

**TENNESSEE COMMISSION ON FIRE FIGHTING PERSONNEL
STANDARDS AND EDUCATION**

WORK SESSION

November 1, 2016

9:00 AM

Madison County Fire Department – 2432 Technology Center Dr. – Jackson, TN

Minutes

Meeting was called to order at 9:00 AM by Acting Chairman - Commissioner Sorge

ROLL CALL – Director Fox

Commission Members Present:

Commissioner Brian Biggs
Commissioner Tommy Kelley
Commissioner Darryl Kerley
Commissioner Michael Naifeh
Commissioner Stephanie Specht
Commissioner Toran Hedgepath
Commissioner Matthew Sorge
Commissioner David Windrow

Commission Members Not Present:

Commissioner Thomas McCormack
Commissioner Julie Mix McPeak

A quorum has been established.

Commerce and Insurance / Fire Prevention Staff Present:

Steve Majchrzak – Assistant Commissioner - Dept. of Commerce and Insurance
Randy Fox – Executive Director – Fire Commission
Steve Cross – Fire Coordinator – Fire Commission
Richard Rochford – Fire Coordinator – Fire Commission
Linda Brown – Fire Coordinator/Accreditation Mgr. – Fire Commission
Joseph Underwood – Attorney at Law – Dept. of Commerce and Insurance
Jeffrey Elliott – Fire Service Program Director - TFACA

Guests:

Paul Holdeman – Union City Fire Department
Tommy Breeden – Bolivar Fire Department
Richard Griggs – Covington Fire Department
Sarah Rice – Bolivar Fire Department
Gary Wiggins, II – Bolivar Fire Department
Chris Chalk – Madison County Fire Department
David Dorris – Jackson Fire Department
Kory Green – Martin Fire Department
Jana Compton – Jackson Fire Department
Carl Alexander – Jackson Fire Department

Director Fox – Work Session will begin with item IV on the Agenda – Work Session on Review of Rules, August 2013 Work Session Review, and Accomplishments since 2013. WS – 4 – mainly focus on Educative Incentive Rules. Will return to Agenda Item III Election of Officers when Commissioner Biggs arrives.

- Reduce paperwork – that was accomplished by changing how we do things procedurally and utilizing Acadis to do things that was previously done on paper. The Commission is still under the mandate to reduce paperwork so that is something to consider as we discuss Rule changes.
- Other things to look at, how we process paperwork, educational incentive pay rules, new levels of certifications: Inspector I, looking at the possibility of Inspector II sometime in the next year, Fire Investigator certification is completed and classes have been well attended.
- Another area to look at is the department vs individual certifications – are we certifying fire departments or certifying individuals?
- Lastly, ways to improve customer service, clear lines of communication between the Executive Director and the members of the Commission – how allowing the Commission office to approve items and report back to the Commission and how that has expedited the payments for Educative Incentive pay.

Accomplishments of the Fire Commission over the past 3 years:

2013:

Started Rules changes
Hired Administrative Assistant
Hired 1st Coordinator: Steve Cross
New Contracts (6)

Supplemental Incentive Pay:

Number of Firefighters participating: 6041
Number of Fire Dept. participating: 91
Total amount distributed: \$3,624, 600
Fire Department Audits Completed: 18
Reciprocity: 251 Applications
Certifications issued: 2,406
Applications Processed: 4,306

2015:

Added Hazardous Materials Technician
Moved to TFACA
Started Pro-Board Process
Received Approval for Accreditation Manager
Two new Contractors
Bar Coding Test
Updated: Fire Officer I, II, III & IV
ProBoard Site Visit – Received approval for 16 levels

2014:

Added Fire Investigator, Fire Inspector I,
Fire Officer IV
Updated HMA, HMO, Firefighter I & II,
Fire Instructor I & II
Hired 2nd Coordinator
Began utilizing Acadis on July 1, 2014
Comptroller's Audit
Began Peer-Review Process
Supplemental Incentive Pay:
Number of Firefighters participating: 5883
Number of Fire Dept. participating: 96
Total amount distributed: \$3, 529,800
Fire Department Audits Completed: 18
Reciprocity: 65 Applications
Certifications Issued: 2,197
Applications Processed: 4,056

2016:

IFSAC Self Study Completed
IFSAC Application Sent
IFSAC Site Visit
Added Pumper/Driver Operator
Added Fire Apparatus Operator
Added Aerial Apparatus Operator
Updated Fire & Life Safety Educator I & II
Updated Airport Firefighter

Approval for required courses for Fire Officer & Instructor Certifications

Test Boxes for Contractors created

2015 Cont.

Talked about Digital Certificated

TCI Acadis Web forms

Hired Accreditation Manager: Linda Brown

TEMA MOU Started

Talked about C B Testing

Hired Coordinator: Richard Rochford

Supplemental Incentive Pay:

Number of Firefighters participating: 6064

Number of Fire Dept. participating: 99

Total amount distributed: \$3,638,400

Fire Department Audits Completed: 18

Reciprocity: 431 Applications

Certifications issued: 3,639

Applications Processed: 5,058

Went to Acadis for Digital Certificates

IFSAC Reaccreditation Approval

In Process – Rope Rescue I & II

2016 Cont:

Fire Department Audits Completed: 18

- Rule Changes for Chapter Seven and Report submitted by Commissioner Specht.
- Report from Commissioner Specht. She stated that all three sectors had the same complaints and recommendations as reflected in her report.
- Director Fox suggested starting in Chapter 7 of the Educational Incentive Pay and taking them a section at a time.

Minimum employment standards – changes / recommendations for Rule: 0360-07-01-.01:
From Commissioner Specht’s report – i.e. THE REPORT:

ITEM 1: 0360-07-01-.01 Minimum Employment Standards

From THE REPORT:

“Change or add verbiage to include all state approved fire departments into the program. At this time it is limited to government agencies only. This verbiage is located in several places which eliminates any agency that does not belong to a municipality. Fed-Ex Fire was represented as well at the meeting and presented their case as they have done in the past that they are not eligible for the supplemental pay program. While we all understand that this is a legislative matter all 22 departments voted in agreement to support their effort to change the language in the rules to approved fire departments”.

Discussion – State law restricts it to be government entities only – per Attorney Underwood. This would require a legislative change to allow other fire departments to become a part of the Educative Incentive Pay program. Legislative Session for this item would not be considered until next summer’s session. Attorney Underwood advised that there is a fiscal component to this proposal which may make this more difficult to pass. Commissioners agreed not to pursue this suggestion.

Director Fox inquired if now is the appropriate time to look at discussing certifying high school students and their Associates Program. Attorney Underwood stated that Educative Incentive Pay deals with who is eligible for supplemental pay, not who is eligible for certification.

III. Election of Officers - (returned to this item from earlier in the agenda).

Director Fox – every even year an election of officers will occur. This year a chairman, vice chairman and secretary needs to be elected for the Commission that will serve for the next two years.

Nominations from the floor for the office of Chairman: Commissioner Matthew Sorge

MOTION BY: Commissioner Hedgepath SECOND BY: Commissioner Kelly

Motion to: Elect Commissioner Matthew Sorge as Fire Commission Chairman.

Call for the question - None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Vice-Chairman nomination – Commissioner Brian Biggs

MOTION BY: Commissioner Kerley SECOND BY: Commissioner Windrow

Motion to: Elect Commissioner Brian Biggs as Fire Commission Vice-Chairman.

Call for the question - None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Secretary nomination – Commissioner Michael Naifeh

MOTION BY: Commissioner Sorge SECOND BY: Commissioner Kerley

Motion to: Elect Commissioner Michael Naifeh as Fire Commission Secretary.

Call for the question - None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

MOTION CARRIED

Return to Work Session Rules Discussion changes to be made.

0360-07-01-.02 Firefighter Definition – Chapter 2

Brief discussion on #3 – “primary livelihood”. It was discussed that the Commission does not have the resources to determine if everyone who receives supplemental pay has firefighting as their “primary livelihood” as determined through their W2’s. Also, if there was a problem with individuals receiving supplemental pay from both fire and police departments. Attorney Underwood stated that there is no problem with the fire side of the issue; however, there is an issue from the police side.

0360-07-01-.03 Entry Level Personnel – Chapter 4

Persons in the military would not be subjected to the requirements of individuals who have a break in service which extends beyond the 3 year limit. They will be able to pick up where they left off without any loss in eligibility. This is addressed by law and Attorney Underwood believed it should be included in this section of the Rules.

0360-07-01-.05 Requirements For In-Service Training Programs

Discussion – regarding a title for “Training Officer, Training Coordinator, and Training Chief”.

From THE REPORT:

“Definitions: training coordinator is referred to as Chief of Training, Training Officers it needs to be clear as to what is correct (0360-04-01-.06 (6) 0360-05-01-.02 (3) it says Training Chief) (0360-07-01-.05 (2) it says Appointment of Training Officer)”.

Individuals responsible for training are referred to as several different titles throughout the TN Rules. This needs to be changed to reflect one unified consistent title. “Training Coordinator” will be utilized as the title of the individual responsible for training within that organization.

0360-07-01.05 (2) Appointment of Training Officer

Discussion – From THE REPORT:

(b) Each Subject area segment of the program must be scheduled for not less than two (2) hours. Add the following: “Online Training classes may be schedule in 1 hour increments”. Justification: There are many great online programs that are available in one hour blocks by target solutions and many other resources. While I understand that some feel that there must be hands on training in all classes, there are no rules established anywhere in the commission standards that state hands on training must be accomplished with any of the in-service training. There is no difference in a one-hour online ladder class and a two hour in classroom instructor-led class. I am not advocating never performing hands on training. However, we are asking that we allow online training in this aspect. Again this rule is out of date and is holding the fire service behind. If we as a service are to move forward with the times we need to untie our hands and move forward. We all feel that is up to the Training Officers to perform the needs analysis and decide the training needs of the departments. The same programs in question are authorized by the state EMS office for CEUs for EMS licensure renewals, for the same 1 hour Page 4 of 8 renewals, for emergency medical licenses. If a 1 hour block of online training is sufficient for online training for emergency healthcare, it should also be sufficient for firefighting as well”.

Discussion - Most online classes are one hour classes. According to Coordinator Cross, it was approved previously that one hour classes will not be submitted without an additional hour of training – hands on or some sort of follow-up with the one hour class to make it a minimum of a 2-hour class.

Extensive discussion on the merits of having 1-hour online classes. Director Fox suggested that the definition would be that online training could be a 1-hour block, but classroom training would still be at 2-hour block.

Discussion on using up to 20 1-hour online classes for educative incentive pay. Possibly add this information as a #c. under 0360-07-01-.05 (1) Length of Training. It was agreed that - # (b) would be changed to: Each subject area segment of the program must be scheduled for not less than two (2) hours of hands on training or classroom training and #(c) would state: 1-hour online training is permissible up to a maximum of 20 hours.

Number (5), (c) – Employee Identification Number or last four digits of Social Security Number: From THE REPORT: “**0360-07-01-.05 (5) (C) needs to reference there PSID**”. Anywhere the employee ID is referenced, the PSID number must be stated. Social Security numbers have been eliminated and have started using the PSID numbers instead. Social Security numbers will continued to be utilized within the information for the Educative Incentive Pay program roster due to it being tracked through the IRS. Not the class roster, but the roster submitted for supplemental pay.

0360-07-01.05 (3) Appointment of Instructor

From THE REPORT:

(b) Instructors cannot teach themselves. However, instructors of the commission-approved in-service training classes shall receive one (1) hour of credit for each hour taught provided that the teaching does not consist of the use of electronic medical (media) exclusively.

Justification: On page 4, the item listed above, on occasion when an instructor does present a class that is mostly done by electronic means, this rule states that the instructor must sign in as a student and take the test that the instructor created and then grade his own test. This is in itself a waste of time, based on the criteria that the instructor has already previewed the information and videos, designed the course, and written the exam”.

Discussion - In order for Instructors to receive credit for the electronic media they must interact, instruct, facilitate, and or answer questions for the course participants, then they may receive the 1-hour credit for the course. Per Attorney Underwood – should read - “shall not” (instead of does not) consist of the use of the use of electronic media exclusively, and shall require the instructor to interact with the attendees of the class to obtain the one (1) hour credit for the course”.

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(a) Amend paragraph (a) by deleting “noting instructors and their qualifications”. Add an additional line to the end of the paragraph that reads: “The Training Officer is responsible for selecting qualified personnel to teach each class. If the individual selected is not a commission certified Instructor I, the Training Officer shall include a bio to indicate the instructor’s qualifications to teach the course”.

Discussion – this is in regards to Haz. Mat. Currently anyone who teaches Haz Mat has to have a resume submitted. What is being requested is that the resume be eliminated for those instructors who have Fire Instructor I or above. This will apply to all courses submitted for credit.

Under Rule 5 – 4 – a: removing the wording: “noting instructors and their qualification” and replace with wording that reflects the following information - “At lease thirty (30) days prior to commencement of training, a copy of the curriculum will be provided, **instructor information**, the dates and location of

training, the dates of testing, and a copy of the test instrument and answers, and other such data as required by the Commission, must be submitted to the Commission for approval. ***All instructors who are not state certified to the Fire Instructor I level will need to provide a copy of their resume qualifying them to teach the subject submitted and include this information with the curriculum packet or in a file which would be available for review during the department's audit process.*** Attorney Underwood will compose the exact wording to incorporate into the Rule to include a reference on the process for a "subject matter expert" from an outside agency.

From THE REPORT:

0360-07-01.05 (4) Course Curriculum Requirements

(a)(1) Amend paragraph number one (1) by adding an additional sentence at the end of the paragraph to read as follows. "The Commission shall ensure that all programs that are submitted by November 1st are reviewed by the peer review committees no later than January 1st. Training officers shall receive feedback regarding their programs no later than January 15th".

Discussion - Attorney Underwood stated that it must read: "All Training Programs must be submitted to the Commission Office for approval no later than November 1."

Suggestion - Move the date back 30 days to October 1st deadline. Attorney Underwood suggested beginning this date change in 2018 for the calendar year 2019. This is being done because it may take time for a Rule change to occur. Feedback to the department will also be changed to December 31st.

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(4)"A department may not use the substantially same in-service training program in consecutive years". Recommend that the commission delete this paragraph. Due the large number of mandatory classes, many of our in-services resemble each year. We are only given a few classes that may change each year. This is never verified during review and there is no process to do so".

Discussion – on whether or not to open it up to allow departments to give them more freedom to create programs. There is no way to enforce this rule and it is not looked at during Peer Review. Need continuity of training across the state. Suggestion - to form a committee that meets periodically to address the receptiveness of required classes across the state. This committee would research and make available the information for new classes that may address current concerns, innovations and industry changes that departments would benefit from this information. Another suggestion was to possibly get feedback during Peer Review from various departments on the Educative Incentive Pay Program and the course requirements and rotation. Also, a survey to the 103 departments may accomplish this as well. I

It was decided to send a survey to the 103 departments who participate in the Educative Incentive Pay Program to get their feedback on the program, course requirements, and any additional information or comments they may want to provide. The survey will only address Chapter 7, section 5.

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(c) Delete item (c) "Training subjects curricula must demonstrate in-depth training and preliminary subjects that are normally found in basic training will not be acceptable."

Justification: This criteria was entered years ago when the recruit criteria was very basic. Recruit training is very advanced now and if we actually eliminate everything from our in-service training that is in the recruit training program, then we would not be allowed to teach most of the topics that we are actually teaching annually. Again this is an old rule that should have been deleted years ago”.

Discussion – it appears this rule 0360-07-01-.05 (4) – (c), is out dated. It was agreed that this rule would be removed.

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(f)(3) Delete item (3) “Delete paragraph three”.

Justification: As discussed in earlier meetings, this rule eliminates all online training modules and software. There are no online training programs that meet this criteria, nor do I as a training officer have the knowledge of what size the test bank is on test banks. Furthermore, as the training officer, if someone wishes to take an online course, I have no knowledge of the course to administer an exam for the course if the exam does not meet the criteria”.

Discussion – None – It was decided to delete paragraph (3) under 0360-07-01-.05 – (4) – (f)-(3).

Per Attorney Underwood - # 4 under the same section needs to be changed to: Certificate of Completion will be provided for each student who successfully completes the course. This certificate should be kept on file by the department for audit purposes.

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(f)(4) Amend paragraph (4) by adding the following sentence to the end of the paragraph: “If electronic records are kept by third party resources such as “Target Solutions, etc” in which reports may be generated for the online training class for all students, then said report shall replace the need for individual certificates”.

Justification: Many departments own or pay for third party resources such as Target Solutions or other such services that provide online training as well provide all training documentation for the department training program. If such a platform is used for training and online training is used for the in-service program a simple report may be ran and printed that will indicate who completed the online training and this may be placed in the training file for audit purposes in place of hundreds of certificates.

Discussion – the computer program it’s self should satisfy an audit. Per Attorney Underwood: Verification / documentation such as a roster or certificate of course completion must be available for each student who successfully completes the course and shall be kept on file by the department for audit purposes. Wording such as this can be used. This documentation should include the following information: Name, Date Completed, Course and Hours awarded. Remove “software provider” from the rule.

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(f)(6) Amend as outlined: Original wording: “The department must schedule the training in accordance with the requirements of the commission”. Change to read: “ The department shall schedule online training for the specific dates of training to be performed, or for a block of dates in which the online training may be performed by their personnel for a period not to exceed 30 days.

Re-word this section to accommodate online training. Recommended – a block of time for training to be performed. The department shall schedule the computerized training within a 30 day block.

Motion for lunch – Passed

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(f)(7) Delete and replace with the following: normal business hours to answer questions.”

Suggestion - RE-write and incorporate this information into the Rule. No definitive decision was made for this suggestion.

0360-07-01.05 (4) Course Curriculum Requirements

From THE REPORT:

(f)(8) Delete and replace with the following: However, it is the individual’s responsibility to ensure that they complete their own work.

The discussion was that the department (FC, Training Officer) holds responsibility and accountability for that training due to the fact that they sign the paperwork attesting to the fact that the training was completed. The department/agency shall have some type of audit procedures to ensure the training was completed as required. It is both the responsibility of the individual and of the department to make sure the training was completed and documented for audit purposes.

0360-07-01.05 (5) Attendance records

From THE REPORT:

**1. Electronic Records: “ An instructor shall be available either in person or by phone during....
“ Students are authorized to complete online training on duty or off duty.**

a. Many departments are experimenting with the option of electronic records. One option is a method of barcode readers that scan an ID card for attendance. Another is actual electronic signature with a pen on a touch screen. There may be many other options available. We would like to see what options we would have of adding these options to attendance records rules and regulations.

Suggestion - attendance records could be a Commission Roster or the 3rd party vendor’s record keeping system. Replace last line in paragraph “Such certification must include” to “Such information shall include the following”.

Concern of duplication of rosters for a TFACA class – the usage of TFACA’s roster and a roster from the department to verify participant attendance. Also, 3rd party vendors roster as well. Director Fox was concerned regarding whether the class paperwork also included the hours of the course for incentive

pay purposes and audits. The State Comptroller also conducts audits after the Fire Commission has conducted their audit to make sure they are accountable.

Decided to:

- "b" rank or position – remove
- "c" removing – "last four digits of Social Security Number" and replacing it with "PSID number"
- "e" test score add – "or pass/fail"
- "l" will be satisfied by taking out – "and writing the word VOID" because drawing a line through it automatically voids the line.

Suggestion – to remove the form altogether from the Rules so changes can be made without having to wait for rule change sessions to occur. **Final decision** – Rule number 0360-07-01.05 (5) is to be deleted in its entirety and leave it up to the Fire Commission to decide form (electronic or written) content. Attorney Underwood will relay the discussion suggestions and the information will be revised and edited.

Language of "student or trainee" must be unified.

0360-07-01.05 (6) Testing Instruments

(c) in the same section will be changed to "Answer sheets shall be maintained as a record for at least three (3) years and shall be submitted to the Commission office upon request by the Commission".

0360-07-01.05 (7) Approval of Specialized Schools/Courses

(a) – to include "or a 1 hour online course".

Extensive discussion on substitution forms and specialized schools/courses. According to Attorney Underwood, there are three issues to address with this section: specialized school issue, no test school class issue, and how to substitute a class that you have with another approved a 40 hour class. He also stated that (a) should deal with specialized courses, and then later on add verbiage on courses without tests, and also what to do about substitutions.

According to Attorney Underwood – (7) (b) – is almost another rule by itself, (a) needs to be broken up because it is too complicated so we will pass on it right now, (c) is applicable, (d) is applicable, and (e) is two separate rules as well. He will work in this with the Commission office due to the complexity of the rule and address number (7) in its entirety.

0360-07-01-.06 Payment Procedures

Language need to be incorporated that states – payments will not be approved after the fiscal year deadline. "All requests for payments must be submitted by June 30th". Indicating an individuals salary in the paperwork submitted may not be necessary but Attorney Underwood will research to verify this deletion.

(7) – the dates need to be updated.

(8) – possibly add language addressing individuals who die in the line of duty – Attorney Underwood will research this possibility.

(9) – rewrite what is required to be sent certified mail – or other means. Also address (c) on when additional requests maybe made and if the language “mailed” would still be unitized. Attorney Underwood will research this rule and possible changes.

0360-07-01-.07 Waivers

No waivers will be paid after the fiscal year ends.

(1) (a) needs to be revised. The Rules mentioned have been repealed.

Discussion on putting in the Rules about disciplinary action for example: someone is caught cheating or being a co-conspirator with someone who is cheating or someone taking a test for another individual whether to place it in the educational incentive pay Rules Section, and/or in the certification section or a separate section addressing all discipline. The incentive pay issue may be resolved by baring the disciplined individual from taking part in a certification training program. This issue will be included into the Rules, according to Attorney Underwood.

Next meeting look into possibly having breakout sessions to address the Rules all at once.

0360-01-01-.02 Meetings

(Attorney Underwood suggested addressing Chapter One now since the Commission is in the process of setting meeting dates).

0360-01-01-.02 (1) Recommendation – The Commission will hold at least one regularly scheduled meeting during each calendar quarter *in each section of the state*.

0360-01-01-.02 (2) Recommendation - The Commission shall establish the date, time and location *for each meeting*.

0360-01-01-.01 – Needs to be updated to reflect the up to date availability of methods of documentation submission.

V. Discussion of meeting date for next meeting.

Next meeting: February 2nd & 3rd with the 1st as a travel day. Location TFACA at 9:00 a.m. on both days.

Following meeting:

April 25th & 26th with the 24th as a travel day. Location: Park Tower – Gatlinburg, TN. The Rule making session will occur the morning of the 25th.

Motion to adjourn @ 4:28 pm.



**THE TENNESSEE COMMISSION ON FIRE FIGHTING
PERSONNEL STANDARDS AND EDUCATION**

REGULAR BUSINESS MEETING

November 2, 2016

The meeting of the Tennessee Commission on Firefighting Personnel Standards and Education was called to order by Chairman Mathew Sorge at 9:00 A.M. Eastern on Wednesday, November 2, 2016, at the Madison County Fire Department, 2432 Technology Center Drive, Jackson, TN.

- I. **PRAYER** - (Commissioner Kerley)
- II. **PLEDGE OF ALLEGIANCE** – (Commissioner Specht)
- III. **ROLL CALL** (Director Fox) – Members Present:

Commissioner Brian Biggs
Commissioner Tommy Kelley
Commissioner Darryl Kerley
Commissioner Michael Naifeh
Commissioner Stephanie Specht
Commissioner Toran Hedgepath
Commissioner Mathew Sorge
Commissioner David Windrow

Members Not Present:

Commissioner Thomas McCormack
Commissioner Julie McPeak – (ex-officio non-voting member)

A quorum has been established.

Commerce and Insurance / Fire Prevention Staff Present:

Steve Majchrzak – Assistant Commissioner - Dept. of Commerce and Insurance
Randy Fox – Executive Director – Fire Commission
Steve Cross – Fire Coordinator/Educational Incentive Pay Program Mgr. – Fire Commission
Richard Rochford – Fire Coordinator/Reciprocity Mgr. – Fire Commission
Linda Brown – Fire Coordinator/Accreditation Mgr. – Fire Commission
Joseph Underwood – Attorney at Law – Dept. of Commerce and Insurance
Jeffrey Elliott – Fire Service Program Director – TFACA
Carrie Kieffer – Legal Council

Guests:

Paul Holdeman – Union City Fire Department
Richard Griggs – Covington Fire Department
Chris Chalk – Madison County Fire Department
David Dorris – Jackson Fire Department

Kory Green – Martin Fire Department
Jana Compton – Jackson Fire Department
Michael Shillings – Wacker Polysilicon
Dennis Bryant - Memphis Fire Department
John Dorr – Memphis Fire Department
Blake Boros – Bartlett Fire Department
Ben Hirst – Performance Training Systems
Tommy Magallanes – Pearson Vue
Chad Ketron – Ricky Rescue
Jeromy Vandermale – Ricky Rescue
James Jennings – Franklin Fire
Terri Roshell – Tennessee Fire Training Online

Chairman Sorge welcomed new Commission members David Windrow, Tommy Kelley and Legal Counsel Carey Kefauver.

IV. MINUTES

Approval of the April 2016 Business Meeting.

Motion by: Commissioner Specht Second by: Commissioner Naifeh

Motion to approve the minutes from the April 2016 Business Meeting.

Call for the Question

Discussion - None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 – Abstain

V. ANNOUNCEMENTS (none addressed)

VI. GUESTS

a. Jeff Elliott – Director – TFACA

TFACA hosted their 3rd annual Chief Officers symposium – a platform to introduce the new in service classes. One hundred individuals participated in the symposium. The three classes are: Active Shooter (requesting approval later in this meeting), Tactical Considerations for Restaurant Fires and Elevator Emergencies (have already been approved by the Commission). A training curriculum to support the Mobile Training Tower is another training that will be coming in the new future. Our tower stands a little over 3 stories and will be used to enable firefighters to learn rescues skills, standpipe and sprinkler evolutions. Fire Departments who put their personnel through this training will receive ISO training credit (confirmed by ISO) for their departments. We recently reformatted our Fire Officer I & II Combined curriculum and in working with Steve Cross and Richard Rochford we are able to have them come in on the first day and assign practical exercises to the firefighters so at the end of week two, they are able to test for the State Fire Commission Exam for Fire Officer I and at the end of the 16 day class they can sit for Fire Officer II certification exam. In the most recent class we held for this certification, 100% of the participants passed the State Certification Exam and received certification.

The Tennessee Virginia Weekend – 73 firefighters attended and left with a good rapport with the National Fire Academy.

TFACA currently has a recruit class of 18 individuals that are testing for their Firefighter I certification and also, 100 % of these students are certified in Hazardous Material Awareness and Operations. This particular class began with 23 recruits and 5 of these recruits were women. This is the most diverse class that has been held on the TFACA campus, and they are doing very well.

Tennessee River Weekend is coming up this weekend and our staff will be heading to that location. Registration is going well.

Capital improvements at the Academy –the 2nd faze of upgrading 100% of the AV equipment has been approved. We are also in the procurement process for the AFG Grant that TFACA was awarded last year that will be used for a mobile training pod where instructors will be able to rotate firefighters through multiple forcible entry stations.

In the last week in November, we will be traveling to Louisiana to do a final acceptance of a new pumper, and the 1st week of December we will be heading to Alton, Wisconsin to do the prebuild for a new 75 ft. Quint that the Academy will be receiving.

VII. COMMUNICATIONS

The Fire Commission received a letter from Sharrock Cobb regarding the testing at TFACA requirements for the Tennessee Fire Training Online students – (agenda item 7-a). This request is to change the requirement of students attending Tennessee Fire Training Online courses to test at TFACA to adding additional testing sites in other locations in Tennessee to aide in the convenience of student access. This request was made by an individual who was aware of the testing requirements and signed an affidavit stating this, prior to participating in the course. Also, another individual sent in the same type of request (information not included in Commissioners meeting information).

MOTION BY: Commissioner Windrow
2nd BY: Commissioner Kelley

Motion to deny the request for additional testing sites for Commission Certification Exams.

Call for the Question

Discussion – None

RESOLUTION:
Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

IX. OLD BUSINESS

1. Tennessee Fire Training Online Request – Test Site Offerings

Terri Roshell requested that the Fire Commission offer testing sites in East and West Tennessee in addition to the TFACA site for her students attending the TN Training Online program. Some firefighters who signed an agreement to test at the TFACA site, after taking the courses, now have a problem with traveling to TFACA to take the Commission Certification Exam. Director Fox stated - in order to do this,

special tests must be created and the additional sites must be set up costing the Commission additional funding for Contractors to proctor the exams. This creates an extra burden on the Fire Commission staff and an additional funding for Contractors.

MOTION BY: Commissioner Naifeh
2nd BY: Commissioner Biggs

Motion to deny the request from Tennessee Fire Training Online to add additional testing sites in East and West Tennessee.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

VIII. DIRECTORS REPORT

a. Report from legal – Legal Counsel Carey Kefauver

Legal Counsel Carey Kefauver – Counsel’s staff discussed the proposed Rule changes and they will be meeting with the Director Fox about those proposed changes. A draft will be prepared just prior to the next meeting for your review.

b. IFSAC Site Visit Status

Site visit went very well. We were recommended for re-accreditation. Director Fox wanted to thank Linda Brown for all of her work on the pre-site visit paperwork and thank all the staff for their hard work during the site visit. The site team was very impressed with the campus at TFACA and what Tennessee had to offer their firefighters. The Site Team members included: David Couvelha – Kansas Fire & Rescue Training Institute, Peter Silva, Jr. – Wisconsin Technical College System and Cordell Johnson – District of Columbia Fire District & EMS Department. Initial accreditation was received on the driver series, Fire Apparatus Operator, Pumper Driver Operator and Aerial Apparatus Driver Operator. Received re-accreditation from IFSAC and received a letter from them on October 6, 2016 stating this. Accreditation Manager Linda Brown and Executive Director Fox went to Charlotte, NC in September for IFSAC’s Fall Conference and was formally awarded the re-accreditation /accreditation certificate.

c. ProBoard Report

- 467 Certifications @ \$15.00 each for a total of: \$7,005.00
- Annual fee - \$2,500 which is paid out of the certifications purchased.
- Beginning January 1, 2017 the fee for applying for a ProBoard certification will increase to \$17.50 and the annual fee will also increase to \$2,700.00.
- Most popular certification levels applied for are:
 - Fire Inspector
 - Firefighter I & II
 - Fire Instructor
 - Hazardous Materials Awareness

d. Reciprocity Report – Richard Rockford - Coordinator

Reciprocity statistics: see report from June 17, 2016 through October 10, 2016. There were 208 reciprocity certifications that were administered to applicants. This was a very busy quarter – applications were submitted that requested anywhere from one certification up to 20 for one individual.

e. Audit Reports (18 departments)

MOTION BY: Commissioner Naifeh
2nd BY: Commissioner Kerley

Motion to approve audits from Arlington Fire Department and Bartlet Fire Department.

Call for the Question

Discussion – None

RESOLUTION:
Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

MOTION BY: Commissioner Kerley
2nd BY: Commissioner Naifeh

Motion to approve audits from Wilson County Fire Department, Lebanon Fire Department, Putnam County Fire Department and Cumberland City Fire Department.

Call for the Question

Discussion – None

RESOLUTION:
Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

MOTION BY: Commissioner Biggs
2nd BY: Commissioner Kelley

Motion to approve audits from Paris Fire Department.

Call for the Question

Discussion – None

RESOLUTION:
Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

MOTION BY: Commissioner Specht
2nd BY: Commissioner Naifeh

Motion to approve audits from Ashland City Fire Department, Goodlettsville Fire Department and Tullahoma Fire Department.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

MOTION BY: Commissioner Biggs
2nd BY: Commissioner Windrow

Motion to approve audits from Clinton Fire Department, Knoxville Fire Department, Sevierville Fire Department and Alcoa Fire Department.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

MOTION BY: Commissioner Kelley
2nd BY: Commissioner Hedgepath

Motion to approve audits from Chattanooga Fire Department, Dayton Fire Department, Rhea County Fire Department, Bradley County Fire Department

Call for the Question

Discussion – None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

f. Training Program(s) Report – (Courses by Submittal)

At the Commission meeting in Oakridge, a process was approved of allowing departments to submit items to the Fire Commission that were completed on a new form and on item VIII-f is a list of courses that have been submitted to the Commission office that has been approved on that new form.

g. 2017 Training Programs Report – Steve Cross - Coordinator

Deadline to submit 2017 in service was November 1st, (midnight last night). Report synopsis:

- 1139 classes submitted representing 101 departments and 104 programs
- West Tennessee – 25 participating departments
- Middle Tennessee – 32 participating departments
- East Tennessee – 47 participating departments

Just a note – departments who requested waivers last year submitted their paperwork on time this year.

To finish up the Director’s report, Executive Director Fox and Accreditation Manager Linda Brown have received travel authorization to attend the ProBoard Conference in January 2017, which will be held in San Diego, CA.

IX. OLD BUSINESS

1. Tennessee Fire Training Online – Request – Test Site Offerings (Terri Roshell was not available initially and is now present).

The Fire Commission has taken action on Terri Roshell’s previous request regarding the additional test sites in East and West Tennessee and the individuals that requested that the Commission take separate actions to approved separate testing.

The discussion included some concerns regarding the Commission entering into an agreement to allow TN Fire Training Online to continue to provide online training to Tennessee firefighters with the understanding that they would have to test at TFACA. To allow TN Fire Training Online to add additional testing sites would place an additional burden upon the Director and his staff. The action that was taken was to deny the request.

Terri Roshell stated that she had talked to Attorney Underwood and it was apparent she needed to make a choice. She had decided to give up her position as a Field Representative for the State of Tennessee, Fire Commission. She felt that it was important for her to offer the online training for firefighters across the state of Tennessee. Terri Roshell submitted her letter of resignation as a State of Tennessee Field Representative (Contractor) to Executive Director Fox, effective November 30, 2016. The board and Executive Director Fox thanked Terri Roshell for her service as a Field Representative (Contractor) and assured her that this was not a reflection of her outstanding performance as a Contractor. Her services will be missed and they wished her well in her endeavors.

Also, for clarification, her students will be able to test anywhere beginning January 1, 2017.

X. NEW BUSINESS:

1.a. Secret City Fire Officer Conference (Oakridge, TN)

The Secret City Fire Officer Conference is seeking in service credit for two days of courses @ 7-hours per day. Commissioner Kerley stated that this conference is conducted each year. He also stated that correlations are not done for this training because out of the 100 students that may apply, only about an 8-12 ask for credit for the class. It will be up to their departments to meet the needs of the Commission to get credit for the in service hours. Certificates are documented that the course has been approved for specialized training so if they use that for a substitution it is documented on their certificate.

MOTION BY: Commissioner Specht
2nd BY: Commissioner Kelley

Motion to approve 14 training hours.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

b. TFACA Active Shooter – 1 Program

Jeff Elliott – Director - TFACA – This class is for any Fire Department that does not have a curriculum in place for awareness in the event of an active shooter. Part of the curriculum is a 35 minute video that the FBI shared with the Academy. Also we brought in two jurisdictions from Palm Beach County, FL – a lead training officer from both the Sherriff’s office and the Fire Department that specialized in creating this curriculum and inter-operability between the Sherriff’s Department and the Fire Department. We will need law enforcement participation in this course and we anticipate partnering with a law enforcement agency if there is a demand for this course. This is an awareness level course. It has not been taken to POST as of yet to get credit, but it has been discussed and also the West Tennessee Regional person is going to attend the class by Homeland Security being held in Shelby County, November 9, 2016. We also brought in individuals from the Bedford County Sherriff’s Department and also part of the Murfreesboro SWAT Team to the Train-the-Trainer course that was held for our staff. These individuals were very impressed and felt as though they could help with the program.

MOTION BY: Commissioner Hedgepath
2nd BY: Commissioner Biggs

Motion to approve Active Shooter Program from TFACA.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

c. Ricky Rescue – 3 Programs

Representatives were present and had submitted a proposal for Fire Inspector, Fire Investigator and Pumper Driver Operator. Since their last visit they have scheduled their final meeting with IFSAC to become accredited – December 12th & 13th, 2016. NFPA accepted their program on as long as the State of Tennessee accepts it.

MOTION BY: Commissioner Specht
2nd BY: Commissioner Naifeh

Motion to approve all 3 programs from Ricky Rescue.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

d. Target Solutions – 1 Program

Fire Service Health and Safety program – (no representative present).

MOTION BY: Commissioner Kerley
2nd BY: Commissioner Hedgepath

Motion to approve 1 Program from Target Solutions.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

e. TN Fire Training On-Line – 7 Programs

Fire Instructor II (certification course),
In service program courses:

- Biodiesel Response Considerations
- Ethanol Emergency Response
- Leadership and Management Principles
- Rules of Air Management
- Situational Awareness
- Vehicles Fires

MOTION BY: Commissioner Specht
2nd BY: Commissioner Kerley

Motion to approve all 7 programs from TN Fire Training On-Line.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

2. Consideration to Approve Waivers

a. Jackson Fire Department – Instructor Courses

Wanted to approve a waiver request for Instructor I & II courses that were taught in Jackson that were in compliance with Commission rules April 2010, and were up to the NFPA Standard at that time. There are a number of individuals requesting this waiver. Commissioners had concerns of approving this request because of the time frame of approving classes that were held 6 years ago.

MOTION BY: Commissioner Hedgepath
2nd BY: Commissioner Biggs

Motion to deny the request for waivers for the Jackson Fire Department Fire Instructor I & II Courses per the submitted request.

Call for the Question

Additional Discussion - None

RESOLUTION:

Roll Call Vote:

Commissioner Biggs	Yea
Commissioner Kelley	Yea
Commissioner Kerley	Abstain
Commissioner Naifeh	Yea
Commissioner Specht	Yea
Commissioner Hedgepath	Yea
Commissioner Sorge	Yea
Commissioner Windrow	Yea

Vote: 7 – Yea 0 – Nay 1 - Abstain

MOTION CARRIED

b. Jeff Story Eastern Kentucky University Course Instructor I

MOTION BY: Commissioner (Unknown – Information not audible)
2nd BY: Commissioner Specht

Motion to defer until additional information can be obtained.

Call for the Question

Discussion – None

RESOLUTION:

Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

c. Ricky Walker – Waiver for Fire Officer II Practical

Information was received after the deadline, and files received on the computer disc were dated in August which placed it outside of the deadline.

MOTION BY: Commissioner Kerley
2nd BY: Commissioner Naifeh

Motion to deny Ricky Walker request for a waiver for a Fire Officer II Practical – outside of the date requirements.

Call for the Question

Discussion – None

RESOLUTION:
Vote: 8 – Yea 0 – Nay 0 - Abstain

MOTION CARRIED

3. Consideration to approve new skills.

a. Rope I skills based on NFPA 1006.

Extensive discussion on what the precertification requirements should be for this certification level and is there a minimum medical requirement?

MOTION BY: Commissioner Naifeh
2nd BY: Commissioner Hedgepath

Motion to add firefighter II as a minimum requirement for a Rope Rescue I State Certification.

Call for the Question

Discussion – Additional discussion on the above concerns.

RESOLUTION:

Roll Call Vote:

Commissioner Biggs	No
Commissioner Kelley	Yea
Commissioner Kerley	No
Commissioner Naifeh	Yea
Commissioner Specht	No
Commissioner Hedgepath	Yea
Commissioner Sorge	Yea
Commissioner Windrow	No

Vote: 4 – Yea 4 – Nay 0 - Abstain

MOTION FAILED

a. Rope I skills based on NFPA 1006.

MOTION BY: Commissioner Biggs
2nd BY: Commissioner Specht

Motion to add firefighter I as a minimum requirement for a Rope Rescue I State Certification.

Call for the Question

Discussion – None

RESOLUTION:

Roll Call Vote:

Commissioner Biggs	Yea
Commissioner Kelley	No
Commissioner Kerley	Yea
Commissioner Naifeh	No
Commissioner Specht	Yea
Commissioner Hedgepath	No
Commissioner Sorge	No
Commissioner Windrow	Yea

Vote: 4 – Yea 4 – Nay 0 - Abstain

MOTION FAILED

Deferred to the next meeting with a quorum to break the tie.

Motion for 15 minute break. Motion Carried.

4. Presentation from Pearson Vue & PTS

Presentation from the Pearson Vue and PTS representatives on moving portions of the Fire Commission testing process to a computer based testing process through their network of test centers and Commission Test Sites throughout Tennessee. The representative will also discuss new innovations that are available for computerized testing. They also discussed their relationship with PTS and how it came about and the value that that gives to our firefighter testing candidate.

Pearson Vue became partners with PTS because they felt there was no need to develop new testing content because there were excellent organizations already providing this service in the firefighting sector.

The testing process focuses on the candidate allowing them to be able to test when they want, where they want and especially for candidates who need to re-take their examination. The benefit of the model insures test fairness, guaranteeing the highest level of security and protecting the test content.

The Process may consist of: PTS will continue to update the testing content and will send it to the Commission. The Commission will localize the content and make any necessary changes to reflect local practices. The revised content will be sent to Pearson Vue who will conduct a quality assurance check

making sure there are no spelling errors and the content is properly formatted. Once this is agreed to by Pearson Vue and the Commission, then Pearson Vue will publish the examination onto their platform. The candidate will receive a notification that they have been approved to schedule the test. Once they receive this approval, they can schedule their exam online for the date, time and the location of their choosing. The testing candidate is able to choose a Pearson Vue test center, a proctor location or one of the Commission's Contractors sites. If a Contractor site is chosen, they can offer the exam when it is convenient for them. Once the test is completed, the candidate will receive their exam results which will be a scored report. If the candidate failed the exam, a "failing report" is given which is a diagnostic report that will give them a content breakdown of the areas that they performed well on and also the areas they did not perform well on. That will give them an opportunity to prepare to retake their examination. Commission rules will dictate when the retest will occur.

The State of Tennessee (Fire Commission and Asst. Commissioner Steve Majchrzak) are working with Pearson Vue and PTS to determine the feasibility of moving to a computerized testing process and what that process will consist of.

XI. PUBLIC COMMENTS & SUGGESTIONS

Comments by Paul Holdeman – Union City Fire Department – had concerns on the customer service provided by the Commission. Issues on receiving information and communication issues. Information is coming out and Training Officers are not aware of this information.

Training Officer Dorris – had additional concerns regarding out dated training decision that was made earlier.

Commissioner Kerley – comments on firefighter discipline and going to another department – what violations can be addressed (crimes, conduct unbecoming a firefighter) that can give the Commission the ability to revoke and individual's certification.

Steve Cross – Peer Review Dates: (all at 9:00 a.m.)

- December 2nd Knoxville Fire Department
- December 6th Memphis Fire Department
- December 8th TFACA Campus

Another suggestion – create a new Training Officer packet and reach out to them.

XII. DATES OF FUTURE MEETINGS

<u>DATE:</u>	<u>LOCATION:</u>	<u>TRAVEL DAY:</u>
February 2 nd and 3 rd , 2017 @ 9:00	TFACA Campus	February 1 st , 2017
April 25 th and 26 th , 2017 @ 9:00	Gatlinburg, TN	April 24 th , 2017

XIII. MOTION TO ADJOURN - CARRIED