



North Carolina State Fire Commission By-Laws	
<i>EFFECTIVE:</i> January 14, 2020	<i>VERSION:</i> v1r4
<i>APPROVED:</i> NC Fire and Rescue Commission	

I. GENERAL RULES

The North Carolina State Fire and Rescue Commission (hereinafter referred to as "the Commission") shall be governed by the terms of Article 78 of Chapter 58 of the General Statutes of North Carolina and by such other state laws as shall relate to its activities. In addition, it shall comply with these by-laws for its internal management, which it has adopted pursuant to G.S. 58-78-10.

II. OFFICERS AND DUTIES

- A. Chair: The Commission shall elect a Chair from among its members at its first regular meeting after July 1 each year. The Chair shall serve until his successor is elected and installed. The Chair shall be eligible for re-election. The Chair shall preside over all Commission and executive committee meetings, shall appoint all committees of the Commission, shall generally oversee the operations of the Commission's staff, and shall officially represent the Commission. While presiding at meetings, the Chair shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at the time.
- B. Vice-Chair: The Commission shall elect a Vice-Chair from among its members in the same manner and for the same terms as the Chair. The Vice-Chair shall be eligible for re-election. The Vice-Chair shall serve as acting Chair in the absence or disability of the Chair, and at such times the Vice-Chair shall have the same powers and duties as the Chair.
- C. Staff: The staff of the Commission shall consist of assigned staff of the Office of State Fire Marshal within the N. C. Department of Insurance, as provided by GS 58-78-15. The staff shall provide administrative and other services required by the Commission and shall administer and enforce all provisions of Article 78 of Chapter 58 of the General Statutes and rules and regulations promulgated by the Commission, subject to the direction of the Commission.

III. MEETINGS

- A. Regular Meetings: The Commission shall hold regular meetings on the second Tuesday of July, October, January, and April. The Chair shall give written notice of the exact meeting place to each member no later than two weeks prior to the meeting. The Chair may reschedule a regular meeting by giving written notice to all members no later than two weeks prior to the date of the originally scheduled meeting.
- B. Special Meetings: Special meetings of the Commission may be called at any time by the Chair, the Vice-Chair, or any four members of the Commission. Written notice of any special meetings shall be given to all members of the Commission at least two weeks prior to the time of the meeting, setting forth the detailed time, date, and place of the meeting and the purpose for which it will be held. In the event of an emergency, the period of such notice may be shortened, provided that feasible efforts are made to notify every member sufficiently in advance of the meeting such that his or her attendance will not be precluded.
- C. Quorum: A quorum shall consist of 7 members of the Commission. A quorum of any committee shall consist of a simple majority of all the members of the committee.
- D. Conduct of Meetings: All meetings of the Commission shall be open to the public. The current edition of Roberts Rules of Order will be guide to meeting process and will be applied in the discretion of the Chair. The order of business at regular meetings shall generally be as follows: (1) roll call; (2) minutes of previous meeting; (3) reports from boards (4) reports from committees; (5) unfinished business; (6) new business.
- E. Voting: The vote of a majority of those members present shall be enough to decide matters before the Commission, provided a quorum is present. The Chair shall not be required to vote unless his vote is necessary to break a tie, but he may vote on any matter; he may not vote twice, creating a tie and then breaking it. No Commission member shall participate in the decision of any matter in which he has a personal financial interest enough to influence his vote.

IV. COMMISSION BOARDS

Pursuant to N.C.G.S. § 58-78-5(a)(15) and N.C.G.S. § 58-78-5(a)(16), The Commission shall create and assign duties to the Certification Board (hereinafter referred to as "the certification board"), Volunteer Safety Workers Compensation Fund Board (hereinafter referred to as the "vswcf board"), and the Certified Fire Investigator Review Board (hereinafter referred to as the "cfi board") it deems necessary and appropriate to carry out its functions and duties most

expeditiously. These boards may create standing committees, special committees, subcommittees for special purposes or advisory committees.

A. CERTIFICATION BOARD –

Certification Board Membership: The Certification Board shall be responsible for (a) adhering to all provisions of GS 58-78-5 developing and recommending policies and procedures to manage the various voluntary certification programs (except Certified Fire Investigator) within GS 58-78-5, and encouraging training programs, research, and program development (b) reporting quarterly to the Commission.

1. Membership of the Certification Board shall consist of the following: The Certification Board consists of one (1) permanent member who serves by virtue of their position and thirteen (13) members serving three-year terms representing various associations or appointments. Upon resignation of a three-year term member, he/she shall be replaced in the same manner as originally appointed and may not be temporarily replaced or represented by another individual. A member has a right to complete his/her term and may not be replaced unless he or she agrees to resign or is removed by the representing organization for cause. Any member shall continue to serve until his/her successor is appointed. If any of the organizations represented on the Board by either a three-year term member or a permanent member should dissolve, then the position is removed from the Board subject to replacement by the Commission later by another organization.
 - a. The Permanent Member: Serves by virtue of their position and shall forfeit membership immediately upon losing his or her position. A permanent member may be an individual who is temporarily filling the position until a permanent replacement has been found. This temporary individual must be recognized by his or her governing body as acting in that position. Upon permanent appointment of an individual to the position, he/she shall immediately begin serving as a permanent member of the Certification Board.
 - i. Permanent Member is the Executive Director, NC Fire and Rescue Commission, or designee
 - b. Three-Year Term Members are:
 - i. One (1) Member of the Commission
 - ii. One (1) Member appointed by the Chair of the Commission
 - iii. One (1) Member appointed by the Vice-Chair of the Commission

- iv. One (1) Member representing the NC State Firefighters' Association
 - v. One (1) Member representing the NC Association of Fire Chiefs
 - vi. One (1) Member representing the NC Society of Fire and Rescue Service Instructors
 - vii. One (1) Member representing the NC Fire Marshal's Association
 - viii. One (1) Member representing the Professional Firefighters and Paramedics of North Carolina
 - ix. One (1) Member representing the NCCCS Fire and Rescue Advisory Committee
 - x. Four (4) Members representing the NC Association of Rescue & EMS
2. Appointment Procedure: The three-year term members shall be appointed in the following manner:
- a. The Commission Chair's appointee shall be appointed to a three-year term by the current Chair of the Commission in office when the appointment comes up for replacement.
 - b. The Commission Vice-Chair's appointee shall be appointed to a three-year term by the current Vice-Chair of the Commission in office when the appointment comes up for replacement.
 - c. The Commission member serving shall be nominated and elected at a regularly scheduled and announced Fire and Rescue Commission meeting, by a majority of the full voting membership present. This individual must be a Commission member at the time of appointment.
 - d. Representatives of the NC State Firefighters' Association, the NC Association of Fire Chiefs, the NC Society of Fire Service Instructors, the Professional Firefighters and Paramedics of North Carolina, the NC Fire Marshal's Association and the NCCCS Fire Protection Advisory Committee shall be elected by the Commission at a regularly scheduled Commission meeting, by a majority of the full voting membership present, after receiving resumes and nominations on two (2) individuals from the represented association. Representatives of the NC Association of Rescue and EMS, Inc. shall be elected by the Commission at a regularly scheduled Commission meeting, by a majority of the full voting membership present, after receiving resumes and nominations on four (4) individuals and two (2) alternates from the association.

3. Selection of Board Chair and Vice-Chair:
 - a. Chair: The Board shall elect a Chair from among its members at its first regular meeting after July 1 each year. The Chair shall serve until his successor is elected and installed. The Chair shall be eligible for re-election. The Chair shall preside over all Board meetings, shall appoint all committees of the Board, and shall officially represent the Board. While presiding at meetings, the Chair shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time.
 - b. Vice-Chair: The Board shall elect a Vice-Chair from among its members in the same manner and for the same terms as the Chair. The Vice-Chair shall be eligible for re-election. The Vice-Chair shall serve as acting Chair in the absence or disability of the Chair, and at such times the Vice-Chair shall have the same powers and duties as the Chair.
 - c. The Chair and Vice-Chair cannot represent the same organization.

4. Responsibilities of the Chair:
 - a. The Chair shall have the following duties:
 - i. Communicate to staff agenda items for meeting;
 - ii. Conduct and “chair” all Board meetings, maintaining order, and apply Robert’s Rules of Order in their discretion as necessary;
 - iii. Call special meetings independently, or upon request of staff or members;
 - iv. Represent Board at Commission meetings, making annual reports, and testifying on Board actions at all appeals;
 - v. Represent Board at various conferences, “chairing” hearings, meetings, etc., established for Board input;
 - vi. Select or appoint such committees as may be necessary to bring in specialists to properly evaluate programs; and
 - vii. Handle other duties as may be delegated by the Board and/or the Commission.
 - b. The Vice-Chair shall serve in the absence of the Chair.

5. Vacancies and Resignations:
 - a. Vacancies shall be filled in the original manner and shall begin a new three-year cycle. Terms not completed by a member will dissolve, and the new appointee will begin a new three-year term. Vacancies caused by resignations shall remain vacant until filled in the original manner. Delays in the appointment procedure will allow the current

member whose term has expired to continue to fill the position until a successor is appointed.

6. Quorum:
 - a. At all regularly scheduled and called meetings of the Board, no vote shall be cast, and no policy decision made without a quorum of members present. Issues may be discussed for information only but must be carried over until the next meeting where a quorum is present.
 - b. A quorum of voting members shall exist by the presence of eight (8) out of 14 members being present.

7. Member Attendance:
 - a. Members, whenever possible, should be present at all meetings. Members must be present to vote and shall not be allowed to send a delegate or designee to vote in his/her place.
 - b. Whenever a member is unable to attend, he/she should notify either the Chair of the Board or staff so that there can be assurances of a quorum.
 - c. Any member who misses two (2) unexcused consecutive meetings of the Board shall be considered to have resigned from the Board. In addition, any member who misses four (4) meetings in a two-year period shall be considered to have resigned from the Board. Legitimate absences may be excused by the Chair.
 - d. Vacancies which occur shall be submitted to the represented association within 14 days for submission of two names to be placed before the Commission at the next scheduled meeting.

8. Representation by Alternate:
 - a. Permanent Members of the Board, by virtue of their position may appoint an alternate to represent them at meetings they are unable to attend. The Chair must be notified in writing by the Permanent Member of the beginning and ending dates of the representation. It must be renewed at least annually.

9. Frequency of Meetings:
 - a. Meetings shall be held at least quarterly, or within 60 days of an appeal. Scheduled meetings should be planned at the previous meeting as to date, time, and location.

10. Location, Time, and Meeting Length:
 - a. The location, date, and time of regular meetings shall be set at the previous meeting. Members should select dates which the majority will be able to attend. Meeting length must be flexible. In some cases, the Chair and staff may decide to break the agenda up into two (2) meetings instead of trying to address all material in one day.

11. Called Meetings:
 - a. The Chair of the Board may at any time he/she deems necessary, or at the request of another Board member, call a special unscheduled meeting of the Board.

12. Meeting Announcements and Notification Procedures:
 - a. Each member must be notified in writing no less than two weeks prior to each meeting of the date, time, and location of a regular meeting. Special called meetings which give less than a two-week notification shall require notification by telephone or personal interface, in addition to a follow-up in writing. It shall be the responsibility of staff to issue these announcements upon direction of the Chair.

13. Rules of Order:
 - a. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall be a guide and applied in the discretion of the Chair in all cases to which they are applicable and in which they are not inconsistent with these policies and any special rules of order the Board may adopt.
 - b. All requests of the Board., that are to be presented to the Board at a regularly scheduled meeting, must be received a minimum of 15 working days prior to the meeting in order to give staff the time to prepare for the meeting. All materials received after the cut-off date may be held by staff until the following meeting. Board members requesting items to be placed on the meeting agenda should submit them to the Chair or staff prior to the cut-off date as well.
 - c. All meetings of the Board must have recorded minutes, which shall be voted on and approved at the following meeting. These minutes will be sent to Board members prior to the Board meeting for review.

14. Staff Responsibilities:
 - a. The Director of the NC Fire and Rescue Commission shall serve as staff of the Board. He/she may request or obtain such additional help as may be needed to complete his/her responsibilities.

- b. Staff responsibilities are:
- i. Giving written and/or verbal notice to all members of regular and special meetings
 - ii. Record and prepare written minutes of all meetings;
 - iii. Record and prepare written documentation of all Board rulings, keeping documentation for future reference;
 - iv. Working with the Chair, prepare meeting agendas;
 - v. Review all correspondence for the Board, giving members a brief description of the request, and staff recommendation based on past rulings and standards;
 - vi. Provide Board members at meetings with copies of necessary correspondence;
 - vii. Correspond, in writing, to all individuals presenting requests to the Board concerning the Board's ruling involving their request, copying Board members for documentation. These copies are to be included in Board packets at following meetings;
 - viii. Keep Board Chair and members informed of all related rulings and issues discussed and ruled on by the Commission;
 - ix. Prepare such operations procedure drafts, ruling drafts, etc., that the Board may request for approval, subject to staff time and availability;
 - x. Maintain and update policies and procedures after adoption by the NC Fire and Rescue Commission's, Certification Board;
 - xi. Arrange for meeting space subsequent to request from individuals to host meetings;
 - xii. Keep Chair informed of any issues impacting the Board;
 - xiii. Provide individuals with applications, and procedures for applications, to the Board;
 - xiv. Answer questions concerning Board rulings and procedures to interested parties;
 - xv. Make interpretations, and rulings based on Board precedents, at the level requested by the current Board to individuals applying. This serves to keep repetitive requests from taking valuable Board time;
 - xvi. Relay Board requests to other organizations for developmental support as requested by the Board; and
 - xvii. Handle such other requests for assistance by the Board or Chair, based on ability and time constraints.

15. Board Responsibilities:
- a. It shall be the general responsibility of the Certification Board to establish routines, reporting requirements, guidelines, options, etc., for carrying out the various certification programs assigned to it. These items, etc., should be based on the intent of each standard as passed by the Commission, and should not vary the context or original intent of the standard. Such rules, procedures, etc., promulgated by the Board, should further define the requirements of the standard, and make application, administration, documentation, and management of the standard more explicit. These responsibilities shall include, but not be limited to, the following:
 - i. All qualification classes qualifying instructors to delivery standards work must come before the Board;
 - ii. Develop and evaluate tests when needed;
 - iii. Enforce certification requirements set forth by the NC Fire and Rescue Commission;
 - iv. Evaluate and develop forms, physicals, applications, etc., necessary for administration of the standard;
 - v. Evaluate departments who make application for delivery agency status;
 - vi. Evaluate independent training programs;
 - vii. Evaluate Instructor teaching outlines;
 - viii. Evaluate other agency programs for compliance;
 - ix. Review individual records for certification; and
 - x. Review out-of-state certification programs for compliance.
 - b. It shall also be the general responsibility of the Board to make rulings, issue approval, conduct evaluations and make recommendations to the Commission regarding suspensions, revocations, and other adverse actions. Such evaluations, rulings, etc., shall be consistent with the original intent of each standard as passed by the Commission.
 - i. Handle such rulings as may come up on individual problems or situations
 - ii. Make such criteria, evaluations, etc., necessary to carry out the intent of the standard
 - iii. Monitor the quality of instructor work and establish such criteria as necessary to enforce the suspension requirements in the instructor standard. The Board may request such assistance as necessary, such as from the OSFM field staff, Community College Area Coordinators, etc., to evaluate or investigate complaints and/or instructor ability

- iv. Make recommendations to the Commission on suspension of instructors, appeals, etc.,
 - v. Make recommendations to the Commission on violations of standard rules by individuals, organizations, schools, etc.
 - c. It shall also be the general responsibility of the Board to make recommendations to the Commission regarding updating or amending standards based on improvements and further clarification needed as viewed by the Board. This should be done a minimum of every five (5) years.
 - d. The Board shall handle such additional certification standards as may be assigned to it by the Fire and Rescue Commission.
 - e. Any rulings, procedures, documentation, etc., produced by the Board shall be forwarded to the appropriate individuals.

- 16. Board Rulings:
 - a. Whenever the Board establishes a procedure, or makes a ruling on any issue, the Board shall, working with staff, make such ruling or procedure available to appropriate individuals or organizations.
 - b. Board member should take it upon themselves to keep the organizations they represent apprised of routine Board meetings and actions.
 - c. Specific actions shall be addressed, in writing, to appropriate agencies by staff when so directed by the Board.

- 17. Quarterly Reports to the Fire and Rescue Commission:
 - a. It shall be the responsibility of the Chair (or OSFM Staff) to prepare a quarterly report of Board activity for the preceding quarter.
 - b. This quarterly report shall be presented to the Commission at their quarterly meeting by the Chair (or OSFM Staff).
 - c. The report shall consist of:
 - i. Significant Board rulings
 - ii. Number of meetings
 - iii. Change in representation of any agency
 - iv. Any surveys, procedures, reports, etc., requested by the Commission
 - v. Board member names and attendance records
 - vi. Schedules for the upcoming year on standard revision suggestions

B. VOLUNTEER SAFETY WORKERS COMPENSATION FUND BOARD –

Volunteer Safety Workers Compensation Fund Board Membership: The VSWCF Board shall be responsible for assisting the Commission in (a) adhering to all provisions of GS 58-87-10 (b) developing and recommending rates that will be charged in accordance with GS 58-87-10 (c) conducting and encouraging research in reduction of firefighter and rescue members injuries and death, and education programs (d) reporting quarterly to the Commission.

1. Membership of the VSWCF Board shall consist of the following: The VSWCF Board consists of one (1) permanent member who serves by virtue of his or her position and nine (9) members serving three-year terms representing various associations or appointments. Upon resignation of a three-year term member, he/she shall be replaced in the same manner as originally appointed and may not be temporarily replaced or represented by another individual. A member has a right to complete his/her term and may not be replaced unless he or she agrees to resign or is removed by the representing organization for cause. Any member shall continue to serve until his/her successor is appointed. If any of the organizations represented on the Board by either a three-year term member or a permanent member should dissolve, then the position is removed from the Board subject to replacement by the Commission later by another organization.
 - a. The Permanent Member: Serves by virtue of his or her position and shall forfeit membership immediately upon losing his or her position. The VSWCF Board may be represented by an individual who is temporarily filling the Executive Director position, until a permanent replacement has been found. Upon the appointment of the Executive Director, he/she shall immediately begin serving as a permanent member of the VSWCF Board.
 - i. Permanent Member is: Executive Director, NC Fire and Rescue Commission, or designee
 - b. Three-Year Term Members are:
 - i. Two (2) Members representing the North Carolina Association of Rescue and EMS, Inc.
 - ii. Two (2) Members representing the North Carolina State Firefighters' Association
 - iii. Five (5) Members representing the North Carolina Fire and Rescue Commission

2. Appointment Procedure: The three-year term members shall be appointed in the following manner:
 - a. Representatives of the NC State Firefighters' Association shall be elected by the Commission at a regularly scheduled Commission meeting, by a majority of the full voting membership present, after receiving resumes and nominations on two (2) individuals from the represented association. Representatives of the NC Association of Rescue and EMS, Inc. shall be elected by the Commission at a regularly scheduled Commission meeting, by a majority of the full voting membership present, after receiving resumes and nominations on two (2) individuals from the represented association.
 - b. The Commission's (5) appointees shall be appointed to a three-year term.

3. Selection of Board Chair and Vice-Chair:
 - a. Chair: The Board shall elect a Chair from among its members at its first regular meeting after July 1 each year. The Chair shall serve until his successor is elected and installed. The Chair shall be eligible for re-election. The Chair shall preside over all Board meetings, shall appoint all committees of the Board, and shall officially represent the Board. While presiding at meetings, the Chair shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time.
 - b. Vice-Chair: The Board shall elect a Vice-Chair from among its members in the same manner and for the same terms as the Chair. The Vice-Chair shall be eligible for re-election. The Vice-Chair shall serve as acting Chair in the absence or disability of the Chair, and at such times the Vice-Chair shall have the same powers and duties as the Chair.
 - c. The Chair and Vice-Chair cannot be representing the same organization.

4. Vacancies and Resignations:
 - a. Vacancies shall be filled in the original manner and shall begin a new three-year cycle. Terms not completed by a member will dissolve, and the new appointee will begin a new three-year term. Vacancies caused by resignations shall remain vacant until filled in the original manner. Delays in the appointment procedure will allow the current member whose term has expired to continue to fill the position until a successor is appointed.

5. Quorum:
 - a. At all regularly scheduled and called meetings of the Board, no vote shall be cast, and no policy decision made without a quorum of members present. Issues may be discussed for information only but must be carried over until the next meeting where a quorum is present.
 - b. A quorum of voting members shall exist by the presence of six (6) out of 10 members being present.

6. Member Attendance:
 - a. Members whenever possible should be present at all meetings. Members must be present to vote and shall not be allowed to send a delegate or designee to vote in his/her place.
 - b. Whenever a member is unable to attend, he/she should notify either the Chair of the Board or staff so that there can be assurances of a quorum.
 - c. Any member who misses two (2) unexcused consecutive meetings of the Board shall be considered to have resigned from the Board. In addition, any member who misses four (4) meetings in a two-year period shall be considered to have resigned from the Board. Legitimate absences may be excused by the Chair.
 - d. Vacancies which occur shall be submitted to the represented association within 14 days for submission of two names to be placed before the Commission at the next scheduled meeting.

7. Representation by Alternate:
 - a. Permanent Members of the Board, by virtue of their position may appoint an alternate to represent them at meetings they are unable to attend. The Chair must be notified in writing by the Permanent Member of the beginning and ending dates of the representation. It must be renewed at least annually.

8. Frequency of Meetings:
 - a. Meetings shall be held at least quarterly. Scheduled meetings should be planned at the previous meeting as to date, time and location.

9. Location, Time, and Meeting Length:
 - a. The location, date, and time of regular meetings shall be set at the previous meeting. Members should select dates which the majority will be able to attend. Meeting length must be flexible. In some

cases, the Chair and staff may decide to break the agenda up into two (2) meetings instead of trying to address all material in one day.

10. Called Meetings:
 - a. The Chair of the Board may at any time he/she deems necessary, or at the request of another Board member, call a special unscheduled meeting of the Board.

11. Meeting Announcements and Notification Procedures:
 - a. Each member must be notified in writing no less than two weeks prior to each meeting of the date, time, and location of a regular meeting. Special called meetings which give less than a two-week notification shall require notification by telephone or personal interface, in addition to a follow-up in writing. It shall be the responsibility of staff to issue these announcements upon direction of the Chair.

12. Rules of Order
 - a. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall be a guide and applied in the discretion of the Chair in all cases to which they are applicable and in which they are not inconsistent with these policies and any special rules of order the Board may adopt.
 - b. All requests, appeals, exemptions, etc., that are to be presented to the Board at a regularly scheduled meeting must be received a minimum of 15 working days prior to the meeting in order to give staff the time to prepare for the meeting. All materials received after the cut-off date may be held by staff until the following meeting. Board members requesting items to be placed on the meeting agenda should submit them to the Chair or staff prior to the cut-off date as well.
 - c. All meetings of the Board must have recorded minutes, which shall be voted on and approved at the following meeting. These minutes will be sent to Board members prior to the Board meeting for review.

13. Staff Responsibilities:
 - a. The staff of the Board shall consist of the Office of State Fire Marshal and Fire and Rescue Commission in the N. C. Department of Insurance, as provided by Article 78 of the NCGS. The staff shall provide clerical and other services required by the Board and shall administer and enforce all provisions of GS 58-87-10 and rules and

regulations promulgated by the Board, subject to the direction of the Board.

14. Board Responsibilities:
 - a. It shall be the general responsibility of the VSWCF Board to establish routines, reporting requirements, guidelines, options, etc., for carrying out the various programs and functions assigned to it. These rules, etc., should be based on the intent of each standard as passed by the Commission, and should not vary the context or original intent of the standard. Such rules, procedures, etc., promulgated by the Board, should further define the requirements of the standard, and make application, administration, documentation, and management of the VSWCF more explicit.

15. Quarterly Reports to the Fire and Rescue Commission:
 - a. It shall be the responsibility of the Chair (or OSFM Staff) to prepare a quarterly report of Board activity for the preceding quarter.
 - b. This quarterly report shall be presented to the Commission at their quarterly meeting by the Chair (or OSFM Staff).
 - c. The report shall consist of:
 - i. Significant Board rulings
 - ii. Number of meetings
 - iii. Change in representation of any agency
 - iv. Any surveys, procedures, reports, etc., requested by the Commission
 - v. Board member names and attendance records

C. CERTIFIED FIRE INVESTIGATOR REVIEW BOARD –

Certified Fire Investigator Review Board Membership: The Certified Fire Investigator (CFI) Board shall be responsible for (a) developing and recommending training and voluntary certification of Fire Investigator – Advanced, in accordance with the Commission’s policies and procedures, and, (b) reporting quarterly to the Commission.

1. Membership of the CFI Board shall consist of the following: The CFI Board consists of one (1) permanent member who serve by virtue of his or her position and eight (8) members serving three-year terms representing various associations or appointments. Upon resignation of a three-year term member, he/she shall be replaced in the same manner as originally appointed and may not be temporarily replaced or represented by another individual. A member has a right to complete his/her term and may not be

replaced unless they agree to resign or is removed by the representing organization for cause. Any member shall continue to serve until his/her successor is appointed. If any of the organizations represented on the Board by either a three-year term member or a permanent member should dissolve, then the position is removed from the Board subject to replacement by the Commission later by another organization.

- a. The permanent member: Serves by virtue of his or her position and shall forfeit membership immediately upon losing his or her position. The NC Fire and Rescue Commission may be represented by an individual who is temporarily filling the Executive Director position, until a permanent replacement has been found. Upon the appointment of the Executive Director, he/she shall immediately begin serving as a permanent member of the CFI Board.
 - b. Permanent Member: Executive Director, NC Fire and Rescue Commission, or designee
 - c. Three-Year Term Members are:
 - i. One (1) Member of the Commission
 - ii. One (1) Member appointed by the Chair of the Commission
 - iii. One (1) Member appointed by the Vice-Chair of the Commission
 - iv. One (1) Member representing the NC State Firefighters' Association
 - v. One (1) Member representing the NC Association of Fire Chiefs
 - vi. One (1) Member representing the NC Fire Marshal's Association
 - vii. One (1) Member representing the NC Chapter of the International Association of Arson Investigators
 - viii. One (1) Member representing the North Carolina State Bureau of Investigation
2. Appointment Procedure: The three-year term members shall be appointed in the following manner:
- a. The Commission Chair's appointee shall be appointed to a three-year term by the current Chair of the Commission in office when the appointment comes up for replacement.
 - b. The Commission Vice-Chair's appointee shall be appointed to a three-year term by the current Vice-Chair of the Commission in office when the appointment comes up for replacement.
 - c. The Commission member serving shall be nominated and elected at a regularly scheduled and announced Fire and Rescue Commission

- meeting, by a majority of the full voting membership present. This individual must be a Commission member at the time of appointment.
- d. Representatives of the NC State Firefighters' Association, the NC Association of Fire Chiefs, the NC Fire Marshal's Association, the NC Chapter of the International Association of Arson Investigators, and the NC State Bureau of Investigation shall be elected by the Commission at a regularly scheduled Commission meeting, by a majority of the full voting membership present, after receiving resumes and nominations on two (2) individuals from the represented association or NC State Bureau of Investigation.
3. Selection of Board Chair and Vice-Chair:
 - a. Chair: The Board shall elect a Chair from among its members at its first regular meeting after July 1 each year. The Chair shall serve until his successor is elected and installed. The Chair shall be eligible for re-election. The Chair shall preside over all Board meetings, shall appoint all committees of the Board, and shall officially represent the Board. While presiding at meetings, the Chair shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time.
 - b. Vice-Chair: The Board shall elect a Vice-Chair from among its members in the same manner and for the same terms as the Chair. The Vice-Chair shall be eligible for re-election. The Vice-Chair shall serve as acting Chair in the absence or disability of the Chair, and at such times the Vice-Chair shall have the same powers and duties as the Chair.
 - c. The Chair and Vice-Chair cannot be representing the same organization.
 4. Responsibilities of the Chair:
 - a. The Chair shall have the following duties:
 - i. Communicate to staff agenda items for meeting;
 - ii. Conduct and "chair" all Board meetings, maintaining order, and apply Robert's Rules of Order in their discretion as necessary;
 - iii. Call special meetings independently, or upon request of staff or members;
 - iv. Represent Board at Commission meetings, making annual reports, and testifying on Board actions at all appeals;
 - v. Represent Board at various conferences, "chairing" hearings, meetings, etc., established for Board input;

- vi. Select or appoint such committees as may be necessary to bring in specialists to properly evaluate programs; and
 - vii. Handle other duties as may be delegated by the Board and/or the Commission.
 - b. The Vice-Chair shall serve in the absence of the Chair.

- 5. Vacancies and Resignations:
 - a. Vacancies shall be filled in the original manner and shall begin a new three-year cycle. Terms not completed by a member will dissolve, and the new appointee will begin a new three-year term. Vacancies caused by resignations shall remain vacant until filled in the original manner. Delays in the appointment procedure will allow the current member whose term has expired to continue to fill the position until a successor is appointed.

- 6. Quorum:
 - a. At all regularly scheduled and called meetings of the Board, no vote shall be cast, and no policy decision made without a quorum of members present. Issues may be discussed for information only but must be carried over until the next meeting where a quorum is present.
 - b. A quorum of voting members shall exist by the presence of five (5) out of 9 members being present.

- 7. Member Attendance:
 - a. Members whenever possible should be present at all meetings. Members must be present to vote and shall not be allowed to send a delegate or designee to vote in his/her place.
 - b. Whenever a member is unable to attend, he/she should notify either the Chair of the Board or staff so that there can be assurances of a quorum.
 - c. Any member who misses two (2) unexcused consecutive meetings of the Board shall be considered to have resigned from the Board. In addition, any member who misses four (4) meetings in a two-year period shall be considered to have resigned from the Board. Legitimate absences may be excused by the Chair.
 - d. Vacancies which occur shall be submitted to the represented association within 14 days for submission of two names to be placed before the Commission at the next scheduled meeting.

8. Representation by Alternate:
 - a. Permanent Members of the Board, by virtue of their position may appoint an alternate to represent them at meetings they are unable to attend. The Chair must be notified in writing by the Permanent Member of the beginning and ending dates of the representation. It must be renewed at least annually.

9. Frequency of Meetings:
 - a. Meetings shall be held at least quarterly, or within 60 days of an appeal. Scheduled meetings should be planned at the previous meeting as to date, time and location.

10. Location, Time, and Meeting Length:
 - a. The location, date, and time of regular meetings shall be set at the previous meeting. Members should select dates which the majority will be able to attend. Meeting length must be flexible. In some cases, the Chair and staff may decide to break the agenda up into two (2) meetings instead of trying to address all material in one day.

11. Called Meetings:
 - a. The Chair of the Board may at any time he/she deems necessary, or at the request of another Board member, call a special unscheduled meeting of the Board.

12. Meeting Announcements and Notification Procedures:
 - a. Each member must be notified in writing no less than two weeks prior to each meeting of the date, time, and location of a regular meeting. Special called meetings which give less than a two-week notification shall require notification by telephone or personal interface, in addition to a follow-up in writing. It shall be the responsibility of staff to issue these announcements upon direction of the Chair.

13. Rules of Order:
 - a. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall be a guide and applied in the discretion of the Chair in all cases to which they are applicable and in which they are not inconsistent with these policies and any special rules of order the Board may adopt.
 - b. All requests, appeals, exemptions, etc., that are to be presented to the Board at a regularly scheduled meeting must be received a minimum of 15 working days prior to the meeting in order to give

staff the time to prepare for the meeting. All materials received after the cut-off date may be held by staff until the following meeting. Board members requesting items to be placed on the meeting agenda should submit them to the Chair or staff prior to the cut-off date as well.

- c. All meetings of the Board must have recorded minutes, which shall be voted on and approved at the following meeting. These minutes will be sent to Board members prior to the Board meeting for review.

14. Staff Responsibilities:

- a. The Director of the NC Fire and Rescue Commission shall serve as staff of the Board. He/she may request or obtain such additional help as may be needed to complete his/her responsibilities.
- b. Staff responsibilities are:
 - i. Giving written and/or verbal notice to all members of regular and special meetings
 - ii. Record and prepare written minutes of all meetings;
 - iii. Record and prepare written documentation of all Board rulings, keeping documentation for future reference;
 - iv. Working with the Chair, prepare meeting agendas;
 - v. Review all correspondence for the Board, giving members a brief description of the request, and staff recommendation based on past rulings and standards;
 - vi. Provide Board members at meetings with copies of necessary correspondence;
 - vii. Correspond, in writing, to all individuals presenting requests to the Board concerning the Board's ruling involving their request, copying Board members for documentation. These copies are to be included in Board packets at following meetings;
 - viii. Keep Board Chair and members informed of all related rulings and issues discussed and ruled on by the Commission;
 - ix. Prepare such operations procedure drafts, ruling drafts, etc., that the Board may request for approval, subject to staff time and availability;
 - x. Maintain and update policies and procedures after adoption by the NC Fire and Rescue Commission's, CFI Board;
 - xi. Arrange for meeting space subsequent to request from individuals to host meetings;
 - xii. Keep Chair informed of any issues impacting the Board;
 - xiii. Provide individuals with applications, and procedures for applications, to the Board;

- xiv. Answer questions concerning Board rulings and procedures to interested parties;
- xv. Make interpretations, and rulings based on Board precedents, at the level requested by the current Board to individuals applying. This serves to keep repetitive requests from taking valuable Board time;
- xvi. Relay Board requests to other organizations for developmental support as requested by the Board; and
- xvii. Handle such other requests for assistance by the Board or Chair, based on ability and time constraints.

15. Board Responsibilities:

- a. It shall be the general responsibility of the CFI Board to establish routines, reporting requirements, guidelines, options, etc., for carrying out the CFI certification program. These items, etc., should be based on the intent of the CFI certification program as passed by the Commission, and should not vary the context or original intent of the program. Such rules, procedures, etc., promulgated by the Board, should further define the requirements of the standard, and make application, administration, documentation, and management of the CFI program explicit.
- b. It shall also be the general responsibility of the Board to make rulings, issue approval, conduct evaluations, and make recommendations to the Commission regarding suspensions, revocations, and other adverse actions. Such evaluations, recommendations, rulings, etc., shall be consistent with the original intent of CFI program as passed by the Commission.
- c. It shall also be the general responsibility of the Board to make recommendations to the Commission regarding updating or amending CFI program based on improvements and further clarification needed as viewed by the Board. This should be done a minimum of every five (5) years.
- d. Any rulings, procedures, documentation, etc., produced by the Board shall be forwarded to the appropriate individuals.

16. Board Rulings:

- a. Whenever the Board establishes a procedure, or makes a ruling on any issue, the Board shall, working with staff, make such ruling or procedure available to appropriate individuals or organizations.

- b. Board member should take it upon themselves to keep the organizations they represent apprised of routine Board meetings and actions.
- c. Specific actions shall be addressed, in writing, to appropriate agencies by staff when so directed by the Board.

17. Quarterly Reports to the Fire and Rescue Commission:

- a. It shall be the responsibility of the Chair (or OSFM Staff) to prepare a quarterly report of Board activity for the preceding quarter.
- b. This quarterly report shall be presented to the Commission at their quarterly meeting by the Chair (or OSFM Staff).
- c. The report shall consist of:
 - i. Significant Board rulings
 - ii. Number of meetings
 - iii. Change in representation of any agency
 - iv. Any surveys, procedures, reports, etc., requested by the Commission
 - v. Board member names and attendance records
 - vi. Schedules for the upcoming year on CFI program revision suggestions

V. COMMISSION COMMITTEES

The Commission may create and assign duties to whatever committees it deems necessary to carry out its functions most expeditiously. These may be standing committees, special committees, and subcommittees for special purposes or advisory committees.

- A. Special and Ad Hoc Committees: Special committees are created to exercise the, limited functions for a specified period. Unless otherwise provided by the Commission, no special committee shall remain in existence for more than two years.
- B. Advisory Committees: Advisory Committees are committees whose membership consists partially or totally of persons who are not members of the Commission. They shall give the Commission or its committees such advice and assistance as may be requested by the Commission or standing committee, which creates them.

VI. BYLAW AMENDMENTS

These by-laws may be amended at any time by an affirmative vote of not less than two-thirds of the members of the Commission, provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken. If two-thirds of the members are not present at the meeting at which the vote is to be taken, a mail election shall be held on the proposed amendment.

- A. The Commission may approve, grammatical and non-substantive changes thereto, provided that such changes shall be published in a manner that provides for membership review prior to a regular or special meeting.