

<b>SUBJECT:</b> <i>Diving and Boating Safety Committee (DBSC)</i> <i>Role and Function</i>	<b>Effective Date:</b> July 12, 2017	<b>Policy Number:</b> 10.9.1
	<b>Supersedes:</b> New policy	<b>Page of</b> 1 6
	<b>Responsible Authorities:</b> Vice President, Research Diving and Boating Safety Committee	

- i. Background  
 Florida Atlantic University (FAU) is committed to the safety of all diving and boating operations conducted in conjunction with academic and research activities at the university.
- ii. Purpose  
 The purpose of this policy is to delineate the function of the Diving and Boating Safety Committee as well as the roles and responsibilities of the members of the committee and associated administrative units.
- iii. General Statement  
 The DBSC, is delegated the authority by the Vice President for Research, and is the Institution's central oversight body for matters relating to diving and boating safety program at FAU.
- iv. Policy  
 The DBSC (or designated sub-committee) shall act equivalent to a Diving Control Board as required by the Occupational Safety and Health Administration (29 CFR 1910.401(2)(iv)) for professional diving activities having absolute authority over the scientific diving operations. As described in 29 CFR 1910 Subpart T App B, FAU's DBSC will operate as exempt from this regulation for scientific diving activities. The DBSC shall: monitor all scientific diving and boating activities under FAU auspices, manage the diving and boating safety program at FAU, review, revise and approve FAU Diving and Boating Safety Manual(s), oversee the certification of scientific divers and vessel operators, direct the Diving and Boating Safety Officer(s) (DBSO) who serve as the program and training coordinator(s) at FAU, assure compliance with relevant FAU Diving and Boating Safety Manual(s) / requirements and initiate and manage disciplinary processes for unsafe diving and boating practices.

v. Procedures

**The Diving and Boating Safety Committee membership** shall consist of at least five (5) voting faculty members, with representation and expertise from those areas participating in the diving and boating activities of the university. Additional membership in the DBSC shall be open to FAU staff whose units are directly or materially affected by the committee's activity and also possess the necessary expertise and knowledge to assist the committee with their charge. The Diving and Boating Safety Officer(s) will also serve as voting members of the DBSC. The offices of the General Counsel and the Division of Research: Research Integrity, will serve in an ex-officio capacity to the committee. Participation of committee members shall be fair and equitable without dominance by any single interest. All units with material or direct interest in diving and boating activities are to be represented. The DBSC may establish and prescribe the membership, scope and rules of standing or temporary subcommittees, as it deems necessary, to the conduct of its operations and responsibilities. If FAU elects to operate either diving or boating activities under the auspices of an external governing association, these sub-committees will meet those governance requirements and will adhere to any composition constraints or requirements necessary.

**DBSC member nominations** are received by Research Integrity or the DBSC Chair. Nominations may be initiated by colleagues, college administration or researchers interested in serving on the DBSC. Endorsement of nominees are communicated to the Vice President for Research (VPR). The VPR will review nominations and make final appointments to the DBSC. Terms of service on the DBSC (including the Chair) will be for staggered terms to ensure consistency of committee activities and procedures. Members may voluntarily terminate membership on the DBSC. Written notification of intent to resign shall be forwarded to Research Integrity or the DBSC Chair at least thirty (30) days prior to withdrawal.

DBSC members are expected to uphold the highest standards as set forth by the committee. Non-compliance with any regulations, policies or standard operating procedures are sufficient grounds for **member termination**. The VPR has the authority to terminate any member for failure to perform duties or non-compliance.

**DBSC leadership** shall include at a minimum a Chairperson with preference that a Vice-Chair also be appointed. Leadership of the DBSC may be nominated by members of the committee. These positions will be appointed by the VPR. Sub-committees of the DBSC must each have a Chairperson to lead activities. The Vice-Chair will support the Chairperson in the handling of his/her duties. In the absence of the Chairperson or if the Chairperson is unable to fulfill their duties as Chair, the Vice-Chair will assume this role or the VPR will appoint a new Chairperson. The Vice-Chair will take office and assume the duties on the date of appointment and shall continue to serve until the completion of the specified term or until a successor is appointed. The DBSC members should be consulted with and actively participate in the recruitment and final choice of the diving and boating safety officer position(s) at FAU.

Operational matters requiring action between scheduled meetings can be decided upon by the Chairperson. The Chairperson has the authority to determine if the matter requires a vote of the DBSC via email or if a special meeting needs to be called to discuss the matter. For matters deemed appropriate for online voting, the DBSC Chair will coordinate with Research Integrity for appropriate management related to the voting.

**The DBSC shall have regularly scheduled monthly meetings.** The Chair will determine if there are sufficient meeting materials to warrant a committee meeting or if a meeting should be cancelled. Should there be a need to convene a special meeting, such a meeting can be called by the DBSC Chair, Vice-Chair or a minimum of one third (1/3) of eligible voting members of the DBSC. Committee meetings will be conducted under Robert's Rules of Order, especially for matters requiring a vote or changes of policy and procedure. Sub-committees shall meet as often as needs or as directed by the DBSC. The presence of at least a majority of the eligible voting members at any meeting of the DBSC or sub-committee shall constitute a quorum and shall be a duly constituted meeting for the purpose of conducting business. All matters shall be decided by simple majority of the members present and voting at such meeting, when quorum requirements have been met. Voting decisions agreed upon by the majority of members shall constitute an official decision or determination to be carried forward or implemented as specified by the committee.

**The DBSC shall have the full authority and obligation to enforce compliance** with all relevant diving and boating regulations and ensure reasonable standards of safety and health. The DBSC shall designate such authority to the DBSO(s) as necessary. In the event that a project or practice presents **imminent danger** to the health or safety of any individual or property, the DBSC (or designee) can immediately halt the activity or project until such time that the DBSC can investigate the circumstances and render a final determination. Under these circumstances the DBSC (or designee) will provide a prompt report of the circumstances to the Research Integrity office, the VPR, and the Provost's office with a copy to the PI, respective college dean and department chair. Within 3-5 business days (or as soon as feasibly possible) following the halting of the activity or project, the DBSC will convene to assess the situation. The DBSO(s) will be charged to present the circumstances surrounding the incident with a written report provided to the DBSC. The responsible PI will also provide a written report of the circumstances to the DBSC. The DBSC will consider both reports, make a determination regarding the incident and follow up with a final, written report to all parties concerned including the VPR, College and Provost's offices. If the DBSC does determine that the event or activity does constitute non-compliance, the PI will be required to present a corrective action plan to address the non-compliance with a plan that such an event or activity will not occur again in the future. The DBSO(s) will work with the PI, department chair and college dean on this corrective action plan and the final plan will be submitted to the DBSC for review and final approval. Only once the corrective action plan has been reviewed and approved by the DBSC can the project or activity be resumed. In the event that a corrective action plan not be agreed upon by all the parties, the activity may be suspended temporarily or permanently. Only the DBSC or the VPR have the authority to temporarily or permanently suspend a diving or boating activity. All communications associated with the non-compliance must be appropriately documented.

In such cases where non-compliance presents **no imminent danger** to individuals or property, the DBSC (or designee) will notify the DBSC Chair and the Research Integrity office with a written report of the circumstances surrounding the non-compliance. The RI office will follow up with the PI for a written report surrounding the same event or activity. The DBSC Chair will determine if the circumstances warrant full committee deliberation or if the DBSO(s) and the PI could work together on a corrective action plan that would be formalized in writing and presented to the Chair, RI and ultimately the DBSC for final approval. All communications must be appropriately documented.

Once the **corrective action plan** has been approved by the DBSC the PI will be given a timeline to implement the plan and follow up with the DBSC. If the PI does not follow the corrective action plan within the required timeline, the DBSC will notify the PI that he/she

has thirty (30) days from the date of the follow up notice to satisfactorily implement the corrective action plan. Should this deadline not be adhered to, the DBSC will notify the FAU Vice President of Research, the Provost's office, the College Dean and Department Chair for further action.

Should any faculty or staff believe that they have been or will be adversely affected by action or inaction of the DBSC, or subcommittee, or have concerns related to the diving and safety program at FAU, those persons will be encouraged to openly discuss such instances with and resolve any differences directly with the DBSC. A written complaint must be filed with RI within 30 days of the occurrence. The complaint shall state the nature of the objection(s) including any adverse effects, specify the actions or inactions that are at issue, and specify the remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome shall be noted in this document. Within thirty (30) days after receipt of the complaint, the respondent (i.e., DBSC) shall provide a response, in writing, to the appellant. If the appellant and the respondent are unable to resolve the written complaint informally, RI shall schedule a meeting between the respondent, the appellant, the DBSC Chair, the DBSO(s), the Assistant Vice President for Research Integrity and the VPR to discuss and resolve the issue.

vi. Definitions

DBSC: Diving and Boating Safety Committee

DBSO(s): The Diving and Boating Safety Officer(s)

VPR: Vice President for Research

EH&S: Environmental Health and Safety

RI: Research Integrity

AAUS: American Academy of Underwater Scientists

Imminent danger: "...any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately..." *OSHA section 13(a)*

Incident: i) a violation of DBSC policies and procedures; or ii) an action resulting in death or personal harm requiring treatment beyond immediate first aid; or iii) an action resulting in property loss or damage in excess of an aggregate amount of \$2,000

vii. Accountability

**The PI will be responsible for:**

- Adhering to all policies and procedures of the diving and boating safety program when engaged in these activities.
- Reporting incidents within 24 hours to the DBSO and the Chair of the DBSC
- Following disciplinary actions within designated time frame as applicable
- Maintaining proper and up to date certifications

**The DBSC Chair will be responsible for:**

- Assuming the duties of the position on the date of appointment from the VPR and continuing to serve until the completion of the specified term or until a successor is appointed.
- Presiding over meetings
- Convening meetings
- Reviewing and determining final agendas for meetings

- Providing direction and guidance to Research Integrity regarding the administration of the DBSC or any sub-committees
- Voting when needed
- Establishing standing or temporary committees and providing them with their charge as appropriate
- Serving as the point of contact for diving and boating related communications
- “Mediating” and consolidating information between Environmental Health and Safety and the Division of Research related to diving and boating safety operations.

**The DBSC members will be responsible for:**

- Adhering to all regulations, policies and standard operating procedures associated with the diving and boating safety program at FAU
- Reviewing and approving Standard Operating Procedures (SOP’s)
- Reviewing and approving edits to the FAU Diving and Boating Safety Manual(s)
- Regularly attending and participating in the DBSC meetings including any sub-committees
- Serving on the DBSC sub-committees, as appointed, and participating substantially in the development of policies, procedures and other assignments or initiatives to continuously improve the boating and diving safety program at FAU
- Serving in administrative positions associated with the DBSC as appointed
- Evaluating implementation logistics and success of training efforts

**The Research Integrity (RI) office will be responsible for:**

- Coordinating the administrative aspects of the DBSC including meeting arrangements and committee membership
- Assisting the DBSC, Chairperson and Vice-Chair with committee function
- Maintaining, updating and renewing all policies and standard operating procedures.
- Investigating allegations or instances of non-compliance on behalf of the DBSC
- Reporting, on behalf of the DBSC, non-compliance and other matters to appropriate oversight agencies
- Generating and maintaining records, meeting agendas and minutes within appropriate timeframes
- Distribution of meeting materials, including but not limited to, meeting minutes and agendas, at least 10 days in advance of meetings
- Maintaining accurate information on the DBSC webpage and keeping the information updated

**The Diving and Boating Safety Officer(s) will be responsible for:**

- Delegated responsibilities as determined by the DBSC
- Providing support and maintenance of the operation of the Diving and Boating Safety Program as directed by the DBSC
- Developing and implementing diving and boating training programs as directed by the DBSC
- Providing updates and relevant documentation to the DBSC as requested
- Developing and presenting to committee for approval necessary standard operating procedures as requested by the DBSC
- Maintaining, providing access to, and reporting participant activity (metrics) in the diving and boating programs to the DBSC as requested
- Developing and maintaining forms and databases as appropriate
- Providing other required documentation to the DBSC as needed

- Maintaining the Diving and Boating Safety Manual(s) updated with necessary edits as directed by the DBSC
- Providing expert knowledge and maintaining open communication to the DBSC and RI as needed
- Maintaining and coordinating availability of all general purpose diving and boating equipment as needed
- Providing support to, including assigned responsibilities to the DSBC or affiliated sub-committees as needed

viii. Policy Renewal Date  
July 12, 2020

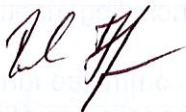
ix. References  
Occupational Safety and Health Administration (29 CFR 1910.401(2)(iv))  
29 CFR 1910 Subpart T App B

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## POLICY APPROVAL

### Initiating Authority

Signature:



Date: 7/19/17

Name: Daniel C. Flynn, Ph.D., Vice President for Research

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Executed signature pages are available in the Initiating Authority Office(s)