

**COMMISSION MEETING
WORK SESSION
AGENDA**

August 25, 2015

9:00 AM Central

Paris Landing State Park

Minutes

Meeting was called to order at 10:06 by Chairman Finucane, roll call was taken, Those present were Biggs, Finucane, Kerley, McCormack, Naifeh, Specht, Sorge, Vance, Slay and Hawks, Not present McPeak.

Those present at the work session were:

Michael Pardue- Franklin Fire Dept.

James Jennings- Franklin Fire Dept.

Michael Williams, Sr- Paris Fire Dept.

Randall Jones- Paris Fire Dept.

Terry Hollis- Nashville Fire Dept.

Jeff Elliott- TFACA

Announcement:

Deputy Commissioner West announced that Director Fox has been promoted to the title of Executive Director.

- 1.** Status of proposed rule changes provided by Joe Underwood.

- 2.** Proposed changes of Fire Officer I – III to the 2014 standard, moving Officer I out of the written test environment and requiring course work for all Officer Levels beginning January 1, 2016. Allowing anyone in the process of Officer has six months to complete the level. Motion to make the changes to the 2014 standard by Commissioner Sorge and seconded by Commissioner Naifeh, motion carries.

- 3.** Proposed changes to require course work for Fire Department Instructor I, 2 and 3 levels beginning July 1, 2016. Allowing anyone in the process of Instructor has six months to complete the level. Motion to require course work on Fire Department Instructor I, II, III before obtaining certification by Commissioner Finucane and seconded by Commissioner Biggs, motion carries.

- 4.** Proposal from Pearson-Vue on computer based testing.

- 5.** Set Time, Date and Location of Next Meeting

Motion by Commissioner Finucane and seconded by Commissioner McCormack to hold the next meeting will be November 17, 2015 with the work session at 1:00 and November 18, 2015 business meeting at 1:00 pm Central time. Motion carries.

THE TENNESSEE COMMISSION ON FIRE FIGHTING PERSONNEL STANDARDS AND EDUCATION

August 25, 2015 Business Meeting

The meeting of the Tennessee Commission on Fire Fighting Personnel Standards and Education was called to order by Chairman Mark Finucane at 9:00 A.M. on August 25, 2015 at the Paris Landing State Park, Paris, Tennessee. Roll was called and Commission Members present at the meeting were: Mark Finucane, Chairman, Michael Naifeh, Brian Biggs, Tom McCormack, Darryl Kerley, Stephanie Specht, Matthew Sorge, Michael Slay and Charlie Vance. Ex-officio non-voting Member present at the meeting: Roger Hawks.

Ex-officio non-voting Member absent: Julie McPeak.

Commerce and Insurance / Fire Prevention Staff present at the meeting:

Jeff Elliott, Tennessee Fire Service and Codes Academy
Joe Underwood, Staff Attorney

Motion to approve previous minutes by Commissioner Sorge and seconded by Commissioner Slay.

RESOLVED:

The motion carried unanimously.

Guests present at the meeting:

Jeff Elliott	Tennessee Fire and Codes Academy
Michael Pardue	Franklin Fire Department
James D. Jennings	Franklin Fire Department
Byron Smith	Germantown Fire Department
Kory Green	Martin Fire Department
Jamie Summers	Martin Fire Department
Blake Boros	Bartlett Fire Department
Ryan Christian	Mount Carmel Fire Department

Announcements

Thanks to Paris Fire Department and Chief Williams for their hospitality today.

Guests

Jeff Elliott, Tennessee Fire and Codes Academy (TFACA) Program Director gave a recap of annual year-end report; there was a growth of three areas; number of classes, number of students and an elite club of 47 departments who had 1000 or more hours of training. Smyrna Fire Department had the highest number of hours for paid departments. Loudon County had over

3000 hours. Most of this uptick was the classes that were made for in service training hours. The academy has three more classes to roll out on health and safety. Our recruit class will be starting next week.

Director's Report

The Pro Board Site Team; Rose Barge, from Canada; Fred Piechota and Julie Coffman from Alabama performed a site visit on August 12th and 13th at the Tennessee Fire and Codes Academy campus where the Firefighting Commission is now located. The site visit included a day with the Commission staff, answering questions about policies and procedures, several interviews were conducted with a Commission member, a representative of the Fire Chief's Association, and a student who utilizes the Commission for testing purposes. The site visit went very well and the team was impressed with many of our processes including reciprocity, in service education, appeals process, facilities, equipment, test security, barcoding system and the openness of the opportunity to improve our systems. The levels to which Pro Board will be accrediting are Hazardous Materials Awareness, Hazardous Materials Operations, Hazardous Materials Technician, Firefighter I, Firefighter II, Fire Officer I, Fire Officer II, Fire Officer III, Fire Officer IV, Fire Department Instructor I, Fire Department Instructor II, Fire Investigator, and Fire Inspector. Currently Pro Board will not accredit Airport Firefighter until there are more changes to our policy in regards to practical skills. There are a few policy changes that need to be addressed; Pro Board wants students to verbalize live fire skills for firefighting practical skills if that one is chosen; documentation of all procedures within the office that staff is currently performing and address how the Commission will deal with incumbents coming into the system.

Proposed change in Policy number 02-2 it shall be the policy of the Tennessee Commission of Firefighting that any incumbent into Tennessee's certification program shall pass both a written and practical exam in order to be issued a Pro Board accredited certificate.

Motion to replace the word incumbent with the word firefighter.

Chair motions to change the word incumbent to firefighter in the policy 02-2, seconded by Sorge. Motion carries.

The Chair made a motion for the policy of the Tennessee Commission on Firefighting that any firefighter to be issued a Proboard certificate in the certification program, must pass both a written and practical exam. The site visit issue was the only thing standing in the way of our accreditation. The move to TFACA was a success and we thank Mr. West and Mr. Hawks for being so gracious and allowing us to do that. Already paying great dividends, there has been a lot of positives come out of it.

Moving forward with digital certificates, we are working hand and hand with Rob Aney for digital certificates. We are working to change the officer I practicals and that from the testing environment to the project environment. In addition, requiring courses meeting NFPA 1021 for all levels of officer. In service programs are due November 1st. We are hoping by 2017 we should be submitting them directly into acadis instead of using web forms. We are hiring another position for an accreditation manager with a coordinator title. We have a new temp, Chris Shelton helping with attaching documents. We will be having some evaluator and proctor

training coming online. Ellen will be launching that and we will send notice of when it is ready. Please be sure that you turn in your title 6 training if you have not done so.

The City of Lebanon made an amendment to their educational incentive pay report to include a person who retired from the department but was inadvertently left off.

Attorney Joe Underwood's legal report for the previous allegations alleged on fraudulent activity;

#1 Complaints- alleged respondent 1 achieved falsified documents by respondent 2 a supporting officer within the same agency and a former contractor who served as an examination coordinator for the Firefighting Commission. The complaint alleges that respondent 1 did not participate in multiple training classes or pass multiple examinations as prerequisites to obtain certification from the Commission on April 7th 2015 as he was not at the Lavergne, TN examination site to take the instructor exam, he was across the state covering duty for respondent 2 for their employing agency and allegedly respondent 2 was taking the exam for 1 and submitted false information to the Commission in order to obtain or receive certification for respondent 1. Subsequently respondent 2 has entered multiple training certifications in acadis for respondent 1 by the employing agency's training officers. At the address of legal counsel, Director Fox, Commissioner Biggs and Tim Commers, Investigator for C&I, who investigated the allegations, the people with Lavergne were spoken to and the investigator tried speaking to both respondent's 1 and 2; both would not cooperate and obtained legal counsel, the former contractor has also refused to be interviewed. After viewing the investigation report, legal recommends the Commission to authorize a formal hearing to revoke any commission certification obtained by respondents 1 and 2 through fraudulent, falsified, or unauthorized manner by violation of state law, amendment or rule. Legal also requesting if applicable the authority to refer this matter to local district attorneys regarding any possible criminal violations.

Motion to authorize a formal hearing dealing with fraud allegations; by Commissioner McCormack and seconded by Commissioner Slay. Roll call vote:

Commissioner Biggs-abstain
Commissioner Finucane-yes
Commissioner Kerley-yes
Commissioner McCormack-yes
Commissioner Naifeh-yes
Commissioner Specht-yes
Commissioner Slay-yes
Commissioner Sorge-yes
Commissioner Vance- yes

New Business

Motion to authorize legal to investigate a complaint on a fraudulent testing issue. Roll Call vote:

Commissioner Biggs-yes
Commissioner Finucane-yes
Commissioner Kerley-yes
Commissioner McCormack-yes
Commissioner Naifeh-yes
Commissioner Specht-yes
Commissioner Slay-yes
Commissioner Sorge-yes
Commissioner Vance- yes

RESOLVED:

The motion carried.

Reconsideration to approve the Red Cross CPR program; Motion to approve by Commissioner Specht and seconded by Commissioner Slay.

RESOLVED:

The motion carried unanimously.

Consideration of the order of practicals based upon a survey sent out to the fire service. This would allow written examinations before practical testing on all written practicals, not the hands on practicals. Motion to approve by Commissioner Sorge and seconded by Commission McCormack.

RESOLVED:

The motion carried unanimously.

Motion to approve Jackson Fire Department's Live Fire Training Program; by Commissioner Naifeh and seconded by Commissioner Specht.

RESOLVED:

The motion carried unanimously.

Motion to approve TFACA courses, Behavioral Health Awareness, Firefighter Cancer, Highway Transportation Emergencies, medical Monitoring for both fire ground and training; by Commissioner Biggs and seconded by Commissioner Sorge.

RESOLVED:

The motion carried unanimously.

Motion to approve the 12 courses submitted by Target Solutions; by Commissioner Biggs and seconded by Commissioner Slay.

RESOLVED:

The motion carried unanimously.

Motion to approve Tennessee Fire Training online courses of Rope Rescue Awareness and Trench Rescue Awareness, both are four hour courses; by Commissioner Sorge and seconded by Commissioner Specht.

RESOLVED:

The motion carried unanimously.

Reciprocity

We have had 127 people who have applied for reciprocity since our last meeting; they have already been approved and sent out by our office. They are from mostly Tennessee but a few from other states as well.

Savannah Fire Department requests to utilize Jackson Fire Department's basic firefighter 76 hour program and Jackson Fire Department's Introduction to Fire program which is 16 hours. Motion to approve by Commissioner Naifeh and seconded by Commissioner Specht.

RESOLVED:

The motion carried unanimously.

Motion to approve by Commissioner Biggs and seconded by Commissioner Slay the Northeast Regional Fire Training Association transitioning from IFSTA curriculum to Jones and Bartlett curriculum, following the same model as TFACA. Roll Call Vote:

Commissioner Biggs-yes

Commissioner Finucane-abstain
Commissioner Kerley-yes
Commissioner McCormack-abstain
Commissioner Naifeh-yes
Commissioner Specht-yes
Commissioner Slay-yes
Commissioner Sorge-abstain
Commissioner Vance- yes

RESOLVED:

The motion carried unanimously.

Motion to approve Bartlett Fire Department's 12 week recruit program; by Commissioner Slay and seconded by Commissioner Sorge.

RESOLVED:

The motion carried unanimously.

Motion to approve Franklin Fire Department's 460 hour recruit program; by Commissioner McCormack and seconded by Commissioner Sorge.

RESOLVED:

The motion carried unanimously.

Request to review progression and certification testing. Motion to table this until the next meeting and do research and determine which levels have progressions requirements; by Commissioner Kerley and seconded by Commissioner Biggs.

RESOLVED:

The motion carried unanimously.

Motion to approve the proposed roster template presented by Nashville Fire Department as submitted; by Commissioner Biggs and seconded by Commissioner Slay. Roll Call vote:

Commissioner Biggs-yes
Commissioner Finucane-yes
Commissioner Kerley-yes
Commissioner McCormack-yes
Commissioner Naifeh-yes
Commissioner Specht-yes
Commissioner Slay-yes
Commissioner Sorge-yes
Commissioner Vance- abstain

RESOLVED:

The motion carried.

Motion to approve the release of Firefighter II from abeyance for Chief Ryan Christian; by Commissioner Specht and seconded by Commissioner Naifeh.

RESOLVED:

The motion carried unanimously.

Motion to hold the next meeting and work session at Tennessee Fire and Codes Academy at 1:00 P.M. on November 17, 2015 and 9:00 A.M. on November 18, 2015; by Commissioner Biggs and seconded by Commissioner Slay.

RESOLVED:

The motion carried unanimously.

Motion to Adjourn by Commissioner Sorge and seconded by Commissioner McCormack.

RESOLVED:

The motion carried unanimously.

With no further business to come before the Commission, the meeting was adjourned.

Mark Finucane, Chairman

Michael Slay, Secretary