

Charter of the Florida Atlantic University Diving and Boating Safety Committee

I. Introduction

A Diving and Boating Safety Subcommittee (DBSS) was originally established on April 17, 1998 by the Provost of Florida Atlantic University. Under the terms of this charter, the Provost has replaced the DBSS (which formerly reported to the Research Safety Committee) with a stand-alone Diving and Boating Safety Committee (DBSC). The DBSC has been delegated the authority to promulgate and administer University policies and procedures with regard to all non-recreational diving and boating operations at Florida Atlantic University. This charter, together with the FAU Diving and Boating Safety Manual and applicable regulations, shall constitute the FAU Diving and Boating Safety Program. The DBSC shall have no oversight responsibilities for recreational diving by FAU organizations (i.e. diving clubs, etc.), which are not part of the academic and/or research missions of the University.

II. Responsibilities

The DBSC shall be equivalent to the Diving Control Board required by the Occupational Safety and Health Administration at 29 CFR 1910.401(2)(iv) and 1910 Subpart T App B, which exempts scientific diving from the commercial diving regulations. The DBSC may delegate certain responsibilities to qualified members of the committee or departments and subdivisions of the University as it deems appropriate; however, the DBSC shall not relinquish oversight for these responsibilities. Delegation of responsibilities will be in accordance with the FAU Diving and Boating Safety Manual.

The DBSC shall, at a minimum, have the responsibility to:

- Approve and monitor diving projects;
- Review, revise and approve the FAU Diving and Boating Safety Manual;
- Assure compliance with the FAU Diving and Boating Safety Manual.
- Certify the depths to which divers have been trained;
- Take disciplinary action for unsafe practices or actions;
- Assure adherence to the use of the buddy system for SCUBA divers in the water.

The Diving and Boating Safety Manual shall include, but not necessarily be limited to, procedures covering:

- All diving and boating requirements and operations specific to the program;
- Emergency care, including recompression and evacuation;
- Criteria for diver training and certification; and
- Criteria for boat operator training and certification.

III. General Committee Requirements

A. Composition of the Committee

The DBSC shall consist of at least five (5) members, a majority of which must be active scientific divers and include a Chairperson, the DSO, at least one member representing Environmental Health and Safety (EH&S), and at least one member representing Division of Research. The Provost will make the initial appointments to the DBSC, including the committee Chairperson. Representatives from EH&S may not chair the DBSC. The appointment of all members shall be for an indefinite length of time; however, the membership must elect/re-elect a Chairperson every two years. When possible, there should be at least one committee representative from each department recognized by the DBSC as having ongoing diving or boating activities. Vacancies in the membership shall be filled by appointment by the Provost from among a list of qualified and willing members of the University Community presented to the Provost by the DBSC.

B. Committee Member Standards

The DBSC acts as an autonomous authority representing the diving and boating interests of Florida Atlantic University. As such a representative body, it is incumbent upon all individual members of the DBSC at all times to maintain the highest personal compliance standards as set forth by the FAU Diving and Boating Safety Manual; and, members must be present for no less than half of official committee meetings. Non-compliance with either of these member requirements may result in committee action up to recommendation to the Provost for removal of the committee member.

C. Meeting Frequency and Quorum Requirements

The DBSC will meet at least three times during each calendar year. The Chairperson or any committee member may request a meeting at any time, whenever it is deemed appropriate. All meetings will be arranged at a time and place that facilitates maximum attendance. A simple majority of the voting members of the DBSC, including the Chairperson, shall constitute a quorum. In some cases, matters may need to be addressed immediately. Such matters may be discussed among the membership in person, via telephone, and/or by email; however, quorum and reporting requirements (see below) remain the same.

D. Recordkeeping and Reporting

In order to comply with recordkeeping requirements, permanent copies of all correspondence and minutes related to DBSC meetings, recommendations, or actions are to be retained in a master file at EH&S. When appropriate, or when requested, the DBSC will report its activities, recommendations, findings, actions, etc. to the University Safety Committee and/or members of the Administration.

IV. Approval of Projects involving Diving and Boating Operations.

All diving and/or boating projects regardless of how such projects are funded must be approved by the DBSC. All grant proposals submitted through the Division of Research will be screened by the Division for the inclusion of diving and boating operations. The Division of Research will submit any proposals that include diving and/or boating operations to the Chairperson of the DBSC for approval. Investigators submitting proposals, which include diving and/or boating operations, must provide evidence of compliance with the FAU Diving and Boating Safety Program to the DBSC. The Division of Research will not release any grant funds awarded, and no accounts will be established, until the Division of Research receives approval from the DBSC.

V. Termination of or Changes to Projects or Practices

The DBSC shall have the authority and obligation to require changes in any project or practice to comply with regulations or to meet reasonable standards of safety and health. In the event that any project or practice presents imminent danger to the health or safety of any individual, or presents a threat to the safety of property, the DBSC shall have the authority to immediately suspend the project or practice. In such cases, the DBSC must notify the:

- Chairperson of the Department involved;
- Dean of the College to which the Department belongs;
- Director of EH&S;
- Vice President for Research;
- Provost's office; and the
- Principal Investigator.

The DBSC will convene within 72 hours to make a recommendation as to how the situation shall be addressed before work will be permitted to resume.

In cases of non-compliance with established policies, procedures, regulations, or safety rules where there is no imminent danger to individuals or property, the DBSC will notify the user to correct the violation. In instances where the user refuses or neglects to correct the violation, a three stage enforcement process will be followed:

Stage 1: The DBSC will notify the Principal Investigator (PI) in charge of the project in writing, describing the violation and personnel involved. A suggestion as to how compliance with University procedures can be achieved will be included, and the PI will be asked to notify the DBSC within 5 working days of the status of his efforts to make the correction. The DBSC will schedule a follow-up inspection to verify corrective actions have been completed.

Stage 2: If the DBSC is not able to achieve compliance through efforts outlined in Stage 1, the status of the situation will be brought to the attention of the PI's Department Chairperson with a copy to the Dean of the College to which the Department belongs. The Department Chairperson will be asked to assist the DBSC in correcting the violation(s).

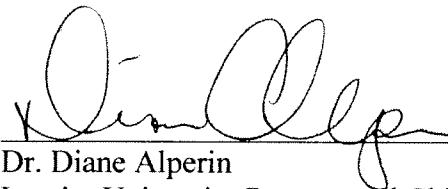
Stage 3: If for any reason the second stage action does not result in compliance, the Dean of the College to which the Department belongs will be asked to assist the DBSC in correcting the violation(s). The Dean will review the situation to determine the seriousness of the identified violation(s) and the actions of the PI. The PI will be asked to meet directly with the Dean and the DBSC Chairperson to outline why he/she is unable to comply. The Dean and the DBSC Chairperson will take actions which they deem appropriate to meet compliance, which may include suspension of the PI's approval to conduct diving/boating operations on a temporary or permanent basis.

Appeals:

Individuals may appeal the actions of the DBSC by filing a written request for a review of the actions with the Chairperson of the DBSC. The DBSC Chairperson will convene a review panel within one week. The review panel will be comprised of a sufficiently diverse number of individuals so as to provide impartiality. Review panel members will be drawn from the DBSC, University Administrators, Faculty, Students, Experts in the Field, etc.

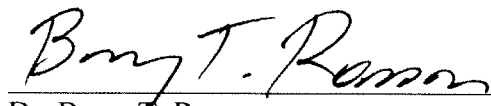
The Appellant will present his/her case to the review panel, and the review panel will either affirm the original decision or issue a different recommendation to the DBSC. If the review panel recommends a different course of action, the DBSC will meet to discuss the matter and issue a final ruling, which may incorporate some, all or none of the review panel's recommendations.

APPROVED:



Dr. Diane Alperin
Interim University Provost and Chief Academic Officer

12-10-10
Date



Dr. Barry T. Rosson
Interim Vice President for Research

1-19-11
Date