

PERFORMANCE AUDIT REPORT

**Reviewing the Fire Fighter Recognition Program
Operated by the State Fire Marshal's Office**

**A Report to the Legislative Post Audit Committee
By the Legislative Division of Post Audit
State of Kansas
April 1993**

PERFORMANCE AUDIT REPORT

REVIEWING THE FIRE FIGHTER RECOGNITION PROGRAM OPERATED BY THE STATE FIRE MARSHAL'S OFFICE

OBTAINING AUDIT INFORMATION

This audit was conducted by Ellyn Sipp, Senior Auditor, and Cindy Denton and Kelan Kelly, Auditors, of the Division's staff. If you need any additional information about the audit's findings, please contact Ms. Sipp at the Division's offices.

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REVIEWING THE FIRE FIGHTER RECOGNITION PROGRAM OPERATED BY THE STATE FIRE MARSHAL'S OFFICE

Summary of Legislative Post Audit's Findings

Does the State Fire Marshal have the authority to administer the Fire Fighter Recognition Program? The Fire Fighter Recognition Program was created by the Kansas Fire Service Council training committee to provide recognition to individuals who have fulfilled the requirements of the National Fire Protection Standard 1001. State law does not specifically address whether the State Fire Marshal could administer the Fire Fighter Recognition Program. However, it does not appear that the law would prohibit the Fire Marshal from administering the Program, as the Office is currently doing.

What is the cost of operating the Fire Fighter Recognition Program, and is the Program using funds that otherwise could be spent on fire inspection or prevention activities? The Fire Fighter Recognition Program has cost the State less than \$500 to-date. Because the Fire Marshal's role with the Recognition Program is relatively limited, it is not likely to incur substantially greater costs in the future. Shortfalls in funding for travel and subsistence for inspectors and investigators have existed in recent years, but the Legislature has provided supplemental funding in these areas. Therefore, it is unlikely that the minimal funds spent on this Program have contributed to the need for budgetary restrictions in these other areas.

Does the Fire Fighter Recognition Program Appear to be having a negative impact on participation in fire fighter training courses offered by the University of Kansas? Enrollments in the University of Kansas' Fire Service Training courses have dropped in recent years. Most of the declines occurred before the Recognition Program was developed. A number of factors, such as a loss of federal funding, an increase in fees, and changes in certain certification requirements, contributed to the reduced enrollments. But, if the Recognition Program changes to a fire fighter certification program, it could be in direct competition with the University's programs. Other fire fighter training programs, including those offered by the Kansas State Fire Fighters' Association and several community colleges, have been experiencing an increase in enrollments, even after the introduction of the Recognition Program.

We would be happy to discuss the findings presented in this report with any legislative committees, individual legislators, or other State officials.



Barbara J. Hinton
Legislative Post Auditor

Reviewing the Fire Fighter Recognition Program Operated by the State Fire Marshal's Office

The Fire Fighter Recognition Program was started in January 1993. The Program is designed to recognize fire fighters who have met certain training requirements relating to fire protection. Since the Program's inception, a lot of confusion has existed concerning the role of the State Fire Marshal with the Recognition Program, and about the role of the Program in training fire fighters.

During its review of the Fire Marshal's 1994 budget request, a Senate appropriations subcommittee raised questions about the value of the Fire Fighter Recognition Program, and whether the Program competes with existing training programs offered by the University of Kansas. Other concerns have been expressed about whether the Fire Marshal's Office is using funds for the Recognition Program that could be used for inspection and investigation functions. The Chair of the Legislative Post Audit Committee authorized this 100-hour audit to address the following questions:

- 1. Does the State Fire Marshal have the authority to administer the Fire Fighter Recognition Program?**
- 2. What is the cost of operating the Fire Fighter Recognition Program, and is the Program using funds that otherwise could be spent on fire inspection or prevention activities?**
- 3. Does the Fire Fighter Recognition Program appear to be having a negative impact on participation in fire fighter training programs offered by the University of Kansas?**

To answer these questions, we reviewed statutes and interviewed officials of the State Fire Marshal's Office. We reviewed records on the number of participants in the Fire Fighter Recognition Program, and examined the costs to the State of this Program. We also interviewed officials from a sample of organizations that provide fire fighter training. In addition, we interviewed officials from the University of Kansas' Fire Service Training unit and reviewed that organization's records on enrollments. Finally, we interviewed a sample of fire chiefs in Kansas about the Program. In conducting this audit, we followed all applicable government auditing standards set forth by the U.S. General Accounting Office

In general, we found that State law doesn't specifically address whether the State Fire Marshal has the authority to administer the Fire Fighter Recognition Program, which was created by the Kansas Fire Service Council. However, the Fire Marshal's role is to provide relatively minimal administrative assistance to the Program, and it would not appear that the law would prohibit the Fire Marshal from providing this assistance. The Recognition Program has cost the Fire Marshal's Office less than \$500 to-date, and future costs also should be relatively low as long as

the Fire Marshal's role remains unchanged. Finally, it does not appear that the Recognition Program is responsible for the declines in enrollments in the University of Kansas' Fire Service Training unit programs.

Does the State Fire Marshal Have the Authority to Administer the Fire Fighter Recognition Program?

We found that the law doesn't specifically address whether the State Fire Marshal could administer the Fire Fighter Recognition Program. However, it does not appear that the law would prohibit the State Marshal from administering the Program, as the Office is currently doing.

The Fire Fighter Recognition Program Was Created By the Kansas Fire Service Council Training Committee

The Kansas Fire Service Council was established in February 1991 to improve communication, understanding, and coordination of efforts between the fire service groups in Kansas. The Council consists of one member from each of 11 fire service organizations in the State. Examples of the organizations represented on the Council include the Kansas State Firefighters' Association, the Kansas State Association of Fire Chiefs, the University of Kansas Fire Service Training unit, and the Kansas Society of Fire Service Instructors. The State Fire Marshal is a member of the Council, and was its first chair.

In November 1991, the Council moved to establish a training committee, and requested the State Fire Marshal to appoint the members of this committee. The State Fire Marshal did not serve on the training committee, although a member of the Fire Marshal's Office provided some staff assistance.

In August 1992, the training committee distributed a draft of the Fire Fighter Recognition Program to members of the Council. At about the same time, the Council asked the State Fire Marshal to provide assistance with the administration of the Program. In November 1992, the final packet of information about the Program was distributed to members of the Council. The State Fire Marshal sent information about the Recognition Program in the Office's regularly scheduled December 1992 mailing to all fire departments in the State. The Recognition Program officially began operation in January 1993.

The Fire Fighter Recognition Program provides recognition to individuals who have fulfilled the requirements of the National Fire Protection Association Standard 1001. This standard covers such areas of knowledge as fire safety, fire alarm and communication, fire behavior, personal protective equipment, forcible entry, ventilation, ropes and ladders, foam fire streams, salvage, rescue, water supplies, and fire prevention.

The Program is designed to recognize training provided and recorded from up to 10 years past. Training can come from a variety of sources: in-house training, community colleges, the Kansas State Fire Fighters' Association, the University of Kansas Fire Service Training unit, and others. No specific training delivery method is recommended, and the Program itself does not offer any training. Because Kansas

does not require its fire fighters to have any particular training or certification, the Fire Service Council training committee hoped that the Recognition Program would provide an incentive to encourage fire fighters to obtain training.

It is important to note that fire fighters who receive certificates of recognition are not "certified." That is, they have not completed a program approved by a national accreditation body. Although they may have fulfilled the same requirements

Only One Program in Kansas Offers Nationally Recognized Certification

While a number of organizations offer training courses for fire fighters in Kansas, only the University of Kansas Fire Service Training Unit offers nationally recognized certification.

Fire fighter training courses offered through the University's Fire Service Training unit are accredited by two national fire service organizations: the National Board on Fire Service Professional Qualifications, and the International Fire Service Accreditation Congress.

Fire fighters who complete these accredited courses are eligible for certification. This certification means that the fire fighter has met certain national standards. Upon successful completion of KU's certification testing process, fire fighters receive:

- a certificate stating their certification level
- a shoulder patch identifying their certification level
- application for national certification
- registration with the International Fire Service Accreditation Congress.

as a program that offers certification, the individuals have not been tested, and they will not necessarily be able to transfer their training to other states. The accompanying box discusses the one program in Kansas that provides certification.

The State Fire Marshal's Office Helps Administer the Fire Fighter's Recognition Program at the Council's Request, But Its Role Is Very Limited

The Office's administrative role is limited primarily to clerical functions, such as the initial mailing to all fire departments mentioned earlier, and mailing out Program forms upon request.

Individuals who want to receive recognition fill out a Job Performance Requirement Record that documents the completion of the various objectives of the Standard. The individual's Fire Chief dates and initials each of the requirements when they have been fulfilled. When all the requirements have been met, the Fire Chief signs the Job Performance Requirement Record, has it notarized, and submits the completed copy to the Fire Marshal's Office. (The Fire Marshal does not review the completed Job Performance Requirement Record.)

Clerical staff in the Fire Marshal's Office enter the appropriate information into a database of fire fighters, and send the individual a Certificate of Recognition signed by the State Fire Marshal.

State Law Does Not Specifically Address the Fire Marshal's Authority to Administer the Fire Fighters' Recognition Program as It Does

The only item in the statutes that specifically refers to the Fire Marshal's training responsibilities is the requirement that the Fire Marshal appoint a training

coordinator. That requirement was enacted during the 1982 legislative session as the result of an interim study that found that "coordination of publicly supported fire service training programs by a State agency is needed." No other statutory changes were made to give the training coordinator specific responsibilities.

The State Fire Marshal does not offer any training to fire fighters. It is important to remember that the Fire Fighter Recognition Program also does not provide training to anybody; it only recognizes training that fire fighters have received from any of several sources. The following box describes some of the training that is available to fire fighters in Kansas.

Fire Fighters in Kansas Can Receive Training From a Variety of Organizations

The State of Kansas does not require any of its 15,000 fire fighters to be certified at the State or national level. The fire chief in each department is responsible for ensuring that fire fighters are adequately trained. Training for fire fighters is available from a variety of organizations throughout the State.

The University of Kansas receives State funding to provide formal classroom and hands-on training for fire fighters. The University's Fire Service Training unit also conducts an annual fire school and offers training in conjunction with the National Fire Academy.

The Kansas State Firefighters' Association also receives State money for fire fighter training. This organization receives three percent of the money deposited in the Firefighters

Relief Fund each year. State law requires that this money be spent on fire prevention and fire extinguishment education and study. The Firefighters' Association offers monthly fire schools throughout the State.

Kansas State University's Extension Division conducts training for fire fighters on the prevention and extinguishment of grass and wild fires.

In addition to these organizations, several community colleges in Kansas offer courses in fire science that may be taken individually or used toward completion of an associate's degree in fire science.

Training obtained from any of these organizations can be used to satisfy the Fire Fighter Recognition Program requirements.

The State Fire Marshal could create a training program under its general mandate to safeguard life and property from fire. The Fire Marshal can adopt reasonable rules and regulations to help safeguard life and property from fire. State law also gives the Fire Marshal the authority to develop the State's Fire Prevention Code, and to conduct examinations, inspections, and investigations to determine compliance with the Code. Statutes also require the Fire Marshal to conduct annual inspections of all State correctional and hospital facilities, and to assist municipalities in enforcing the Code.

The Assistant Attorney General for the Fire Marshal's Office prepared two internal memos relating to the Fire Marshal's authority in the area of fire fighter training. The conclusion in these memos was that the statutes recognize "the Fire Marshal's Office has the authority to be involved with training." Further, "having properly trained fire fighters is essential to this Office since the local departments have the authority to enforce the Fire Marshal's rules and regulations." Although the Fire Marshal's Office apparently could enact rules and regulations governing fire fighter training, to-date it has not done so.

What Is the Cost of Operating the Fire Fighter Recognition Program, and Is the Program Using Funds That Otherwise Could Be Spent on Fire Inspection or Prevention Activities?

The Fire Fighter Recognition Program has cost the State less than \$500 to-date. Because the Fire Marshal's role with the Recognition Program is relatively limited, it is not likely to incur substantially greater costs in the future. We also found that shortfalls in funding for travel and subsistence for inspectors and investigators have existed in recent years, but the Legislature has provided supplemental funding in these areas. Therefore, it is unlikely that the minimal funds spent on this Program have contributed to the need for budgetary restrictions in these other areas.

The Fire Fighter Recognition Program Has Cost the State Less Than \$500 Since Its Inception

As noted in the first question, the Fire Marshal's Office provides clerical support for the Fire Fighter Recognition Program. Since its inception in January 1993, the Office has received requests from 56 fire departments for 1,449 sets of the forms listing Program requirements. No certificates have been issued yet, and Fire Marshal staff do not anticipate that any will be issued for a year or so.

To-date, the Fire Department has incurred the following expenses for the Program:

<u>Category of Expense</u>	<u>Expenditure Amount</u>
Initial mailing:	
•copying Program information	\$195
•postage	28
Mailing forms on request:	
•copying forms (a)	134
•postage	84
•clerical staff time	<u>25</u>
Total Expenditures	\$466

(a) This category includes copy expense only. There is no paper expense because the Office is using surplus, oversized paper it already had in stock. The certificates also will be printed on this oversized paper.

If the Fire Marshal's role with the Recognition Program remains unchanged, it is unlikely that it will incur significantly greater expenses in the future. As the table shows, most of the Program expenses to-date were for copying forms and copying and distributing Program information. When completed forms come in, additional staff time will be required to enter some basic information on who has completed the requirements into a database. Also, the Fire Marshal will have to

spend some time signing the certificates. However, it is unlikely that any of these tasks will take a significant amount of time. Consequently, we think that the costs incurred by the State Fire Marshal in administering the Program are likely to remain relatively low.

We learned that the Kansas Fire Service Council training committee is exploring the idea of changing the Recognition Program to a certification program. What this change would mean is that, instead of having just the fire chief sign-off that a particular requirement has been completed, the individual fire fighter also would have to pass a test showing mastery of the requirement.

According to training committee members, if this change were to occur, the role of the Fire Marshal would remain essentially unchanged. That is, the Fire Marshal still would receive the completed forms. In addition to having the fire chief's notarized signature, however, they would have some documentation that the appropriate tests have been completed. The Fire Marshal's Office would continue to maintain the database of fire fighters who have completed the requirements, and the Fire Marshal would continue to sign the certificates.

If such a certification program were administered in the manner currently envisioned by the training committee, we think the costs incurred by the State Fire Marshal in administering the Program are likely to continue to remain relatively low. However, an additional issue that several fire fighters we talked to raised is whether State law should be changed to require that fire fighters be certified. We did not explore this issue in this audit, but would note that, depending on how the law were written, mandatory certification could change the role of the State Fire Marshal and have an impact on costs.

**Shortfalls In Funding for Investigator and Inspector Travel
And Subsistence Have Existed in Recent Years, But It Is
Unlikely That Expenditures for the Fire Fighter Recognition Program
Have Contributed to Them**

Concerns have been expressed that the Fire Fighter Recognition Program contributed to budgetary restrictions that led to insufficient moneys for travel and subsistence for State Fire Marshal investigators and inspectors. An internal January 1990 memo to all Fire Marshal investigators included restrictions on night and weekend calls. The memo also said that investigators should respond only to fires with property losses exceeding \$35,000. Exceptions to these restrictions included the loss of life, severe injuries, or cases where a suspect was in custody. Further restrictions included holding mileage to 1,000 miles per month, reducing overnight travel to one night per month with a \$30 motel limit, limiting public relations visits, limiting new equipment purchases, shutting off mobile phones, and eliminating car washes.

Similar problems continued into fiscal year 1991. Late that year, the Legislature provided about \$16,000 in additional funding to alleviate the problems. Additional travel and subsistence money was recommended for the Department's 1992 budget. According to Department officials, there have been no restrictions on investigators and inspectors in the past two years.

Because the Recognition Program did not begin until January 1993, and because total Program expenditures have been less than \$500, it is unlikely that the Program has had any impact on investigator and inspector travel and subsistence moneys.

Does the Fire Fighter Recognition Program Appear To Be Having a Negative Impact on Participation in Fire Fighter Training Courses Offered by the University of Kansas?

Enrollments in the University of Kansas' Fire Service Training courses have dropped in recent years. Most of the declines occurred before the Recognition Program was developed, and a number of factors contributed to the reduced enrollments. But, if the Recognition Program changes to a fire fighter certification program, it could be in direct competition with the University's programs. We also found that other fire fighter training programs have been experiencing an increase in enrollments, even after the introduction of the Recognition Program.

Enrollments in the University of Kansas' Fire Service Training Unit's Courses Declined By About One-Third Between Fiscal Years 1991 and 1992, and Generally Have Continued to Decline in Fiscal Year 1993

The University of Kansas' Fire Service Training unit offers more than 350 courses for fire fighters across the State. Ten of the courses, including Fire Fighter I, Fire Fighter II, and Fire Fighter III, lead to nationally recognized certification. These courses can be completed through correspondence study, they may be taken at the University, or they may be completed through approved programs registered with the University.

Other courses are offered through a complement of field instructors approved by the University to teach for the Fire Service Training unit. The Fire Service Training unit also offers an annual fire school, as required by State statute.

The Fire Service Training unit offers some of its courses at no charge, while others have a fee. For instance, in fiscal year 1992, the University taught a total of 363 courses; 30 of those were offered free of charge.

The following table shows the annual enrollment in the Fire Service Training unit over the past several years.

Enrollment In the University of Kansas' Fire Service Training Courses

	<u>Fiscal Year</u>				
	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993 (a)</u>
Courses that count toward certification	357	894	832	696	508
Courses that do not count toward certification	<u>2,624</u>	<u>6,380</u>	<u>7,837</u>	<u>5,229</u>	<u>5,592</u>
Total, All Courses	2,981	7,274	8,669	5,925	6,100

(a) These figures are estimated from actual enrollments during the first two trimesters of the fiscal year.

As the table shows, enrollments in all courses peaked in fiscal year 1991, after jumping dramatically in fiscal year 1990. Enrollments in the courses that count toward certification peaked in fiscal year 1990. Although enrollments in both categories have been declining since their peak years, current enrollments are still significantly higher than they were in fiscal year 1989.

The director of the University of Kansas' Fire Service Training unit attributes the decline in fiscal year 1993 to the Recognition Program. He told us that fire fighters may be viewing the Recognition Program as a certification program that can be completed at no charge. His view is that there were no other changes that occurred in his program (such as additional fee increases) that could account for this decline in enrollment.

Given that the Recognition Program did not begin until January 1993 and that information on the program was not widely distributed until December 1992, we think it unlikely the Recognition Program is responsible for much of the current declines in enrollment.

Kansas Fire Chiefs Expressed a Mix of Opinions About the Fire Fighter Recognition Program

We contacted a sample of 11 fire chiefs. Six headed full-time, paid departments, and five headed volunteer departments.

Two-thirds of the chiefs of full-time departments said the Program was not a good idea. The primary reasons given were the following:

- the Program will compete with KU's courses
- the Program lacks any independent testing of the fire fighter's skill level

Most of the volunteer chiefs did not have an opinion about the program, however the two who did said it was a good idea. Both of these chiefs indicated that the Program would encourage training.

In contrast, five of the six paid department chiefs said they did not think the Program would encourage training.

All the paid fire departments use the University of Kansas' Fire Service Training courses and indicated that the Recognition program would have no effect on their use of KU's training. Only two of the volunteer departments use KU's training. The chief of one of these departments indicated he would continue to use KU's courses, but he would also encourage participation in the Recognition Program. He said he could use the Recognition Program as a vehicle to train more fire fighters within his limited budget.

A number of factors other than the Recognition Program appear to be contributing to these declines. We identified several factors that appear to be contributing to enrollment drops in the University's Fire Service Training unit:

- In fiscal year 1990, a catalog of courses was printed for the first time. As the table shows, enrollment jumped at about this same time. It does not seem unlikely to expect that enrollments would have peaked after the introduction of a course catalog, and then dropped off.
- Another possible explanation is that the majority of fire fighters who are going to be certified have been certified already. (Of the approximately 15,000 fire fighters in the State, some 7,000 have participated in the courses that offer certification.) We contacted 11 fire chiefs throughout Kansas. Six chiefs from the full-time fire

departments said certification was important to their departments, but five chiefs from volunteer fire departments indicated that certification was not important. Because there is no mandatory certification requirement, and because certification is not important to many departments, it is likely that not all fire fighters will get certification.

- In fiscal year 1992, the Fire Service Training unit lost about \$40,000 in federal money. As a result, fees for the certification courses were increased. For instance, the fee for the most popular certification course, Fire Fighter I, went from \$60 to \$80.

In addition, because of the loss of this funding source, the unit was able to offer fewer courses at no charge than in the past. As noted above, in fiscal year 1992, the University was able to offer 30 courses at no charge. In fiscal year 1991, it had been able to offer more than 200 courses at no charge. Both of these factors likely had some impact on the decline in enrollments in fiscal year 1992.

- In fiscal year 1993, the certification requirements for Fire Fighter I were changed. According to Fire Service Training staff, many enrollments were delayed until the third trimester so that the new requirements could be fulfilled. By the time the third trimester is over, the actual number of enrollments may be higher than estimated.

If the Recognition Program changes to a fire fighter certification program in the future, it could compete for the same students as the University of Kansas' Fire Service Training unit. The current Recognition Program does not certify fire fighters, but as noted earlier, the Kansas Fire Service Council is in the process of trying to get its program approved by the Department of Education so that it can offer certification. If this happens, the two programs could have to compete for fire fighters who want certification. This could have an impact on enrollment in the University of Kansas' courses.

Other Fire Fighter Training Programs Have Been Experiencing Increases in Enrollment

Although officials from the the University of Kansas' Fire Service Training program thought the Recognition Program was having a negative impact on its enrollments, the Program does not seem to be affecting enrollments in other fire fighter training programs. We contacted officials from the Kansas State Fire Fighters Association and three community colleges that offer training to fire fighters. All of these groups indicated they have had significant increases in training enrollments in the past several years. For instance, enrollment in Great Bend Community College's Fire Science Technology program has tripled over the last five years. In addition, the short-term program at Dodge City Community College has experienced a nearly three-fold increase in average class size, from eight in fiscal year 1989 to 22 in fiscal year 1992.

Conclusion

A lot of confusion has surrounded the start-up of the Fire Fighter Recognition Program. In addition, before any Certificates of Recognition have even been issued, the committee that created the Program is in the process of changing its focus from a recognition program to a certification program.

The State Fire Marshal plays a relatively minimal administrative role with the Recognition Program. Even if the training committee's Recognition Program becomes a certification program, it is still likely that the Fire Marshal's role will be relatively limited. If, however, the Fire Marshal decided to take a more active role in the area of fire fighter training (as apparently would be allowed under current statutes), or if legislation was enacted requiring fire fighters to be certified, the role of the Fire Marshal could change. In either of these cases, there could be a fairly significant cost impact.

Appendix A

Agency Response

On April 13, we provided a copy of the draft audit report to the State Fire Marshal's Office. We also gave officials of the University of Kansas Fire Service Training Program the opportunity to respond. The Fire Marshal's response is included as this appendix.

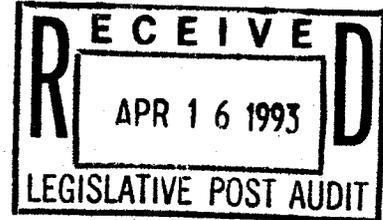


"Where Fire Safety Is A Way Of Life"

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APRIL 16, 1993

BARBARA J. HINTON
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Dear Ms. Hinton:

My staff and I have reviewed the draft of the performance audit report entitled "Reviewing the Fire Fighter Recognition Program".

We find the audit to be a very unbiased and fair evaluation of the program. We have no further additions or comments that we feel need to be included.

The confusion surrounding this program and training in general, underscores the need for a centralized clearinghouse for fire service training.

We would like to thank you and your staff for their professionalism and fairness in conducting this performance audit.

Sincerely,

Edward C. Redmon
State Fire Marshal

