

NH Fire Standards and Training Commission**MEETING MINUTES** *(Approved)***March 1, 2018**

9:00AM

Richard M. Flynn Fire Academy, Dormitory classrooms 5 & 6
98 Smokey Bear Boulevard
Concord, NH 03301

FST Commission members present:

Jeremy Thibeault (Chair), Richard Bailey, Jr., Stephen Carrier, Justin Cutting, J. William Degnan, J. Michael Joyal, Peter Lennon, Richard McGahey, Kevin Pratt, Steven Sherman, and Nancy Smith **(11)**

FST Commission members not present:

Robert Buxton, William Campbell, Amy Clark, and Kerry LeBlanc **(4)**

Division of Fire Standards and Training & EMS Staff:

Director Deborah Pendergast, Assistant Director Jeffrey Phillips, Deputy Chief Andy Anderson, Captain Scott Cathy, Captain Daniel Tice, Ted Starkweather, and June Connor **(6)**

Guests:

Chief Bill Hardekopf (Pease Fire Dept.) and Chief James Carrier (MHT Airport) **(2)**

NOTE: "Action items" are in bold red.**I. CALL TO ORDER**

Item 1. The meeting was called to order at 9:35AM when a quorum of 8 people was present. Chair Thibeault led the Pledge of Allegiance. 3 more voting members arrived late.

II. REPORTS (See attachments)

Assistant Director Phillips added to the Curriculum Review report, saying that the public hearing for the Fire Investigator program was held on Feb. 27th at 5PM; no one attended. The public comment period is now open, and the program should be ready for final approval by the FST Commission at the May meeting.

No reports were submitted from the Fire Marshal's Office and the EMS Coordinating Board. Chair Thibeault explained that there was no CB report because the January meeting got cancelled.

Reports were submitted from the Forest Protection Bureau, Director Pendergast, and Assistant Director Jeffrey Phillips (Curriculum Report).

III. APPROVAL OF MINUTES AND REPORTS

Item 1. March 1, 2018 reports

(Smith/Carrier) – *A motion was made to accept the reports submitted for the March 1, 2018 FST Commission meeting; passed unanimously.*

Item 2. February 1, 2018 minutes

Commissioner Pratt asked for an addition to be made to these minutes to include a question he asked about whether or not there was a 5-year contract between Nextgen Nuclear Power Plant/Seabrook Station and the Fire Academy and how training would be affected at the Fire Academy.

A motion was made (Pratt/not seconded) - *to make the requested changes to the February 1, 2018 minutes and bring them back to the May meeting for a vote. A vote was not taken.*

POST MEETING NOTE: The Seabrook topic, along with 2 other topics, was brought up when there was no quorum present. At this point, minutes were not being taken. These minutes were not changed and will be voted upon at the May meeting.

Item 3. February 1, 2018 non-public session minutes

A motion was made (Pratt/Cutting) – *to accept the minutes from the February 1, 2018 non-public session of the FST Commission; passed with abstentions from Commissioners Smith, Joyal, Lennon, and Sherman.*

IV. OLD BUSINESS

Item 1. Administrative Rules Sub-Committee

Commissioner Smith reported that the SC last met on December 14, 2017. A list of topics the FST Commission wanted to have addressed for Phase II of rule-making was circulated; everyone was asked to discuss these topics with their constituents and be ready to make any necessary changes at today's meeting. The plan was to present to stakeholders the finalized list of topics before starting to draft anything.

Topics on the list:

- Credentialing, including continuing education
- Suspension and revocation
- Instructor credentialing or revision of current requirements
- Instructor code of professionalism and/or revocation
- Cancer screening

Commissioner Cutting asked for this to be withdrawn because it is already included as a part of the NFPA 1582 physical.

- Changing the 70% cut score to use a Standard Error of Measurement
Chair Thibeault explained that the Standard Error of Measurement was assigned to the Curriculum Sub-Committee and could make its way back to this list of topics.
- Re-testing

Commissioner Smith emphasized that some of these topics may require legislative change before we can do rules; there may be 2 tracks within Phase II.

Chair Thibeault asked the commissioners to talk about the feedback they got from their constituents. Some people said they wanted all the topics addressed but not in any particular order. Commissioner McGahey added that he heard concern expressed about scaling test scores. (This topic was discussed further in the Curriculum SC item below.)

A motion was made (McGahey/Lennon) – *to approve the Phase II list for the Administrative Rules sub-committee, minus cancer screening and with the Standard Error of Measurement topic being addressed first by the Curriculum sub-committee*, passed unanimously.

Added Item. Curriculum Sub-Committee **(not on the original agenda)**

Commissioner Carrier reported that the SC met before today's regular meeting with Captain Scott Cathy, Deputy Chief Scott Doherty, and Assistant Director Jeffrey Phillips.

The Standard Error of Measurement topic was discussed in more depth, and the SC now has a better understanding of its advantages. This has a lot to do with test reliability; a student taking the same test over a period of time will score differently, based on external factors, etc.

The SC decided to do more homework and get more feedback by doing the following:

1. **Hold a public hearing.**
2. **In preparation for a public hearing, Captain Cathy will do a synopsis of SEM and its effect on the Fire Service and the Division.**
3. **Information about SEM will also be sent out over the Division list serve and to the chiefs and training officers; the commissioners will also receive the information so that they can reach out to their constituents.**
4. **Commissioner Cutting requested that the Dept. of Education be asked how and if this is being used throughout NH.**
5. **It is also important to solicit written feedback. The thinking is to provide leadership and also build consensus going in a particular direction. It is important to get as much feedback as possible before proposing a rule change.**

Commissioner McGahey expanded on his concern mentioned under IV. Old Business, Item 1. The opinion of his constituents is that a standard is being lowered. The fact that a curve fluctuates is interpreted as having standards fluctuate as well. He does not think that 70% is too much to ask for people to pass.

Procedural questions were asked regarding public hearings. If the decision is made to change the rule, then there would have to be another public hearing as part of the rule-making process.

A motion was made (McGahey/Pratt) – *to hold a public hearing on the topic of Standard Error of Measurement at the May 3rd FST Commission meeting and solicit written comments*, passed unanimously.

Item 2. Statewide training needs assessment

- This item can be removed from the May agenda.
- An RFP was sent out on 2 different occasions and the results were not satisfactory. At this point, the plan is to have part time Division staff put together a series of surveys and meetings to gather the needed information.

- Some Homeland Security funding is available and will be used by the Division staff for the purpose of doing a statewide training needs assessment.

Item 3. Retraining for additional testing

- Assistant Director Jeffrey Phillips reported that the FFI online Jones & Bartlett system is up. 3 people are currently enrolled, and 5 more have made inquiries. Once students have successfully passed the online modules, they will be eligible to test 2 more times. Captain Dan Tice will be coordinating this.
- Jones & Bartlett supplied the Division with 10 free codes. After this offer is over, students will have to pay \$150 to enroll, and they will have access to the system for one year.
- Commissioner Cutting asked if the Division was working toward the development of a policy regarding retraining for additional testing. Director Pendergast explained that this refresher and retesting process is in the "experimental" phase, preceding a final policy. At least 20 students should go through this process in order for decent data to be collected regarding its success or failure.
 - * **The Division will draft an internal policy that can be in place for now in case this new process takes a long period of time to complete. This will be presented to the FST Commission at the May meeting.**

Item 4. Modular Education

- Director Pendergast reported that Deputy Chief Andy Anderson did an investigation of the module taught in the southwestern part of the state that did not go through all of the JPRs. The students will not get any credit on their transcripts for incomplete modules. Students will be able to make up the missed parts.
- The Division is aware that modular training is being discussed by mutual aid groups and departments around the state, particularly those with small budgets. The Division is making it clear that the end goal for modular training is becoming eligible to test for certification.
- Modular training will be non-funded and will therefore not reduce the number of programs that the Division is able to fund.
- Modular courses will have to be assigned a course reference (CREF) number, be taught by a state instructor, and each will have a list of JPRs.
- Commissioner Pratt asked about how Firefighter programs compared to the national standard. Right now, Firefighter II is being compared, and Firefighter I will be done in the fall.
- Assistant Director Jeffrey Phillips added that the Division can take employment action on instructors who do not complete all of the required modules in funded programs. It will be up to the FST Commission, however, to make sure that state instructors who teach non-funded modules know that they cannot pick and choose what they teach. (The role of the FST Commission's Investigative Sub-Committee was mentioned briefly here and discussed further under VI. Good of the Order. The idea is that this sub-committee would work with the Division staff when these types of situations arise.)

- **A suggestion was made that instructors sign off on the course request form that they acknowledge that they must teach the whole program as spelled out in Jones & Bartlett.** Director Pendergast explained that instructors are already given support documentation as to which JPRs need to be met as well as copies of standard evolutions; having an acknowledgement included on the course request form would ensure compliance even more.

Other old business:

Commissioner Pratt asked if the Federation has approached the Division about “crefing” a class for leadership for the fire mobilization plan. Assistant Director Jeffrey Phillips answered that he had a conversation about this with Chief Wilking, from the Federation of Mutual Aid, and these classes will be “cref’d”. The Division is currently also working on an online program. The Fire Marshal’s Office is also working on this with the Capitol Area on behalf of the Federation.

V. NEW BUSINESS

Item 1. NFPA 1003 Airport Firefighter Visiting Committee **(See attachment of curriculum approval guide)**

Captain Dan Tice and Deputy Chief Andy Anderson were on hand to answer questions from the commissioners, and explained that they were looking for preliminary approval from the FST Commission.

Highlight of changes:

- This program is moving from the 5th edition to the 6th.
- Minor wording changes
- Removing the wheeled unit portable extinguisher requirement from the practical evolutions (also removed from the NFPA standard)
- Testing procedure changed to be in accordance with ProBoard standards (separate testing date provided as opposed to the test being given on the last day of class)
- The testing is scenario-based.

Commissioner Degan asked how the airport firefighting units feel about the wheeled unit portable extinguisher requirement being removed. Deputy Chief Andy Anderson explained that students taking this program will have already been taught about portable extinguishers in Firefighter I. Chief Hardekopf stated that his firefighters use on-board systems and that the wheeled units are used for ramp placement for general public use.

Process: With preliminary approve by the FST Commission, followed by the scheduling of 2 public hearings and a 60 day comment period that will be done before the next FST Commission meeting in May. This would allow enough time to make modifications before the first class scheduled in June.

A motion was made (Carrier/McGahey) – to approve that the ARFF program go to 2 public hearings and a 60 day comment period prior to the first class scheduled in June, passed unanimously.

The Airport Firefighter is already approved by ProBoard. (If changes were made in how students were going to be tested, then we would have to ask ProBoard for a change.)

VI. GOOD OF THE ORDER

Item 1. Sub committee assignments **(See attachment)**

All sub-committee meetings need to be posted.

Item 2. Committee of Merit Awards/Academy Awards ceremony

- Monday, September 24, 2018 (Location to be announced)
- Link to the nomination form:
<https://www.nh.gov/safety/divisions/fstems/documents/comnomination2018.pdf>
- Nominations are being accepted now through July 1, 2018.

POST MEETING NOTE: REMINDER...ALL ACADEMY AWARD NOMINATIONS SHOULD BE SUBMITTED IN WRITING AT THE MAY MEETING.

VII. ADJOURNMENT

A motion was made (Cutting/McGahey) – to adjourn the meeting at 10:35AM; passed unanimously.

NEXT MEETING: May 3, 2018

REMAINDER OF 2018 SCHEDULE:

- June 7, 2018
- September 6, 2018
- November 8, 2018

Notes prepared by June Connor, Administrative Assistant I