

MINUTES

INDIANA BOARD OF FIREFIGHTER PERSONNEL STANDARDS AND EDUCATION

OCTOBER 27, 2008 6PM

Public Safety Academy of NE Indiana

7602 Patriot Crossing, Rm 2200

Ft Wayne IN 46803

260-427-1246

A. BOARD CALLED TO ORDER

Called to order at 7 pm

B. ROLL CALL

Present

Jerry Nulliner

Jack Kerney Sr

Bradley Thatcher

James Greeson

Ab Crosby

Thomas Hanify

Jeff Hayes

Absent

Candice Ashby

Darrick Scott

C. MINUTES FROM SEPTEMBER 15, 2008.

Jack Kerney made a motion to approve. Bradley Thatcher seconded. Motion passed.

D. VARIANCES

1. Michael Ornat requested a variance for Fire Officer IV. He has a Bachelor degree from Franklin University in Ohio in Public Safety Management.

Staff recommends approval. He has Fire Officer III and Instructor II/III.

Tom Hanify made a motion to approve. James Greeson seconded. Motion passed.

2. Cody Barnard and 3. Drew Shilling

Requested variances for Rope Rescue Awareness, Vehicle/Machinery Rescue Awareness, Wilderness Rescue Awareness, Confined Space Rescue Awareness, Structural Collapse Rescue Awareness, Swift Water Rescue Awareness, and Trench Rescue Awareness. They attended the class sponsored by DHS, and were on hold awaiting the Hazmat Awareness prerequisite.

Staff recommends approval. They were part of the DHS sponsored courses

Ab Crosby made a motion to approve. Jeff Hayes seconded. Motion passed.

4. Darren Isaacs requested a variance for Instructor I, II/III. He is a Primary Instructor, and a Firefighter I/II. He has been a firefighter since 1995.

Staff recommends approval based on his passing the Instructor Reciprocity test.

Jack Kerney made a motion to approve. Tom Hanify seconded. Motion passed.

5. Bryan Peterson requested a variance for Instructor II/III. He is an Instructor I, and a Primary Instructor. He is involved in teaching new recruits at this time.

Staff recommends approval based on his passing the Instructor Reciprocity test.

Tom Hanify made a motion to approve. Jeff Hayes seconded. Motion passed.

6. Robbie Williams requested variances for Instructor I, and II/III. He is a Firefighter II and a Primary Instructor.

Staff recommends approval pending passing the Instructor Reciprocity test.

James Greeson made a motion to approve. Jeff Hayes seconded. Motion passed.

7. Dustin Ramer requested a variance for Instructor I, and II/III. He is a Firefighter 2 and a Primary Instructor.

Staff recommends approval pending his passing the Instructor Reciprocity test.

Jack Kerney made a motion to approve. Ab Crosby seconded. Motion passed.

8. Jason Meek requested variances for Wildland Fire Suppression I/II, and Driver Operator Wildland Fire Apparatus. He has completed an Emergency Vehicle Safe Driving Course, Driver Operator Pumper and Aerial; and courses for Wildland firefighting through National Wildland Corporation Group.

Staff recommends approval. He has met the prerequisites and continues with his education.

Tom Hanify made a motion to table this request. The board requests documentation of continued education within the last 6 years. Jeff Hayes seconded. Motion passed.

E. RECIPROCITY REQUESTS

No requests at this time.

F. STATE FIRE MARSHAL REPORT- JAMES GREESON

First time I've been up in this part of the state and this is a great facility.

The fire marshal's office has been busy with all of the storm damage throughout the state. The northern portion got the rain and the south had the wind damage.

The departments really need to look at the grants that you are applying for. These are how you are getting equipment, and money from the state for your needs, and if you need help applying, contact Gary Robison.

G. HOMELAND SECURITY TRAINING DIVISION REPORT; DIRECTOR BRADLEY THATCHER.

Introduction of Brian Mayo, Fire Training Section Chief, and James Abraham, Certification Section Chief. They will be around after the meeting for any questions

I would like to talk about the Live Burn Trailer that has been going around for training. We have had approx 750 firefighters go through this training to date. The majority were in district 3 and 6. Right now the trailer is district 4 and the next stop on Nov 4 will be in district 10.

The Hazmat trailer is being deployed around the state for training. It started off in District 1 in October and certified 15 instructors for this prop.

I want to remind everyone about the NFA weekend for March 14th and 15th the bus is filling up.

I want to expand a little on what the Marshal reported. We at Homeland Security are still involved in the recovery stage. The recovery stage is still impacting our staff to a great degree. We still have staff all over the state dealing with this. Point in fact, Columbus Regional Hospital just opened its doors again this morning so recovery is slow and will be ongoing for some time yet..

Any questions?

What are Brian's and Jim's qualifications for the positions they hold?

Brian Mayo:

16 years in fire service My last position was in South Carolina.
Working on my Masters degree

Jim Abraham:

23 years Navy. Retired as Master Chief. Have DOD fire certificate. I am Mr. Fix it. Process analyst. This is what my job has been for the last several years. They send me in to fix things.

- Will there be more training on the trailers?
It has to make its way around the state and then it will start over, so you will have more than 1 training session available.
- If you are not a firefighter but you are teaching firefighting, can you go through the train-the-trainer on the trailers? They will be teaching personnel on this trailer.
If you are an Instructor 2/3 you are eligible to be trained on this prop.

H. CERTIFICATION BRANCH CHIEF, JOHN BUCKMAN

Certifications 3680 issued last year by this date and 3129 certifications issued this quarter.

PSID numbers are just about mailed out. If you do not have yours, check the list on our web page, and call Barb Goble.

- Used to be you could go on line, and find a departments certifications. You can't do that now. Are we going to get that back?
The Acadis is designed in sections. We have not got that portion completed as this time, but it is in the works.

I. ADMINISTRATIVE PROCEEDINGS- JUDGE TEEGARDEN

No report at this time.

J. OLD BUSINESS

Nothing at this time.

10 minute break at this time.

K. NEW BUSINESS

1. Discussion and possible adoption of LSA Doc. #08-429.

Chairman Nulliner stated that the Board will go through each page of the proposed rules and discuss whether to make changes, based on the comments at the public hearing. The NFPA standards are still behind, and we are only working on the administrative rules here. We are getting started on the NFPA next. A question that we are always being asked is why can't we do what the EMS does, and say "the current version". The reason is that we deal with a different person in the AG office, and they will not allow us to phrase it like that. They want a specific year.

- Page 1 – Section 1 (b) voluntary program. The statute mandates that we adopt a voluntary program. This would be a legislative change.
- Page 2 – Section (h), (1) Fire Service Person means a person (18) years of age or older who is an Indiana resident **OR** active member of an Indiana Fire Department and engaged in ... If you retire and do not get on another FD, but you are teaching or meet one of the criteria listed, you can keep your Instructor Certification. The reason for this is if you come in from New Hampshire, and you teach and class and really mess it up, how would we discipline you? We can't go to New Hampshire and discipline you, and you would be able to come a year later and do the same thing. No other state gives free rein for teaching in the fire service. "Subject matter specialist" covers bringing in someone from out of state, but an Indiana lead Instructor certified in the certification, must oversee the class and the Indiana Instructor is held responsible for the actions in the class and the subject matter specialist brought in to teach it.
We cannot control an Instructor that does not live in Indiana.

Does the board not have the right to revoke someone with an Instructor certification for unprofessional conduct? Yes, but experience tells us that just to tell the instructor about a problem he can blow us off, if you have a fire chief that we tell, now you are going to straighten up. Also, we are trying to get it so that a student does not have to waste time in a class with a poor instructor. He can get what he needs the first time.

- Page 3 – Section 5.1 (b) unless that applicant is certified in each prerequisite certification, if one or more prerequisites are required. Leads people to believe that if you are a Fire Officer 1 and want to be Safety Officer, then you have to back track and pick up Fire Officer Strategy and Tactics because that is a requirement for Fire Officer 1.

If I want to teach Fire Officer 1, I have to be certified in Fire Officer Strategy and Tactics, even though it was not required when I was certified Fire Officer 1.

1st class Firefighter and 2nd class Firefighter still count as prerequisites. In the requirements for certification, i.e., driver operator pumper, it states that you must be a Firefighter 2 or a 2nd class firefighter. It is one or the other.

Example, Fire Officer 1, states you must be Firefighter 2 for 1 year or 1st class Firefighter, Fire Officer Strategy and Tactics and Instructor 1. There are firefighters out there that do not meet the prerequisite because it was not required at the time of their certification.

To fix this, change wording:

Unless the applicant completed the required prerequisites at the time of certification.

This would allow someone to teach Fire Officer Strategy and Tactics never having taken it. Is this where the board wants to go?

- Page 3. Ok
- Page 4, Public Fire and Life Safety Educator is in the non fire service person and fire service person. We need to remove it from Non Fire Service Person.

- Page 5, Hazardous Material Incident Command – The reason for deleting this was because a committee was formed to see what certifications were actually needed. The report that came back on this was that Hazardous Material Incident Command be removed along with Driver/Operator Aircraft Crash and Rescue; Emergency Vehicle Tech I and II; Fire Service Engineering Tech I/II; Rescue Tech Surface Water Rescue; the reason is that these were not being issued.
- Page 6, A “fire service person” also qualifies for non fire service person by reason of definition. Juvenile Firesetter Intervention Specialist I and II, needs removed. It was supposed to have been deleted in the proposed rules.
- Page 7, 1-1-5.2(b) and (c) This is on lead instructor and should read “Except as otherwise provided in subsection (c)” instead of “(b)”- it was a typo. Lead instructor- clarification (1) (B) -if I have a Hazmat Tech, do I have to be certified in Hazardous Materials Awareness and Hazardous Materials Operations? I was certified prior to this being required. If you have the higher certification, you can teach the lower levels. With these board rules, can he teach it now? Yes. Clarify language (B) by the board in the certification level or levels insert “or the advanced levels of the certifications being taught”. (if you have the higher certification, you are eligible to teach the lower levels of that certification.)
- Page 8 , ok
- Page 9,ok
- Page 10, (i) (2) remove totally. Sign in and out sheets for practical skills do not make sense because they aren’t administrated like written exams. This section will be removed.
- Page 11, (j)(5) Sign-in-sign-out sheets for written. We are keeping this in. The proctor needs to keep track of the individuals taking the test.
- Page 12,- Oral testing – read in here the actual procedure as to what is involved with oral exams. (2) states that the board shall review. Once documentation is submitted to

the board, it because public record. This was our concern. Does the individual want his medical documentation posted on the web page? That is what will happen. Jerry Nulliner - in 6-7 years we have only had 3 request done correctly. Individuals have stated that they have given oral tests, but they did not go through the procedure.

Does the board have the option to walk into a testing facility? No. According to the rules, the door should be locked, and you have to be on the roster to gain access to the room.

You had to have an actual documented disability. Can paperwork be submitted and the board members look this over in private? No. This becomes a public record. If a school allows tests to be read, how can we deny the request. This is different in education systems.

We are not in violation of the ADA. ADA requires them to be able to perform the major functions of the job. If you cannot read the ERG, and the board requires you to be able to do this, then we are not in violation of ADA. You cannot perform a function assigned to you.

Tom Hanify- There is a huge difference in what we require, compared to what is required in a school. We are not comfortable with releasing this private information. We have only had 3-4 in the last eight years. We deal with people's personal medical information and I am not comfortable with that.

Are you saying that we can give oral tests and just not submit to the board?

NO. There will be no provision for oral testing at all. If someone has on record at high school, is this board saying this documentation is not valid? So what you are saying is that what the high school is doing is not good enough for the board?

The board did not feel it was appropriate to making this type of decision.

Howard Twining - I personally want someone to be proficient enough to read labels, but I also have taught long enough to know that some people just don't test well.

Sometime people just cannot comprehend what they are reading. Look at how many people are trying to interpret these rules.

I have a student that can read but he cannot comprehend what he reads.

Bradley Thatcher- One of the good things about on line testing is that it not only has the written question, but it will also give you the question verbally .

Why can't we have a non fire service person read the test. They have no idea what we do, they are simply reading the words. They cannot lead them to an answer, because they don't know the answer.

The individual would still need to submit documentation to the board, and it becomes public information.

Is the computer testing going to be in place before this is done?

No

Keep in mind that not all certifications will be on line at the same time. We are starting with Mandatory, Basic, Firefighter 1 and Firefighter 2

Jerry Nulliner polled the board at this time. Do you want the language left in or taken out;

Bradley Thatcher, out

Jeff Hayes, in

Jack Kerney, out

James Greeson, out

Jerry Nulliner, out

Ab Crosby, in

Tom Hanify, out

We will remove oral testing.

Subsection (k) take a test on line, takes 2 weeks to get letter out, so in 180 days, they can take the test 12 times. Request is for 3 attempts within the 180 days. If you fail the 3rd attempt, you must take a refresher course.

This is not what was intended, as the public comment pointed out, because an instructor could be flooded with requests for retakes. This should be amended to provide for "not more than 3 times".

- Page 13 – 1-1-13, Sec 13 (d) what is the purpose of a staff member of a training division. Does this mean any member of his staff, can proctor an exam. If a Firefighter 1 is a member of the training division of a fire dept, he qualifies to proctor a test.

Leave as proposed

- Page 14, 1-2.19 Instructor 1 – where is the 6 hours of instruction coming from. Is it going to be online? This is in the works, and will be at no charge. There are opportunities to get these credits for recertification. Why cannot the board accept the course put on by a license teacher on how to teach adult education. You can do that, or attend an Instructor 2/3 class,

Howard Twining requested a curriculum of what needs to be taught. You tell us what we need but you are very generic in what it should be. Give us something.

Will we accept on line classes.

You have worked real hard as a board to bring our training to objective based training, now you tell me I have to sit 6 through hours to get training.

We are trying to get where we need to be without destroying some of these smaller departments.

Can they not sit through an Instructor 2/3 for 2 hours every year and pick up the continued education that they need? Yes.

Marty McCrindle – I don't understand what the problem is. It is hard, yes, but I go through this when I have to renew my teachers license. I pay out of my pocket, and attend full classes to keep my license.

Audience – you keep adding more and more for us to do. I do not have enough hours in a day that I can use. I only have so much vacation time or personal time. You keep piling on and we do not have time to do all of this.

What we are trying to do, is go in the right direction. We are gently trying to educate and keep you updated on all of the new things going on.

Leave in or take out. Board polled, all 7 vote to leave in.

- Page 14, Sec 9 (d) You have eliminated power point classes on this.

No, power point is used as an educational tool for adult classes all of the time. You can still use power point.

Instructor 2/3.

Sec 20 (c)18 hours of teaching classes in public safety, 6 hours evaluating practicals and 6 hours of attending classes on adult education

These will take affect 30 days after they are published so we are looking at late January early February.

You are under the old guidelines until the next recert.

Your next recert will still be under the old guidelines.

- Page 15. 655 IAC 1-2.1-75, NFPA 1670 chapter 2, should include 4-2.
- Page 16, 655 IAC , NFPA 75-4 add section 4.2
- Page 17, 655 IAC NFPA 75-5 add section 4-2
- Page 18, 655 IAC 100 add section 6-3 and add vehicle machinery awareness and vehicle machinery operations ; delete (9)
- Page 19, 655 IAC 1-2.1-101 (a)(2) first sentence take out 4-2 and put in 4-3, add 6-3 and 9-3, and delete (12)
- Page 19, 655 IAC 1-2.1-107 (a) add 4-3 in front of section 7-2.

Bradley Thatcher made a motion to approve, Tom Hanify seconded a motion to approve LSA Document #08-429, as published in the Indiana Register on August 6, 2008, as amended by:

(i) deleting Public Fire and Life Safety Educator I,II, and III, out of the fire service persons certifications;

(ii) deleting Juvenile Firesetter Intervention Specialist I and II out of the Firefighting training and education programs;

(iii) in 655 IAC 1-1- 5.2 (a) changing from subsection (b) to subsection (c), and (b)(1)(B) revise to read by the board in certification level or levels “or the advanced levels of the certification being taught”;

(iv) in 655 IAC 1-12 (i), delete #2;

(v) in 655 IAC 1-1-12 (k), revise to read “a student may take any cognitive examination not more than 3 times within 180 calendar days”;

(vi) amend 655 IAC 1-1-2.1-75 NFPA 1670 after chapter 2 insert “4-2;

(vii) amend 655 IAC 1-2.1-75.4 (a)(1), after 3-2, insert 4-2;

(viii) amend 655 IAC 1-2.1-75.5 (a)(1) in front of 5-2, insert 4-2;

(ix) amend 655 IAC 1-2.1-100 (a)(1) after section 5-3, insert 6-3, and reinsert “vehicle and machinery rescuer awareness” and reinsert “vehicle and machinery rescuer operations, and delete subsection (b) (9);

(x) amend 655 IAC 1-2.1-101 (a)(2) after chapter 2, in “4-2” replace 2 with a “3”, after section 5-4 insert 6-3 and 9-3 and in (b) delete subsection 12;

(xi) amend 655 IAC 1-2.1-107 (a) after the bold word Section, insert “4-3”.

Motion passed.

2. Marty McCrindle, Future of Career & Technical Educational Facilities.

Having been involved in adult education, and having taught over 1000 students in the last 10 years, a strictly fire based program and talking with Gary Robison and John Buckman, our FDID numbers are a little unique from the fire department. My concern is this. You are taking the fire service into the next century. Our purpose is to get the future firefighters out there.

We need to maintain or have an identification number like a fire department has, so that we are recognized just as a fire department.

The board requested an official request submitted for the December meeting. Could you make contact with others across the state and make sure everyone is on board with this.

This is for high school programs across the state that need some time of recognition as a training facility.

L. APPEAL REQUESTS

None at this time.

M. MEETING ADJOURNED at 10:20 pm

NEXT MEETING

**December 8, 10am
Firefighter Union Hall
748 Massachusetts Ave
Indpls IN 46204
317-262-5161**

Jerry Nulliner, Chairman
Board of Firefighter Personnel Standards and Education