

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

FIRE FIGHTERS TRAINING COUNCIL

GENERAL RULES

Filed with the Secretary of State on December 20, 2016

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the fire fighters training council by section 16 of 1966 PA 291 MCL 29.376, and Executive Order Reorganization No. 2003-1, MCL 445.2011)

R 29.401, R 29.402, R 29.403, R 29.404, R 29.405, R 29.406, R 29.407, R 29.408, R 29.409, R 29.410, R 29.411, R 29.413, R 29.414, and R 29.415 of the Michigan Administrative Code are amended; R 29.408a, R 29.408b, R 29.408c, R 29.408d, R 29.408e, and R 29.408f are added to the Code; and, R 29.412 is rescinded.

R 29.401 Definitions.

Rule 1. As used in these rules:

- (a) "Act" means the firefighters training council act, 1966 PA 291, MCL 29.361 to 29.377.
- (b) "Council" means the fire fighters training council as defined in the act.
- (c) "Department" means the department of licensing and regulatory affairs, bureau of fire services.
- (d) "Emergency medical services and instructor coordinator license, or ems/ic license," means a license issued by the department of community health pursuant to the public health code, 1978 PA 368, MCL 333.20901 to 333.20979.
- (e) "Fire fighter" means a member, including a volunteer member and a member who is paid on call, of an organized fire department that is responsible for, or is in a capacity that includes responsibility for, the extinguishment of fires, the directing of the extinguishment of fires, the prevention and detection of fires, and the enforcement of the general fire laws of this state. Fire fighter does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.

R 29.402 Council approved course; instruction hours; recognition of training by council.

Rule 2. (1) The council approved course shall be evaluated by the curriculum work group based upon all of the following:

- (a) The time required to adequately cover the subject material.
- (b) The ability of an average class to accomplish the established goals.
- (c) Its relevancy to the needs of the fire service in this state.

(2) An instruction hour shall consist of 50 minutes of instruction time and 10 minutes break time, totaling 1 actual hour.

#### R 29.403 Examinations.

Rule 3. (1) The fire fighter I and II examinations shall be approved by the council and shall be reviewed by department staff to ascertain if there is adequate comprehension of the subject material tested in the examinations. The examination for fire fighter I and II may be combined into 1 part of the examination to test the knowledge and skill requirements in the standards for fire fighter professional qualifications, national fire protection association, nfpfa, standard 1001, as adopted in R 29.410.

(2) The examination requirement for fire fighter I and II shall be waived for a veteran who served in and is separated from the armed forces and provides a form DD214 or DD215, or another form that demonstrates that the candidate was separated from service with an honorable character of service or under honorable conditions general character of service. The veteran must have completed firefighter training while serving in the armed forces of the United States, that meets the standards for fire fighter I and fire fighter II set forth in NFPA 1001 "standard for fire fighting professional qualifications," as adopted in R 29.410.

(3) The state fire marshal shall waive the examination requirements and extend reciprocity to a firefighter from another state if the firefighter was certified in the other state after successfully completing a program that meets or exceeds the standards for fire fighter I and fire fighter II set forth in "standard for fire fighter professional qualifications", national fire protection association standard no. 1001 by an international accreditation fire service organization. A reciprocity request shall be submitted on a form prescribed by the bureau.

(4) A minimum of 70% average is required to successfully pass the examinations, unless otherwise specified in the course objectives.

#### R 29.404 Attendance at training sessions; certificates.

Rule 4. (1) A trainee shall attend all sessions unless he or she has a valid reason for his or her absence. The instructor may, for valid reasons, excuse not more than 10% of the total hours of instruction. An absentee from a scheduled class session shall make up the absence as required by the instructor.

(2) Upon successful completion of the course, the state fire marshal or the council may award a certificate for that course.

#### R 29.405 Classification of fire fighters.

Rule 5. The following are the classifications for fire fighter I and fire fighter II pursuant to section 9 of the act, MCL 29.369:

(a) A fire fighter I is a person who successfully passes the council approved fire fighter I exam which covers the skill and knowledge requirements for fire fighter I in nfpfa 1001, "Standard for Fire Fighter Professional Qualifications," as adopted by reference in R 29.410.

(b) A fire fighter II is a fire fighter I who meets the requirements of subdivision (a) of this rule and successfully passes the council approved fire fighter II exam which covers

the skill and knowledge requirements for fire fighter II in nfpa 1001 standard, “Standard for Fire Fighter Professional Qualifications,” as adopted by reference in R 29.410.

R 29.406 Training on local and regional basis.

Rule 6. The council may enter into an agreement with a fire department, a county training committee, or a regional training center to provide training on a regional basis.

R 29.407 In-service training program.

Rule 7. Requirements for in-service training programs are found under the authority of the department of licensing and regulatory affairs, Michigan occupational safety and health administration general industry safety standards, part 74, fire fighting standard, R 408.17401 to R 408.17464.

R 29.408 Instructor classifications generally.

Rule 8. (1) The professional classifications for fire service instructors I and II shall be based on the qualifications and performance requirements specified in nfpa standard 1041, “Standard for Fire Service Instructor Professional Qualifications,” as adopted by reference in R 29.410.

(2) Performance standards shall be evaluated by department staff designated by the fire marshal. The following are general performance based instructor classifications:

(a) An associate instructor is an instructor who has both of the following:

(i) The knowledge and ability to deliver instruction effectively from a prepared lesson plan, including instructional aids and evaluation instruments.

(ii) The ability to teach according to his or her individual instructional training, by using a variety of teaching strategies, utilizing lesson plans and instructional aids as required.

(b) An instructor I is an instructor who has demonstrated the knowledge and ability to do all of the following:

(i) Deliver instruction effectively from a prepared lesson plan, including instructional aids and evaluation instruments.

(ii) Adapt lesson plans to the unique requirements of the students, school, training center, and state laws.

(iii) Organize the learning environment so that learning and safety are maximized.

(iv) Meet all record-keeping requirements.

(c) An instructor II is an instructor who meets the instructor I performance standards and also demonstrates the knowledge and ability to do all of the following:

(i) Develop individual lesson plans for a specific topic including learning objectives, instruction aids, and evaluation instruments.

(ii) Schedule training sessions based on overall training plans.

(iii) Supervise and coordinate the activities of other instructors.

(3) All applicants and instructors shall comply with all fire training state statutes and rules.

R 29.408a Probationary associate instructor; associate instructor; requirements.

Rule 8a. (1) An applicant for a probationary associate instructor shall meet all of the following qualifications:

- (a) Be a member, or have been a member, of an organized Michigan fire department within the last 5 years immediately prior to his or her application.
- (b) Possess a fire fighter I certification or successfully completed the previous phases I and II to instruct subjects within the fire fighter I course.
- (c) Possess a fire fighter II certification or successfully completed the previous 240-hour training course to instruct subjects within the fire fighter I and II courses.
- (d) Have a minimum of 3 years fire suppression experience.
- (e) Successfully complete the council approved educational methodology class.

(2) An applicant who successfully meets the qualifications for probationary associate instructor shall apply pursuant to the procedure under R 29.409.

(3) Upon approval of the application by the department, the probationary associate instructor shall do all of the following:

(a) Select an instructor I or II as a mentor to directly supervise and assist him or her with 12 hours of supervised teaching. The department shall provide a form to document the practice teaching hours. At the completion of 12 hours, the mentoring instructor shall use the form to recommend the approval or denial for the probationary associate instructor's certification. The mentor shall send the form to the department region coordinator.

(b) With the receipt of the approved form, the region coordinator shall arrange for the probationary associate instructor to be evaluated by department staff while instructing. A probationary associate instructor must receive 1 satisfactory evaluation of classroom lecture within 2 years of obtaining probationary status.

(c) After 12 hours of supervised lecture and a positive evaluation, the region coordinator shall notify the department of the successful completion of the probationary status of the applicant. The period of time needed to accrue 12 supervised teaching hours must be completed within 2 years, but may be extended by the fire marshal or his or her designee for good cause due to circumstances beyond the control of the probationary associate instructor.

(d) An instructor I or II shall be present at the course and observe the instruction of a probationary associate instructor at all times. In cases of undue hardship, which may include, but are not limited to, unavailability of region coordinator, inclement weather, or circumstances outside of his or her control, the requirement of on-site supervision may be waived in writing by the region coordinator, upon written request of the course manager.

(4) An applicant for an associate instructor shall apply pursuant to the procedure under R 29.409, and meet all of the qualifications of a probationary associate instructor.

(5) An associate instructor who has successfully completed fire fighter I training may instruct any unit from the fire fighter I curriculum. An associate instructor who has successfully completed fire fighter I and II curriculum may instruct any unit from the fire fighter I and II curriculum in which he or she has shown competence.

R 29.408b Probationary instructor I; requirements.

Rule 8b. (1) An applicant for a probationary instructor I shall meet all of the following qualifications:

(a) Be a member, or have been a member, of an organized Michigan fire department within the last 5 years, or maintained active instruction status immediately prior to his or her application. An applicant shall maintain active instruction status by documentation of instruction hours on the department system maintenance on knowledge and education program.

(b) Possess a fire fighter I and II certification.

(c) Have a minimum of 5 years of experience in fire suppression at the time of application.

(d) Be certified at the level or course that he or she wishes to instruct and completed a minimum of fire fighter II certification for instruction.

(2) An applicant for instructor I who has not previously attained an associate instructor status shall serve a probationary instructor I status. A probationary instructor I shall only be authorized to instruct the courses approved at the associate instructor level.

(3) An applicant possessing a current Michigan teacher's certificate, a currently licensed ems/ic, or an individual certified as an instructor I through an internationally accredited fire service organization shall not be required to complete the council instructor I course and shall also be exempt from the probationary period.

(4) An applicant who is an associate instructor shall not be required to serve a probationary period.

(5) Within a 2-year period, a probationary instructor I shall do all of the following:

(a) Select a mentor instructor I or II to directly supervise and assist him or her with the teaching process. A probationary instructor I candidate shall complete 12 hours of direct supervised teaching with 6 hours being lecture and 6 hours being practical.

(b) The mentoring instructor shall document the practice and teaching hours on a form provided by the department. At the completion of 12 supervised hours, the mentoring instructor shall use the form to confirm the completion of the required instruction hours for the probationary instructor's certification as an instructor I. The mentoring instructor shall send the form to the region department coordinator for his or her review.

(c) With receipt of the form, the region coordinator shall arrange for the probationary instructor to be evaluated by department staff while the probationary instructor is instructing. A probationary instructor shall receive 1 satisfactory evaluation of classroom lecture within 2 years of obtaining probationary status.

(d) The period of time needed to accrue 12 supervised teaching hours must be completed within 2 years, but may be extended by the fire marshal or his or her designee for good cause due to circumstances beyond the control of the probationary instructor.

#### R 29.408c Instructor I; requirements.

Rule 8c. (1) An instructor I shall meet all of the following qualifications:

(a) NFPA instructor I classification specified in nfpa 1041, chapter 3, "Fire Service Instructor Professional Qualifications," as adopted by reference in R 29.410b.

(b) If not a certified instructor pursuant to R 29.408(e), have completed all requirements of a probationary instructor I, as required under R 29.408b.

(c) Be a member, or have been a member, of an organized Michigan fire department within the last 5 years, or maintained active instructor status immediately prior to his or her application. An applicant shall maintain active instructive status by documenting

instruction hours on the department's records management system operated by the department for purposes of maintaining records of approved fire fighters and instructors.

(d) Have 5 years of fire suppression experience.

(e) Completed an instructor I course, or the equivalent, meeting the requirements for requisite skills and knowledge of chapter 4 under instructor I, for nfpa 1041, "Fire Service Instructor Professional Qualifications," as adopted by reference in R 29.410b.

(2) An instructor I shall perform the duties listed in nfpa 1041, "Fire Service Instructor Professional Qualifications," chapter 4, as adopted by reference in R 29.410.

(3) An instructor I is authorized to teach all courses that he or she has successfully completed unless a third party certification is required.

#### R 29.408d Instructor II; requirements.

(1) An applicant for instructor II shall meet the following qualifications:

(a) Have an NFPA instructor II classification under nfpa 1041, chapter 3, "Fire Service Instructor Professional Qualifications," as adopted by reference in R 29.410.

(b) Have 7 years of fire suppression experience.

(c) Have 160 hours of instructional experience in firefighting and emergency medical responder related materials. An applicant shall maintain active instructive status by documenting instruction hours on the department's records management system operated by the department for purposes of maintaining records of approved fire fighters and instructors.

(d) Completed an instructor II course, or the equivalent, meeting the requirements for requisite skills and knowledge of chapter 5 under instructor II, nfpa 1041, "Fire Service Instructor Professional Qualifications," as adopted by reference in R 29.410b.

(e) Be a certified as a fire fighter II.

(f) Be certified as instructor I.

(2) An instructor II shall perform the duties listed in nfpa 1041, chapter 5, "Fire Service Instructor Professional Qualifications," as adopted by reference in R 29.410.

(3) An instructor II may perform the following:

(a) Instruct any course approved by the council, unless a third-party certification is required.

(b) Provide instruction of any newly adopted council courses to instructor I level instructors.

(c) Schedule and conduct an instructor I certification course.

(d) Serve as a mentor for instructor I candidates.

#### R 29.408e Certified instructors.

Rule 408e. (1) An instructor who is approved by the department at the effective date of these rules as a certified instructor, according to qualifications established prior to 2010, shall maintain his or her status as a certified instructor.

(2) A certified instructor is an instructor who has demonstrated the knowledge and ability to coordinate other instructors, and who is capable of using a variety of teaching strategies to develop lesson plans and instructional aids based on a task analysis.

(3) A certified instructor may teach all courses he or she is qualified to instruct as of the effective date of these rules or that he or she has successfully completed unless a third-party certification is required.

#### R 29.408f Special instructor requirements.

Rule 408f. (1) An applicant for instructor may meet the qualifications through special training and experience if he or she is able to provide the following evidence:

(a) The training or experience was obtained within the last 5 years.

(b) The training or experience occurred within the United States, and is an acceptable training mechanism for certification in any of Michigan's neighboring states.

(c) The training and experience is relevant to the training and experience required of Michigan instructors.

(2) If the applicant is not qualified as an instructor or an associate instructor under these rules, the applicant shall complete the educational methodology course approved by the council.

(3) If department staff is uncertain whether a particular special instructor's qualifications are sufficient to meet the requirements of this rule, staff may seek the advice of the council.

(4) An instructor approved due to special instructor requirements may instruct according to those training and experience mechanisms to the extent he or she is allowed to instruct under these rules.

#### R 29.409 Instructor application process.

Rule 9. (1) Each applicant for instructor shall submit his or her application to the department through the records management system operated by the department for purposes of maintaining records of approved fire fighters and instructors. The application shall be approved if it meets all the requirements under the statute and these rules, pursuant to the instructor level. A list of the approved applicants may be placed on the agenda of the next regular council meeting.

(2) An applicant no longer active in fire service shall submit his or her application directly to the department through the records management system operated by the department for purposes of maintaining records of approved fire fighters and instructors, and the applicant shall request the state fire marshal, or his or her designee, verify the applicant's previous fire department experience. The fire marshal may verify the applicant's experience through confirmation by the local fire department of employment or volunteer status.

(3) All applicants and instructors shall keep a current home address, phone number, and active e-mail address registered with the department.

#### R 29.410 Adoption by reference.

Rule 10. The following standards of the national fire protection association, nfpa, are adopted by reference in these rules. Copies of the adopted standards are available for inspection and distribution at the office of the Bureau of Fire Services, Michigan Department of Licensing and Regulatory Affairs, 3101 Technology Boulevard, Suite H, Lansing, MI 48910, or from the National Fire Protection Association, 1 Battery Park,

P.O. Box 9101 Quincy, MA 02269-9101, telephone number 1-800-344-3555. The cost of each standard at the time of the adoption of these rules is included with the title of each standard.

(a) NFPA 1001, "Standard for Fire Fighter Professional Qualifications," 2013 edition, chapters 1, 4, 5, and 6, at cost of \$ 44.50 each.

(b) NFPA 1041, "Standard for Fire Service Instructor Professional Qualifications," 2012 edition, at cost of \$ 38.50 each.

R 29.411 Participation at council meetings.

Rule 11. Council meetings shall be conducted in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to MCL 15.275.

R 29.412 Rescinded.

R 29.413 Regional training centers; facilities; approval.

Rule 13. (1) An applicant shall establish a regional training center (rtc) in a strategic location to serve the greatest number of fire departments that are unable to support their own training program. To establish a regional training center, an applicant shall do all of the following:

(a) Establish an advisory committee which includes the manager of training from the department staff, and may include any county training committee chairpersons from the counties that will be served by the rtc.

(b) Complete an application provided by the department.

(c) Complete a needs survey which establishes the fire department training needs of the area and describes how the rtc plans to fulfill those needs. Collect any correspondence of support for the need of the new rtc.

(d) Have and be able to maintain the capability to conduct fire fighter I and II courses and examinations.

(e) Work with the department in training technology development.

(2) An applicant shall submit the completed application and supporting documentation to the department region coordinator assigned to his or her area who shall do both of the following:

(a) Contact rtc's that border the proposed rtc for information regarding the need and effect of a new rtc.

(b) Submit the application, supporting documentation, and a report to the department on the effect a new rtc will have on existing programs.

(3) If the application meets the requirement of subrules (1) and (2) of this rule, the state fire marshal and the department manager of training shall approve the application. A list of approved rtc's may be placed on the agenda of the next regular council meeting.

(4) An rtc shall keep contact information for the center and advisory board membership current with the department.

(5) The rtc shall perform all of the following on an annual basis:

(a) Maintain capability to conduct fire fighter I and II courses and examinations.

- (b) Comply with all department rules.
- (c) Cooperate with the department in training technology development.
- (d) Submit a report to the state fire marshal annually on December 1 for the previous year October 1 to September 30. The fire marshal shall submit a copy of each report to the fire fighters training council for review at the next scheduled meeting for purposes of completing the report required under section 7 of the fire fighters training council act, 1966 PA 261, MCL 29.367. The annual report by rtc shall include all of the following:
  - (i) The training activity from the previous year.
  - (ii) The use of approved county funds.
  - (iii) The budget and expenses from the previous year.
  - (iv) The rtc training plan for the upcoming year.
- (6) The state fire marshal shall authorize a regional training center to conduct the following courses or other council-approved courses:
  - (a) Vehicle extrication.
  - (b) Advanced vehicle stabilization.
  - (c) Elevator training.
  - (d) Introduction to wild land firefighting.
  - (e) National incident management system: incident command system for the fire service.
  - (f) Clandestine drug lab awareness.
  - (g) Building construction for fire suppression forces: principles, wood and ordinary construction.
  - (h) Drivers training, classroom portion. An rtc shall have available rooms and facilities to efficiently carry out its program of instruction.

R 29.414 Regional training centers; courses.

Rule 14. (1) The minimum class size for training at a regional training center is 15 students. Exceptions may be granted by the manager of training or state fire marshal upon recommendation of department staff.

(2) The maximum class size at a regional training center is 35 students. Department staff may approve larger classes if special circumstances exist and adequate staffing is provided.

(3) Students shall be at least 18 years of age on the date of the scheduled examination. Exceptions to the requirement in this subrule shall be made for individuals sponsored by a fire department cadet program, a fire department boy or girl scouts of America explorer program or a high school training program that is affiliated with a fire department pursuant to section 2 of the firefighter training programs act, 2011 PA 153, MCL 29.332. Participants in these programs must be 16 or 17 years old, and may be 18 years old if still attending high school as a full-time student. All requests for the program exception shall be sent to the department staff in writing from the fire chief of the sponsoring fire department.

(4) The following individuals may participate in council-approved training and testing programs:

- (a) Pre-service students who are enrolled in a council-approved course at an rtc, pursuant to an agreement with a college or university under section 10 of the act, MCL 29.370.

(b) Fire department cadets, department instructors, training coordinators who are retired members of a fire department, council members, and full-time department staff.

(c) Explorer scouts and students of a fire department affiliated high school program pursuant to section 2 of the firefighter training programs act, 2011 PA 153, MCL 29.332.

(5) Fire department cadets, explorer scouts and fire department affiliated high school students may participate only in fire fighter I, fire fighter II, fire fighter I and II, first responder operations, and incident command system courses.

R 29.415 Online training courses.

Rule 15. (1) The state fire marshal, with the approval of the council, may endorse the implementation of online learning courses.

(2) An online course must be sponsored by a regional training center at a Michigan department of education accredited institution of higher learning. The regional training center at the institute of higher learning shall be responsible for faculty training and online delivery support for faculty and students.

(a) The initial delivery of an online training course shall be a pilot program and pre-approved by the council. Department staff may proctor the pilot program in order to provide an evaluation.

(b) All online training shall consist of the following:

(i) A written exam.

(ii) The same learning objectives as a face-to-face training format.

(iii) A maximum student-to-instructor ratio of 20 students to 1 instructor.

(iv) Post evaluations for a pilot course by the students, instructor, and department staff.

(c) Upon positive evaluations by the department staff, instructor and a majority of the students, the state fire marshal shall approve the course.