

# STATE FIRE TRAINING

## QUALITY IMPROVEMENT PROGRAM



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**STATE FIRE TRAINING**

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## **STATE FIRE TRAINING**

### **Quality Improvement**

Education quality improvement processes are organized activities dedicated to improving and assuring educational quality. The California State Fire Marshal's office is committed to improve professional practice, attracting and retaining competent instructors, and building professional knowledge to improve student success.

### **Mission Statement**

The mission of the Office of State Fire Marshal (OSFM) is to protect life and property through the development and application of fire protection engineering, enforcement, and education.

### **Vision**

To develop and implement a premier, all-risk, statewide emergency training, and higher education system from the entry-level through journey, supervisory, management, and executive levels that includes and credits self-development and experience and is in collaboration with all fire service organizations and stakeholders.

### **Strategic Plan**

The California State Fire Training and Education Strategic Plan 2008 developed Blueprint 2020, which stated the following:

"Guarantee the highest levels of service and quality by implementing an oversight program that ensures the qualifications, currency, and accountability of all instructors and curricula. This effort shall also include improved course material, course delivery, instructor registration, and incorporate an innovative research and development plan that keeps pace with technology through the next generation of all-risk emergency services. The primary purpose behind quality improvement is to provide a satisfactory training and educational experience for participating students. Instructors are the ambassadors and representatives of the SFT program; as such, they need to possess the knowledge, skills, and abilities to deliver the training in a contemporary, challenging, and credible manner. SFT will achieve quality instruction by enforcing the instructor code of ethics and instructor qualification requirements. By having SFT staff in the field, instructors will realize they have support from the training system they represent. Institutions, agencies, and organizations that sponsor SFT programs should ardently enforce the policies of the program with respect to using appropriate curricula, choosing quality instructors and sponsoring their ongoing development, evaluating and testing students, providing modern training facilities, equipment, and supplies that support learning. Here again, SFT needs to have the staffing in order to audit and oversee these activities. Students who attend training should encounter a program that challenges them to grow and learn, a program that motivates them to approach the learning experience with enthusiasm and return for more of the same. Students should expect an elevated ethical standard that favors those who are

willing to work for their grades and certifications. This will reestablish value and pride in their personal accomplishments”.

**Goals of the Quality Improvement Program**

1. To continually measure the effectiveness of the California Fire Service Training and Education System and the Fire Service Training and Education Program.
  - A. To evaluate active instructors on a planned basis and provide those instructors with feedback
  - B. To monitor approved courses for compliance with all SFT procedures
  - C. To insure that institutions, agencies, individuals and organizations that sponsor SFT programs enforce the policies of the program with respect to using appropriate curricula, choosing quality instructors, and sponsoring the ongoing development, evaluation, and testing of students.
2. Facilitate communications among all stakeholders
  - A. Provide a Student Evaluation Form for students at the completion of each course
  - B. Provide a Instructor Evaluation Report for each instructor on a planned basis
  - C. Establish a Instructor Quality Improvement file to document both positive and negative instructor feedback
  - D. Provide information for an instructor resource center to solicit best practices, improved teaching methodologies, and concepts to improve the system. This information will be provided to instructors, course development cadres, training organizations, and State Fire Training.
3. Provide system evaluation
  - A. Train State Fire Training staff members, and/or a specialized committee to conduct instructor field audits.
  - B. Implement a standardized Quality Improvement investigative format that conforms to the Firefighters Procedural Bill of Rights Act (Chapter 9.6 (commencing with Section 3250) to Division 4 of Title 1 of the Government Code, relating to firefighters.)
  - C. Implement a standardized disciplinary process according to California Code of Regulations, Title 19.
  - D. Implement an appeals process according to Administrative Hearing Procedures Government Code 12500.

## **QUALITY IMPROVEMENT - THE PROCESS**

### **Pre-course**

#### **Action-**

An individual, organization, fire agency, community college, Accredited Regional Training Program or Accredited Local Academy determines they wish to deliver a State Fire Training course

#### ***Quality Improvement Opportunity-***

Instructor registry current and adequate qualified instructors are available.

#### **Action-**

Student registers for the class

#### ***Quality Improvement Opportunity-***

Class description and pre-requisites clearly defines the course work.

#### **Action-**

The instructor completes request for CFSTES or FSTEP course scheduling

#### ***Quality Improvement Opportunity-***

The course is approved and materials made available to the instructor

#### **Action-**

Instructor receives course materials.

#### ***Quality Improvement Opportunity-***

Was the shipping complete and timely?

### **Course Delivery**

#### **Action-**

Students attend and complete the course

#### ***Quality Improvement Opportunity-***

Did the course and instructor fulfill their needs? This will be determined by the course evaluation reviewed by State Fire Training.

#### **Action-**

Instructor completes Instructor Post Course Evaluation

***Quality Improvement Opportunity-***

Form is evaluated and compared to course evaluations. This is reviewed by State Fire Training and placed into the instructors QI file.

**Action-**

Feedback is gathered from students and instructor on course curriculum and relevance.

***Quality Improvement Opportunity-***

Information is reviewed and saved by State Fire Training for future curriculum development committees.

**Post Course**

**Action-**

Course examinations are reviewed and any test question that is missed by 20% of the class will be forwarded to the instructor for review.

***Quality Improvement Opportunity-***

Instructor can review questions to determine if the teaching point may need to be reinforced during the course of instruction

**Action-**

Written student/fire agency complaint

***Quality Improvement Opportunity-***

State Fire Training will evaluate the written complaint and choose to do one of the following:

- Refer the complaint to the Accredited Regional Training Program or Accredited Local Academy for investigation.
- Initiate a formal investigation from the written complaint.
- Flag and schedule the instructor for a field audit.

**Action-**

Conduct a field audit

***Quality Improvement Opportunity-***

There are four types of field audits available:

1. Complaint based audit where a representative of State Fire Training will attend a class session to evaluate the instructor utilizing the Instructor Evaluation Field Audit form.

2. Student Feedback-Based where a representative of State Fire Training will attend a class session to evaluate the instructor utilizing the Instructor Evaluation Field Audit form.
3. Random/Planned Field Audit where a representative of State Fire Training will attend a class session to evaluate the instructor utilizing the Instructor Field Audit form. Instructors should be evaluated at least once for every five course deliveries or on a time frame established by State Fire Training.
4. High Level of Satisfaction-Based Audit where a representative of State Fire Training will attend and document the outstanding performance, so that the teaching techniques can be shared with others.

**Action-**

Initiating a formal investigation

***Quality Improvement Opportunity-***

A Cal Fire Investigator and a representative of State Fire Training will conduct a formal investigation that will evaluate the complaint and interview the instructor to determine any wrong doing. The investigation process, consequences, and appeal process will strictly be followed. The formal investigation will follow the Firefighters Procedural Bill of Rights Act (Chapter 9.6 (commencing with Section 3250) to Division 4 of Title 1 of the Government Code, relating to firefighters.)

## **STATE FIRE TRAINING QUALITY IMPROVEMENT STEPS**

### **Paperwork Flow**

#### **Instructor/Course Assessment**

Student Feedback- Every student given the opportunity to complete the Student Evaluation Form at the completion of the course.

Student Evaluation Forms should be reviewed by the instructor prior to returning to SFM. In cases where the course is taught by the Accredited Regional Training Program the program manager should review prior to returning to the State Fire Training. In cases where the course is taught at an Accredited Local Academy, the administrative officer should review prior to returning to State Fire Training.

State Fire Training staff should review each Student Evaluation Form after the completion of each course and summarize the findings

Summaries of the Student Evaluation Forms should be filed in each instructor's quality improvement file.

#### **Instructor Post Course Evaluation**

Instructor needs to complete the "Instructor Post Course Evaluation"

The Accredited Regional Training Program manager should review the document prior to returning to State Fire Training. Accredited Local Academy administrative officers should review the document prior to returning to State Fire Training.

State Fire Training staff should review the "Instructor Post Course Evaluation" after the completion of each course and file it in the instructor's quality improvement file.

#### **Instructor Evaluation Report**

This document should be completed once every five years or on an as needed basis if the instructor has been actively instructing within that period of time. To complete this form, a staff member from State Fire Training should review the Quality Improvement file for each active instructor and complete the Instructor Evaluation Report. A meeting should be scheduled and held with the instructor to explain the process and gather feedback. Signatures are required, and each party should receive a signed copy. This form will be part of the instructors Quality Improvement file.

## **STUDENT COURSE EVALUATION**

### **Student Course Evaluation**

The Student Course Evaluation should be given to each student at the completion of the course, the evaluation is voluntary but the instructor should encourage the feedback to assist in the Quality Improvement process. When the course has been taught in an Accredited Regional Training Program or Accredited Local Academy the Accredited Regional Training Program manager should review the documents prior to it being returned to State Fire Training. Accredited Local Academy administrative officers should review the documents prior to it being returned to State Fire Training.

State Fire Training staff should review the Student Course Evaluations after the completion of each course and file a summary of the student course evaluations in the instructors quality improvement file.

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## Student Course Evaluation

THE GOAL OF STATE FIRE TRAINING IS TO PROVIDE AN EFFECTIVE PROGRAM THAT MEETS YOUR NEEDS AND EXPECTATIONS. YOUR INPUT IS CRITICAL FOR THE DEVELOPMENT OF FUTURE COURSES AND INSTRUCTOR DEVELOPMENT. THIS IS A STRICTLY VOLUNTARY EVALUATION, BUT WE HOPE YOU WILL COMPLETE IT TO ASSIST IN THE QUALITY IMPROVEMENT OF SFM COURSES. THANK YOU FOR YOUR PARTICIPATION.

Date: \_\_\_\_\_ Instructor(s): \_\_\_\_\_  
 Course: \_\_\_\_\_ Course Location: \_\_\_\_\_

CIRCLE A NUMBER FOR EACH STATEMENT:

	VERY POOR	POOR	GOOD	VERY GOOD	EXCELLENT
<b>Logistics</b>					
Course facilities	1	2	3	4	5
Environment	1	2	3	4	5
Course materials	1	2	3	4	5
<b>Instruction</b>					
Instructor(s) presentation	1	2	3	4	5
Instructor(s) communication	1	2	3	4	5
Instructor(s) knowledge	1	2	3	4	5
Instructor(s) skill with student participation	1	2	3	4	5
<b>Course Satisfaction</b>					
Course format	1	2	3	4	5
Course content	1	2	3	4	5
Pace of the class	1	2	3	4	5
Overall course satisfaction	1	2	3	4	5

**Online Course Supplemental Questions (for online course delivery only)**

Was the instructor available within 24 hours after posting a question or concern?	1	2	3	4	5
Was the course appropriate for an online delivery?	1	2	3	4	5
How would you rate online delivery?	1	2	3	4	5
Would you enroll in another online delivery?	1	2	3	4	5

**General Comments**

1. What did you like best about the course?  
\_\_\_\_\_  
\_\_\_\_\_
2. What did you like least about the course?  
\_\_\_\_\_  
\_\_\_\_\_
3. What was your objective(s) for attending this course?  
\_\_\_\_\_
4. Did you feel like your objective(s) were met in this course?  
\_\_\_\_\_
5. Did the instructor(s) seem approachable and keep you informed of your progress in the course?  
\_\_\_\_\_
6. What comments, if any, do you have about the course both positive and negative?  
\_\_\_\_\_  
\_\_\_\_\_

7. Would you like to be contacted for further input, if so please include your name and phone number?

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## Instructor Post Course Evaluation

INSTRUCTIONS: PLEASE REVIEW THIS FORM PRIOR TO THE START OF THE COURSE, UPON COMPLETION OF THE COURSE COMPLETE THE FOLLOWING QUESTIONS, BASED ON YOUR EXPERIENCE WITHIN THE CLASSROOM. BE AS COMPLETE AS POSSIBLE.

Instructor Name:	_____	Course Title:	_____
Delivery Site:	_____	Student Count:	_____
Delivery Date:	_____		

1. What knowledge and skills do you expect your students to possess upon completion of this course?  
\_\_\_\_\_  
\_\_\_\_\_
2. What means do you use to ensure your student learning expectations are met?  
\_\_\_\_\_  
\_\_\_\_\_
3. What degree is technology used within the formal instructional context?  
\_\_\_\_\_  
\_\_\_\_\_
4. What practices do you use to accommodate a variety of student learning styles?  
\_\_\_\_\_  
\_\_\_\_\_
5. By what means do you create and maintain a climate of respect for differing and

diverse opinions?  
\_\_\_\_\_  
\_\_\_\_\_

6. How do you communicate expectations regarding student preparation and student learning objectives?  
\_\_\_\_\_

7. How do you determine and document effective teaching and learning?  
\_\_\_\_\_

8. What measures of student performance do you collect and analyze regularly?  
\_\_\_\_\_

9. What is your evidence that students have acquired the knowledge and skills from the course?  
\_\_\_\_\_

10. What could be improved within the course to assist the student with the improvement of work skills?  
\_\_\_\_\_  
\_\_\_\_\_

**Improvement**

11. What suggestions do you have for the improvement of the current course curriculum?  
\_\_\_\_\_

12. What suggestions do you have to assist you in the delivery of the current course?  
\_\_\_\_\_

13. Would you be willing to serve on a State Fire Training Cadre or serve on a Quality Improvement Audit?  
\_\_\_\_\_  
\_\_\_\_\_

## **FIELD AUDITS**

### **How To Conduct An Instructor Field Audit**

- Arrive at the location before the start of the course.
- For both Accredited Regional Training Programs and for Accredited Local Academy's check in with the onsite coordinator.
- Proceed to the classroom and introduce yourself to the instructor, and explain the purpose of your visit and that you will stay for the entire class.
- Notify the instructor that you will speak to students during breaks, and that you would like to review the evaluation with the instructor at the conclusion of the class.
- Notify the instructor that you would like to meet with him/her at the completion of the course, if that is not possible establish a mutually agreed upon time to review your findings.
- Select a location in the classroom that will allow you to observe both the instructor and the students.
- Your role is to observe, not participate in the class. Observe quietly and take notes specific to each category as outlined in the Instructor Evaluation Field Audit.
- The observation phase of your visit should focus on the collection of information and data relating to the particular instructors performance.
- Ideally, the observer should record all instances of student-instructor interaction as well as the techniques and mannerisms utilized by the instructor.
- There are some disadvantages that the observer needs to be aware of when evaluating an instructor, they are:

#### **Halo Effect**

- Past record- good past work tends to carry over into the present
- Compatibility- those we like we rank higher
- Recency- a good job yesterday is valued higher than a good job last week
- Blind spot- I don't see defects that are similar to my own

#### **Horn Effect**

- Perfectionism- our expectations may be too high; consequently we are disappointed in the instructors performance
- Contrary- an individual who disagrees too often
- Oddball- the maverick or nonconformist
- Guilt by association
- Dramatic incident- a recent goof can wipe out an entire course delivery

### **Hawthorne Effect**

- It has been noted that when people are being observed they tend to behave better than usual.

### **Post-Observation Conference**

The observer should review the Instructor Field Audit, point by point with the instructor. The points should reflect judgments based on concrete observations. The post observation conference should consider the following three points:

1. The focus is on results attained versus results desired
2. Improvement with teaching techniques are derived from inferences made during observation
3. Improved student/instructor strategies are considered based on observation

The post-observation conference will result in focusing on commendable features, suggestions for improvement, and providing the instructor the opportunity to write down his/her comments on the field audit form.

Once the post-observation conference is completed, a copy of the audit should be given to the instructor, one kept for the observer and one forwarded immediately to State Fire Training to be included in the Instructors Quality Improvement File.

## **INSTRUCTOR FIELD AUDIT**

An evaluation of each instructor is to be done on a regular basis, both announced and unannounced. Evaluations may be for cause or on a scheduled basis. It is an opportunity for State Fire Training to become acquainted with the instructor's instructional style and abilities. It may result in suggestions for improvement, as well as commendations for specific strengths. It is also an opportunity for the instructor to provide feedback on the evaluation and to develop dialog between State Fire Training and the instructor.

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## Instructor Field Audit Form

Course Title: _____ Class Location: _____ Class Dates: _____	Primary Instructor: _____ Assistant Instructor: _____ Guest Lecturer: _____
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**INSTRUCTIONS: PROVIDE OBSERVATIONS OF THE INSTRUCTOR'S PERFORMANCE BELOW. IF YOU NEED MORE SPACE, USE ADDITIONAL PAPER AND REFERENCE THE QUESTION NUMBER.**

### Class Schedule And Calendar Of Events

- |  |           |          |  |
|--|-----------|----------|--|
| 1. Did the class begin on time? What time? _____                             | Yes _____ | No _____ |  |
| 2. Were the lunch breaks appropriate? How long was the lunch break? _____    | Yes _____ | No _____ |  |
| 3. Were the breaks appropriate? How long and frequent were the breaks? _____ | Yes _____ | No _____ |  |
| 4. Did the class end on time? What time? _____                               | Yes _____ | No _____ |  |
| 5. Did the instructor following the currently approved course curriculum?    | Yes _____ | No _____ |  |
| 6. Was the class presentation organized?                                     | Yes _____ | No _____ |  |

**Comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Subject-matter Expertise

- |  |           |          |           |
|--|-----------|----------|-----------|
| 7. Were the important ideas clearly explained?               | Yes _____ | No _____ | N/A _____ |
| 8. Did the instructor demonstrate mastery of course content? | Yes _____ | No _____ | N/A _____ |
| 9. ■ Include relevant texts and other new material           | Yes _____ | No _____ | N/A _____ |

10. ■ Include information from related professional journals Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

**Comments:** \_\_\_\_\_

**Teaching Methods and Style**

11. Did the instructor encourage critical thinking? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
12. Did the instructor effectively use teaching modes (i.e., board, overhead, computer, slides)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
13. Was the instructor enthusiastic about teaching? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
14. Did the instructor encourage relevant student involvement/ feedback in the class? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
15. Did the instructor react appropriately to student viewpoints differing from his or her own? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
16. Did students appear responsive to instruction? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
17. Were the learning objective(s) clear and measurable? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
18. Were the main points stressed or summarized? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
19. Did the instructor maintain control of the class? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
20. Was the instructor approachable and available for the students? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
21. Was the class time well used? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
22. Did the instructor answer all questions completely? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
23. Did the instructor use course text effectively? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_
24. Did the instructor tolerate differences of opinion? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

25. Did the instructor review proper Scantron procedures? Yes  No   N/A
26. Did the instructor teach to the test? Yes  No   N/A

**Comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Administration**

27. Were daily attendance records being kept? Yes  No   N/A
28. Was there a calendar of events identifying the topics taught by the Assistant Instructor and/or Guest Lecturer? Yes  No   N/A
29. Were additional handout materials appropriate? Yes  No   N/A
30. Was a standardized grading criteria used for homework, activities, and periodic tests? Yes  No   N/A
31. Was student confidentiality being upheld? Yes  No   N/A

**Comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Printed Student Materials**

32. Were required student materials being used? Yes  No   N/A
33. Was it the correct edition? Yes  No   N/A
34. Was it complete? Yes  No   N/A
35. Were they SFT materials from the SFT Bookstore? Yes  No   N/A
36. Were other materials accurate and relevant? Yes  No   N/A

37. Was it readable (well printed)? Yes  No  N/A
38. Was copyright in question for any of the student handouts? Yes  No  N/A

**Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Audiovisual Materials**

39. Were they related to the course? Yes  No  N/A
40. Were they of good quality? Yes  No  N/A
41. Were there appropriate number (too few, too many)? Yes  No  N/A
42. Were they easy to see? Yes  No  N/A

**Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Classroom/Training Site**

43. Was the environment comfortable? Yes  No  N/A
44. Did the instructor maintain the correct student/instructor ratio? Yes  No  N/A
45. Did the classroom provide a minimum number of distractions? Yes  No  N/A
46. Was the classroom safe? Yes  No  N/A

**Comments:** \_\_\_\_\_  
 \_\_\_\_\_

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Activities/Homework

- 47. Did each day contain enough activities? Yes  No  N/A
- 48. Were the activities useful? Yes  No  N/A
- 49. Was there enough time for the in-class workload? Yes  No  N/A
- 50. Was there enough time for the homework? Yes  No  N/A
- 51. Did the activities and homework cover the right amount of material? Yes  No  N/A
- 52. Did the activities and homework contribute to the students knowledge and skills? Yes  No  N/A
- 53. Did the activities and homework relate to the students needs? Yes  No  N/A
- 54. How would you rate the Skills Evaluator(s)? Excellent  Good  Needs Improvement

Comments:

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---

---

---

Your Name:

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INSTRUCTOR EVALUATION REPORT

Instructions

This document should be completed once every five years/or on an as needed basis if the instructor has been actively instructing within that period of time.

To complete this form, a staff member from State Fire Training should review the Quality Improvement file for each active instructor. The Quality Improvement file should contain Student Course Evaluations, Instructor Evaluation Reports, Instructor Field Audits, and any other relevant supporting documents.

The State Fire Training staff member should fill in the documentation/explanation and professional growth plan (taken from the Instructor Evaluation Report) portions of the form.

A meeting should be scheduled and held with the instructor to explain the process and gather feedback (recommended action portion of the form). These meeting should focus on quality improvement for both the instructor and the State Fire Training System.

Signatures are required, and each party should receive a signed copy. This form will be part of the instructors quality improvement file.

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**Instructor Evaluation Report Form**

<b>SUPPORTING DOCUMENTS</b>	Number of Pages	(Count each side of each page that contains printing or writing)
Student Course Evaluations		
Instructor Field Audit		
Instructor Post Course Evaluation		
Other Supporting Documents		
<input type="checkbox"/> <b>IMPROVEMENT REQUIRED</b> <input type="checkbox"/> <b>SATISFACTORY</b> <input type="checkbox"/> <b>OUTSTANDING</b>		
Documentation/Explanation:		
Professional Growth Plan-taken from Instructor Post Course Evaluations:		
Recommended Action:		
Reevaluation Schedule		

<b>EVALUEE'S STATEMENT OF EXCEPTION</b>		
<input type="checkbox"/> None <input type="checkbox"/> Attached <input type="checkbox"/> To be submitted within 10 working days		
<b>EVALUEE</b>	<b>SFT Assessor</b>	<b>SFT Chief</b>
Signature	Signature	Signature
Printed Name	Printed Name	Printed Name

## **HOW TO CONDUCT A QUALITY IMPROVEMENT INVESTIGATION HEARING**

To conduct a Quality Improvement Investigation Hearing the investigator should develop a plan of action. The interviewer should review pertinent data and develop questions that will elicit the information required to complete the hearing. Here are some steps on how to manage the interview.

### **Step One - Opening**

Introductions-purpose for interview

- Find some commonality or a shared interest (how long have you been in fire service)
- Notify the instructor that the interview will be tape recorded, and that the instructor may request a copy of the tape recording.

Body language

- Lean forward and use open body language

Proxemics

- Generally no closer than four feet
- In a private room, perhaps a college or fire department conference room

### **Step Two - Narrative Statement**

- Listen and look
- Allow instructor to tell "story" from start to finish
- No (very little) interruption
- No note taking

### **Step Three - First Echo**

- Paraphrase subject's narrative statement
- This may be the first time that the instructor hears own story
- Allows accurate assessment
- Instructor will often fill in the "holes"

### **Step Four - Who, What, When, Where, Why and How Questions**

- List of prepared questions
- Note taking permissible
- Obtain details and descriptions

### **Step Five - Second Echo**

Story will be reduced to a written statement

- Read the statement and make corrections as necessary

**Step Six - Close**

Always ask the following questions:

- Who else do you think I should talk with?...why?
- Is there anything else I should know?

**Tools Needed for a Quality Improvement Investigative Hearing**

- Tape recorder/backup tape recorder
- Extra tapes if the recorder is not digital, sufficient for at least 4 hours
- Batteries/extra batteries
- Extension cord for electric powered tape recorders
- Note pads
- Pencils and pens
- Bottled water
- Name plates
- Copy of the Firefighters Procedural Bill of Rights Act
- Copy of Quality Improvement plan which includes instructions for conducting a Quality Improvement Investigative Hearing

## **CALIFORNIA FIRE TRAINING**

### **Quality Improvement Investigative Hearing**

FROM:

TO:

SUBJECT: Administrative Investigation Report into Allegation of \_\_\_\_\_  
\_\_\_\_\_

#### **Purpose**

This is a non-criminal administrative investigative report related to an allegation of \_\_\_\_\_. The objectives of the investigation are to:

- Obtain information regarding the incident
- Identify relevant facts
- Not to accuse of wrongdoing in questioning
- Not to confirm any opinions prior to interviewing
- Conduct the investigation in an unbiased manner

#### **Steps Used**

- Interviewing suspect, sources, and witnesses
- Maintaining privacy and confidentiality
- Focusing on facts
- Utilizing documentation, student evaluations, instructor evaluation
- Comply with the Firefighters Procedural Bill of Rights Act

#### **Parties Involved/Role**

List in chronological order parties involved, such as the interviewers, interviewees, dates, location and their respective role.

#### **Scope**

State the allegation here. Be specific and include all known facts regarding the allegation.

A comprehensive allegation statement will minimize creating an addendum report.

**Finding of Facts**

List the facts using numeric format and ensuring continuity. Although it should read like a narrative report, each fact should be listed so that future reference to a specific fact is easily identifiable.

**Additional Facts**

Information listed here in numeric format is relevant information obtained from interviews, but may not fit in chronological order in the "main body of facts". An example would be a suspect's opinion/ perspective or an interpretation from a witness. This section is different from the "finding of facts" primarily because the information here may be open to interpretation.

The following statement is used to ensure that there is no conflict of interest on behalf of the person directed to conduct the administrative investigation:

The investigative team's sole function is to gather facts, and will not determine any conclusions based on the investigative hearing. The State Fire Marshal or his/her delegate(s) will determine conclusions and any appropriate disciplinary or other administrative action with respect to this administrative investigative report.

**Instructor Disciplinary Action**

The Chief of State Fire Training may invoke disciplinary action for breaches of procedures or an ethical violation. The exact procedures are outlined in Title 19, under sections 1990.07. and 1990.08. Always check the most current statutory regulations.

**Remedial Action**

- Corrective comment: This is the least serious action and will usually be corrected through personal contact, either on the telephone or in person.
- Written comment: This form of comment will serve as documentation for both the instructor and for the instructor's file of a policy breach or infraction.
- Multiple written comments, policy breaches, flagrant misbehavior as an instructor may lead to a notice of suspension or revocation.
- The registered instructor will receive written notice of the intended action from the Chief of State Fire Training and this will trigger a quality improvement investigative hearing.
- Investigative hearing will be scheduled within 60 days of the written notice. The notification will include specific details of the policy breaches or other infractions, and the penalty proposed.
- The registered instructor will be given a specified period of time to respond to the notice of suspension in writing and be given the proposed date of the quality improvement investigative hearing.

- The registered instructor has the right to appeal the decision of the Chief of Fire Training and must follow the appeals process.

**Instructor Appeals Process**

This process is outlined in Title 19, Chapter 13. California Fire Service Training and Education Program

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## QUALITY IMPROVEMENT REFERENCES

Reference Material- California State Fire Training Procedures Manual  
May 2008

<u>Subject Title</u>	<u>Page Number</u>
Delivering a CFSTES Course	27
Delivering a FSTEP Course	31
Accredited Regional Training Programs	34
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Program Accountability	53
Primary Instructor Registration	61
Primary Instructor Responsibility	85

## **ACKNOWLEDGMENTS**

Administrative Investigation Report Format

Chief Ron Martin

Contra Costa Consolidated Fire Protection District

Assessing the Quality of Student Learning: An Imperative for State Policy and Practice

Richard H. Hersh, Roger Benjamin

RAND/Council for Aid to Education

Blueprint 2020

California State Fire Training and Education Strategic Plan 2008

Evaluating Occupational Education and Training Programs

Tim L. Wentling

University of Illinois

Reading Between the Lines

The Investigator's Guide to Successful Interviews and Interrogations

Sergeant Carl Stincelli

Sacramento County Sheriff's Department

Teachers Evaluating Teachers

Peer Review and the New Unionism

Myron Lieberman

Professor Dan Coffman

Chief Ronny Coleman

Mary Jennings

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Chief Bruce Martin

Fremont Fire Department  
Chief Robert Moreno  
Santa Maria Fire Department

David Senior  
Allan Hancock College

Chief Michael Richwine and the Staff of State Fire Training; Christy Owen, Kirsten Fonseca, Alicia Hamilton, Kim Hines, Iris Lozoya, Sandy Margullis, Linda Menchaca, Monica Miller, Susan Pineau, Ramiro Rodriguez, Laine Schendel, Rodney Slaughter, Ken Vollenweider.

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## APPENDIX A

### Assembly Bill No. 220 - CHAPTER 591

An act to add Chapter 9.6 (commencing with Section 3250) to Division 4 of Title 1 of the Government Code, relating to firefighters.

[Approved by Governor October 13, 2007. Filed with Secretary of State October 13, 2007.]

#### Legislative Counsel's Digest

AB 220, Bass. Firefighters.

The Public Safety Officers Procedural Bill of Rights Act prescribes various rights of public safety officers, as defined, with regard to representation, discrimination, discipline, and interrogation, as specified. This bill would enact the Firefighters Procedural Bill of Rights Act to prescribe various rights of firefighters, defined as any firefighter employed by a public agency, including a firefighter who is a paramedic or emergency medical technician, with specified exceptions. The bill would prescribe rights related to, among others, political activity, interrogation, punitive action, and administrative appeals, with specified requirements imposed upon the employing agency and the imposition of a civil penalty for a violation thereof. The bill would also specify that reimbursement of funds by the state shall be limited to the actual costs associated with the act, as specified.

By adding to the duties of local agencies to comply with that act, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) Firefighters are often called upon to render aid in hostile emergency situations rife with conflict and confrontation.

(b) In providing lifesaving services to the public, firefighters are subject to numerous job safety procedures and protocols, which sometimes are compromised or altered, in a highly charged atmosphere of critical incident stressors.

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(c) Firefighters who trust their instincts in these volatile emergency situations are deserving of due process rights and protections should those circumstances arise.

(d) Mutual aid and automatic aid agreements entered into between fire agencies throughout the state require firefighters to respond to emergencies across political boundaries, therefore, the rights and protections provided to firefighters under this act constitute a matter of statewide concern.

(e) The effective protection of property and the safety of the public depends upon the maintenance of reasonable and consistent procedural protections applicable to all employers with respect to the disciplinary process.

(f) It is necessary that this act be applicable to all firefighters, as defined in subdivision (a) of Section 3251 of the Government Code, wherever situated within the State of California, in order to ensure that stable employment relations are continued throughout the state, and to further ensure that effective services are provided to all people of the state.

SEC. 2. Chapter 9.6 (commencing with Section 3250) is added to Division 4 of Title 1 of the Government Code, to read:

**Chapter 9.6. Firefighters**

3250. This chapter shall be known, and may be cited, as the Firefighters Procedural Bill of Rights Act.

3251. For purposes of this chapter, the following definitions apply:

(a) "Firefighter" means any firefighter employed by a public agency, including, but not limited to, any firefighter who is a paramedic or emergency medical technician, irrespective of rank. However, "firefighter" does not include an inmate of a state or local correctional agency who performs firefighting or related duties or persons who are subject to Chapter 9.7 (commencing with Section 3300). This chapter does not apply to any employee who has not successfully completed the probationary period established by his or her employer as a condition of employment.

(b) "Public agency" has the meaning given that term by Section 53101.

(c) "Punitive action" means any action that may lead to dismissal, demotion, suspension, reduction in salary, written reprimand, or transfer for purposes of punishment.

3252. (a) Except as otherwise provided in Chapter 9.5 (commencing with Section 3201), or whenever on duty or in uniform, no firefighter shall be prohibited from engaging, or be coerced or required to engage, in political activity.

(b) A firefighter shall not be prohibited from seeking election to, or serving as a member of, the governing board of a school district, or any local agency where the firefighter is not employed, including, but not limited to, any city, county, city and county, or special district, or political subdivision thereof.

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3253. When any firefighter is under investigation and subjected to interrogation by his or her commanding officer, or any other member designated by the employing

department or licensing or certifying agency, that could lead to punitive action, the interrogation shall be conducted under the following conditions:

- (a) The interrogation shall be conducted at a reasonable hour, at a time when the firefighter is on duty, unless an imminent threat to the safety of the public requires otherwise. If the interrogation does occur during off-duty time of the firefighter being interrogated, the firefighter shall be compensated for any off-duty time in accordance with regular department procedures. The firefighter's compensation shall not be reduced as a result of any work missed while being interrogated.
- (b) The firefighter under investigation shall be informed, prior to the interrogation, of the rank, name, and command of the officer or other person in charge of the interrogation, the interrogating officer, and all other persons to be present during the interrogation. All questions directed to the firefighter under interrogation shall be asked by and through no more than two interrogators at one time.
- (c) The firefighter under investigation shall be informed of the nature of the investigation prior to any interrogation.
- (d) The interrogating session shall be for a reasonable period taking into consideration the gravity and complexity of the issue being investigated. The person under interrogation shall be allowed reasonable breaks to attend to his or her own personal physical necessities.
- (e) (1) The firefighter under interrogation shall not be subjected to offensive language or threatened with punitive action. A promise of reward shall not be made as an inducement to answering any question. The employer shall provide to, and obtain from, an employee a formal grant of immunity from criminal prosecution, in writing, before the employee may be compelled to respond to incriminating questions in an interrogation. Subject to that grant of immunity, a firefighter refusing to respond to questions or submit to interrogations shall be informed that the failure to answer questions directly related to the investigation or interrogation may result in punitive action.
- (2) The employer shall not cause the firefighter under interrogation to be subjected to visits by the press or news media without his or her express written consent free of duress, and the firefighter's photograph, home address, telephone number, or other contact information shall not be given to the press or news media without his or her express written consent.
- (f) A statement made during interrogation by a firefighter under duress, coercion, or threat of punitive action shall not be admissible in any subsequent judicial proceeding, subject to the following qualifications:
  - (1) This subdivision shall not limit the use of statements otherwise made by a firefighter when the employing fire department is seeking civil service sanctions against any firefighter, including disciplinary action brought under Section 19572.

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(2) This subdivision shall not prevent the admissibility of statements otherwise made by the firefighter under interrogation in any civil action, including administrative actions, brought by that firefighter, or that firefighter's exclusive representative, arising out of a disciplinary action.

(g) The complete interrogation of a firefighter may be recorded. If a recording is made of the interrogation, the firefighter shall have access to the recording if any further proceedings are contemplated or prior to any further interrogation at a subsequent time. The firefighter shall be entitled to a transcribed copy of any notes made by a stenographer or to any reports or complaints made by investigators or other persons, except those portions that are otherwise required by law to be kept confidential. Notes or reports that are deemed to be confidential shall not be entered in the firefighter's personnel file. The firefighter being interrogated shall have the right to bring his or her own recording device and record any and all aspects of the interrogation.

(h) If, prior to or during the interrogation of a firefighter, it is contemplated that he or she may be charged with a criminal offense, he or she shall be immediately informed of his or her constitutional rights.

(i) Upon the filing of a formal written statement of charges, or whenever an interrogation focuses on matters that may result in punitive action against any firefighter, that firefighter, at his or her request, shall have the right to be represented by a representative of his or her choice who may be present at all times during the interrogation. The representative shall not be a person subject to the same investigation. The representative shall not be required to disclose, or be subject to any punitive action for refusing to disclose, any information received from the firefighter under investigation for noncriminal matters.

This section shall not be construed to apply to counseling, instruction, or informal verbal admonishment by, or other routine or unplanned contact with, a supervisor or any other firefighter.

(j) A firefighter shall not be loaned or temporarily reassigned to a location or duty assignment if a firefighter in his or her department would not normally be sent to that location or would not normally be given that duty assignment under similar circumstances.

3254. (a) A firefighter shall not be subjected to punitive action, or denied promotion, or be threatened with that treatment, because of the lawful exercise of the rights granted under this chapter, or the exercise of any rights under any existing administrative grievance procedure.

(b) Punitive action or denial of promotion on grounds other than merit shall not be undertaken by any employing department or licensing or certifying agency against any firefighter who has successfully completed the probationary period without providing the firefighter with an opportunity for administrative appeal.

(c) A fire chief shall not be removed by a public agency or appointing authority without providing that person with written notice, the reason or reasons for removal, and an opportunity for administrative appeal.

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For purposes of this subdivision, the removal of a fire chief by a public agency or appointing authority, for the purpose of implementing the goals or policies, or both, of the public agency or appointing authority, or for reasons including, but not limited to, incompatibility of management styles or as a result of a change in administration, shall be sufficient to constitute "reason or reasons." Nothing in this subdivision shall be construed to create a property interest, if one does not otherwise exist by rule or law, in the job of fire chief.

(d) Punitive action or denial of promotion on grounds other than merit shall not be undertaken for any act, omission, or other allegation of misconduct if the investigation of the allegation is not completed within one year of discovery by the employing fire department or licensing or certifying agency. This one-year limitation period shall apply only if the discovery of the act, omission, or other misconduct occurred on or after January 1, 2008. If the employing department or licensing or certifying agency determines that discipline may be taken, it shall complete its investigation and notify the firefighter of its proposed disciplinary action within that year, except in any of the following circumstances:

- (1) If the firefighter voluntarily waives the one-year time period in writing, the time period shall be tolled for the period of time specified in the written waiver.
- (2) If the act, omission, or other allegation of misconduct is also the subject of a criminal investigation or criminal prosecution, the time during which the criminal investigation or criminal prosecution is pending shall toll the one-year time period.
- (3) If the investigation is a multijurisdictional investigation that requires a reasonable extension for coordination of the involved agencies.
- (4) If the investigation involves an employee who is incapacitated or otherwise unavailable.
- (5) If the investigation involves a matter in civil litigation where the firefighter is named as a party defendant, the one-year time period shall be tolled while that civil action is pending.
- (6) If the investigation involves a matter in criminal litigation in which the complainant is a criminal defendant, the one-year time period shall be tolled during the period of that defendant's criminal investigation and prosecution.
- (7) If the investigation involves an allegation of workers' compensation fraud on the part of the firefighter.

(e) If a predisciplinary response or grievance procedure is required or utilized, the time for that response or procedure shall not be governed or limited by this chapter.

(f) If, after investigation and any predisciplinary response or procedure, the employing department or licensing or certifying agency decides to impose discipline, that agency shall notify the firefighter in writing of its decision to impose discipline within 30 days of its decision, but not less than 48 hours prior to imposing the discipline.

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(g) Notwithstanding the one-year time period specified in subdivision (d), an investigation may be reopened against a firefighter if both of the following circumstances exist:

(1) Significant new evidence has been discovered that is likely to affect the outcome of the investigation.

(2) One of the following conditions exists:

(A) The evidence could not reasonably have been discovered in the normal course of investigation without resorting to extraordinary measures by the agency.

(B) The evidence resulted from the firefighter's predisciplinary response or procedure.

3254.5. An administrative appeal instituted by a firefighter under this chapter shall be conducted in conformance with rules and procedures adopted by the employing department or licensing or certifying agency that are in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2.

3255. A firefighter shall not have any comment adverse to his or her interest entered in his or her personnel file, or any other file used for any personnel purposes by his or her employer, without the firefighter having first read and signed the instrument containing the adverse comment indicating he or she is aware of the comment. However, the entry may be made if after reading the instrument the firefighter refuses to sign it. That fact shall be noted on that document, and signed or initialed by the firefighter.

3256. A firefighter shall have 30 days within which to file a written response to any adverse comment entered in his or her personnel file. The written response shall be attached to, and shall accompany, the adverse comment.

3256.5. (a) Every employer shall, at reasonable times and at reasonable intervals, upon the request of a firefighter, during usual business hours, with no loss of compensation to the firefighter, permit that firefighter to inspect personnel files that are used or have been used to determine that firefighter's qualifications for employment, promotion, additional compensation, or termination or other disciplinary action.

(b) Each employer shall keep each firefighter's personnel file or a true and correct copy thereof, and shall make the file or copy thereof available within a reasonable period of time after a request therefore by the firefighter.

(c) If, after examination of the firefighter's personnel file, the firefighter believes that any portion of the material is mistakenly or unlawfully placed in the file, the firefighter may request, in writing, that the mistaken or unlawful portion be corrected or deleted. Any request made pursuant to this subdivision shall include a statement by the firefighter describing the corrections or deletions from the personnel file requested and the reasons supporting those corrections or deletions. A statement submitted pursuant to this subdivision shall become part of the personnel file of the firefighter.

(d) Within 30 calendar days of receipt of a request made pursuant to subdivision (c), the employer shall either grant the firefighter's request or notify the officer of the decision to refuse to grant the request. If the

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employer refuses to grant the request, in whole or in part, the employer shall state in writing the reasons for refusing the request, and that written statement shall become part of the personnel file of the firefighter.

3257. (a) A firefighter shall not be compelled to submit to a lie detector test against his or her will.

(1) Disciplinary action or other recrimination shall not be taken against a firefighter refusing to submit to a lie detector test.

(2) No comment shall be entered anywhere in the investigator's notes or anywhere else that the firefighter refused to take, or did not take, a lie detector test.

(3) Testimony or evidence to the effect that the firefighter refused to take, or was subjected to, a lie detector test shall not be admissible at a subsequent hearing, trial, or proceeding, judicial or administrative.

(b) For the purpose of this section, "lie detector" means a polygraph, deceptograph, voice stress analyzer, psychological stress evaluator, or any other similar device, whether mechanical or electrical, that is used, or the results of which are used, for the purpose of rendering a diagnostic opinion regarding the honesty or dishonesty of an individual.

3258. A firefighter shall not be required or requested for purposes of job assignment or other personnel action to disclose any item of his or her property, income, assets, source of income, debts, or personal or domestic expenditures, including those of any member of his or her family or household, unless that information is otherwise required to be furnished under state law or obtained pursuant to court order.

3259. A firefighter shall not have his or her locker or other space for storage that may be assigned to him or her searched except in his or her presence, or with his or her consent, or unless a valid search warrant has been obtained or unless he or she has been notified that a search will be conducted. This section shall apply only to lockers

or other space for storage that are owned or leased by the employing department or licensing or certifying agency.

3260. (a) It shall be unlawful for any employing department or licensing or certifying agency to deny or refuse to any firefighter the rights and protections guaranteed by this chapter.

(b) The superior court shall have initial jurisdiction over any proceeding brought by any firefighter against any employing department or licensing or certifying agency for alleged violations of this chapter.

(c) (1) If the superior court finds that the employing department or licensing or certifying agency has violated any of the provisions of this chapter, the court shall render appropriate injunctive or other extraordinary relief to remedy the violation and to prevent future violations of a like or similar nature, including, but not limited to, the granting of a temporary restraining order or preliminary or permanent injunction prohibiting the employing department or licensing or certifying agency from taking any punitive action against the firefighter.

(2) If the court finds that a bad faith or frivolous action or a filing for an improper purpose has been brought pursuant to this chapter, the court may

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order sanctions against the party filing the action, the party's attorney, or both, pursuant to Sections 128.6 and 128.7 of the Code of Civil Procedure. Those sanctions may include, but not be limited to, reasonable expenses, including attorney's fees, incurred by a fire department as the court deems appropriate. Nothing in this paragraph is intended to subject actions or filings under this section to rules or standards that are different from those applicable to other civil actions or filings subject to Section 128.6 or 128.7 of the Code of Civil Procedure.

(d) In addition to the extraordinary relief afforded by this chapter, upon a finding by a superior court that a fire department, its employees, agents, or assigns, with respect to acts taken within the scope of employment, maliciously violated any provision of this chapter with the intent to injure the firefighter, the fire department shall, for each and every violation, be liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000) to be awarded to the firefighter whose right or protection was denied and for reasonable attorney's fees as may be determined by the court. If the court so finds, and there is sufficient evidence to establish actual damages suffered by the firefighter whose right or protection was denied, the fire department shall also be liable for the amount of the actual damages. Notwithstanding these provisions, a fire department may not be required to indemnify a contractor for the contractor's liability pursuant to this subdivision if there is, within the contract between the fire department and the contractor, a "hold harmless" or similar provision that protects the fire department from liability for the actions of the contractor. An individual shall not be liable for any act for which a fire department is liable under this section.

3261. Nothing in this chapter shall in any way be construed to limit the ability of any employing department, licensing or certifying agency, or any firefighter to fulfill mutual aid agreements with other jurisdictions or agencies, and this chapter shall not be construed in any way to limit any jurisdictional or interagency cooperation under any circumstances where that activity is deemed necessary or desirable by the jurisdictions or agencies involved.

3262. The rights and protections described in this chapter shall only apply to a firefighter during events and circumstances involving the performance of his or her official duties.

SEC. 3. Any subvention of funds to reimburse a local agency or a school district for the costs mandated by the state pursuant to Chapter 9.6 (commencing with Section 3250) of Division 4 of Title 1 of the Government Code shall be limited to the actual costs directly associated with the new program or higher level of service required by this chapter. A local agency or school district may not be reimbursed for the costs of existing, similar protections and procedures required for investigations and interrogations of firefighters pursuant to regulation, rule, or ordinance of the local agency or school district, or pursuant to a memorandum of understanding between the local agency or school district and a recognized employee organization.

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SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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## APPENDIX B

### California Code of Regulations Title 19

### Chapter 13 California Fire Service Training and Education Program

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS  
TITLE 19. PUBLIC SAFETY  
DIVISION 1. STATE FIRE MARSHAL  
CHAPTER 13. CALIFORNIA FIRE SERVICE TRAINING AND EDUCATION PROGRAM  
ARTICLE 1. ADMINISTRATION

This database is current through 10/3/08, Register 2008, No. 40

§ 1980.00. Title.

These regulations shall be known as the "Training Regulations of the State Fire Marshal" and shall constitute the basic State Fire Marshal training standards of the California Fire Service Training and Education Program which includes the California Fire Service Training and Education System (CFSTES) and the California Fire Service Training and Education Program (FSTEP). They may be cited as such and will be referred to herein as "these regulations".

Note: Authority cited: Sections 13155-13159.4 and 13159.7-13159.10, Health and Safety Code.

#### HISTORY

1. New chapter 13 (articles 1-2, sections 1980.00-1990.13), article 1 (sections 1980.00-1980.7) and section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.00, 19 CA ADC § 1980.00  
1CAC

19 CA ADC § 1980.00

§ 1980.01. Purpose.

These regulations establish minimum standards for a statewide training and certification system for the California fire service.

Note: Authority cited: Sections 13156(a)-(b) and 13156(e), Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.01, 19 CA ADC § 1980.01  
1CAC

19 CA ADC § 1980.01

§ 1980.02. Scope.

(a) These regulations shall govern the California Fire Service Training and Education Program established in the Office of State Fire Marshal.

(b) These regulations shall govern the development and maintenance of the California Fire Service Training and Education Program including;

(1) Curriculum development and delivery (in accordance with Sections 13157(b) and 13159.8(b) of the Health and Safety Code),

(2) Instructor requirements (in accordance with Sections 13159(b), 13159.8(a) of the Health and Safety Code),

(3) Accreditation of regional and local academies and training facilities (in accordance with Sections 13159(d), 13159.8(b) and (f) of the Health and Safety Code),

(4) Establish safety policies and administrative procedures for the management of the training system (in accordance with Sections 13156(a), (b), (e), (f), 13157(a)(c) and 13158 of the Health and Safety Code).

(c) These regulations shall govern the fees established by the California Fire Service Training and Education Program in accordance with Sections 13157(d) and (e) and 13159.8(e) of the Health and Safety Code.

Note: Authority cited: Sections 13155-13159.4 and 13159.7-13159.10, Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.02, 19 CA ADC § 1980.02  
1CAC

19 CA ADC § 1980.02

§ 1980.03. Participation in the California Fire Service Training and Education Program.

The recommended minimum standards established in these regulations shall not apply to any agency of the state or any agency of any political subdivision within the state unless that agency elects to be subject to these standards.

Note: Authority cited: Section 13159.8(h), Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.03, 19 CA ADC § 1980.03  
1CAC

19 CA ADC § 1980.03

§ 1980.04. Program Management.

The State Fire Marshal, with policy guidance and advice from the Statewide Training and Education Advisory Committee (STEAC) and/or the State Board of Fire Services (SBFS), is responsible for the management and coordination of the California Fire Service Training and Education Program.

In carrying out these responsibilities of the California Fire Service Training and Education Program the State Fire Marshal shall maintain control over the quality and consistency of CFSTES and FSTEP instructors, facilities, and curriculum.

Note: Authority cited: Section 13142(a), 13142(c), 13157, 13158, 13159, 13159.1, 13159.4, 13159.7, 13159.8 and 13159.9, Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.04, 19 CA ADC § 1980.04  
1CAC

19 CA ADC § 1980.04

§ 1980.05. Enforcement of Regulations.

The provisions of these regulations shall be enforced upon any agency of the state or any agency of any political subdivision within the state that elects to be subject to the enforcement of these standards by the State Fire Marshal, the Division Chief of State Fire Training, State Fire Training staff and/or representatives within the fire service community authorized by the State Fire Marshal.

Note: Authority cited: Section 13157(a), Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.05, 19 CA ADC § 1980.05

1CAC

19 CA ADC § 1980.05

§ 1980.06. Petition for Alternative Application to Methods and Procedures.

The State Fire Marshal designates the Division Chief of State Fire Training as the Administrative Manager of the California Fire Service Training and Education Program in accordance with Section 13158, 13159, 13159.1, 13159.4, 13159.8 of the Health and Safety Code.

(a) The Division Chief of State Fire Training shall review and approve, or deny, written petitions for alternative applications to the methods and procedures incorporated by reference to this regulation in Section 1980.00.

(b) The cause and/or reasoning behind a denied petition for an alternative application to methods and procedures will be provided to the petitioner in writing.

Note: Authority cited: Section 13157(a) and 13158, Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.06, 19 CA ADC § 1980.06  
1CAC

19 CA ADC § 1980.06

§ 1980.07. Appeals to Alternative Application to Methods and Procedures.

When a written petition for an alternative application to the methods and procedures has been denied by the Division Chief of State Fire Training, the applicant may file an appeal to the Statewide Training and Education Advisory Committee (STEAC) and/or the State Board of Fire Services (SBFS).

(a) The cause and/or reasoning behind a denied petition for an alternative application to methods and procedures will be provided to the petitioner in writing.

(b) If the petition is again denied, the applicant can appeal in writing directly to the State Fire Marshal for reconsideration. The decision of the State Fire Marshal shall be final and binding.

Note: Authority cited: Section 13157, 13159 and 13159.8, Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1980.07, 19 CA ADC § 1980.07  
1CAC

19 CA ADC § 1980.07

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BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS  
TITLE 19. PUBLIC SAFETY  
DIVISION 1. STATE FIRE MARSHAL  
CHAPTER 13. CALIFORNIA FIRE SERVICE TRAINING AND EDUCATION PROGRAM  
ARTICLE 2. GENERAL PROVISIONS

This database is current through 10/3/08, Register 2008, No. 40

§ 1990.00. Incorporated References.

Administrative procedures for the California Fire Service Training and Education Program shall consist of the following documents incorporated by reference: "State Fire Training Procedures Manual (May 2008)", "Course Information and Required Materials Manual (May 2008)" and the "Curriculum Development Guidelines (January 2008)". Registered instructors and State Fire Marshal staff shall ensure that all applicable instructions in the incorporated referenced documents are followed to become a registered instructor and to instruct State Fire Marshal FSTEP and CFSTES courses.

(a) The following forms, in the format developed by the Office of the State Fire Marshal, which are incorporated by reference, can be found in the adopted "State Fire Training Procedures Manual, Appendix A (May 2008)."

- (1) Application for Certification Fee Schedule (May 2008)
- (2) Request for CFSTES Course Scheduling (May 2008)
- (3) Request for EMT Course Scheduling (May 2008)
- (4) Request for EMT Re cert via CE Course Scheduling (May 2008)
- (5) Request for FSTEP Course Scheduling (May 2008)
- (6) Request for LARR Operational Course Scheduling (May 2008)
- (7) Request for Rescue Systems 1 Course Scheduling (May 2008)

(8) Bookstore Order Form (May 2008)

(9) Instructor Application (May 2008)

Note: Authority cited: Section 13157, Health and Safety Code.

#### HISTORY

1. New article 2 (sections 1990.00-1990.13) and section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.00, 19 CA ADC § 1990.00  
1CAC

19 CA ADC § 1990.00

§ 1990.01. Course Development.

Development of courses to be accredited by the State Fire Marshal for both CFSTES and FSTEP shall follow all procedures in the "Course Development Guidelines (January 2008)" incorporated by reference in Section 1990.00.

Note: Authority cited: Section 13159(d) and 13159.8(b), Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.01, 19 CA ADC § 1990.01  
1CAC

19 CA ADC § 1990.01

§ 1990.02. Accredited and Approved Course Curriculum and Course Certificate.

Registered instructors shall not delete any material from an accredited or approved curriculum, as referenced in the "Course Information and Required Materials Manual (May 2008)," unless approved in writing by the Division Chief of State Fire Training per Section 1980.06, CCR.

(a) This section shall not prohibit registered instructors from adding additional material which exceeds the minimum requirements established for the course curriculum, with the condition that additions do not conflict with the established State standards and recognized procedures pursuant to this regulation.

(b) An accredited course is a class that meets the State Fire Marshal (SFM) minimum course construction and includes some form of examination or evaluation to determine student competency.

(1) A student successfully completing an accredited course will receive a certificate that can lead to position certification in a specialized career track within the California Fire Service Training and Education System (CFSTES).

(c) An approved course is a class approved by the State Fire Marshal and shall meet minimum course construction and follow procedures in the "Course Development Guidelines (January 2008)" incorporated by reference in Section 1990.00.

(1) Approved courses shall include some form of evaluation of student competency.

(2) A student successfully completing an approved course will receive a course completion certificate. All approved courses are classified as the Fire Service Training and Education Program (FSTEP) which does not lead to certification.

Note: Authority cited: Section 13157(b), 13159.1(a) and 13159.8(b), Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.02, 19 CA ADC § 1990.02  
1CAC

19 CA ADC § 1990.02

§ 1990.03. Accredited Course Certifying Examinations.

(a) Certified written exams for accredited courses listed in the Course Information and Required Materials Manual shall only be developed and revised under the supervision of State Fire Training.

(b) Certified written exams shall only be administered, corrected, and scored by a primary instructor or representative of the Accredited Local Academy or Accredited Regional Training Program.

(c) No registered instructor or staff working with a registered instructor is permitted to reveal to any student the answers to any certified exam, including any previous editions to the exam.

(d) Registered instructors shall use the most current revision of the certified written exam available from the State Fire Marshal.

(e) Any student who fails to pass a certification exam after two attempts shall be required to retake the entire course in which they seek certification.

(f) Any student found cheating during the administration of a certified exam shall not be permitted to complete the exam and will receive a zero (0) score for the exam and shall be required to retake the entire class.

(g) Students are not permitted to retain or copy any certified exam (including previous editions). Primary instructors must ensure that all certified exams distributed during the administration of the exam are returned and accounted for.

(h) Breaches of test security by a registered instructor, institution or agency proctoring the exam shall result in a restitution fee to recover cost to have the exam rewritten.

Note: Authority cited: Section 13159.8(c), 13159.8(d) and 13159.8(e), Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.03, 19 CA ADC § 1990.03  
1CAC

19 CA ADC § 1990.03

§ 1990.04. Registered Instructors.

All instructors under the California Fire Service Training and Education Program, with the exception of Firefighter I and Firefighter II instructors, shall be registered with the State Fire Training Division following the procedures for each course specialty as outlined in the "State Fire Training Procedures Manual" per section 1990.00, CCR.

(a) Registered Instructor shall meet specific coursework, instructor requirements, teaching experience, rank. A registered instructor can be approved to teach either or both California Fire Service Training and Education System (CFSTES) and Fire Service Training and Education Program (FSTEP) courses.

(1) Senior Instructor shall meet minimum qualifications for accredited and/or approved Rescue related courses per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(2) Primary Instructor has the lead responsibility for the delivery of a SFM CFSTES or FSTEP course per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(3) Adjunct Instructor shall meet minimum instructor criteria and work under the supervision of a primary instructor for the delivery of SFM accredited and approved courses per "State Fire Training Procedures Manual," Section 2500.00 CCR.

(4) Skills Evaluator shall meet minimum instructor criteria to evaluate student skill demonstrations or exams per "State Fire Training Procedures Manual," Section 1990.00 CCR.

Note: Authority cited: Section 13159(d), Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.04, 19 CA ADC § 1990.04  
1CAC

19 CA ADC § 1990.04

§ 1990.05. Accredited Facilities.

The State Fire Marshal, with a recommendation from the State Board of Fire Services (SBFS) and/or the Statewide Training and Education Advisory Committee (STEAC) may designate community colleges as an Accredited Regional Training Program and local fire departments as an Accredited Local Academy per the accreditation procedures specified in the "State Fire Training Procedures Manual" Section 1990.00, CCR.

(a) An "Accredited Regional Training Program (ARTP)" is a community college in partnership with local fire departments, which has been accredited by the SFM to deliver SFM accredited and approved courses as described in the "State Fire Training Procedures Manual" per Section 1990.00 CCR.

(b) An "Accredited Local Academy (ALA)" is a single fire agency actively providing state, municipal, county, or fire district fire protection services (serving a specific authority having jurisdiction), which has been approved by the SFM to deliver SFM accredited and approved courses as described in the "State Fire Training Procedures Manual" per Section 1990.00 CCR.

(c) An "Accredited Rescue Training Site (ARTS)" is a training facility that meets the site, training prop, tools and equipment requirements for Rescue Systems 1, Rescue Systems 2 and/or Confined Space Rescue requirements as described in the State Fire Training Procedures Manual per Section 1990.00 CCR.

(d) These facilities shall be cited as "accredited facilities" in these regulations

Note: Authority cited: Section 13142.4, 13157(a), 13159(b), 13159(d) and 13159(f), Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.05, 19 CA ADC § 1990.05  
1CAC

19 CA ADC § 1990.05

§ 1990.06. Safety Policy.

All registered instructors who are conducting or participating in any State Fire Marshal accredited or approved course shall include, where appropriate, a safety plan as part of the instructional process. The plan should address, but is not limited to the following elements: safe operating procedures, location of exits, emergency notification phone numbers for staff and students, location of first aid equipment, and the locations of appropriate medical facilities. This safety plan shall be communicated to the students.

Note: Authority cited: Section 13156(f) and 13159(d), Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.06, 19 CA ADC § 1990.06  
1CAC

19 CA ADC § 1990.06

§ 1990.07. Accountability.

It is the responsibility of registered instructors and accredited facilities to maintain the procedural standards and ethical conduct by which they were granted registration or accreditation. The OSFM will reevaluate the registration status of an instructor, or accreditation status of a facility, in the event that compliance with these standards comes into question.

(a) Negative Comments by students, instructors, fire technology directors or fire officers, regarding instructors or academies will be reviewed and investigated by the OSFM when the negative comment is in writing and directed to the Division Chief of State Fire Training, Assistant State Fire Marshal or State Fire Marshal.

Note: Authority cited: Section 13157(a), 13159(b), 13159(d) and 13159.8(a), Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.07, 19 CA ADC § 1990.07  
1CAC

19 CA ADC § 1990.07

§ 1990.08. Suspension or Revocation.

Corrective action shall be taken to ensure compliance with the procedures and ethical conduct of the OSFM and to call to the instructor's or accredited facility's attention any problems that have been reported.

(a) A negative comment shall be investigated and corrected, if necessary, by the Division Chief of State Fire Training.

(b) Written negative comments will serve as documentation in the instructor's or accredited facility's file as an infraction or breach in procedures or ethical conduct in accordance with Section 1990.00 CCR. Written negative comments shall form the basis for the OSFM to conduct an investigation on the validity and seriousness of the comment.

(c) An investigation that uncovers breaches of procedures or an ethical violation may lead to a notice of suspension or revocation of instructor registration or facility accreditation.

(d) Suspension of instructor registration or facility accreditation shall be based on documented evidence of breaches in procedures or ethical conduct. The instructor or accredited facility's shall receive a written notice of the proposed suspension that will include the specific details of the infractions and 60 days, to respond in writing, before the suspension takes effect. The written notice shall contain information on the appeal process to the suspension.

(1) State Fire Training or one of its authorized representatives has the authority to suspend a class or instructor if a violation or threat to public safety has occurred. Such an action shall be documented by the State Fire Training representative and the instructor will be required to cease all instructional activities immediately.

(e) Revocation of instructor registration or facility accreditation shall be based on documented evidence of breaches in procedures or ethical conduct in accordance with Section 1990.00 CCR. This action may be heard administratively. The instructor or accredited facility will receive written notification that shall include specific details of breaches in procedures or ethical conduct and the penalty proposed from the Division Chief of State Fire Training.

(1) The written notice of revocation to an instructor or accredited facility shall include the specific details of the infractions, and revocation shall be effective immediately, upon receipt of the notice. The written notice shall contain information on how to appeal the revocation.

Note: Authority cited: Section 13157, Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.08, 19 CA ADC § 1990.08  
1CAC

19 CA ADC § 1990.08

§ 1990.09. Appeals.

(a) The first level of appeal shall occur with the registered instructor or accredited facility submitting, in writing, to the Assistant State Fire Marshal all evidence to support reversing the suspension or revocation action within 60 days of receiving their notice of suspension or revocation. The registered instructor or accredited facility may request in writing an administrative hearing, conducted by the Assistant State Fire Marshal, to fully examine the issues.

(1) After review of all submitted materials and/or testimony provided during an

administrative hearing, the Assistant State Fire Marshal shall, by written letter, notify the instructor, accredited facility and State Fire Training of the decision to uphold, modify, or withdraw the action along with the next level of the appeal process within 45 days.

(b) The second level of the appeal process shall occur with the instructor or accredited facility submitting, in writing, to the Statewide Training and Education Advisory Committee (STEAC) all evidence to support reversing the suspension or revocation action within 60 days of receiving the Assistant State Fire Marshal's decision. The Assistant State Fire Marshal shall agendaize this request at the next regularly scheduled STEAC meeting.

(1) After review of all submitted materials and/or testimony provided during an administrative hearing, STEAC shall, by written letter, notify the instructor, accredited facility and State Fire Training of the decision to uphold, modify, or withdraw the action along with the next level of the appeal process within 45 days of their decision.

(c) The third level of the appeal process shall occur with the instructor or accredited facility submitting, in writing, to the State Fire Marshal all evidence to support reversing the suspension or revocation action within 60 days of being notified by STEAC of their decision.

(1) The State Fire Marshal shall, by written letter, notify the instructor, accredited facility and State Fire Training of the decision to uphold, modify or withdraw the action within 60 days of the date of the appeal.

Note: Authority cited: Section 11425.10, Government Code; and Section 13157(a), Health and Safety Code.

#### HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.09, 19 CA ADC § 1990.09  
1CAC

19 CA ADC § 1990.09

§ 1990.10. Reinstatement.

Reinstatement as a registered instructor or accredited facility shall be achieved by meeting all terms of disciplinary action and by reapplying and meeting the current requirements as a registered instructor or accredited facility.

Note: Authority cited: Section 11425.10, Government Code; and 13157(a), Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.10, 19 CA ADC § 1990.10  
1CAC

19 CA ADC § 1990.10

§ 1990.11. Instructor Orientation and Classroom Ethics.

All registered instructors shall complete State Fire Trainings "Regional Instructors Orientation" and "Ethical Leadership in the Classroom" training programs before a CFSTES or FSTEP course request will be approved by State Fire Training.

Note: Authority cited: Section 13159(d) and 13159.8(a), Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.11, 19 CA ADC § 1990.11  
1CAC

19 CA ADC § 1990.11

§ 1990.12. State Fire Training Fees.

The following fees have been approved and adopted by the California State Fire Marshal as recommended by the Statewide Training and Education Advisory Committee:

(a) Course Registration Fees

Regional Instructor Orientation \$150.00  
    CFSTES \$80.00  
    FSTEP \$20.00  
    EMT \$25.00

(b) Certification Fees

Chief Officer \$ 90.00  
EMT-I Initial Certification \$ 25.00  
EMT-I Recertification \$ 25.00  
Fire Apparatus Driver/Operator I \$ 65.00  
    Fire Chief  
        • Application \$ 50.00  
        • Application Submittal \$200.00  
        • Application PACE IV Review \$250.00  
    Fire Fighter I \$ 40.00  
    Fire Fighter II \$ 40.00  
    Fire Instructor I \$ 65.00  
    Fire Instructor II \$ 65.00  
    Fire Instructor III \$ 65.00  
    Fire Investigator I \$ 65.00  
    Fire Investigator II \$ 65.00  
    Fire Marshal \$ 65.00  
    Fire Mechanic I \$ 65.00  
    Fire Mechanic II \$ 65.00  
Fire Mechanic III (Master Mechanic) \$ 65.00  
    Fire Mechanic Recertification \$ 60.00  
    Fire Officer \$ 65.00  
    Fire Prevention Officer \$ 65.00  
    Fire Protection Specialist \$ 65.00  
Hazardous Materials Technician \$ 65.00  
Hazardous Materials Specialist \$ 65.00

Plans Examiner \$ 65.00  
Public Education Officer I \$ 65.00  
Volunteer Fire Fighter \$ 25.00  
Duplicate Certificate \$ 35.00

(c) Retake Exam Fees

CFSTES Course \$ 35.00  
EMT-I Course \$ 35.00

(d) Duplicate Course Certificate Fees

CFSTES \$ 35.00  
EMT-I \$ 25.00  
FSTEP \$ 20.00

(e) Course Equivalency Fee

Course Equivalency Certificate \$ 60.00

(f) PACE III Review Fee

PACE III REVIEW \$ 60.00

(g) ARTP and ALA Accreditation

Application Processing \$500.00  
Site Team travel expense not to exceed \$2,000

(h) The State Fire Marshal shall make adjustments to the fee schedule by annually reviewing, and revising as necessary, the California Fire Service Training Program in

accordance with Section 13159.4, Health and Safety Code.

Note: Authority cited: Sections 13157(d), 13157(e), 13159.4, 13159.8(e) and 13159.10, Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.12, 19 CA ADC § 1990.12  
1CAC

19 CA ADC § 1990.12

§ 1990.13. California Fire and Arson Training Fund.

All revenue collected from State Fire Training fees, gifts or grants shall be paid into the California Fire and Arson Training Fund (CFAT) and these monies shall be available when appropriated by the Legislature for the Office of the State Fire Marshal to carry out the provisions of these regulations.

Note: Authority cited: Section 13159.8 and 13159.10(a), Health and Safety Code.

HISTORY

1. New section filed 8-7-2008; operative 9-6-2008 (Register 2008, No. 32).

19 CCR § 1990.13, 19 CA ADC § 1990.13  
1CAC

19 CA ADC § 1990.13