

## Central Washington University Policy for the Use of Drones/Unmanned Aircraft Systems (UAS) on University Property

### Purpose:

Central Washington University recognizes that the operation of Unmanned Aircraft Systems (UAS) also referred to as "drones" are popular for both recreational and educational usage. This policy establishes minimal requirements for the safe operation of unmanned aircraft systems and shall be a reference for the campus to use to assist with compliance with Federal Aviation Administration, state laws and university policies.

### Scope:

This policy applies to all members of the university community, including but not limited to employees, students, clubs, organizations, vendors and any other individuals who are operating a UAS as part of their employment or as part of any university-related research or activity. This policy also applies to any person or entity not affiliated with the university that may operate a UAS on university property or land. This includes recreational and non-recreational aircraft. Any person operating a UAS on university land is personally responsible for complying with Federal Aviation Administration (FAA) regulations, state and federal laws and university policies.

### Definitions:

**333 Exemption:** FAA exemption based on Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA) which grants the Secretary of Transportation the authority to determine whether an airworthiness certificate is required for a UAS to operate safely in the National Airspace System.

**Certificate of Authorization or Waiver (COA):** According to the FAA, the COA is an authorization issued by the Air Traffic Organization to a public operator for a specific UAS activity. After a complete application is submitted, FAA conducts a comprehensive operational and technical review. If necessary, provisions or limitations may be imposed as part of the approval to ensure the UAS can operate safely with other airspace users. In most cases, FAA will provide a formal response within 60 days from the time a completed application is submitted.

**Model Aircraft:** Model aircraft are considered UAS and viewed differently by the FAA than other UAS and have different regulations. Model aircraft operations are for hobby or recreational purposes only and are not for business purposes. Model Aircraft should be flown only in designated areas, fly no higher than 400 feet, be within eyesight of the operator at all times, not intentionally flown over unprotected persons or moving vehicles and remain at least 25 feet from individuals and vulnerable property. Statutory parameters of a model aircraft operation are outlined in Section 336 of Public Law 112-

95 ([http://www.faa.gov/uas/media/Sec\\_331\\_336\\_UAS.pdf](http://www.faa.gov/uas/media/Sec_331_336_UAS.pdf)). Use of a UAS related to the university does not qualify as model aircraft.

**University Lands:** University lands means all real property owned by, leased by, or otherwise subject to the control of the Board of Trustees.

**Unmanned Aircraft Systems (UAS):** A UAS is the unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft. A UAS may have a variety of names including drone, unmanned aircraft vehicle, unmanned aircraft, quadcopter, quadrotor, etc. **FAA regulation applies to UAS regardless of size or weight.**

#### **Policy Detail:**

1. A university employee or student planning to operate an unmanned aircraft system (UAS) as part of their university employment or used in support of research, teaching or testing as part of a university program on or off university lands or property must first contact the ***institution's*** [redacted] or ***other administrative department as determined by the university.*** The individual will then need to obtain a Certificate of Waiver or Authorization (COA) issued by the Federal Aviation Administration (FAA) or necessary exemption if applicable. Use by university employees or students as part of any university related activity or research does not fall into the hobbyist (model aircraft) category.
2. If any third party or hobbyist wishes to use a UAS or model aircraft over university lands or property, the individual must receive approval through the ***institution's*** [redacted] or other ***administrative department as determined by the university.*** Third parties planning to use a UAS must also provide proof of FAA approval. Third parties must apply directly with the FAA (FAA certification is not required for hobbyists-model aircraft operators. However, hobbyists or model aircraft operator must still comply with all pilot and device registrations required by the FAA). In addition, the operation of a UAS by a third party or hobbyist over university property must be under a contract which holds the university harmless from any resulting claims or harm to individuals and damage to university property.
3. Additionally, any student, student organization, student group or club, third party or hobbyist must adhere to all campus policies and proper proof of insurance must be approved and filed with the University **Business Services Office** prior to use. Such evidence of insurance must include general liability coverage with a \$2, 00,000 per occurrence limit. The "Board of Trustees of Central Washington University, its officers, employees, and agents" must be added as an additional insured.
4. All non-hobby or non-recreational flights shall be conducted only as authorized by the FAA.

5. The operator of *any* UAS must abide by all federal, state, and city laws
  - The operator must comply with all pilot and device registrations required by the FAA
  - The operator must avoid flying through restricted airspace
6. In operating a UAS (non-hobby or hobby use) for purposes of recording or transmitting visual images, operators must in addition to the above requirements, take all reasonable measures to avoid violations of areas normally considered private.
7. A UAS shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms. These areas include but are not limited to restrooms, locker rooms, individual residential rooms, changing or dressing rooms, campus daycare facilities, and health treatment rooms. **Note:** Pending Law HB1093 - Invasion of Privacy & Labeling would expand “invasion of privacy” to include photographing or recording a non-consenting individual who has a reasonable expectation of privacy. Would also require all drones to be labeled with personal contact information of the owner or operator.
8. A UAS shall not be used to monitor or record sensitive institutional or personal information which may be found, for example, on an individual's workspace, on a computer or other electronic displays.
9. Overseeing departments are responsible for providing or ensuring operators are trained in the use of the drone in which they will operate
10. Operators shall be mindful of the safety of people and risk of property damage and aware of potential failure modes for their systems. All built-in safety features shall be tested before flying.
11. If the university arranges for a contractor or a third party to use a UAS for purposes associated with a university facility, event, or project, the contractor must adhere to all FAA requirements and campus polices and provide the university with proper proof of insurance which should include General Liability coverage with a \$2,000,000 per occurrence limit and add the "Board of Trustees of Central Washington University, its officers, employees and agents as an additional insured."
12. Operators must be in line sight during operation over university lands and always avoid flying over crowds.

**Failure to follow this policy may result in disciplinary action and could lead to local and federal penalties.**

## **Updates of the Policy**

This policy may be updated in writing as necessary or appropriate in light of institutional experience and external regulatory changes.

### **Additional Information:**

- [https://www.faa.gov/uas/publications/model\\_aircraft\\_operators/](https://www.faa.gov/uas/publications/model_aircraft_operators/)
- [http://knowbeforeyoufly.org/wp-content/uploads/2015/01/KBYF\\_Brochure.pdf](http://knowbeforeyoufly.org/wp-content/uploads/2015/01/KBYF_Brochure.pdf)
- B4UFLY smartphone app: <http://www.faa.gov/uas/b4ufly/>
- <http://www.faa.gov/uas/faq/>

### **Sample COA application:**

- [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/systemops/aaim/organizations/uas/media/COA\\_Sample\\_Application\\_v\\_1-1.pdf](http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/aaim/organizations/uas/media/COA_Sample_Application_v_1-1.pdf)