

739 KAR 2:060. Certification and qualifications of fire protection instructors.

RELATES TO: KRS 75.400(2), 95.010(1)(c), 95A.040(3)(b)1, 95A.210(1)

STATUTORY AUTHORITY: KRS 95A.050(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 95A.040(3)(b) authorizes the Commission on Fire Protection Personnel Standards and Education to certify fire protection instructors. This administrative regulation sets forth the criteria for instructor certification, including the training and educational requirements of applicants for certification.

Section 1. Definitions.

- (1) "Bridge course" means an educational program provided by the commission to update out-of-state fire protection instructors seeking Kentucky instructor certification through reciprocity on paperwork and legal requirements specific to fire protection instructors certified in the Commonwealth of Kentucky.
- (2) "Certified professional firefighter" means a firefighter who meets the requirement of KRS 95A.210 and 95A.230.
- (3) "Certified volunteer firefighter" means an individual who has received at least 150 hours of certified training as recognized by the Commission on Fire Protection Personnel Standards and Education and who receives at least twenty (20) hours of certified training annually to maintain certification.
- (4) "Commission" means the Commission on Fire Protection Personnel Standards and Education as defined by KRS 95A.210(1).
- (5) "Fire protection instructor" means an individual trained and certified pursuant to KRS 95A.040(2)(b), this administrative regulation, and the International Fire Service Training Association, as a person qualified to instruct fire protection personnel or supervise the training of fire protection personnel. This term is synonymous with the term "fire service instructor" as referenced in the International Fire Service Training Association curricula and the National Fire Protection Association 1041 standard.
- (6) "Fire department" means a fire department recognized by the commission as defined by KRS 75.400(2) and 95.010(1)(c).
- (7) "Firefighter I" means an individual who has demonstrated the knowledge and skills to function as an integral member of a firefighting team under direct supervision in hazardous conditions and is certified by the commission through the International Fire Service Accreditation Congress in the Commonwealth of Kentucky.
- (8) "Firefighter II" means an individual who has demonstrated the skills and depth of knowledge to function under general supervision and is certified by the commission through the International Fire Service Accreditation Congress in the Commonwealth of Kentucky.
- (9) "IFSAC" means the International Fire Service Accreditation Congress.
- (10) "KCTCS" means the Kentucky Community and Technical College System.
- (11) "MOI" means an educational methodology course meeting the objectives of NFPA 1041 and conducted by:
 - (a) KCTCS;
 - (b) A Kentucky college or university;
 - (c) The National Fire Academy;
 - (d) A governmental entity authorized by the National Fire Academy to train within its jurisdiction and approved by the commission; or
 - (e) An agency approved by the commission to train within its jurisdiction.
- (12) "Reciprocity" means the recognition of an IFSAC certification from another state, territory, province, or nation following verification that the certification is current, valid, and without restriction.

(13) "Train the Trainer course" means a pedagogy program intended to educate certified fire protection instructors on the primary highlights and uses of courses taught to fire protection personnel.

Section 2. Levels of Certification and Scope.

(1) The commission shall certify fire protection instructors at the following levels:

- (a) Instructor Level I;
- (b) Instructor Level II; and
- (c) Instructor Level III.

(2) An instructor shall only teach a fire protection subject upon meeting all requirements for certification mandated by this administrative regulation. A certified fire protection instructor may only teach subjects within the scope of the instructor's respective fire protection instructor level, subject to the conditions set forth in this section of this administrative regulation.

(3) An instructor certified as a Level I fire protection instructor shall be authorized to conduct firefighter training at any fire department or agency located in the Commonwealth pursuant to paragraphs (a) and (b) of this subsection.

(a) Training shall only be conducted at the request of a fire department or agency.

(b) Upon invitation, a person certified as a Level I fire protection instructor shall conduct training using curricula approved by the commission.

(4) A person certified as a Level II fire protection instructor shall be authorized to conduct firefighter training at any fire department or agency located in the Commonwealth pursuant to paragraphs (a) through (c) of this subsection.

(a) Training shall only be conducted at the request of a fire department or agency.

(b)

1. At a fire department of which the Level II fire protection instructor is not a member, the Level II fire protection instructor may personally conduct training using lesson plans that he or she has developed; or

2. At a fire department of which the Level II fire protection instructor is a member, the Level II fire protection instructor may allow a Level I fire protection instructor to conduct training under the Level II fire protection instructor's direction, using lesson plans developed by the Level II fire protection instructor.

(5) A Level III fire protection instructor shall be authorized to:

(a) Develop comprehensive training curricula and programs for use by single or multiple organizations;

(b) Conduct organization needs analysis;

(c) Design record keeping and scheduling systems;

(d) Develop training goals and implementation strategies; and

(e) Conduct firefighter training and Level I and II fire protection instructor training at any fire department or agency located in the Commonwealth. Training shall only be conducted at the request of a fire department or agency.

(6) An instructor shall successfully complete the commission's Train the Trainer course and shall thereafter teach only from lesson plans developed by the commission or State Fire Rescue Training, or curricula approved by the commission prior to instruction.

Section 3. Instructor Certification Requirements.

(1) An instructor shall not be authorized to teach without first meeting all requirements for certification established in this administrative regulation.

(2) An applicant for initial certification as a Level I fire protection instructor shall complete and submit:

(a) A completed Level I Fire Service Instructor Application signed by the applicant's fire chief or designee;

- (b) Verification of two (2) years' continuous experience as a certified professional or volunteer firefighter in the Commonwealth of Kentucky, or in another state, preceding the application date for Level I fire protection instructor certification;
- (c) Copies of IFSAC accredited Kentucky, or IFSAC accredited Kentucky reciprocity, Firefighter I and II certificates on which the applicant's:
 - 1. Certification seal numbers shall be denoted in the designated portion of the instructor Level I application; and
 - 2. IFSAC accredited Kentucky, or IFSAC accredited Kentucky reciprocity, certification shall provide documentation of successful completion of both written and skills performance tests; or
- (d) A copy of the applicant's high school diploma or general equivalency diploma (GED), and one (1) of the following MOI:
 - 1. First MOI: Certification as an IFSAC accredited Kentucky, or IFSAC accredited Kentucky Reciprocity, Instructor I;
 - 2. Second MOI: A Bachelor's degree in education issued by an accredited institution of higher education; or
 - 3. Third MOI: Holds a position as an instructor or instructional faculty member of an institution of higher education in the subject of fire service, or a related field.
- (3) An applicant for initial certification as a Level II fire protection instructor shall submit:
 - (a) A completed Level II Fire Service Instructor Application signed by the applicant's fire chief or designee, with the applicant's IFSAC accredited Kentucky, or IFSAC accredited Kentucky Reciprocity certification seal number or numbers denoted as indicated;
 - (b) Verification of four (4) years' continuous experience as a certified professional or volunteer firefighter in the Commonwealth of Kentucky, or in another state, preceding the application date for Level I fire protection instructor certification;
 - (c) Proof of two (2) years' experience as a Level I fire protection instructor; and
 - (d) Verification of completion of all Level I fire protection instructor renewal requirements as set forth in this administrative regulation.
- (4) An individual desiring initial certification as a Level III fire protection instructor shall submit:
 - (a) A Level III Fire Service Instructor Application completed on the applicant's behalf by the fire department for which the applicant has served as an active member for at least six (6) consecutive years and signed by the applicant's fire chief or designee, with the applicant's IFSAC accredited Kentucky, or IFSAC accredited Kentucky Reciprocity certification seal number(s) denoted as indicated;
 - (b) Service as a fire protection Level II instructor for a minimum of two (2) years prior to the application date for fire protection Level III instructor certification;
 - (c) Positive recommendations following interviews with the commission, the Fire Commission Division Director of Operations, and the State Fire Rescue Training Division Director, or the director's designee;
 - (d) Verification of completion of all Level II fire protection instructor renewal requirements as set forth in this administrative regulation; and
 - (e) Evidence of previous assistance with the delivery of at least two (2) MOI approved by the commission.

Section 4. Reciprocity. Individuals seeking certification as a Level I, II, or III fire protection instructor through reciprocity from any state or territory in the United States shall be granted approval by the commission if the applicant meets all certification requirements for Level I, II, or III instructor certification pursuant to Section 3 of this administrative regulation, if:

- (1) The two (2), four (4), or six (6) year continuous work periods mandated by Section 3(2)(b), (3)(b), and (4)(a) of this administrative regulation shall have been completed while certified by and in good standing with the certifying agency of the state in which the firefighter served for the period of time necessary to qualify for reciprocity in the Commonwealth of Kentucky;
- (2) The applicant's continuous work periods mandated by Section 2(2)(b), (3)(b), and (4)(a) of this administrative regulation shall immediately precede the date on which the applicant applies for Level I, II, or III fire protection instructor certification in the Commonwealth of Kentucky; or
- (3) The individual shall complete the commission's bridge course prior to certification as a fire protection instructor by the commission.

Section 5. Instructor Certification Terms and Renewal.

- (1) Unless renewed, certification for Levels I, II, and III fire protection instructors shall expire after a period of two (2) years in a cyclical pattern based upon the last number of the instructor's Kentucky fire instructor number. All instructors with a Kentucky fire instructor number ending in zero (0) or an even number shall recertify by January 1, 2017, and all instructors with a Kentucky fire protection instructor number ending in an odd number shall recertify by January 1 of the subsequent year.
- (2) The commission shall grant certification renewal for Level I and II instructors who submit:
 - (a) Documentation of twenty (20) hours of instructional time using curricula developed or approved by the commission and completed prior to the expiration of the instructor's current certification period;
 - (b) Verification of attendance of at least twenty (20) student training hours, at least four (4) hours of which shall consist of an MOI approved by the commission; and
 - (c) A Fire Service Renewal Application provided by the commission and signed by both the applicant and the applicant's fire chief or designee.
- (3) The forty (40) instructional and student training hours mandated by subsection (2)(a) and (b) of this section may also be used to complete the instructor's firefighter recertification hours.
- (4) The commission shall grant certification renewal for Level III instructors who submit:
 - (a) A Fire Service Renewal Application provided by the commission and signed by both the applicant and the applicant's fire chief or designee;
 - (b) Documentation that the applicant has instructed a minimum of one (1) MOI or instructional technique class during the two (2) year certification period; and
 - (c) Verification of completion of a minimum of one (1) instructor training workshop lasting at least eight (8) hours and approved by the commission.
- (5) A fire protection instructor who obtained instructor certification prior to the effective date of this administrative regulation shall be required to meet the renewal requirements as set forth in this administrative regulation subsequent to the completion of one (1) full recertification period.

Section 6. Suspension or Revocation of Certification and Appeal.

- (1) The commission's Education and Eligibility/State-Aid Committee shall revoke an instructor's certification if, after reasonable notice and a hearing, it is determined that the instructor committed misconduct with regard to fire protection instructor certification or job duties. Examples include, for example:
 - (a) A material misstatement or misrepresentation in any document furnished to the commission to obtain the issuance or renewal of certification;
 - (b) Falsification of training records; or
 - (c) An act of negligence or malfeasance.

(2) A fire protection instructor whose certification is subject to revocation shall be entitled to thirty (30) days' notice and a hearing before the commission's Education and Eligibility/State-Aid Committee.

(3) If the commission's Education and Eligibility/State-Aid Committee hearing results in a decision to revoke an instructor's certification, the instructor shall be notified in writing of the action and the right to appeal before the commission no later than ten (10) days following the hearing.

(4) An instructor shall request an appeal in writing within fifteen (15) days of receipt of the notification of the commission's intent to revoke the instructor's certification.

(5) If the individual appeals the commission's intent to revoke his or her instructor certification, a hearing shall be conducted at the next regular meeting of the commission, or within thirty (30) days of the appeal request, whichever is first.

(6) If the commission's hearing results in a decision to revoke an instructor's certification, the instructor shall be notified in writing of the action and the right to appeal pursuant to KRS Chapter 13B no later than ten (10) days following the hearing of the appeal.

(7) The certification of an instructor who fails to maintain active status with a Kentucky fire department or Kentucky State Fire Rescue Training shall be automatically suspended until active status with a Kentucky fire department or Kentucky State Fire Rescue Training is reinstated and all requirements for recertification are met.

Section 7. Reinstatement of Certification.

(1) The commission shall reinstate the certification of an instructor whose certification has lapsed for a period not exceeding one (1) year, unless the applicant has been subjected to discipline that would prevent reinstatement upon application.

(2) The commission shall reinstate the certification of an instructor whose certification has lapsed for a period of more than one (1) year but not exceeding three (3) years, provided the instructor meets all recertification requirements and has attend a commission recognized bridge course.

(3) The commission shall not reinstate the certification of an instructor whose certification has lapsed for a period exceeding three (3) years.

Section 8. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Fire and Emergency Services Instructor, Eighth Edition", 2012;

(b) "Kentucky Fire Service Instructor Level 1 Certification Application", 2014;

(c) "Kentucky Fire Service Instructor Level 2 Certification Application", 2014;

(d) "Kentucky Fire Service Instructor Level 3 Certification Application", 2014; and

(e) "Kentucky Fire Service Instructor Certification Renewal Application", 2014.

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(19 Ky.R. 2192; Am. 2434; eff. 5-10-93; 25 Ky.R. 1209; 1613; 2374; eff. 2-24-99; Recodified from 815 KAR 45:090, 3-27-2002; 41 Ky.R. 1146; 1787; eff. 3-6-2015; Crt eff. 2-24-2020.)