

## CLAYTON STATE UNIVERSITY

### UNMANNED AERIAL SYSTEMS (UAS)/DRONES

#### POLICY AND PROCEDURES

##### Policy

The Federal Aviation Administration (FAA) stipulates that Unmanned Aerial Systems (UAS) may not be flown for commercial or non-hobby purposes without an FAA Certificate of Authorization (COA). This includes, but is not limited to, the use of UAS for research, marketing, and communication. The FAA does not extend any sort of hobby or recreational use exemption or allowance to a public university to operate unmanned aircraft for any purpose. In order for public universities to operate UAS for research purposes, they must apply for and be granted a COA from the FAA to enable limited operation of unmanned aircraft or be eligible per the Small UAS Rule Part 107.

[https://www.faa.gov/uas/getting\\_started/fly\\_for\\_work\\_business/](https://www.faa.gov/uas/getting_started/fly_for_work_business/) Note that COAs are granted to the University, not to individuals (<http://www.faa.gov/uas/>).

Hobby or recreational flying of remote controlled aircraft does not require FAA approval. However, Clayton State University does not permit any such use on its campus. Any faculty, staff, or students operating UAS for education, hobby, or recreational purposes must follow the Academy of Model Aeronautics (AMA) community-based safety guidelines (<http://www.modelaircraft.org/files/105.pdf>) and should operate at an AMA-sanctioned location where such UAS use is approved.

Given the current FAA rules, and adhering to the AMA community based safety guidelines, the University establishes the following policy prohibiting the operation of UAS for any purposes on University property unless it is for official university business or an approved research or education pre-approved activity: This policy will be periodically reviewed as FAA regulations are modified.

A no-fly zone is established for all of Clayton State University property for unmanned aerial systems (UAS) that are privately or commercially operated for any purpose, including but not limited to hobby and recreational use.

Any FAA Certificate of Authorization application or other proposed use of UAS including but not limited to the use of UAS for recreation, education, research, marketing, or communication, must be approved by the President or the President's designee(s).

##### Definitions--

**UAS** Unmanned Aerial Systems which includes, but are not limited to, "drones", airplanes, helicopters, rockets, blimps and other unspecified vehicles flown by radio control, computer control, free flight, or control line.

**No-Fly-Zone** A designated area (University property) where the operation of UAS is prohibited.

### **Enforcement**

Persons in violation of this policy are subject to disciplinary action by the University. Violations of FAA regulations are subject to federal prosecution and fines.

### **Procedures**

Any office or campus community member wishing to fly an UAS must contact the Chief of Police (with a copy to the Vice President of Business Operations) a minimum of five 5 business days before the proposed flight. Any University faculty interested in using UAS for any educational or research purposes should contact the Vice President for Academic Affairs to discuss options.

#### **Hobby or Recreational Use**

- The use of UAS for hobby or recreational use on Clayton State University property is not permitted.

#### **Educational or Research Use**

- The use of UAS is permitted only for educational or research purposes.
- Must obtain prior approval from the Department of Public Safety at least five (5) business days prior to the use of the UAS.
- Must provide date/time, purpose, and length of UAS operations, as well as the area of the campus where the UAS will be used.
- Must comply with all Federal (FAA), State, and Local laws.
- Must have experience in operating the UAS and operate them in a responsible manner.
- Must not operate over areas of public assembly, populated area, or areas of construction.
- Must not photograph, video, or monitor areas where other members of the University community or members of the general public would have a reasonable expectation of privacy.

Any violations of law (trespassing, illegal surveillance, reckless endangerment) or violations of University policies may subject the individual(s) to both criminal and/or disciplinary action. Students of the University community who violate this policy will be subject to disciplinary action by the Department of Student Affairs' Office of Community Standards. Faculty or Staff who violate this policy will also be subject to disciplinary action.

Damages/injuries occurring to University property or individuals will be the responsibility of the UAS operator.

### **Business/Civil Operations/Commercial Use:**

- All civil (commercial, contract, or University owned) operated UAS must comply with all federal (FAA), state, and local laws.
- Must obtain prior approval from the Department of Public Safety at least five (5) business days in advance of the proposed use of the UAS.
- A University owned or commercial UAS must comply with FAA regulations by obtaining and producing a "333 Exemption" or a "Special Airworthiness Certificate" prior to use on the campus. (See [www.faa.gov](http://www.faa.gov))
- The use of a commercially owned UAS is permitted only for educational or research purposes. A UAS operator must provide a certificate of insurance naming Clayton State University as an additional insured with a minimum of \$3 million in general liability insurance written on an occurrence basis. Contact the Vice President for Business Operations for further details.
- A commercially owned (University or contract) operator must file a "flight plan" including date, time, and duration of flight and operational area, with the Department of Public Safety 96 hours prior to commencing the UAS flight.
- A contract operator must be accompanied by a representative of the University at all times.
- The UAS must be operated in a responsible manner.
- The UAS may not operate over areas of public assembly, populated area, or areas of construction.
- The UAS is not permitted to photograph, video, or monitor areas of the University where other members of the University community would have a reasonable expectation of privacy.

### **FAA Regulations**

The FAA classifies UAS use as one of three types:

- Public - Governmental
- Civil Operations - Non-Governmental
- Model Aircraft - Hobby or recreation only

Effective December 21, 2015, the FAA began a registration process for all UAS devices weighing between 0.55 pounds and 55 pounds that are used for hobby or recreational purposes. The owner must be 13 years of age or older and a U.S. citizen or legal permanent

resident. Additional information and the on-line registration may be obtained at <http://www.faa.gov/uas/registration/>, or the use may be permissible under the FAA's Small UAS rule that permits the use of Drones under limited circumstances. [https://www.faa.gov/uas/getting\\_started/fly\\_for\\_work\\_business/](https://www.faa.gov/uas/getting_started/fly_for_work_business/)

### **Failure to register**

Civil and criminal penalties may apply for failure to register a UAS. Those penalties are on a sliding scale based on the circumstances of the situation and may include a formal warning to monetary fines and/or prosecution.

Using a UAS to take photos/videos for personal use is recreational. Using the same device to take photos/videos for compensation or sale is commercial use; commercial use requires an FAA Sec. 333 Exemption or a Special Airworthiness Certificate. A Certification of Waiver or Certificate of Authorization means an FAA grant of approval for a specific unmanned operation. (See [www.faa.gov](http://www.faa.gov))

### **Responsibilities**

The Department of Public Safety maintains the authority to "ground" or suspend operations of any UAS that is not compliant with Federal FAA regulations, State or Local laws, this policy, or presents a danger to University property or to the University community.

### **Relevant links**

FAA Unmanned Aerial Systems: <https://www.faa.gov/uas/>

FAA UAS Registration: <https://www.faa.gov/uas/registration/>

Model Aircraft Systems: [https://www.faa.gov/uas/model\\_aircraft/](https://www.faa.gov/uas/model_aircraft/)

### **Contacts**

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