



Stacy Volnick
Vice-President, Administrative Affairs

Environmental Health and Safety

Document# CHTR03

Diving and Boating Board Charter

Version #2.0

Effective: 11/15/2020

Revised: 11/03/2020

1. PURPOSE:

Florida Atlantic University (FAU) is committed to the safety of all diving and boating operations. The purpose of this policy is to establish the role and function of the Diving and Boating Board (DBB).

Scientific diving programs fall under the scope of OSHA Regulations for Commercial Diving Operations. However, OSHA grants an exemption for scientific diving programs provided the following specific and prescriptive conditions are met (Appendix B to 29CFR1910 Subpart T) and in accordance with the standards set forth by the American Academy of Underwater Scientists (AAUS).

At FAU, the DBB serves to ensure compliance with the prescriptive conditions of OSHA and also operates with the additional scope of scientific boating. The board must meet all prescriptive requirements for a diving control board outlined by AAUS, as specified herein and under Appendix B to 29CFR1910 Subpart T.

2. CHARTER STATEMENT:

The DBB is delegated authority by Vice President for Administrative Affairs (VPAA) and is the University's central oversight body for matters relating to scientific diving and scientific boating operations at FAU as defined herein. The DBB will also act as an advisory body to EH&S, as needed, for academic and recreational diving and boating safety within the FAU community.

3. CONCEPTS AND DEFINITIONS:

- 3.1. AAUS – American Academy of Underwater Scientists
- 3.2. DBB – Diving and Boating Board
- 3.3. DBSO – Diving and Boating Safety Officer
- 3.4. EH&S – Environmental Health and Safety
- 3.5. Florida Atlantic University (FAU) – References herein to FAU include all activities conducted at FAU campuses or in the field and in accordance to the FAU Radiation Safety Manuals.
- 3.6. Imminent Danger – “...any conditions or practices in any place of employment that a danger exists which could reasonably be expected to cause death or serious physical harm immediately...” OSHA section 13(a)

Document# CHTR03 – Diving and Boating Board Charter

- 3.7. Incident – i) a violation of DBB policies and procedures 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.
 - 3.8. Scientific Diving – Scientific Diving is defined (29 CFR1910.402) as diving performed solely as a necessary part of a scientific, research, or educational activity by employees whose sole purpose for diving is to perform research tasks.
 - 3.9. Scientific Boating – The use or operation of a watercraft for the sole purpose of a scientific, research, or educational activity by employees whose sole purpose for boating is to perform research tasks.
4. RESPONSIBILITIES:
- 4.1. The Diving and Boating Board (and Authorized Sub-Boards)
 - 4.1.1. Shall act as required by the Occupational Safety and Health Administration (29 CFR 1910.401(2)(iv)) for scientific diving activities having autonomous and absolute authority over the scientific diving operations.
 - 4.1.2. Establish additional standards, protocols, and operational procedures beyond the AAUS minimums to address FAU specific needs and concerns.
 - 4.1.3. Approve and monitor diving and boating projects.
 - 4.1.4. Review and approve the diving and boating safety manuals.
 - 4.1.5. Ensure compliance with the diving and boating safety manual.
 - 4.1.6. Approve the depth to which a diver has been authorized to dive.
 - 4.1.7. Take disciplinary action for unsafe practices.
 - 4.1.8. Ensure programs foster adherence to the buddy system for scientific diving.
 - 4.1.9. Act as the official representative of FAU in matters concerning the scientific diving and boating programs.
 - 4.1.10. Act as a board of appeal to consider diver or boater-related problems.
 - 4.1.11. Recommend the issue, reissue, or the revocation of diving and boating authorizations.
 - 4.1.12. Establish and/or approve training protocols or standards through which the applicants for authorization can satisfy the requirements of FAU's diving and boating safety manuals.
 - 4.1.13. Suspend diving and boating operations considered to be unsafe or unwise.
 - 4.1.14. Establish criteria for equipment selection and use.
 - 4.1.15. Recommend new equipment or techniques.
 - 4.1.16. Establish and/or approve facilities for the inspection and maintenance of diving and associated equipment.
 - 4.1.17. Ensure that FAU air station(s) meet air quality standards per AAUS.
 - 4.1.18. Maintain visibility to the performance of the DBSO and diving and boating programs.

Document# CHTR03 – Diving and Boating Board Charter

- 4.1.19. Investigate diving and boating incidents within FAU's diving program or violations of FAU's diving and boating safety manuals.

Note: At FAU, operational conduct and oversight of the scientific diving and boating programs is delegated to the DBSO within the Office of Environmental Health and Safety. The principle responsibility of both the DBB and the DBSO is always safety.

4.2. The DBB Chair

- 4.2.1. Assumes the duties of the position on the date of appointment from the VPAA and continuing to serve until the completion of the specified term, 30 days after submitting their resignation, or until a successor is appointed.
- 4.2.2. Convenes and presides over DBB meetings
- 4.2.3. Develops and reviews final agendas for DBB meetings.
- 4.2.4. Votes when needed
- 4.2.5. Establishes standing or temporary sub-boards and providing them with their charge as appropriate
- 4.2.6. Serves as the point of contact for DBB-related communications.

4.3. The Office of Environmental Health and Safety

- 4.3.1. Coordinates the administrative aspects of the DBB including meeting arrangements and board membership.
- 4.3.2. Assists the DBB, Chairperson and Vice-Chair with board function.

4.4. The Director, Environmental Health and Safety

- 4.4.1. Directs the implementation of FAU's diving and boating safety policies as established by the DBB.
- 4.4.2. Serving as a non-voting member of the DBB.

4.5. The Primary Diving and Boating Safety Officer

- 4.5.1. Serves as a member of the DBB.
- 4.5.2. Ensures either the primary or alternate DBSO is in attendance for all DBB meetings.
- 4.5.3. Provides expert guidance in serving as the subject matter expert to the board on safe scientific diving and boating, practices, rules and regulations.
- 4.5.4. Administers the scientific diving and boating safety Programs at FAU.
- 4.5.5. Enforces rules and regulations for scientific diving and boating at FAU as per policies approved by the DBB and as prescribed by the AAUS guidelines, OSHA, US Coast Guard, and other cognizant agencies.

Document# CHTR03 – Diving and Boating Board Charter

- 4.5.6. Brings unresolved issues of non-compliance to the board for investigation and resolution.
 - 4.5.7. Provides program updates and relevant documentation to the DBB, as needed.
 - 4.5.8. Maintains and updating the Diving and Boating Safety Manual(s) as needed.
- 4.6. The Alternate Diving and Boating Safety Officer will be responsible for:
- 4.6.1. Serves as a voting member of the DBB in the absence of the Primary DBSO.
 - 4.6.2. Assumes the responsibilities of the Primary DBSO while serving in that capacity.

5. PROCEDURES:

5.1. Board Membership

The DBB membership shall consist of at least five (5) voting faculty members, with representation and expertise from those units participating in the diving and boating activities of the university. Additional membership in the DBB shall be open to FAU units directly or materially affected by the board's activity and also possess the necessary expertise and knowledge to assist the board with their charge. The Primary Diving and Boating Safety Officer will also serve as a voting member of the DBB. Ex-officio membership will include leadership from Research Integrity, EH&S and General Counsel. The majority of the membership must be active scientific divers. Participation of board 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 DBB may establish temporary sub-boards, 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-boards will meet those governance requirements and will adhere to any composition constraints or requirements

5.2. Board Member Nominations

DBB member nominations are received by the Director, EH&S or the DBB Chair. Nominations may be initiated by colleagues, college administration or researchers interested in serving on the DBB. Nominees are communicated to the Vice President for Administrative Affairs (VPAA). The VPAA will review nominations and make final appointments to the DBB. Terms of service on the DBB (including the Chair) will be for staggered terms to ensure consistency of board activities and procedures. Members may voluntarily terminate membership on the DBB. Written notification of intent to resign shall be forwarded to the Director, EH&S or the DBB Chair at least thirty (30) days prior to withdrawal.

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

5.3. Board Leadership

Leadership of the DBB shall include at a minimum a Chairperson with preference that a Vice-Chair also be appointed. Leadership of the DBB may be nominated by members of the board. These positions will be appointed by the VPAA. Sub-boards of the DBB must each have a Chairperson to

Document# CHTR03 – Diving and Boating Board Charter

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 the role of Acting Chair or the VPAA will appoint a new Chairperson. The Vice-Chair will assume the duties of Acting Chair on the date of appointment and shall continue to serve until the completion of the specified term or until a successor is appointed. The DBB 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 DBB via email or if a special meeting needs to be called to discuss the matter. For matters deemed appropriate for online voting, the DBB Chair will coordinate with EH&S for appropriate management related to the voting.

5.4. DBSO Requirements on the Board

The Diving and Boating Safety Officer (DBSO) serve as a voting member of the DBB. The DBB maintains both a Primary and Alternate DBSO to ensure all meetings include the attendance of a DBSO. The DBSO shall be responsible through the Office of Environmental Health and Safety for the conduct of the scientific boating and diving programs of FAU. The routine operational authority for this program, including the oversight of approved training and certification, approval of dive plans, maintenance of diving and boating records, and ensuring compliance with all relevant regulations of the membership organization as determined by the DBB, rests with the DBSO. The DBSO may permit portions of this program to be carried out by a qualified delegate, although he/she may not delegate responsibility for the safe conduct of the diving and boating programs. The DBSO will act to ensure compliance with the policies set by the DBB, but operational responsibility for the conduct of the FAU Diving and Boating Programs will be retained by the DBSO. The DBSO shall at all times maintain the authority to suspend diving or boating operations considered to be unsafe or unwise.

6. ENFORCEMENT AND DISPUTES

The DBB 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 DBB shall designate the routine operational authority for this program to the DBSO and advise on the performance of such duties. The DBSO shall immediately cease any diving and boating activity that represents a threat to people or the University and bring the matter before the board for further investigation. For situations of non-compliance that are brought to the attention of the Board, the DBB (or designee) will provide a prompt report of the circumstances to the VPAA, and EH&S 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 DBB will convene to assess the situation. The DBSO will be charged to present the circumstances surrounding the incident with a written report provided to the DBB, which will include a written report from the PI. The DBB will consider all available facts and evidence, make a determination regarding the incident and follow up with a final, written report to all parties concerned including the VPAA, College and Provost's offices. If the DBB 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 will work with the PI, department chair and college dean on this corrective action plan and the final plan will be submitted to the DBB for review and final approval. Only once the corrective action plan has been reviewed and approved by the DBB can the project or activity be resumed. All communications associated with the non-compliance must be appropriately documented.

Once the corrective action plan has been approved by the DBB the PI will be given a timeline to implement the plan and follow up with the DBB. If the PI does not follow the corrective action plan within the required timeline, the DBB 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

Document# CHTR03 – Diving and Boating Board Charter

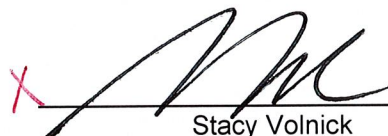
be adhered to, the DBB will notify the FAU Vice President of Administrative Affairs, the Provost's office, the College Dean and Department Chair for further action.

Should any faculty or staff believe that they have been or will be adversely affected by action or inaction of the DBB, 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 DBB. If a faculty or staff member objects to a DBB recommendation concerning a violation of a DBB policy or procedure, a written complaint must be filed with EH&S within 30 days of the recommendation. 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., DBB) shall provide a response, in writing, to the appellant. If the appellant and the respondent are unable to resolve the written complaint informally, EH&S shall schedule a meeting between the respondent, the appellant, the DBB Chair, the DBSO, the Director of EH&S, to discuss and resolve the issue. Ultimate decision making is with the VPAA.

7. RELATED INFORMATION:

- 7.1. Occupational Safety and Health Administration, Commercial Diving Operations, (29 CFR 1910.401(2)(iv) <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.401>
- 7.2. Occupational Safety and Health Administration, Guidelines for Scientific Diving, (29 CFR 1910 Subpart T) App B <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910SubpartTAppB>
- 7.3. American Academy of Underwater Sciences (AAUS), Standards for Scientific Diving (current revision) https://www.aaus.org/diving_standards

Approved and issued by order of:



Stacy Volnick
VICE PRESIDENT OF ADMINISTRATIVE AFFAIRS

DATE: 11/13/20

POLICY MAINTENANCE SECTION

Last Revision Date	New Document
Last Revision By	New Document
Next Review Due	August 2022
Review Frequency	2 years
Version	1
Time-sensitive Items	Needed for new DBB Meeting with new Chair and under new Division

THIS POLICY RESCINDS ALL OTHER WRITTEN DIRECTIVES REGARDING THIS TOPIC.

Document# CHTR03 – Diving and Boating Board Charter

8. RECORD OF CHANGES/STATUS CONTROL:

Version	Date	Summary of Changes	Reviewed By
	MM/DD/YY		•