



Minutes
Diving and Boating Safety Committee
February 14, 2017

Members Present: Dale Gawlik, Ph.D., Chair, Program Director & Professor, Dept. of Biological Sciences
Gabriel Alsenas, Director, Core Facilities
Robert Coulson, Research Programs Coordinator, SeaTech Research Center
David Muncher, Diving & Boating Safety Officer, EH&S
James Nelson, Dive Safety Officer, HBOI
Joshua Voss, Ph.D., Assistant Research Professor, HBOI
Gary Rose, M.D., Associate Professor, Medicine
Jeanette Wyneken, Ph.D., Professor, Department of Biological Sciences

Members Absent: Matthew Ajemian, Ph.D., Assistant Research Professor, HBOI

Division of Research/ Ad Hoc Consult: Jack Ludin, J.D., LL.M., Deputy General Counsel

Environmental Health & Safety Administration: Arnie Harrison, MHSA, FLHCRM, Interim Director, Environmental Health & Safety Department

Committee facilitators: Elisa Gaucher, M.B.A., Assistant Vice President, Research Integrity
Judith Martinez, M.Ed., Coordinator, Research Integrity

Start Time: 2:02PM

Adjourned: 2:57PM

• **Introduction and Welcome**

Briefing on the CDA forms and the call for confidentiality regarding topics discussed or presented in writing. Members were given the opportunity to read the agreement to sign and return or keep to read more carefully and return at a later time.

• **Committee member COI disclosure with agenda items**

N/A

• **Review of Minutes from Previous Meeting**

Approval of Dec. 12th Minutes motion made and seconded
(7 in favor, 0 opposed, 0 abstain)*

*One member arrived after this vote took place

• **Old Business**

N/A

- **New Business**

- Reviewing draft of 2016 Diving and Boating Safety Committee Annual Report
 - Draft has been made available and will be open for comments from the DBSC for the next 2 weeks. Members are to forward comments to DBSO, report to be amended and distributed prior to next committee meeting to allow for further discussion and vote.
- Boat Operator Training Course
 - Discussion regarding moving forward with the necessary implementation of the boat operator training course. The Division of Research paid for both DBSOs to be trained in the boat operator training course and also provided additional startup funding for the necessary materials to be purchased for the training to be offered in house at the university. One training session was executed in April 2016, but no formal course was developed or instituted on a continuous basis. Both DBSO's are available to begin teaching the course immediately. The issue of airboat operator training was also raised, but it was agreed that the motorboat operator training course should be prioritized for right now and the airboat operator training course would be addressed in the near future procedurally following what is instituted related to boat operator training. The DBSO's stated that this course should be required of all new boat operators (including students) and that those who have previously received certification will be grandfathered in. Considerations regarding the course being mandatory as part of the remedial process for those involved in incidents of non-compliance should also be incorporated into the plan for this training procedure. Within the next 2 weeks, DBSO's will provide an outline of the training course provisions (how it will operate, who will be involved, date to initiate training sessions, etc.), and a budget analysis of the additional costs involved. DBSO's will also add language reflecting this course to the Boating Safety Manual.
 - A motion was made for this boat operator training course to be instituted and to require all new boat operators to take MOOC or equivalent course pending the logistical implementation procedures being finalized and the needed revisions to the Boating and Diving Safety Manual. EH&S Interim Director to look into EH&S Budget to provide funding for the boating program to move forward. The motion was seconded and passed.
 - 8 in favor, 0 opposed, 0 abstained
- Reviewing draft of Diving and Boating Safety Committee Charter
 - Chair called for members to review the charter and provide comments for edits via email to Assistant VP for Research Integrity and / or DBSC Chair
 - Suggested edits involve clarification between the job title of the Diving & Boating Coordinator and DBSO. It was also suggested that the language regarding membership be revised to clearly state that a member's term on the committee could not be adversely affected based on their committee votes or actions. Some such language will be incorporated into the revisions.

➤ Release and Waiver of Liability

- The committee discussed who the intended audience is for the waiver of liability. Who is required to sign prior to boating activities? The EH&S Interim Director and DOR Deputy General Counsel agreed that the waiver pertains to those students who are **not** participating in a related activity as part of academic activities (i.e. coursework, DIS, Thesis/Dissertation research, etc.).
- To be considered a “student”, the person must be enrolled for course credit at FAU whether or not the courses taken are related to their participation in boating activities. Deputy General Counsel recommends an administrator with whom the student is working, provide a statement to attest that the boating activity pertains to the student’s education/academic program. This waiver form only applies to FAU managed boats as any boats chartered by the university will have their own liability processes in place.
- In the past, this waiver was provided only to those students (or other persons) who are AAUS members affiliated with other universities, members of the press, etc.
- While implied that FAU property is solely to be used for the purposes of FAU related operations, there is a need to identify and explicitly stipulate the allowed usage of the boats as well as what persons are allowed on board.
- Mention was made of how to treat minors such as those students from FAU High and how the waiver may apply to them. It was agreed that this topic would warrant additional discussion at a future meeting.

• **Diving and Boating Safety Manual revisions**

- The DBSC Chair noted that the Boating and Diving Safety Manual was in need of review and revisions. It was suggested that subcommittee of the DBSC tackle this endeavor and report back to the DBSC with a list of known issues or concerns that will need to be addressed. The subcommittee is charged with identifying and prioritizing these issues to present to the DBSC in order to develop a plan of action. Volunteers for the committee are D.M., J.N., G.A., R.C.