

# OAKLAND UNIVERSITY

## ADMINISTRATIVE POLICIES AND PROCEDURES

### 676 USE OF UNMANNED AIRCRAFT SYSTEMS AND DRONES

**SUBJECT:** Use of Unmanned Aircraft Systems and Drones

**NUMBER:** 676

**AUTHORIZING BODY:** VICE PRESIDENT FOR FINANCE AND ADMINISTRATION

**RESPONSIBLE OFFICE:** OFFICE OF THE CHIEF OF POLICE

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**RATIONALE:**

Unmanned Aircraft Systems and drones (collectively, Unmanned Aerial Systems or UAS – see complete definition below) can make significant contributions to Oakland University’s (University) research, teaching and service/outreach activities in a variety of disciplines. Additionally, aerial photography/videography with a UAS can assist the University with land management, construction, athletics, law enforcement, and other functions. This Policy is intended to establish rules for UAS use by: (i) the University’s faculty, staff, students and volunteers at any location; and (ii) others on University Property (as defined below).

**POLICY:**

A UAS is considered to be an aircraft according to the National Transportation Safety Board (NTSB). All aircraft operating in the National Airspace System must follow Federal Aviation Administration (FAA) rules and regulations. In addition to FAA rules, UAS use is also governed by applicable state or local laws, and by University ordinances, regulations, rules and policies. The University’s Sponsoring Department (as defined below) and the UAS pilot or operator are responsible for complying with all applicable FAA, federal, state, local and University laws, ordinances, regulations, rules and policies. See [www.faa.gov/uas](http://www.faa.gov/uas) for the most current FAA rules and regulations regarding UAS use.

**OPERATION OF UAS:** UAS is prohibited for any recreational use on or above any University Property.

## **NON-RECREATIONAL OPERATION OF UAS IS PROHIBITED:**

1. Inside University buildings or facilities, except as may be necessary for calibrating, building, maintaining, storing and/or testing a UAS, training operators, or for research purposes;
2. In darkness, after sunset, before sunrise or during any periods of low visibility, unless the UAS is equipped to operate, and the operator has been trained and approved to operate the UAS, under such conditions;
3. In a manner that blocks or substantially impedes vehicular, pedestrian, or other traffic;
4. In a manner that blocks or substantially impedes entrances or exits to University Property;
5. In a manner that substantially disrupts or interferes with University operations, events, or activities;
6. In a manner or in a place that the University determines, in its sole and exclusive discretion, threatens the health or safety of another person;
7. In a manner or in a place that the University determines, in its sole and exclusive discretion, threatens damage to University Property or any other real or personal property;
8. In a manner that monitors or records an area where a person has a Reasonable Expectation of Privacy (as defined below);
9. Above 400 feet or any height where visual location of the UAS is impaired or not possible;
10. When the UAS weighs more than 55 lbs., unless the operator has been trained to operate such an aircraft and the FAA permits such use;
11. For speeds greater than 100 mph, unless the operator has been trained to operate at such speeds and the FAA permits such use;
12. When being controlled from any moving vehicle;
13. When one pilot is controlling multiple UASs;
14. When operated in violation of, and/or in any manner prohibited by, federal, state, local and/or University law, regulation, ordinance, policy or practice; and
15. When operated in violation of any verbal or written directive issued by the Oakland University Police Department.
16. In a manner or in a place that the University determines, in its sole and exclusive discretion, threatens, harasses, injures or endangers persons, flora, or fauna on University Property.

Note: FAA waiver of Part 107 Regulations must be obtained to operate beyond these and other FAA restrictions. See [https://www.faa.gov/uas/commercial\\_operators/part\\_107\\_waivers](https://www.faa.gov/uas/commercial_operators/part_107_waivers) for further details and clarification and waiver approval process.

## **SCOPE AND APPLICABILITY:**

This policy applies to:

- University faculty, staff, students, and volunteers operating any UAS in any location as part of any University employment and/or activities; and
- The operation by any person of a UAS on or above any University Property; and
- The hiring of or contracting for any Third Party to provide UAS services to the University.

## DEFINITIONS:

- **Autonomous:** Ability for a UAS to be navigated remotely without any onboard human intervention.
- **Drone:** Unmanned system with the ability to operate autonomously, in an untethered free-flight mode.
- **FAA:** The Federal Aviation Administration, which is the government agency that regulates the national airspace system, including, without limitation, the operation of any UAS.
- **National Airspace System:** The National Airspace System (NAS) is the airspace, navigation facilities and airports of the United States along with their associated information, services, rules, regulations, policies, procedures, personnel and equipment. It includes components shared jointly with the military.
- **Operator:** The individual flying or controlling a UAS while in operation.
- **Reasonable Expectation of Privacy:** An expectation of privacy generally recognized by society and/or protected by law, University ordinances, regulations, rules and policies.
- **Remotely:** Ability to operate or control a UAS from a distance.
- **Sponsoring Department:** The Sponsoring Department is the University unit that is operating, or that has contracted with or requested the services of a Third Party to operate, a UAS in a manner that is covered by this Policy.
- **University Property:** Any and all personal and/or real property owned, leased or otherwise controlled by the University, including the air/space above the property.
- **Unmanned Aerial Systems (UAS):** Airplanes, Helicopters, Quadcopters, Drones or other flying apparatus which is unmanned and/or operated remotely or autonomously. UAS are often referred to as drones or aerial drones.

## **PROCEDURES:**

1. Use of Drones on or above any University Property:
  - a. All operators not affiliated with the University (Third Party) planning to use a UAS on or above any University property must have a University Sponsoring Department.
  - b. The Third Party operator and the Sponsoring Department must complete Exhibit A: Authorization/Checklist for Operation of a UAS and submit the completed form to the Oakland University Police Department (OUPD).
  - c. A copy of any data or imagery acquired by a Third Party on or above University Property must be provided to the Sponsoring Department within one week of the completion of the UAS operation.
  - d. Any University department (including academic units) wishing to operate a UAS on University property must also complete Exhibit A: Authorization/Checklist for Operation of a UAS and submit the completed form to the OUPD.
  - e. No use of a UAS will be permitted unless and until the completed Exhibit A has been submitted to the OUPD as provided in this Policy and has also been approved by University's Risk Management office, and the University's Research Office (Research Office approval is only required when a UAS is being used in connection with a research project, a research grant [internal or external], contract or proposal, or when export control rules may apply and/or as specified below).
  - f. Exhibit A is not required if a UAS is being used by University Housing Facilities Management (FM), OUPD and/or any other law enforcement agency in connection with any emergency or campus safety response and/or training. Both FM and OUPD should adhere to the flight operating restrictions noted above to the extent possible given the situation.
  
2. UAS Development, Commercial Acquisition, and Operation outside of U.S.:
  - a. Unless acquisition via a gift, all UAS system and system component acquisitions shall be processed via requisitions through the University's Purchasing office (P-card purchases are not permissible).
  - b. Any extramural support project or proposal contemplating either development or commercial acquisition of a UAS by a University faculty, staff, students or volunteers must be approved by the University's Research Office prior to acceptance of the associated grant or contract, if it involves:
    - a. the need for government licensing of either equipment or pilot(s); and/or
    - b. operation of the UAS outside of the United States or in any U.S. territory exterior to lands governed by the Board of Trustees.

- c. Any proposed commercial acquisition of a UAS by a Third Party providing UAS services to or on behalf of the University must adhere to all FAA requirements and University ordinances, regulations, rules and policies.
- d. The Research Office must pre-approve plans to travel with, or ship a UAS, outside the United States to ensure that all export control requirements are met and relevant licenses are obtained prior to travel or shipment.

**RELATED POLICIES AND FORMS:**

**APPENDIX:**

Exhibit A