

# Policy for Unmanned Aircraft Systems (“UAS” or “Drones”)

Policy Number: XXXX

Date Created: XXXXX XX, 2019

Executive Responsibility:

Functional Responsibility: WSU Police Dept, Risk Management, Research Compliance

## Purpose

Unmanned aircraft systems (UAS), commonly called “drones,” can provide the university community with valuable experiences in a wide range of academic and business applications. WSU is committed to providing a safe and secure environment for all individuals and organizations and this policy serves to ensure compliance with the Federal Aviation Association (FAA) regulations and all other requisite laws and regulations.

## Scope

The policy applies to all UAS operated on or above university property by WSU students, faculty and staff as part of their university employment or part of a university-related program. The policy also extends to third parties who have a contract with the university and the general public. Wright State University Police and other law enforcement agents acting in their professional capacity are exempt from this policy.

## Definitions

**Unmanned Aircraft Systems (UAS):** Any remotely operated or controlled aircraft intended to fly within the National Airspace System. Includes devices commonly referred to as drones and may also include communications, support, and navigational equipment. FAA regulations apply to all types of UAS regardless of weight or size.

**University Property:** Buildings, grounds, and land that are owned by Wright State University or controlled by Wright State University through any formal contractual arrangement, such as a lease. Specifically including, but not limited to, the Dayton Campus, the Lake Campus, and all branch campuses.

**University-related Program:** an event, function or activity sponsored by the University, or a University department, organization, or group.

## Prohibited Use

The use of UAS on any and all university property is strictly prohibited unless:

1. Authorization has been received from the UAS Advisory Committee to operate on or above campus property; and

2. All of the necessary federal, state and local approvals have been acquired;
3. Compliance with all federal, state and local laws is met; and
4. The proposed flight does not photograph, video, or monitor in any way areas where members of the university community or members of the general public would have a reasonable expectation of privacy.

**The use of UAS for hobby or recreational purposes on any and all WSU and WSU-controlled property is strictly prohibited at all times.** Using a UAS to take photographs or videos for personal use is considered recreational use and is prohibited.

The FAA enforces a 5-mile airport radius “No Fly Zone.” Therefore, UAS flights are prohibited on WSU’s Dayton Campus due to the proximity of Wright Patterson Air Force Base. Exceptions are possible if FAA and University policy requirements are met.

Those who are granted authorization from WSU and the appropriate federal, state, and local authorities are required to operate in accordance with any and all FAA regulations, including but not limited to acquiring any appropriate exemptions and notifying the necessary air traffic controllers prior to the intended flight.

#### **Guidelines for WSU Authorization of UAS Operation**

1. Any operation of UAS by university community members or by third parties on or above university property, must comply with FAA regulations and federal, state, and local laws regarding use of UAS and obtain approval for UAS operations via the UAS Advisory Committee (see Flight Approval Process below). Any operation or use that violates such regulations or laws is prohibited.
2. All operators of UAS must hold valid, unexpired registration with the FAA, unless otherwise exempt from such registration.
  - a. The operators shall secure any exemption required for the planned flight.
  - b. The operators shall provide any and all notifications as required by FAA regulations and/or university policies and procedures prior to the commencement of flight operations. Notifications include, but are not limited to:
    - i) Notification as required by the FAA to all airports within a 5-mile radius of the intended area of operation.
    - ii) Notification to the WSU Police Department prior to flight operations on the WSU Main or Lake Campus or other off-campus owned or leased facilities.
3. Aircraft may not exceed 55 lbs. and limit the height of operations to 350 feet.
4. UAS operations on or above university property are only permitted in areas approved by the UAS Advisory Committee. See Flight Approval Process section below.

5. UAS shall not be used to monitor or record sensitive institutional or personal information.
6. UAS shall not be used to monitor or record an area where there is a reasonable expectation of privacy in accordance with accepted social norms, such as residence halls, medical facilities, etc. In addition, using a UAS to record or observe areas such as camps or campus settings where minors are cared for or taught is prohibited.
7. All operators of UAS must minimize risks to people and property on the ground. If such risks cannot be effectively minimized, then any such operation under this policy is prohibited.
  - a. All operators must stay within a line of sight of the UAS.
  - b. The UAS must remain at least 50 feet away from any walkway, building or structure, parking lot, and roadway. Exceptions may be permitted with an appropriate and approved plan for limiting access to these areas.
8. Third parties operating UAS must adhere to Certificate of Insurance requirements (see [\[LINK\]](#)) and a Certificate of Insurance must be submitted to Risk Management 7 days prior to the proposed flight.
9. Third parties operating UAS must sign a written agreement holding the university harmless for any resulting claims, loss, or damage from flight operations. [\[LINK\]](#)
10. UAS operators must only conduct approved flights under favorable conditions. If unforeseen circumstances develop (adverse weather, etc.) under which operations cannot be conducted in a safe manner, the operator must postpone the flight and contact the UAS Advisory Committee to request an extension of the flight.

### **Liability**

Fines and/or damages incurred by individuals or UAS that do not comply with this policy will not be paid by WSU and will be the sole responsibility of the UAS Operator. Wright State University will not be held responsible for any fines and/or damage arising out of recreational use or any use in violation of this policy by employees, students, or members of the public.

### **Compliance and Enforcement**

1. WSU Police Department is responsible for enforcement of this policy and the following actions may be taken:

- a. Persons operating a UAS on campus in violation of this policy are trespassers and may be subject to administrative or legal action, including but not limited to, being removed from campus and receiving a written directive to remain off campus.
  - b. Individuals that violate this policy will be subject to corrective action procedures as defined in the appropriate employee handbook, collective bargaining agreement, student code of conduct, federal, state, and local laws.
  - c. Notification will be made to the UAS Advisory Committee of any violations of this policy. The committee may elect to refuse or restrict future flight applications due to past policy violations.
2. Third parties shall comply with this policy and associated procedures. The contracting university department shall be responsible for ensuring contractors adhere to all university operating requirements.

### **Flight Approval Process**

The UAS Advisory Committee reviews, assesses, approves, and provides guidance for UAS activities on university owned or leased property and any university sponsored events which may occur off university property. A UAS Planned Use Request Form ([LINK](#)) must be submitted in advance and include any additional attachments.

Once a flight is approved, the UAS Operations Agreement ([LINK](#)) must be signed and submitted to the UAS Advisory Committee along with a Certificate of Insurance which meets all of Wright State University requirements. Full insurance requirements can be found [here](#).