

**SECOND 15-DAY TEXT OF REGULATIONS  
FOR  
ADOPTION OF AMENDMENTS  
OF THE  
OFFICE OF THE STATE FIRE MARSHAL  
REGARDING**

**California Code of Regulations  
Title 19 Public Safety Code  
Division 1**

**Chapter 13 California Fire Service Training and Education Program  
Article 1-2  
Sections 1980.00-1990.12**

**Legend for Text of Regulations:**

1. **Existing California amendment:** California 45-Day language and First 15-Day language (September 25, 2015 to October 10, 2015) will appear in underlined and ~~strikeout~~.
2. **Amended, or repealed language:** Amended or repealed **Second 15-Day language will appear in *italics and double underline* for proposed additions and ~~*italics and double strikeout*~~ for proposed deletions.**
3. **Rationale:** The justification for the change is shown after each section or series of related changes.

**ARTICLE 1            ADMINISTRATION**

**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. Reference: Section 13156, 13157, 13159, 13159.1, 13159.4 Health and Safety Code.

## **1980.02 SCOPE**

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

(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), and 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. Reference: Section 13159.8(a)(b)(c)(d)(e)(f) Health and Safety Code.

## **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), (c), 13157, 13158, 13159, 13159.1, 13159.4, 13159.7, 13159.8 and 13159.9, Health and Safety Code. Reference: Sections 13142(a), (c), 13157, 13158, 13159, 13159.1, 13159.4, 13159.7, 13159.8 and 13159.9 Health and Safety Code.

## **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. Reference: Section 13157(a) Health and Safety Code.

#### **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 19890.00. (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. Reference: Sections 12157(a) and 13158 Health and Safety Code.

#### **Rational for revision:**

This editorial numbering change more directly clarifies the responsibilities of the Division Chief of State Fire Training. The reference statutes were inadvertently omitted in a previous rulemaking and are added to the Note.

## **Article 2 GENERAL PROVISIONS**

### **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~~ January 2015)”, and the “Course Information and Required Materials Manual (~~May 2008~~2015)” 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 accredited and approved 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, Section 11: Forms and Checklists Appendix A (May 2008 January 2015).”

- (1) Application for Certification Fee Schedule (May 2008 January 2015)
- (2) Request for CFSTES Course s Request for Course Scheduling (May 2008 January 2015)
- (3) Request for EMT Course Scheduling (May 2008) CFSTES Instructor Returns Checklist (January 2015)
- (4) Request for EMT Re-cert via CE Course Scheduling (May 2008)
- (~~54~~) Request for FSTEP - Request for Course Scheduling (May 2008 January 2015)
- (~~65~~) Request for LARR Operational Course Scheduling (May 2008) FSTEP Instructor Returns Checklist (January 2015)
- (~~76~~) Request for Rescue Systems 1 Course Scheduling (May 2008) Request for Student Records (January 2015)
- (~~87~~) Bookstore Order Form (May 2008) Instructor Code of Ethics/Conduct (January 2015)
- (~~98~~) Instructor Update Application (May 2008 January 2015)
- (9) Student Course Evaluation Form (January 2015)

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

#### **Rational for revision:**

Non-substantive editorial changes to titles are made to identify forms and to re-format the numbering. The student course evaluation form was inadvertently omitted and added to the list of forms under (a)(9) for clarification and consistency with what is already listed in the SFT Procedures Manual in Section 11, Forms and Checklists. The additions have no regulatory effect.

#### **1990.01 Course Development–Certification Training Standards**

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.

~~Levels of certification established by~~ The Office of the State Fire Marshal shall ~~be establish levels of certification~~ based on the development of Certification Training Standards (CTS) guides for fire service professional qualifications based on National Standards and developed for specific job functions within a professional certification track as listed on the SFM website. The CTS Guides are incorporated by reference as amended by the OSFM and list the requisite

knowledge, skills and job performance requirements a person is expected to complete for certification in a specific function. The following Certification Training Standards are incorporated by reference as a baseline for performance in each career classification:

1. Fire Fighter I (October 2013)
2. Fire Fighter II (January 2014)
3. Fire Inspector I (October 2010)
4. Fire Inspector II (October 2010)
5. Plan Examiner (May 2015)
6. Community Risk Educator (November 2014)
7. Community Risk Officer (November 2014)
8. Community Risk Specialist (November 2014)
9. Fire Apparatus Driver/Operator Aerial Apparatus (August 2015)
10. Fire Apparatus Driver/Operator Pumping Apparatus (August 2015)
11. Fire Apparatus Driver/Operator Tilled Apparatus (August 2015)
12. Fire Apparatus Driver/Operator Water Tender (August 2015)
13. Fire Apparatus Driver/Operator Wildland Fire Apparatus (August 2015)
14. Instructor I (May 2014)
15. Instructor II (May 2014)
16. Instructor III (November 2014)
17. Executive Chief Fire Officer (November 2014)
18. Company Officer (May 2014)

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

#### **Rational for revision:**

Fire fighter job performance requirements are identified in the Certification Training Standards. The Certification Training Standards forms the basis of all the classes in the SFT system. During the First 15-Day notice the SFM did not consider the necessity of adding the Certification Training Standards (CTS) in the regulation. During this Second 15-Day Express Terms/Initial Statement of Reasons the SFM is providing clarity to the text by listing each of the 18 CTS so that members of the fire service can better chart their career pathways.

**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~~2015~~),” 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 adopted by class that meets the State Fire Marshal (SFM) ~~minimum course construction~~ and includes some form of cognitive examination or evaluation to determine student competency in accordance with Section 1990.03.

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

(c) A Fire Service Training and Education Program (FSTEP) 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~~ FSTEP courses ~~shall~~ may include some form of cognitive or skills evaluation of student competency.

(2) A student successfully completing ~~a~~ (FSTEP) 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), 13159.8(b) Health and Safety Code. Reference: Sections 13157(b), 13159.1(a), 13159.8 Health and Safety Code.

### **Rational for revision:**

Editorial changes that were not clearly identified after the first 15 day notice which are corrected here to improve clarity for the regulated public.

### **1990.03 Summative Testing Accredited Course Certifying Examinations**

(a) When required by the Office of the State Fire Marshal, pursuant to section 1990.02(b), an instructor shall develop and administer an end of course summative test.

~~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) The instructor shall maintain a copy of their summative test for a minimum of four (4) years.~~

~~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) A copy of the summative test shall be provided to State Fire Training staff upon request. 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.~~

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

~~(e)(f) Any student found cheating during the administration of a ~~certified exam~~ summative test shall not be permitted to complete the test 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), (d) and (e) Health and Safety Code. Reference: Section 13159.8(c), (d) and (e) Health and Safety Code.

### **Rational for revision:**

Non-substantive edit to section provides clarity as to when an instructor must develop an end of course summative test so that student learning/performance can be determined.

## **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 Instructors shall meet specific coursework, instructor requirements, teaching experience, rank, and occupational experience. 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 Instructors shall meet minimum qualifications for accredited and/or approved Rescue related courses per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(2) Primary Instructors have the lead responsibility for the delivery of an OSFM CFSTES or FSTEP course per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(3) Adjunct Instructors shall meet minimum instructor criteria and work under the supervision of a primary instructor for the delivery of an OSFM accredited and approved courses per "State Fire Training Procedures Manual," Section 1990.00 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.

(b) Registered Instructors shall notify the State Fire Training Division *via email* of any status change in regard to name, address, telephone number and e-mail address. ~~Notification shall be made in a form and/or manner as prescribed by the Division Chief of State Fire Training.~~

(1) Failure to notify the State Fire Training Division as set forth in Section, 1990.04(b) shall result in the Registered Instructor being placed on the inactive list.

(2) Registered Instructors on the inactive list shall be reinstated to the active list if they comply with Section, 1990.04(b).

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

**Rational for revision:**

The established process allows instructors to communicate with State Fire Training through email. Email was selected as the most efficient form of communication with SFT staff to encourage instructors to provide updated contact information. Non-substantive edit provides clarity and has no regulatory impact.

**1990.05 Accredited Facilities**

The Office of 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 (ARTP) and local fire departments as an Accredited Local Academy (ALA) 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 OSFM to deliver OSFM 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 federal, tribal, state, municipal, county, or fire district fire protection services (serving a specific authority having jurisdiction), which has been approved by the OSFM to deliver OSFM 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), (d) and (f) Health and Safety Code. Reference: Section 13142.4, 13157(a), 13159 (b), (d) and (f) Health and Safety Code.

## **1990.06 Safety Policy**

All registered instructors who are conducting ~~or participating in any~~ State Fire Marshal accredited or approved course shall ~~have include, when~~ where appropriate, a safety plan as part of the instructional process. The plan shall ~~ould~~ 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 at the beginning of the class.

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

### **Rational for revision:**

A typographical error was corrected in the first sentence with no regulatory impact.

## **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 Division Chief of State Fire Training 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) Written Negative Comments by students, instructors, fire technology directors or fire officers, regarding instructors, accredited facilities 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), (d) and 13159.8(a), Health and Safety Code. Reference: Section 13157(a), 13159(b), (d) and 13159.8(a), Health and Safety Code.

### **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 written 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~~ shall 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. Reference: Section 13157(a) Health and Safety Code.

### **1990.11 Instructor Orientation and Classroom Ethics**

All ~~registered~~ instructors shall complete State Fire Trainings “Regional Instructors Orientation,” and “Ethical Leadership in the Classroom” and any OSFM required instructor update training programs before a CFSTES or FSTEP course request will be approved by State Fire Training.

(a) Training curriculum that is significantly updated by the OSFM may require an update class to bring current instructors up to date on changes to the training program. Current instructors will be notified of any classes that require their attendance in an update class. Failure to attend an update class may result in being removed as an approved instructor for that class.

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

#### **Rational for revision:**

This information was added to the regulations to provide clarity to the concept of an “update class.” Instructors need to update their profile so that when a curriculum is changed or renewed, SFT staff knows how to notify the instructor for the changes to the curriculum. The inclusion of this information has no regulatory impact on the regulated public as it has been a commonly known policy from the inception of the training division.

### **1990.12 State Fire Training Fees**

State Fire Training shall establish and collect fees necessary to support the California Fire Service Training and Education Program. The following fees have been approved and adopted by the California Office of the 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	\$250.00
▪ Application Submittal	\$200.00
▪ Application PACE IV Review	\$250.00
Fire Fighter I	\$ 40.00
Fire Fighter II	\$ 40.00
<u>Fire Inspector I</u>	<u>\$ 65.00</u>
<u>Fire Inspector II</u>	<u>\$ 65.00</u>
<del>Fire Instructor I</del>	<del>\$ 65.00</del>
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
<u>Training Instructor</u>	<u>\$ 65.00</u>
Volunteer Fire Fighter	\$ 25.00
Duplicate Certificate	\$ 35.00

~~(c) Retake Exam Fees~~

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

**(ec)** Duplicate Course Certificate Fees

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

**(ed)** Course Equivalency Fee

Course Equivalency Certificate	\$ 60.00
--------------------------------	----------

**(fe)** PACE III Review Fee

PACE III REVIEW	\$ 60.00
-----------------	----------

**(gf)** ARTP and ALA Accreditation

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

**(hg)** 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), (e), 13159.4, 13159.8(e) and 13159.10 Health and Safety Code. Reference: Section 13157(d), (e), 13159.4, 13159.8(e) and 13159.10 Health and Safety Code.

**Rational for revision:**

Section 1990.12(c) was eliminated from the regulations as instructors now administer their own retake test. The non-substantive removal of this fee and renumbering of the section has no regulatory effect.