176,921.20	
Expended:	58,183.50	520,873.04	189,745.24	348,935.13	45,207.68	1,162,944.59	
TOTAL BALANCE	3,262.40	4,279.28	2,797.03	3,308.61	329.29	13,976.61	1%
% Remaining	5%	1%	1%	1%	1%	1%	

Grants:		License Plates	
7623- Grant - Comm Service Program			31,461.97
	Budget:		17,500.00
	Excess Revenue from License Plates		13,961.97
	Expended:		31,461.97
4000 - Balance Grants:			0.00
			0%

Texas Commission on Fire Protection
Fiscal Year 2018- Operating Budget
August 31, FY2018

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Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	% Remaining
	0.76	0.24	0.00		
7001- Salaries & Wages - Exempt	104,216.72	0.00	0.00	104,216.72	
7002- Salaries & Wages - Non-Exempt	348,229.32	141,792.44	0.00	490,021.76	
Budget:	452,460.11	141,796.85	0.00	594,256.96	
Expended:	452,446.04	141,792.44	0.00	594,238.48	
1001 - Balance Salaries & Wages:	14.07	4.41	0.00	18.48	0%
Other Personnel Costs:	0.66	0.34	0.00		
7017- One-Time Merit	11,000.00	7,000.00	0.00	18,000.00	
7022- Longevity Pay	5,300.00	1,240.00	0.00	6,540.00	
Budget:	16,300.29	8,240.15	0.00	24,540.44	
Expended:	16,300.00	8,240.00	0.00	24,540.00	
1002 - Balance Other Personnel Costs	0.29	0.15	0.00	0.44	0%
Professional Fees and Services:					
7243- Educational/Training Services	0.00	80.00	0.00	80.00	
7245- Financial & Accounting Services	0.00	1,104.32	0.00	1,104.32	
7253- Other Professional Fees (EAP)	0.00	770.94	0.00	770.94	
Budget:	0.00	1,959.12	0.00	1,959.12	
Expended:	0.00	1,955.26	0.00	1,955.26	
2001 - Balance Professional Fees and Services:	0.00	3.86	0.00	3.86	0%
	0.06	0.93	0.01		
7300- Consumables	122.58	1,908.36	20.00	2,050.94	
Budget:	126.39	1,967.68	20.62	2,114.69	
Expended:	122.58	1,908.36	20.00	2,050.94	
2003 - Balance Consumable Supplies:	3.81	59.32	0.62	63.75	3%
Utilities:					
Budget:	0.00	38.71	0.00	38.71	
Expended:	0.00	0.00	0.00	0.00	
2004 - Balance Utilities:	0.00	38.71	0.00	38.71	100%
Travel:	0.08	0.03	0.89		
7101- Travel I/S - Public Transportation Fares	351.00	0.00	2,868.44	3,219.44	
7102- Mileage	0.00	159.25	2,512.71	2,671.96	
7104- Travel I/S - Actual Expense Overnight	126.56	0.00	0.00	126.56	
7105- Travel I/S - Incidental Expenses	290.61	11.62	1,191.59	1,493.82	
7106- Travel I/S - Meals & Lodging	492.25	243.96	0.00	736.21	
7107- Travel I/S - Non-Overnight Travel (Meals)	0.00	0.00	45.21	45.21	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	7,199.91	7,199.91	
Budget:	1,294.75	426.13	14,194.17	15,915.04	
Expended:	1,260.42	414.83	13,817.86	15,493.11	
2005 - Balance Travel:	34.33	11.30	376.31	421.93	3%
Rent:	0.78	0.22	0.00		
7470- Rent Space - storage	240.00	68.20	0.00	308.20	
Budget:	241.40	68.60	0.00	310.00	
Expended:	240.00	68.20	0.00	308.20	
2006 - Balance Rent - Building (storage):	1.40	0.40	0.00	1.80	1%

Texas Commission on Fire Protection
Fiscal Year 2018- Operating Budget
August 31, FY2018

3800

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Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	%
					Remaining
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0.00	1,484.64	0.00	1,484.64	
Budget:	0.00	1,503.84	0.00	1,503.84	
Expended:	0.00	1,484.64	0.00	1,484.64	
2007 - Balance Rent - Machine and Other:	0.00	19.20	0.00	19.20	1%
Other Operating Expense:	0.47	0.53	0.00		
7040- ERS Retirement Contribution	1,927.66	708.98	0.00	2,636.64	
7042- ERS Insurance Payment	4,513.05	1,252.21	0.00	5,765.26	
7201- Membership Dues	150.00	141.00	0.00	291.00	
7203- Registration Fees-Employee Training	0.00	150.00	0.00	150.00	
7204- Insurance Premiums and Deductibles	0.00	114.22	0.00	114.22	
7211- Awards	0.00	188.34	0.00	188.34	
7291- Postage & Postal Services	0.00	755.85	0.00	755.85	
7295- Investigation Expenses	50.53	25.53	0.00	76.06	
7299- Purchased Contracted Services	0.00	162.60	0.00	162.60	
7303- Subscriptions, Periodicals and Info Services	0.00	157.94	0.00	157.94	
7334- Furnishings & Equipment -Expensed	464.09	601.91	20.00	1,086.00	
7380- Computer Software - Expensed	537.00	483.34	0.00	1,020.34	
7382- Books - Expensed	0.00	23.23	0.00	23.23	
7806- Interest on Delayed Payment	0.00	1.78	0.00	1.78	
7947- Workers Compensation Transfer (SORM)	0.00	536.88	0.00	536.88	
7961- STS Transfers-Telecommunications (TexAn)	0.00	1,657.48	0.00	1,657.48	
7962- STS transfer to GR (CCTS)	0.00	1,596.70	0.00	1,596.70	
Budget:	7,938.16	8,889.27	20.77	16,848.20	
Expended:	7,642.33	8,557.99	20.00	16,220.32	
2009 - Balance Other Operating Expense:	295.83	331.28	0.77	627.88	4%
Budget:	478,361.10	164,890.34	14,235.56	657,487.00	
Expended:	478,011.37	164,421.72	13,857.86	656,290.95	
TOTAL - BALANCE	349.73	468.62	377.70	1,196.05	0%
% Remaining	0%	0%	3%	0%	

TEXAS COMMISSION ON FIRE PROTECTION

FY18 BUDGET, Approved:

last updated 10/12/18

FY18 - Method of Finance:

(as of: GAA)	Info 13008	Stds 13014	Admin 13800	TOTALS
Regular Appropriation (from GAA)	140,463.00	1,090,202.00	657,487.00	1,888,152.00
License Plate Receipts		17,500.00		17,500.00
Appro. Receipts (IFSAC Seals)		55,000.00		55,000.00
Additional Receipts (IFSAC Seals > \$55,000)		39,719.20		39,719.20
Additional Receipts (License Plates)		13,961.97		13,961.97
Subtotal - Funding	140,463.00	1,216,383.17	657,487.00	2,014,333.17
INTERNAL Budget Transfers ***	8,000.00			8,000.00
INTERNAL Budget Transfers ***		(8,000.00)		(8,000.00)
BRP - Payroll				-
Additional Appropriation: Transfer In				
Revised Total Funding	148,463.00	1,208,383.17	657,487.00	2,014,333.17

FY18 - BUDGET DETAIL

	Info 13008	Stds 13014	Admin 13800	TOTALS
1001 - Salaries & Wages:				
7001- Salaries - Exempt Positions	-	-	102,508.08	102,508.08
7002- Salaries - Classified Positions	107,896.24	920,642.00	491,748.88	1,520,287.12
1001 - Total Salaries & Wages	107,896.24	920,642.00	594,256.96	1,622,795.20
1002 - Other Personnel Costs:				
7017- One-Time Merit Increase		19,000.00	17,630.00	36,630.00
7022- Longevity Pay	20,735.00	42,640.00	3,300.00	66,675.00
7023- Lump Sum Terms payout				-
7033 - Employee Retirement - Other expenses			3,610.44	3,610.44
1002 - Total Other Personnel Costs	20,735.00	61,640.00	24,540.44	106,915.44
2001 - Professional Fees and Services:				
7242- Consulting Services - IT Computers	-	-		-
7245 - Financial & Accounting Services	-		1,220.00	1,220.00
7253- Other Professional Fees	358.27	3,633.89	739.12	4,731.28
7274- Temporary Employment Agencies	-	-		-
7275- Information Technology Services	-	-		-
2001 - Total Professional Fees and Services:	358.27	3,633.89	1,959.12	5,951.28
2003 - Consumable Supplies:				
7300- Consumables (central Store)				-
IFSAC Seals				-
Recurring Annual Supplies	169.68	1,823.73	1,018.04	3,011.45
Non Central Store items	909.47	9,715.12	1,096.65	11,721.24
2003 - Total Consumable Supplies:	1,079.15	11,538.85	2,114.69	14,732.69

FY18 - BUDGET DETAIL

	Info 13008	Stds 13014	Admin 13800	TOTALS
2004 - Utilities:				
7501- Electricity	6.45	54.84	38.71	100.00
7503- Telecommunications-Long Distance	-		-	-
7504- Telecommunications-Monthly Charge	-		-	-
7510- Telecommunications-Parts & Supplies	-		-	-
7514- Telecommunications-Maint & Repair	-		-	-
7516- Telecommunications-Other Charges	-	5,150.00	-	5,150.00
7517- Telecommunications-Equip	-			-
2004 - Total Utilities:	6.45	5,204.84	38.71	5,250.00
2005 - Travel:				
7101- Travel I/S - Public Transportation Fares	229.55	18,331.85	2,194.76	20,756.16
7102- Travel I/S - Mileage	64.40	9,062.37	4,410.51	13,537.28
7104- Travel I/S - Actual Expense Overnight	83.07	-	90.91	173.98
7105- Travel I/S - Incidental Expenses	764.08	9,676.01	1,212.80	11,652.89
7106- Travel I/S - Meals & Lodging	75.69	44,137.41	594.98	44,808.08
7107- Travel I/S - Non-Overnight Travel (Meals)	-	1,581.56	195.55	1,777.11
7110- Travel I/S - Board Member Meals/Lod	-	-	6,096.60	6,096.60
7111- Travel OOS - Public Transportation Fares	-		116.35	116.35
7112- Travel OOS - Mileage	-			-
7114- Travel OOS - Actual meals & lodging exp	-		-	-
7115- Travel OOS - Incidental Expenses	-		121.58	121.58
7116- Travel OOS - Meals, Lodging Allowable	-		881.00	881.00
7135- Travel I/S - State Occupancy Tax	-	96.20	-	96.20
7136- Travel I/S - State Occupancy Tax Galvestor	-	-	-	-
7139- Travel I/S - State Occupancy Tax Corpus C	-	-	-	-
2005 - Total Travel:	1,216.79	82,885.40	15,915.04	100,017.23
2006 - Rent - Building:				
7462- Rental - Office Space/Building	-	-		-
7470- Rental of Space	60.00	120.00	310.00	490.00
2006 - Total Rent - Building:	60.00	120.00	310.00	490.00
2007 - Rent - Machine and Other:				
7406- Rental - Furnishings & Equipment (copier)	230.64	2,315.44	1,303.84	13,339.92
7411- Rental - Computer Equipment	200.00	600.00	200.00	1,000.00
2007 - Total Rent - Machine and Other:	430.64	2,915.44	1,503.84	14,339.92

FY18 - BUDGET DETAIL

	Info 13008	Stds 13014	Admin 13800	TOTALS
2009 - Other Operating Expense:				
7040 - ERS Retirement Contribution	912.36	4,325.16	2,961.24	8,198.76
7042 - ERS Employee Ins Payment	824.90	7,809.82	5,835.75	14,470.47
7201 - Membership Dues			200.00	200.00
7202 - Tuition - Employee Training				-
7203- Registration Fees-Employee Training	-	700.00	1,300.00	2,000.00
7204 - Insurance Premiums	20.95	278.06	125.69	424.70
7210 - Other Fees and Charges	8.07	68.55	168.39	245.01
7211 - Awards	64.52	548.39	387.09	1,000.00
7216 - Insurance Premiums - appvd by oag				-
7219 - Fees for Receiving Electronic Payments				-
7262 - M&R - Computer Software	253.47	2,161.20	1,775.52	4,190.19
7266 - M&R - Building	521.36	-	-	521.36
7267- M&R - Computer Equipment	-		130.00	130.00
7273 - Reproduction & Printing	-		200.00	200.00
7276 - Communication Services	141.93	3,306.46	852.50	4,300.89
7281- Advertising Services				-
7286 - Freight/Delivery Services	-	3,770.00	-	3,770.00
7291- Postage & Postal Services	426.47	3,774.85	3,328.90	7,530.22
7295 - Investigation Expenses	-	65.95	74.85	140.80
7299 - Purchased Contracted Services	57.12	6,480.28	162.60	6,700.00
7303 - Subscriptions, Periodicals and Info Service	2,669.03	42.77	30.19	2,741.99
7312 - Medical Supplies	2.48	21.06	14.88	38.42
7328 - Supplies/Materials - Constr/Hardware				
7330 - Parts - Furnishings/Equip				-
7334 - Furnishings & Equipment -Expensed	100.00	600.00	300.00	1,000.00
7335 - Parts -Computer Equipment - Expensed	3.61	30.71	180.59	214.91
7340 - Real Property and Improvements - Expensed				-
7354 - Leasehold Improvements - Expensed				-
7367- Personal Property - M&R Expensed				-
7374 - Personal Property-F&E- Controlled				-
7377 - Computer Equipment - Expensed	83.88	712.91	503.22	1,300.01
7378 - Computer Equipment - Controlled				-
7380 - Computer Software - Expensed	560.16	4,761.12	3,897.72	9,219.00
7382 - Books - Expensed	500.00			500.00
7806 - Interest on Delay Payments				-
7947 - SORM Assessments	136.33	1,158.84	818.00	2,113.17
7953 - SWCAP payment/cost allocation				-
7961 - STS Transfers-Telecommunications	204.73	1,740.25	1,228.41	3,173.39
7962 - STS transfer to GR (CCTS)	609.09	5,465.20	3,372.66	9,446.95
<i>Additional Appropriation-IFSAC</i>		<i>39,719.20</i>		<i>39,719.20</i>
<i>Transfers</i>	<i>8,580.00</i>	<i>800.00</i>	<i>(11,000.00)</i>	<i>(1,620.00)</i>
				-
2009 - Total Other Operating Expense:	16,680.46	88,340.78	16,848.20	121,869.44
4000 - Grants:				
7623 - Grants- Community Serv. Programs	-	31,461.97		31,461.97
4000 - Grants:	-	31,461.97	-	31,461.97
TOTAL - Budgeted EXPENDITURES	148,463.00	1,208,383.17	657,487.00	2,023,823.17
Difference:	0.00	0.00	0.00	0.00

Revenue Comparison by Month 2017/2018 August 31, FY2018 YTD Comparisons

FY17 Revenue					FY18 Revenue				
Appr 99906 - General Revenue			Appr 13014 Fund 0001- IFSAC		Appr 99906 - General Revenue			Appr 13014 Fund 0001 - IFSAC	
Sep-16	\$ 512,662.50	12.1%	\$ 9,315.00	11.1%	Sep-17	\$ 227,470.00	5.0%	\$ 5,684.20	6.0%
Oct-16	\$ 1,735,537.50	41.1%	\$ 5,850.00	7.0%	Oct-17	\$ 1,999,213.00	44.1%	\$ 4,370.00	4.6%
Nov-16	\$ 496,200.00	11.8%	\$ 5,415.00	6.5%	Nov-17	\$ 538,455.00	11.9%	\$ 5,595.00	5.9%
Dec-16	\$ 166,610.55	3.9%	\$ 6,165.00	7.4%	Dec-17	\$ 154,038.06	3.4%	\$ 3,825.00	4.0%
Jan-17	\$ 215,867.50	5.1%	\$ 9,340.00	11.2%	Jan-18	\$ 194,105.00	4.3%	\$ 7,515.00	7.9%
Feb-17	\$ 146,006.84	3.5%	\$ 4,455.00	5.3%	Feb-18	\$ 172,481.75	3.8%	\$ 6,795.00	7.2%
Mar-17	\$ 145,667.50	3.5%	\$ 5,685.00	6.8%	Mar-18	\$ 212,896.94	4.7%	\$ 9,360.00	9.9%
Apr-17	\$ 163,340.00	3.9%	\$ 6,787.00	8.1%	Apr-18	\$ 240,410.00	5.3%	\$ 9,090.00	9.6%
May-17	\$ 160,460.00	3.8%	\$ 7,864.00	9.4%	May-18	\$ 254,281.00	5.6%	\$ 10,515.00	11.1%
Jun-17	\$ 201,070.30	4.8%	\$ 8,480.00	10.1%	Jun-18	\$ 207,235.07	4.6%	\$ 12,785.00	13.5%
Jul-17	\$ 111,656.37	2.6%	\$ 6,265.00	7.5%	Jul-18	\$ 167,795.00	3.7%	\$ 10,260.00	10.8%
Aug-17	\$ 166,175.00	3.9%	\$ 7,975.00	9.5%	Aug-18	\$ 163,843.26	3.6%	\$ 8,925.00	9.4%
Totals	\$ 4,221,254.06	100.0%	\$ 83,596.00	100.0%		\$ 4,532,224.08	100.0%	\$ 94,719.20	100.0%

FY17 Revenue Collected **\$ 4,304,850 113.23%**

FY18 Revenue Collected **\$ 4,626,943 122.83%**

Revenue for Biennium:

Annual GR & Appropriated Receipts	
IFSAC Seals	
GAA Other Direct & Indirect	
Budget Rider	
Subtotal	
5% Contingency	
Total Req'd	

	FY17	FY18
Annual GR & Appropriated Receipts	\$ 1,930,192	\$ 1,888,152
IFSAC Seals	\$ 55,000	\$ 55,000
GAA Other Direct & Indirect	\$ 885,483	\$ 894,287
Budget Rider	\$ 750,000	\$ 750,000
Subtotal	\$ 3,620,675	\$ 3,587,439
5% Contingency	\$ 181,034	\$ 179,372
Total Req'd	\$ 3,801,709	\$ 3,766,811

Amount Over or (Under) Required Revenue **\$ 503,141 \$ 860,132**

FY17		FY18		Percentage of Revenue Collected
Collected	113.23%	122.83%		
As of Date	10/12/2017	10/12/2018		

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Appropriations
August 31, FY2018

Summary		BT01	BT02	BT03	BT04	BT11	BT12	BT13	BT15	Appr Cash Avail.
Appropriations	Appr Original Budget	Appr Revisions	Appropriations Transfers Out	Appr Transfers In	Est. Coll. Revenue	Cash Revenue	Excess Collected Revenue	Cash Expenditures		
00000	Unappropriated Activity	-	-	-	-	-	0.00	-	-	\$ 0.00
13008	Fire Safety Information	140,463.00	-	-	8,000.00	-	-	-	148,031.22	\$ 431.78
13014	Certify & Regulation	1,145,202.00	-	8,000.00	1,928.76	55,000.00	94,719.20	39,719.20	1,164,873.35	\$ 13,976.61
13800	Indirect Admin	657,487.00	-	-	1,013.97	-	-	-	657,304.92	\$ 1,196.05
23102	Benefit Replacement	-	-	2,942.73	2,942.73	-	-	-	-	\$ (0.00)
90327	State Retirement	-	-	-	144,292.28	-	-	-	144,292.28	\$ 0.00
91142	OASI, State Match	-	-	-	126,522.25	-	-	-	126,472.81	\$ 49.44
97768	Convenience Fees	-	14.37	-	-	14.37	35,069.71	35,055.34	35,061.62	\$ 8.09
99327	Group Insurance	-	-	-	235,490.49	-	-	-	235,490.49	\$ 0.00
99906	Unappropriated General Rev	-	-	-	-	-	85.00	-	-	\$ 85.00
Totals		\$ 1,943,152.00	\$ 14.37	\$ 10,942.73	\$ 520,190.48	\$ 55,014.37	\$ 129,873.91	\$ 74,774.54	\$ 2,511,526.69	\$ 15,746.97

**Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
August 31, FY2018**

Summary		01	02	03	04	05	06	07	08	09	10	11	12	TOTALS	%	Budget
		September	October	November	December	January	February	March	April	May	June	July	August			
1001 - Salaries & Wages:	Education	\$ 7,605.22	\$ 7,605.22	\$ 7,605.22	\$ 7,605.22	\$ 7,605.22	\$ 7,605.22	\$ 7,605.22	\$ 9,041.56	\$ 8,084.00	\$ 9,334.00	\$ 18,751.27	\$ 9,334.00	\$ 107,781.37	0.11%	\$ 107,896
	Standards	\$ 68,013.21	\$ 68,665.38	\$ 68,665.38	\$ 62,763.38	\$ 62,763.38	\$ 62,763.38	\$ 66,717.93	\$ 69,612.16	\$ 66,163.38	\$ 97,781.14	\$ 141,300.89	\$ 80,209.81	\$ 915,419.42	0.57%	\$ 920,642
	Admin	\$ 55,312.54	\$ 71,741.62	\$ 64,338.11	\$ 64,338.11	\$ 64,062.53	\$ 53,075.02	\$ 52,441.18	\$ 59,404.26	\$ 60,828.50	\$ 25,944.21	\$ (25,909.10)	\$ 48,661.50	\$ 594,238.48	0.00%	\$ 594,257
														\$ 1,617,439.27	0%	\$ 1,622,795
1002 - Other Personnel Costs	Education	\$ 40.00	\$ 40.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 140.00	\$ 19,843.06	\$ 140.00	\$ 20,623.06	0.54%	\$ 20,735
	Standards	\$ 1,620.00	\$ 1,640.00	\$ 1,640.00	\$ 1,400.00	\$ 15,935.23	\$ 1,420.00	\$ 1,795.68	\$ 1,871.00	\$ 1,891.00	\$ 4,618.83	\$ 3,681.00	\$ 20,991.00	\$ 58,503.74	5.09%	\$ 61,640
	Admin	\$ 940.87	\$ 1,160.87	\$ 1,060.87	\$ 1,060.87	\$ 1,080.87	\$ 860.87	\$ 20,873.93	\$ 960.87	\$ 960.87	\$ (2,127.83)	\$ (20,853.06)	\$ 18,560.00	\$ 24,540.00	0.00%	\$ 24,540
														\$ 103,666.80	3%	\$ 106,915
2001 - Professional Fees/Services:	Education	\$ -	\$ -	\$ -	\$ 75.62	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 38.16	\$ 228.48	\$ 14.69	\$ 356.95	0.37%	\$ 358
	Standards	\$ -	\$ -	\$ -	\$ 642.82	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 324.36	\$ 2,475.20	\$ 191.11	\$ 3,633.49	0.01%	\$ 3,634
	Admin	\$ -	\$ 2,408.00	\$ -	\$ 1,853.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 228.98	\$ (2,703.68)	\$ 168.20	\$ 1,955.26	0.20%	\$ 1,959
														\$ 5,945.70	0%	\$ 5,951
2003 - Consumable Supplies:	Education	\$ 7.69	\$ 64.86	\$ 131.21	\$ 28.39	\$ 6.25	\$ 54.03	\$ -	\$ 69.25	\$ 21.67	\$ 63.94	\$ 13.94	\$ 615.46	\$ 1,076.69	0.23%	\$ 1,079
	Standards	\$ 142.55	\$ 331.06	\$ 289.24	\$ 389.64	\$ 862.88	\$ 629.32	\$ 1,699.24	\$ 822.34	\$ 470.25	\$ 1,276.65	\$ 118.60	\$ 4,499.99	\$ 11,531.76	0.06%	\$ 11,539
	Admin	\$ 46.14	\$ 189.80	\$ 50.32	\$ 233.60	\$ 113.87	\$ 234.26	\$ -	\$ 506.51	\$ 130.01	\$ 390.44	\$ 83.73	\$ 72.26	\$ 2,050.94	3.01%	\$ 2,115
														\$ 14,659.39	0%	\$ 14,733
2004 - Utilities:	Education	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	100.00%	\$ 6
	Standards	\$ -	\$ 436.18	\$ 436.16	\$ 436.16	\$ 436.73	\$ 436.73	\$ 436.73	\$ 436.16	\$ 436.16	\$ 436.85	\$ 243.88	\$ 730.55	\$ 4,902.29	5.81%	\$ 5,205
	Admin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	100.00%	\$ 39
														\$ 4,902.29	7%	\$ 5,250
2005 - Travel:	Education	\$ -	\$ -	\$ 74.35	\$ 179.90	\$ 93.00	\$ 9.88	\$ -	\$ -	\$ -	\$ 149.00	\$ (15.97)	\$ 718.41	\$ 1,208.57	0.68%	\$ 1,217
	Standards	\$ 1,627.60	\$ 8,503.74	\$ 4,089.62	\$ 7,247.80	\$ 7,762.99	\$ 3,137.96	\$ 6,369.60	\$ 8,967.08	\$ 8,549.22	\$ 9,120.41	\$ 4,584.48	\$ 12,788.92	\$ 82,749.42	0.16%	\$ 82,885
	Admin	\$ -	\$ 185.86	\$ 1,105.52	\$ 2,281.48	\$ 706.59	\$ 4,575.89	\$ (11.51)	\$ 25.44	\$ 2,923.63	\$ 562.83	\$ 629.67	\$ 2,507.71	\$ 15,493.11	2.65%	\$ 15,915
														\$ 99,451.10	1%	\$ 100,017
2006 - Rent - Building (storage):	Education	\$ -	\$ 1.03	\$ 1.03	\$ 1.03	\$ 1.03	\$ 1.03	\$ 1.03	\$ 1.03	\$ 1.03	\$ 1.03	\$ 1.03	\$ 2.63	\$ 12.93	78.45%	\$ 60
	Standards	\$ -	\$ 8.79	\$ 8.79	\$ 8.79	\$ 8.79	\$ 8.79	\$ 8.79	\$ 8.79	\$ 8.79	\$ 8.79	\$ 8.79	\$ 23.21	\$ 111.11	7.41%	\$ 120
	Admin	\$ 60.00	\$ 6.20	\$ 66.20	\$ 6.20	\$ 6.20	\$ 66.20	\$ 6.20	\$ 66.20	\$ 6.20	\$ 66.20	\$ 6.20	\$ 6.20	\$ 308.20	0.58%	\$ 310
														\$ 432.24	12%	\$ 490
2007 - Rent - Machine and Other:	Education	\$ -	\$ 22.27	\$ 22.29	\$ 22.45	\$ 22.31	\$ 22.27	\$ 22.64	\$ 22.63	\$ 23.88	\$ 25.08	\$ 23.99	\$ 64.01	\$ 293.82	31.77%	\$ 431
	Standards	\$ -	\$ 189.29	\$ 189.46	\$ 190.84	\$ 189.62	\$ 189.26	\$ 192.49	\$ 192.34	\$ 203.02	\$ 213.17	\$ 203.84	\$ 567.20	\$ 2,520.53	13.55%	\$ 2,915
	Admin	\$ 0.00	\$ 133.62	\$ 133.74	\$ 134.71	\$ 133.85	\$ 133.60	\$ 135.88	\$ 135.77	\$ 143.31	\$ 150.47	\$ 143.89	\$ 105.80	\$ 1,484.64	1.28%	\$ 1,504
														\$ 4,298.99	11%	\$ 4,850

**Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
August 31, FY2018**

Summary

	01	02	03	04	05	06	07	08	09	10	11	12				
	September	October	November	December	January	February	March	April	May	June	July	August	TOTALS	% Remaining	Budget	
2009 - Other	Education	\$ 122.08	\$ 1,635.90	\$ 374.85	\$ 210.86	\$ 236.47	\$ 444.55	\$ 216.67	\$ 235.12	\$ 300.31	\$ 298.42	\$ 368.84	\$ 12,233.76	\$ 16,677.83	0.02%	\$ 16,680
Operating Expense:	Standards	\$ 1,524.17	\$ 4,599.18	\$ 4,089.55	\$ 2,676.20	\$ 3,200.70	\$ 2,710.43	\$ 2,911.90	\$ 3,331.86	\$ 4,610.65	\$ 3,955.44	\$ 3,992.79	\$ 45,969.96	\$ 83,572.83	5.40%	\$ 88,341
	Admin	\$ 918.91	\$ 2,188.86	\$ 2,707.06	\$ 1,561.52	\$ 1,667.57	\$ 1,601.06	\$ 1,374.30	\$ 1,501.00	\$ 2,646.71	\$ 1,375.65	\$ (292.99)	\$ (1,029.33)	\$ 16,220.32	3.73%	\$ 16,848
													\$ 116,470.98	4%	\$ 121,869	
4000 - Grants:	Standards	\$ -	\$ 2,597.80	\$ 2,627.11	\$ 1,941.43	\$ 2,341.11	\$ 2,500.63	\$ 2,680.28	\$ 2,986.41	\$ 2,924.09	\$ 2,700.44	\$ 2,603.26	\$ 5,559.41	\$ 31,461.97	0%	\$ 31,462
		\$ 137,980.98	\$ 174,355.53	\$ 159,766.08	\$ 157,350.78	\$ 169,297.19	\$ 142,540.38	\$ 165,538.18	\$ 160,197.78	\$ 161,446.68	\$ 157,016.66	\$ 149,532.03	\$ 263,706.46	\$ 1,998,728.73	1%	\$ 2,014,333

TCFP FY18 Measures

Key	Strategy	FY18 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY18 YTD Sum	FY18 Target	Total Expenditures	% Target ytd/tar	Measures/Explanation
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Output *A quantifiable indicator of the number of goods or services an agency produces*

Yes	Standards Enforcement	210	260	274	396	1140	1,120		102%	Number of inspections of regulated entities. Includes bi-annual inspections, audits, and investigations.
		Cumulative								
Yes	Standards Enforcement	2,406	2,779	4,276	2,802	12,263	9,500		129%	Number of examinations administered.
		Cumulative								
	Indirect Administration		\$5,504			\$5,504		\$5,980		Dollar value of professional & other services from HUBs. From semi-annual Comptroller report
		Cumulative								
						92% Annual goal: 23-26% of total agency expenditures for professional and other services				

Explanatory (Annual) *An indicator of factors, agency resources, or requests received that affect a state entity's performance.*

Yes	Standards Enforcement	84.37%	85.21%	84.69%	81.40%	83.92%	90%		93%	Pass Rate (Percent)
		Non-Cumulative								
Yes	Standards Enforcement	33,263	32,381	32,931	33,566	33,566	31,600		106%	Number of individuals certified by the Commission.
		Non-Cumulative								
Yes	Standards Enforcement	277	238	272	278	278	260		107%	Number of training providers certified by the Commission.
		Non-Cumulative								

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.

Non-Cumulative Measure: A measure which is calculated from the entire reporting period (year), not on the basis of adding together the performance from separate quarters.

Efficiency *A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units*

Yes	Standards Enforcement	\$451	\$359	\$348	\$253	\$353	\$425		83%	Average cost per inspection of regulated facilities. Costs = Inspector salaries + 25% of manager salary, other personnel costs, applicable travel expenses
		Non-Cumulative								
						Total inspections per quarter = Inspections + audits + investigations				

Outcome (Annual) *A quantifiable indicator of the public and customer benefits from an agency's actions*

	Indirect Administration		40,817.00			\$40,817		\$53,067		Percent of total dollar value of commodity purchasing from HUBs. Taken from semi-annual Comptroller report
		Non-Cumulative								
						77% Annual goal: 21% of total agency spending for commodities				

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

- 5. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal's Office.**

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

- 7. Discussion and possible action regarding report from commission representative to the Homeland Security Council.**

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

9. Discussion and possible action on future meeting dates.

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

Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:

- 1. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 449, Head of a Fire Department.**



**Texas Commission on Fire Protection
Agenda Item Summary**

**MEETING: Commission
DATE: 10/25/2018**

Agenda Item #: 10-(1)

Agenda Title: Chapter 449, Head of a Fire Department

Action to be taken: Discussion and possible final adoption

Origin of Item: *Staff and committee*

1. INTRODUCTION/PURPOSE

Proposed rule revisions for Head of a Fire Department

2. DESCRIPTION/ JUSTIFICATION

The proposed rule revisions seek to clarify what is required of an individual being appointed to a head of department position. Current rule language is confusing to the applicant and difficult to implement by agency staff.

3. BUDGET IMPACT

No impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for final adoption

5. RECOMMENDATION

Recommend final adoption

6. REFERENCES

37 TAC, Chapter 449, Head of a Fire Department

CHAPTER 449

HEAD OF A FIRE DEPARTMENT

SUBCHAPTER A

MINIMUM STANDARDS FOR HEAD OF A SUPPRESSION FIRE DEPARTMENT

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

- (a) An individual who becomes employed and is **appointed** [~~assigned~~] as the head of a suppression fire department must be certified by the commission as Head of a Suppression Fire Department, within one year of appointment.
- (b) **Prior to being appointed as the head of a suppression fire department, an individual must:** [~~An individual appointed head of a suppression fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.~~]
- (1) hold a Texas Commission on Fire Protection certification as fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification. The individual must have five years of experience in a full-time fire suppression position or ten years in a part-time fire suppression position at the time of appointment, or attain the required years of experience within one year of the appointment; or**
- (2) provide documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum, and provide documentation in the form of a sworn non-self-serving affidavit of five years of experience in a full-time fire suppression position in a jurisdiction other than Texas; or**
- (3) provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or**
- (4) provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as an active volunteer fire fighter in one or more volunteer fire departments. The ten years of volunteer service must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.**
- (c) Holding the Head of a Fire Suppression Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, in regard to appointment of a head of a suppression fire department.
- (e) Individuals certified as the Head of a Suppression Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).

- (f) An individual certified as Head of a Suppression Fire Department under this subchapter may engage in fire fighting activities only as the head of a suppression fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response.

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

~~[(a)]~~ Applicants for Head of a Suppression Fire Department Certification must complete the following requirements:

- (1) must be appointed as head of a fire department; and
 - (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
 - (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
 - (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
 - (5) document completion of the National Incident Management System courses 100, 200, 300, 400, 700, and 800. ~~[; and]~~
 - ~~[(6) hold a Texas Commission on Fire Protection certification as a fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification and five years experience in a full-time fire suppression position; or]~~
 - ~~[(7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn non-self serving affidavit of five years experience in a full-time fire suppression position; or]~~
 - ~~[(8) provide documentation in the form of a non-self serving sworn affidavit of ten years experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or]~~
 - ~~[(9) provide documentation in the form of a sworn non-self serving affidavit of ten years of experience as a certified structural part-time fire protection employee; or]~~
 - ~~[(10) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section.]~~
- ~~[(b) The ten years of volunteer service referenced in subsection (a) paragraph (10) must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.]~~

SUBCHAPTER B

MINIMUM STANDARDS FOR HEAD OF A PREVENTION ONLY FIRE DEPARTMENT

§449.201. Minimum Standards for the Head of a Prevention Only Fire Department.

(a) An individual who becomes employed and is **appointed** [~~assigned~~] as the head of a prevention only fire department must be certified by the commission as Head of a Prevention Only Fire Department, within one year of appointment.

(b) **Prior to being appointed as the head of a prevention only fire department, an individual must:** [An individual appointed head of a prevention only fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.]

(1) hold a Texas Commission on Fire Protection certification as a fire inspector, fire investigator, or arson investigator. The individual must have five years of experience in a full-time fire prevention position or ten years in a part-time fire prevention position at the time of appointment, or attain the required years of experience within one year of the appointment; or

(2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non-self-serving affidavit of five years of experience in a full-time fire prevention position in a jurisdiction other than Texas; or

(3) provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or

(4) provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or

(5) provide documentation in the form of a sworn non-self-serving affidavit of ten years of fire prevention experience as an active volunteer fire inspector, fire investigator, or arson investigator.

(c) Holding the Head of a Prevention Only Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.

(d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, **regarding** [~~in regard to~~] appointment **as the** [~~of a~~] head of a prevention only fire department.

(e) Individuals certified as the Head of a Prevention Only Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).

§449.203. Minimum Standards for Head of a Prevention Only Fire Department Certification.

Applicants for Head of a Prevention Only Fire Department Certification must complete the following requirements:

- (1) must be appointed as head of a prevention only fire department; and
- (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
- (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
- (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
- (5) documentation of completion of National Incident Management System **courses** 100, 200, 300, 400, 700 and 800. ~~[-and]~~
- ~~[(6) hold a Texas Commission on Fire Protection certification as a fire inspector, fire investigator, or arson investigator and have five years experience in a full-time fire prevention position; or]~~
- ~~[(7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non-self serving affidavit of five years experience in a full-time fire prevention position; or]~~
- ~~[(8) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or]~~
- ~~[(9) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or]~~
- ~~[(10) provide documentation in the form of a sworn non-self serving affidavit of ten years fire prevention experience as an active volunteer fire inspector, fire investigator, or arson investigator.]~~

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

Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:

- 2. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.**



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/25/2018

Agenda Item #: 10-(2)

Agenda Title: Chapter 455, Minimum Standards for Wildland Fire Protection Certification

Action to be taken: Discussion and possible final adoption

Origin of Item: Staff and committee

1. INTRODUCTION/PURPOSE

The proposed rule revision provides for an update to wildland training that can be used toward TCFP wildland certification.

2. DESCRIPTION/ JUSTIFICATION

Certain wildland training was recently combined so that two previous courses are now contained in a single course.

3. BUDGET IMPACT

No impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for final adoption

5. RECOMMENDATION

Recommend final adoption

6. REFERENCES

37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification

CHAPTER 455

MINIMUM STANDARDS FOR WILDLAND FIRE PROTECTION CERTIFICATION

§455.1. Minimum Standards for Wildland Fire Protection Personnel.

- (a) A wildland fire fighter is defined as an individual whose assigned function is suppression of fires in the wildland or wildland-urban interface setting.
- (b) Individuals holding Wildland Fire Protection certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (c) All Wildland Fire Protection certifications issued by the commission and referenced in this chapter are voluntary.

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

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

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

§455.5. Minimum Standards for Intermediate Wildland Fire Protection Certification.

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

- (1) hold Basic Wildland Fire Protection certification issued by the commission; and
- (2) complete the associated position task book as adopted by the National Wildfire Coordinating Group (NWCG) 310-1. Proof of completion of the position task book must be from the Texas Intrastate Fire Mutual Aid System (TIFMAS) (e.g. task book approval form or TIFMAS card); and
- (3) individual who hold Structure Fire Protection certification issued by the commission must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating

to Examinations for Certification). An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:

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

(B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters; or

(C) completion of the NWCG courses S-131 and S-133 **prior to October 1, 2016, or only S-131 on or after October 1, 2016**; or

(4) individuals who hold a State Firemen's and Fire Marshals' Association Advanced Accredited certification issued prior to January 1, 2012, or a State Firemen's and Fire Marshals' Association Firefighter II certification issued on or after January 1, 2012, must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination which includes both Basic Structure Fire Protection and Intermediate Wildland Fire Protection, as specified in Chapter 439 of this title. An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:

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

(B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters; or

(C) completion of the NWCG courses S-131 and S-133 **prior to October 1, 2016, or only S-131 on or after October 1, 2016**.

§455.7. Examination Requirements.

(a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Wildland Fire Protection Certification.

(b) Persons seeking a commission certification referenced in this chapter who do not currently hold a certification issued by the commission must meet all requirements regarding application for initial certification.

11. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 429, Minimum Standards For Fire Inspector Certification.



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 10/25/2018

Agenda Item #: 11

Agenda Title: Fire Inspector Certification

Action to be taken: Propose for Publication

Origin of Item: Ad Hoc Committee

1. INTRODUCTION/PURPOSE

Proposal to revise Fire Inspector certification, creating separate certifications for Fire Inspector and Plan Examiner I. The previous Fire Inspector chapter would be repealed, and a new chapter introduced with separate subchapters for Fire Inspector and Plan Examiner I.

2. DESCRIPTION/ JUSTIFICATION

The proposed rule language removes the plan examiner component from the current fire inspector certification and establishes Plan Examiner I as its own certification. The proposal simplifies and shortens the process to gain Fire Inspector certification for those who would not be assigned to plan review duties.

3. BUDGET IMPACT

No significant impact anticipated

4. TIMELINE CONSIDERATIONS

Proposed for possible publication and comment

5. RECOMMENDATION

Proposal recommended by ad hoc committee

6. REFERENCES

Title 37, Chapter 429, Fire Inspector and Plan Examiner

CHAPTER 429

FIRE INSPECTOR AND PLAN EXAMINER

SUBCHAPTER A

MINIMUM STANDARDS FOR FIRE INSPECTOR CERTIFICATION

§429.1. Minimum Standards for Fire Inspector Personnel.

- (a) Fire code enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.
- (b) 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 §429.3 of this title (relating to Minimum Standards for Basic Fire Inspector Certification) within one year of initial appointment to such position.
- (c) Prior to appointment to fire code enforcement duties, individuals must have completed a commission approved fire inspector training program and successfully passed the commission exam, or hold a Fire Inspector certification.
- (d) 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).
- (e) Individuals holding a fire inspector certification issued prior to March 1, 2019, are not required to hold a plan examiner certification to perform plan reviews.

§429.3. Minimum Standards for Basic Fire Inspector Certification.

In order to be certified as a Basic Fire Inspector, an individual must:

- (1) possess valid documentation as an Inspector I and Inspector II from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
- (2) complete a commission approved fire inspector training program and successfully pass the commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved 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 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 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 Codes and Inspections, three semester hours;
- (iii) Building Construction in the Fire Service or Building Codes and Construction, three semester hours;
- (iv) Hazardous Materials I, II, or III, three semester hours (total semester hours, 12);
or

(D) documentation of the receipt of Fire Inspector I and Fire Inspector II certificates issued by the State Firemen's and Fire Marshals' Association of Texas that are deemed equivalent to a commission approved Basic Fire Inspector curriculum.

§429.5. Minimum Standards for Intermediate Fire Inspector Certification.

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

(1) hold as a prerequisite Basic Fire Inspector Certification as defined in §429.3 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.

§429.7. Minimum Standards for Advanced Fire Inspector Certification.

(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 §429.5 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.

§429.9. Minimum Standards for Master Fire Inspector Certification.

- (a) Applicants for Master Fire Inspector Certification must complete the following requirements:
- (1) hold as a prerequisite an Advanced Fire Inspector Certification as defined in §429.7 of this title (relating to Minimum Standards for Advanced Fire Inspector Certification); and
- (2) acquire a minimum of 12 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 Fire Inspector Certification.

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

- (a) Individuals who pass the applicable sections of the state examination may be granted IFSAC seal(s) for Inspector I and Inspector II by making application to the commission for the IFSAC seal(s) and paying the associated 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.

(b) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

OPTION 1: PLAN EXAMINER VOLUNTARY

SUBCHAPTER B

MINIMUM STANDARDS FOR PLAN EXAMINER

§429.201. Minimum Standards for Plan Examiner Personnel.

Plan examiner duties are defined as the review of building or other structure plans for the purpose of determining compliance with adopted fire codes and standards.

§429.203. Minimum Standards for **Plan Examiner I Certification.**

In order to be certified as a Plan Examiner I, an individual must:

(1) possess valid documentation as a Plan Examiner I from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

(2) complete a commission approved Plan Examiner I training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved training program shall consist of one of the following:

(A) completion of the commission approved Plan Examiner I Curriculum, as specified in 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 Plan Examiner I Curriculum as specified in the commission's Certification Curriculum Manual; or

(C) documentation of the receipt of a Plan Examiner I certificate issued by the State Firemen's and Fire Marshals' Association of Texas that is deemed equivalent to a commission approved Plan Examiner I curriculum.

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

(a) Individuals who pass the state examination may be granted an IFSAC seal for Plan Examiner I by making application to the commission for the IFSAC seal and paying the associated fee.

(b) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

OPTION 2: PLAN EXAMINER MANDATORY

SUBCHAPTER B

MINIMUM STANDARDS FOR PLAN EXAMINER

§429.201. Minimum Standards for Plan Examiner Personnel.

- (a) **Plan examiner duties are defined as the review of building or other structure plans for the purpose of determining compliance with adopted fire codes and standards.**
- (b) **Individuals holding a fire inspector certification issued prior to March 1, 2019, are not required to hold a plan examiner certification to perform plan reviews.**
- (c) **Individuals not included in subsection (b) who are appointed to plan examiner duties must be certified, as a minimum, as a Plan Examiner I as specified in §429.203 of this title (relating to Minimum Standards for Plan Examiner I Certification) within one year of initial appointment to such position.**
- (d) **For individuals not included in subsection (b): Prior to appointment to plan examiner duties, individuals must have completed a commission approved plan examiner training program and successfully passed the commission exam or hold a Plan Examiner certification.**
- (e) **Individuals holding any level of plan examiner certification shall be required to comply with the continuing education requirements in §441.25 of this title (relating to Continuing Education for Plan Examiner I).**

§429.203. Minimum Standards for Plan Examiner I Certification.

In order to be certified as a Plan Examiner I, an individual must:

- (1) **possess valid documentation as a Plan Examiner I from either:**
 - (A) **the International Fire Service Accreditation Congress; or**
 - (B) **the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or**
- (2) **complete a commission approved Plan Examiner I training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved training program shall consist of one of the following:**
 - (A) **completion of the commission approved Plan Examiner I Curriculum, as specified in 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 Plan Examiner I Curriculum as specified in the commission's Certification Curriculum Manual; or**

(C) documentation of the receipt of a Plan Examiner I certificate issued by the State Firemen's and Fire Marshals' Association of Texas that is deemed equivalent to a commission approved Plan Examiner I curriculum.

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

(a) Individuals who pass the state examination may be granted an IFSAC seal for Plan Examiner I by making application to the commission for the IFSAC seal and paying the associated fee.

(b) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

12. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 439, Examinations For Certification.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/25/2018

Agenda Item #: 12
Agenda Title: Chapter 439, Examinations For Certification
Action to be taken: Propose for Publication
Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The proposal removes the plan examiner component from the Fire Inspector exam.

2. DESCRIPTION/ JUSTIFICATION

The proposal removes language addressing the plan examiner component of Fire Inspector exams. Plan Examiner I would become a stand-alone exam and separate certification. The language is only necessary if agenda item #11 is approved.

3. BUDGET IMPACT

No significant impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for possible publication and comment

5. RECOMMENDATION

Recommend by staff if agenda item #11 is approved for publication

6. REFERENCES

37 TAC, Chapter 439, Examinations For Certification

CHAPTER 439

EXAMINATIONS FOR CERTIFICATION

SUBCHAPTER A

EXAMINATIONS FOR ON-SITE DELIVERY TRAINING

§439.1. Requirements—General.

- (a) The administration of examinations for certification, including performance skill evaluations, shall be conducted in compliance with commission rules and; as applicable, with:
- (1) International Fire Service Accreditation Congress (IFSAAC) regulations; or
 - (2) National Board on Fire Service Professional Qualifications (Pro Board) regulations for examinations administered by the Texas A&M Engineering Extension Service. Only Pro Board examinations administered by the Texas A&M Engineering Extension Service will be accepted by the commission for certification. In order for a Pro Board document to be accepted for certification, it must:
 - (A) List the commission issued course approval number for which the examination was conducted;
 - (B) Indicate that the examination was conducted in English; and
 - (C) List any special accommodations provided to the examinee. The commission may not issue a certificate for an examination conducted under special accommodations other than those specified in §439.13 of this title (relating to Special Accommodations for Testing).
- (b) It is incumbent upon commission staff, committee members, training officers and field examiners to maintain the integrity of the state certification examination process (or portion thereof) for which they are responsible.
- (c) The commission shall reserve the authority to conduct an annual review of Pro Board examinations, procedures, test banks, and facilities utilized by the Texas A&M Engineering Extension Service. The commission may also conduct a review at any time for cause and as deemed necessary to ensure the integrity of the certification examination process.
- (d) Exams will be based on the job performance requirements and knowledge and skill components of the applicable NFPA standard for that discipline, if a standard exists and has been adopted by the commission. If a standard does not exist or has not been adopted by the commission, the exam will be based on curricula as currently adopted in the commission's Certification Curriculum Manual.
- (e) Commission examinations that receive a passing grade shall expire two years from the date of the examination.
- (f) An examination for Basic Structure Fire Protection shall consist of four sections: Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness Level, and Hazardous Materials Operations Level including the Mission-Specific Competencies for Personal Protective Equipment and Product Control. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.
- (g) An examination for Basic Fire Inspector shall consist of **two** ~~three~~ sections: Inspector I, **and** Inspector II. ~~and Plan Examiner I.~~ The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification
- (h) An examination for Basic Structure Fire Protection and Intermediate Wildland Fire Protection shall consist of five sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, First Responder Operations, and Intermediate Wildland Fire Protection. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.
- (i) All other state examinations consist of only one section.

(j) The individual who fails to pass a commission examination for state certification will be given one additional opportunity to pass the examination or section(s) thereof. This opportunity must be exercised within 180 days after the date of the first failure. 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.

(k) An individual may obtain a new certificate in a discipline which was previously held by passing a commission proficiency examination.

(l) 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.

(m) If an individual completes a commission approved training program, or a 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 may use only one of the following examination processes for certification:

(1) pass a commission examination; or

(2) submit documentation of the successful completion of the Pro Board examination process administered by the Texas A&M Engineering Extension Service; and

(3) meet any other certification requirements in order to become eligible for certification as fire protection personnel.

(4) An individual cannot use a combination of the two examination processes in this subsection from a single commission approved class for certification. An individual who chooses to submit to the commission examination process may not utilize the other process toward certification.

(m) 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 statement by the provider of training 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 qualifies an individual to take an original certification examination. The certificate expires two years from the date of completion. If an individual does not take the certification examination prior to the expiration of the certificate of completion, he or she must again complete the curriculum in order to obtain a new certificate of completion.

(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 commission staff 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 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 or other instructor qualification as allowed by §427.307(h) and (i) of this title (relating to On-Site and Distance Training Provider Staff Requirements) for Wildland courses only, 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 (relating to Examinations for Certification).
- (11) Sectional examination—A test that covers one section of a multiple section examination.

§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. Late payments shall be assessed a late fee in accordance with §437.13 of this title (relating to Processing Fees for Test Application).
- (c) Each examination must be administered by a lead examiner.
- (d) The lead examiner must:
 - (1) ensure that the tests remain secure and that the examination is conducted under conditions warranting honest results;
 - (2) monitor the examination while in progress;
 - (3) control entrance to and exit from the test site;
 - (4) assign or re-assign seating; and
 - (5) bar admission to or dismiss any examinee who fails to comply with any of the applicable provisions of this chapter.
- (e) All official grading and notification must come from the commission or its designee. The preliminary test results shall be made available within seven (7) business days after completion of the examination.

§439.7. Eligibility.

- (a) An examination may not be taken by an individual who currently holds an active certificate from the commission in the discipline to which the examination pertains, unless required by the commission in a disciplinary matter, or test scores have expired and the individual is testing for IFSAC seals.
- (b) An individual who passes an examination and is not certified in that discipline, will not be allowed to test again if the original examination grade is still active, 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, meet any other prerequisite requirements, and submit the appropriate application processing fee(s);
 - (2) receive from the commission an "Endorsement of Eligibility" letter and provide this letter to the lead examiner;
 - (3) bring to the test site, and display upon request, a current and valid government issued identification which contains the name and photograph of the examinee;
 - (4) report on time to the proper location; and
 - (5) 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 as indicated on the skill sheet; or
 - (3) a combination of both paragraphs (1) and (2) of this subsection.
- (b) The minimum passing score on each written examination or section thereof 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.
- (b) The training provider shall test the commission designated performance skills for competency. The skill evaluations may only 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 system. 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. The individual who served as the instructor of a particular subject may not evaluate the performance skill for the subject.
- (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) If performance skill evaluations are not conducted for a student during the course of instruction, they must be conducted within ninety days (90) following the end date of the course. In a case such as this the training provider must also obtain a new set of commission designated skills for which to evaluate the student; the provider may not use the same set of skills provided during the original course of instruction. If performance skill evaluations are not conducted within the ninety day (90) period, the student must repeat the course. The ninety (90) day period may be extended for students who were unable to complete their performance skill evaluations due to injury, illness, military commitment, or other situation beyond their control.
- (d) The training facility must maintain records (electronic or paper) of skills testing on each examinee. Test results must be recorded and saved on the applicable performance skill sheets provided in the commission Curriculum Skills Manual, and must include all information called for on the skill sheet.
- (e) For certification disciplines in which an IDLH environment may exist, all skill testing participants shall have available for use NFPA compliant PPE and SCBA as defined in §435.1 of this title (relating to Protective Clothing) and §435.3 of this title (relating to Self-Contained Breathing Apparatus).

§439.13. Special Accommodations for Testing.

- (a) Special accommodation testing is for those individuals that have a documented disability which may hamper their success on a Texas Commission on Fire Protection written examination. Some accommodations that can be allowed are:
 - (1) A testing room to oneself (examinee is allowed to read the questions out loud to him or herself). To accommodate the request the examinee will have to test in the Commission's Austin headquarters location or any location deemed appropriate by the Commission.
 - (2) The test to be split in two with up to an hour break in between (no access to the first half of the examination will be allowed during or after the break). To accommodate the request the examinee will

have to test in the commission's Austin headquarters location or any location deemed appropriate by the Commission.

- (3) The questions to be printed in a larger font (approximately 7% larger).
 - (4) The test to be copied on off-white paper (i.e., cream colored).
 - (5) The use of highlighters or a highlighter sheet.
 - (6) Any requests that 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 is being requested. The applicant may ask for accommodations not listed above. The request will be reviewed and the applicant will receive a written response regarding the Commission's position on the request.

§439.19. Number of Test Questions.

- (a) Each examination may have two types of questions: pilot and active. Pilot questions are new questions placed on the examination for statistical purposes only. These questions do not count against an examinee if answered incorrectly.
- (b) The number of questions on an examination, sectional examination, or retest will be based upon the specific examination, or number of recommended hours for a particular curriculum or section as shown in the table below. Any pilot questions added to an examination, sectional examination, or retest will be in addition to the number of exam questions.

Figure: 37 TAC §439.19(b)

Examination	Section	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
Basic Structure FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	TOTAL	225	25	4.5 Hours
Basic Fire Inspector	Inspector I	50		
	Inspector II	50		
	Plan Examiner II	50		
	TOTAL	100 [150]	15 [25]	2.0 [3.0] Hours
Basic Structure FP/ Intermediate Wildland FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	Intermediate Wildland FP	25		
TOTAL	250	25	5.0 Hours	
FOR ALL OTHER EXAMINATIONS, SECTIONAL EXAMINATIONS, AND RETESTS				
	Recommended Hours	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
IF THE RECOMMENDED HOURS FOR THE CURRICULUM OR SECTION IS:	Less than 30	25	5	30 Minutes
	31 to 100	50	5	1.0 Hour
	101 to 200	75	10	1.5 Hours
	201 to 300	100	15	2.0 Hours
	301 to 400	125	20	2.5 Hours
	401 or More	150	25	3.0 Hours

SUBCHAPTER B**EXAMINATIONS FOR DISTANCE TRAINING****§439.201. Requirements—General.**

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

§439.205. Performance Skill Evaluation.

If the performance skill portion of a state exam is to be evaluated by an approved field examiner who will not observe the completion of the skill while in the immediate physical presence of the examinee, a letter of assurance from the candidate's training officer or fire chief is required stating that the fire department assures the integrity of the evaluation procedure. If the candidate is not a member of a fire department, then a certified fire instructor, fire chief, or training officer may provide a letter of assurance that meets the requirements of this section. The provider of distance training is required to keep a record of this assurance and provide it to the commission upon request.

13. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 441, Continuing Education.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/25/2018

Agenda Item #: 13

Agenda Title: Chapter 441, Continuing Education

Action to be taken: Propose for Publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The proposal adds language addressing continuing education for Plan Examiner.

2. DESCRIPTION/ JUSTIFICATION

The proposed rule language addresses the requirement for continuing education for persons holding a Plan Examiner certification and who are assigned to those duties. The language is only necessary if the Plan Examiner I certification proposed in agenda item #11 is approved and deemed a mandatory certification.

3. BUDGET IMPACT

No significant impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for possible publication and comment

5. RECOMMENDATION

Recommend for publication by staff if agenda item #11 is approved and Plan Examiner I is deemed a mandatory certification.

6. REFERENCES

37 TAC, Chapter 441, Continuing Education

CHAPTER 441

CONTINUING EDUCATION

§441.1. Objective.

Continuing education is intended to maintain or increase the knowledge and skills pertinent to the fire service.

§441.3. Definitions.

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

- (1) Certification period--That period from the time a certificate is obtained or renewed until it is time for the certificate to be renewed again. See §437.5 of this title (relating to Renewal Fees) for the definition of certification period.
- (2) Level 1--Training intended to maintain previously learned skills as stated in the commission certification curriculum manual for the certifications held.
- (3) Level 2--Fire service training or education intended to develop new skills that are not contained in the commission's certification curriculum manual for certifications held.

§441.5. Requirements.

- (a) Continuing education shall be required in order to renew certification.
- (b) The continuing education requirement for renewal shall consist of a minimum of 18 hours of training to be conducted during the certification period. All documentation of training used to satisfy the continuing education requirements must be maintained for a period of three years from the date of the training. Continuing education records shall be maintained by the department in accordance with the Texas State Library and Archives Commission, State and Local Records Management Division, Records Schedule, Local Schedule (GR 1050-28), whichever is greater.
- (c) Level 1 training must be conducted by a certified instructor. Interactive computer-based continuing education training that is supervised and verified by a certified instructor is acceptable.
- (d) The continuing education program of a regulated entity must be administered and maintained in accordance with commission rule by a certified instructor.
- (e) No more than four hours per year in any one subject of Level 1 training may be counted toward the continuing education requirement for a particular certification.
- (f) There shall be no "hour per subject limit" placed on Level 2 courses, except that emergency medical courses shall be limited to four hours per year.
- (g) The head of a fire department may select subject matter for continuing education appropriate for a particular discipline.
- (h) The head of a fire department must certify whether or not the individuals whose certificates are being renewed have complied with the continuing education requirements of this chapter on the certification renewal document. Unless exempted from the continuing education requirements, an individual who fails to comply with the continuing education requirements in this chapter shall be notified by the commission of the failure to comply.

- (i) After notification from the commission of a failure to comply with continuing education requirements, an individual who holds a certificate is prohibited from performing any duties authorized by a required certificate until such time as the deficiency has been resolved and written documentation is furnished by the department head for approval by the commission. Continuing education hours obtained to resolve a deficiency may not be applied to the continuing education requirements for the current certification period.
- (j) Any person who is a member of a paid or volunteer fire department who is on extended leave for a cumulative period of six months or longer due to a documented illness, injury, or activation to military service may be exempted from the continuing education requirement for the applicable renewal period(s). Such exemptions shall be reported by the head of the department to the commission at renewal time, and a copy kept with the department continuing education records for three years.
- (k) Any individual who is not a member of a paid or volunteer fire department who is unable to perform work, substantially similar in nature as would be performed by fire protection personnel appointed to that discipline, may be exempted from the continuing education requirement for the applicable renewal period(s). Commission staff shall determine the exemption using documentation provided by the individual and the individual's treating physician of the illness or injury that cumulatively lasts six months or longer, or by documentation of military service or activation to military service.
- (l) In order to renew certification for any discipline which has a continuing education requirement stated in this chapter, an individual holder of a certificate not employed by a regulated entity must comply with the continuing education requirements for that discipline. Only 20 total hours of continuing education for each certification period in Level 1 or Level 2 subjects relating to the certification being renewed shall be required to renew all certificates the individual holds, except as provided in §441.17 of this title (relating to Continuing Education for Hazardous Materials Technician).
- (m) An individual certificate holder, not employed by a regulated entity, shall submit documentation of continuing education training upon notification by the commission. An example of documentation of continuing education training may include, but not be limited to a Certificate of Completion, a college or training facility transcript, a fire department training roster, etc. Commission staff will review and may approve or disapprove such documentation of training in accordance with applicable commission rules and/or procedures. The training for a resident of Texas at the time the continuing education training is conducted shall be administered by a commission instructor, commission certified training facility, an accredited institution of higher education, or a military or nationally recognized provider of training. The training for a nonresident of Texas, shall be delivered by a state fire academy, a fire department training facility, an accredited institution of higher education, or a military or nationally recognized provider of training. The individual must submit training documentation to the commission for evaluation of the equivalency of the training required by this chapter. The individual certificate holder is responsible for maintaining all of his/her training records for a period of three years from the date of the training.
- (n) If an individual has completed a commission approved academy in the 12 months prior to his or her certification expiration date, a copy of that certificate of completion will be acceptable documentation of continuing education for that certification renewal period.

§441.7. Continuing Education for Structure Fire Protection Personnel.

- (a) A minimum of two hours of continuing education in structure fire protection subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to

Requirements) will be required for personnel certified as structure fire protection personnel and who are appointed to structure fire protection duties.

- (b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.9. Continuing Education for Aircraft Rescue Fire Fighting Personnel.

- (a) Continuing education will be required for personnel assigned as aircraft rescue fire fighting personnel.
- (b) Continuing education must, at a minimum, meet the specific training requirements of FAR 139.319(i)(2) and (3) (pertaining to Aircraft Rescue and Fire Fighting Operational Requirements). Continuing education required by this subsection may exceed 20 hours, if necessary, to complete all required subjects.

§441.11. Continuing Education for Marine Fire Protection Personnel.

- (a) A minimum of two hours of continuing education in marine fire protection subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as marine fire protection personnel and who are appointed to marine fire protection duties for any certification period beginning after October 31, 1993.
- (b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.13. Continuing Education for Fire Inspection Personnel.

- (a) A minimum of two hours of continuing education in fire inspection subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as fire inspection personnel and who are appointed to fire inspection duties.
- (b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.15. Continuing Education for Arson Investigator or Fire Investigator.

- (a) A minimum of two hours of continuing education in arson or fire investigation subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as arson investigation or fire investigation personnel and who are appointed to arson or fire investigation duties.
- (b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.17. Continuing Education for Hazardous Materials Technician.

- (a) Eight hours of continuing education in hazardous materials (technician level) will be required for individuals certified as a hazardous materials technician. This will be in addition to continuing education required by other sections of this chapter.
- (b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.19. Continuing Education for Head of a Fire Department.

(a) A minimum of twenty hours of continuing education in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as head of a fire department and who are appointed as head of a department. The twenty hours of continuing education shall include:

(1) ten hours in emergency operations subjects; and

(2) ten hours in fire administration subjects. These subjects may include emergency management, leadership, budget and finance, labor relations, human resources and personnel management, collective bargaining, conflict resolution, organizational and strategic planning, community relations and public education, intergovernmental regulations, and personnel health, safety and wellness.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.21. Continuing Education for Fire Service Instructor.

(a) A minimum of two hours of continuing education in fire service instruction subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for individuals certified as a fire service instructor and who are appointed to fire service instructor duties.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.23. Continuing Education for Wildland Fire Fighter.

A minimum of four hours of continuing education in Wildland Fire Fighting subjects will be required for individuals certified as a Wildland Fire Fighter. The required hours must include hands-on refresher training in the use and deployment of a fire shelter. The four hours may be included in the eighteen hours required during the certification renewal period.

§441.25. Continuing Education for Plan Examiner.

(a) A minimum of two hours of continuing education in plan review subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for individuals certified as a Plan Examiner and who are appointed to plan examiner duties.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

14. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 459, Minimum Standards For Fire and Life Safety Educator Certification.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/25/2018

Agenda Item #: 14
Agenda Title: Chapter 459, Minimum Standards for Fire and Life Safety Educator Certification

Action to be taken: Propose for Publication

Origin of Item: Staff and Ad Hoc Committee

1. INTRODUCTION/PURPOSE

The proposal creates a new Fire and Life Safety Educator II certification.

2. DESCRIPTION/ JUSTIFICATION

The proposed rule language creates a new Fire and Life Safety Educator II certification in addition to FLSE I. The previous Chapter 459 would be repealed, and a new chapter and title proposed, consisting of subchapters addressing each of the certifications.

3. BUDGET IMPACT

A positive budget impact is anticipated from additional testing and certification revenue.

4. TIMELINE CONSIDERATIONS

Propose for possible publication and comment

5. RECOMMENDATION

Recommend for publication by staff and ad hoc committee

6. REFERENCES

37 TAC, Chapter 459, Fire and Life Safety Educator Certification

CHAPTER 459

FIRE AND LIFE SAFETY EDUCATOR

SUBCHAPTER A

MINIMUM STANDARDS FOR FIRE AND LIFE SAFETY EDUCATOR I

§459.1. Fire and Life Safety Educator I Certification.

(a) A Fire and Life Safety Educator I is defined as an individual who performs professional work in the coordination and delivery of public fire and life safety education, and fire prevention programs.

(b) All individuals holding a Fire and Life Safety Educator I certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).

(c) A regulated entity that employs an individual certified as Fire and Life Safety Educator I must report the individual's employment via the commission's online data management system (FIDO system).

(d) Special temporary provision. Individuals are eligible to take the commission examination for Fire and Life Safety Educator I certification by:

- (1) providing documentation acceptable to the commission that the individual has successfully completed Fire and Life Safety Educator I certification training that meets the minimum requirements of National Fire Protection Association Standard 1035; or**
- (2) providing documentation acceptable to the commission of proficiency in fire and life safety education as an employee of a government entity, a member in a volunteer fire service organization, or an employee of a regulated non-governmental fire department; or**
- (3) holding certification as a Fire Instructor I or higher.**
- (4) This subsection will expire on February 28, 2019.**

§459.3. Minimum Standards for Fire and Life Safety Educator I Certification.

In order to be certified as a Fire and Life Safety Educator I, an individual must:

(1) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Fire and Life Safety Educator I; or

(2) complete a commission approved Fire and Life Safety Educator I program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire and Life Safety Educator I program must consist of one of the following:

(A) completion of an in-state Fire and Life Safety Educator I program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider, that was submitted and approved through the commission's training prior approval system; or

(B) completion of an out-of-state, educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

§459.5. Examination Requirement

Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met to receive Fire and Life Safety Educator I certification.

SUBCHAPTER B

MINIMUM STANDARDS FOR FIRE AND LIFE SAFETY EDUCATOR II

§459.201 Fire and Life Safety Educator II Certification.

(a) A Fire and Life Safety Educator II is defined as an individual who performs professional work in the coordination and delivery of public fire and life safety education, and fire prevention programs.

(b) All individuals holding a Fire and Life Safety Educator II certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).

(c) Special temporary provision. Individuals are eligible to take the commission examination for Fire and Life Safety Educator II by:

- (1) holding Fire and Life Safety Educator I certification and meeting one of the following requirements:
- (2) providing documentation acceptable to the commission that the individual has successfully completed Fire and Life Safety Educator II certification training that meets the minimum requirements of the National Fire Protection Association Standard 1035; or
- (3) providing documentation acceptable to the commission of proficiency in fire and life safety education as an employee of a government entity, a member in a volunteer fire service organization, and/or an employee of a regulated non-governmental fire department or
- (4) hold a TCFP Fire Instructor II certification or higher.
- (5) This subsection will expire on February 29, 2020.

§459.203 Minimum Standards for Fire and Life Safety Educator II Certification.

In order to be certified as a Fire and Life Safety Educator II, an individual must:

- (1) hold as a prerequisite Fire and Life Safety Educator I certification; and
- (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Fire and Life Safety Educator II; or
- (3) complete a commission approved Fire and Life Safety Educator II program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire and Life Safety Educator II program must consist of one of the following:

(A) completion of an in-state Fire and Life Safety Educator II program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider, that was submitted and approved through the commission's training prior approval system; or

(B) completion of an out-of-state, educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

§459.205 Examination Requirement

Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met to receive Fire and Life Safety Educator II certification.

15. Discussion and possible action regarding the addition of classes or courses to the A List and B List for higher levels of certification.

Proposed Additions to A & B List

A List Course:	Course #	Provider	Length
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Safety Program Operations	R082 or R054	NFA	6 days
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B List Course:	Course #	Provider	Length
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Rope Rescue Level I	RES004	TEEX	36 hours
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Rope Rescue Level II	RES007	TEEX	36 Hours
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16. Discussion and possible action on the review and evaluation by the Curriculum and Testing Committee regarding the International Code Council Inspector Certification Program.

17. Discussion and possible action regarding Texas Government Code, Chapter 419, Section 419.078 Fire Protection Personnel Injury Data; Recommendations to Reduce Injuries.

18. Discussion and possible action on the appointment of a new member to the fire fighter advisory committee.

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

A. Decisions of the Executive Director in contested cases and consent orders.

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

B. Status of division functions.

20. Executive session pursuant to Texas Government Code, Section 551.074(1), for the discussion of personnel matters regarding 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

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

22. Adjourn meeting.