



UTAH VALLEY UNIVERSITY Policies and Procedures

POLICY TITLE	Unmanned Aircraft Systems (Drones)	Policy Number	705
Section	Risk Management/Safety/Health	Approval Date	November 29, 2018
Subsection	Risk Management	Effective Date	November 29, 2018
Responsible Office	Office of the Vice President of Finance and Administration		

1.0 PURPOSE

1.1 Utah Valley University (UVU) complies with the Federal Aviation Administration (FAA) and all applicable federal and state laws and regulations for the operation of unmanned aircraft systems (UAS). This policy establishes university policy and procedures for the authorization and operation of UAS for teaching, scholarship, and outreach on university property, while ensuring compliance with legal obligations and reducing risks to safety, security, and privacy.

2.0 REFERENCES

- 2.1 14 CFR Part 1 *Definitions and Abbreviations*
- 2.2 14 CFR Part 91 *General Operating and Flight Rules*
- 2.3 14 CFR Part 101 *Moored Balloons, Kites, Amateur Rockets, Unmanned Free Balloons, and Certain Model Aircraft*
- 2.4 14 CFR Part 107 *Small Unmanned Aircraft Systems*
- 2.5 PL 112-095 *FAA Modernization and Reform Act of 2012*
- 2.6 Utah Code § 53B-3 *Enforcement of Regulations at Institutions*
- 2.7 Utah Code §72-14 *Unmanned Aircraft—Drones*
- 2.8 Utah Code §76-6-206 *Criminal Trespass*
- 2.9 Utah Code §76-9-402 *Privacy Violation*
- 2.10 Utah Code §76-9-702.7 *Voyeurism Offenses—Penalties*
- 2.11 UVU Policy 425 *Scheduling Campus Facilities*



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3.0 DEFINITIONS

3.1 Authorized visitors and contractors: For the purposes of this policy, individuals who are not UVU students or employees but have, as private citizens or vendor/contractors, obtained permission in accordance with this policy to operate an unmanned aircraft system (UAS) on university property.

3.2 Controlled environment: For the purposes of this policy, an area in which precautions have been implemented to ensure the safety of participants and bystanders. Examples include but are not limited to safety barriers, visual indicators of operational areas, cones or tape preventing access to a defined area, or netting where UAS are being utilized.

3.3 Federal Aviation Administration (FAA): The federal agency that has governing authority over the operation of unmanned aircraft in the United States national airspace system.

3.4 Pilot-in-command (pilot): The individual who has ultimate control over the UAS and who is directly responsible for UAS operation.

3.5 University program: All UVU certificate, undergraduate, and graduate programs and all UVU community and continuing education programs.

3.6 University property: For the purposes of this policy, any campus or facility owned or leased by the University, including but not limited to the Orem, Wasatch, UVU West, Thanksgiving Point, and Provo Airport campuses.

3.7 Unmanned aircraft (UA/Drone): An aircraft that is operated remotely without the possibility of direct human intervention or piloting from within or on the aircraft regardless of size. UAs include but are not limited to blimps and rockets. For the purposes of this policy, references to UAS also incorporate UA.

3.8 Unmanned aircraft system (UAS): An unmanned aircraft plus associated components (including communication links and the components that control the unmanned aircraft) that are required for the pilot-in-command to operate an unmanned aircraft safely. For the purposes of this policy, references to UAS refer to all unmanned aircraft and their systems weighing less than 55 lbs.

4.0 POLICY

4.1 Scope

4.1.1 The University complies with all applicable federal and state laws governing the use of unmanned aircraft systems and enforces these laws on university property.



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4.1.2 All UVU employees and students and authorized visitors must comply with this policy in the operation of UAS on university property. If any part of this policy is not in compliance with FAA regulations and applicable law, those laws shall govern.

4.1.3 While the FAA does not regulate UAS operation within buildings, this policy also governs UAS operation within UVU buildings. UAS may be operated in UVU buildings only within a controlled environment (as defined in section 3.2) under the direction of an academic program, student club registered with UVU, or Student Affairs, or as part of an activity with specific authorization from a faculty or staff member and only after otherwise complying with this policy. Pilots must also comply with Policy 425 *Scheduling Campus Facilities*.

4.1.4 The University's Office of Risk Management, in consultation with the Office of General Counsel as needed, oversees compliance to this policy and all applicable federal and state laws and regulations by members of the university community and authorized visitors and contractors. The Safety Coordinator of the School of Aviation Science serves in an advisory capacity to those seeking authorization to fly a UAS on or off university property. The Safety Coordinator may not provide legal advice and is not responsible for granting or denying authorization for the operation of a UAS; however, the Safety Coordinator is responsible for assisting the person or program in complying with FAA regulations and UVU policy. (See section 5.1 for the procedure for obtaining authorization to operate a UAS on university property.)

4.1.5 Operations of UAS internationally must be in compliance with Policy 142 *Export Control* and the laws of the country in which the UAS is operated.

4.2 Unauthorized Operation of UAS

4.2.1 Unauthorized operation of a UAS on any UVU campus is strictly prohibited. This includes but is not limited to operation of UAS for hobby, recreational, commercial, research, or educational purposes on university property by anyone, including employees, students, visitors, or contractors.

4.2.2 Unauthorized UAS pilots will be required to immediately cease flight operation.

4.3 Authorized Operation of UAS on University Property

4.3.1 All pilots of UAS on university property must be approved and receive written authorization from the Office of Risk Management in the form of a *UVU Flight Authorization Document* before operation of a UAS. (See section 5.1 for the procedure to obtain authorization.)

4.3.2 In addition to obtaining a *UVU Flight Authorization Document*, visitors and contractors seeking to operate a UAS on university property must provide a *Certificate of Insurance* to the Office of Risk Management as part of the authorization process.



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4.3.3 UVU students operating a UAS on or off university property as part of a university program, department, or class must be directly supervised at all times by faculty or staff who have completed the UVU UAS/drone training in accordance with this policy and obtained a *UVU Flight Authorization Document*. Under extenuating circumstances, or as part of a class project or assignment, a student may operate a UAS without supervision if the student has completed the UVU UAS/drone training and has obtained a *UVU Flight Authorization Document*. UVU clubs must be directly supervised by a responsible party (club president or other who has completed training and obtained a *UVU Flight Authorization Document*). (See section 5.1 for the procedure for all parties to obtain flight authorization.)

4.3.4 Before operating UAS outdoors on university property, authorized pilots must notify UVU Police (Phone 801-863-5555).

4.3.5 Authorized pilots must operate their UAS safely, without risk of injury to people or property, and without violating the privacy of others. Authorized pilots must ensure that noise from their UAS does not unreasonably annoy, disturb, injure, or endanger the comfort, health, peace, or safety of others.

4.3.6 Operations of UAS must comply with this policy; with FAA regulations, authorizations, and grants of authority; and with legal opinions and interpretations.

4.4 Safety Precautions

4.4.1 Pilots should be aware of potential failure modes for their system and plan to conduct operations to minimize the risk to persons and property with these potential events in mind. Before operating a UAS on university property, pilots should test, to the extent reasonably possible, the function of built-in safety features such as lost-signal return and kill switches.

4.4.2 Pilots must comply with the respective preflight, flight, and post-flight procedures applicable to their UAS.

4.5 Retrieval of Downed UAS

4.5.1 To ensure safety and compliance with this policy, pilots and/or bystanders shall coordinate retrieval of downed UAS on university property by promptly contacting UVU Police when they become aware of such an incident.

4.5.2 Pilots shall comply with applicable laws; this includes obtaining permission from property owners to enter their property to recover a downed UAS.



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4.6 Privacy Considerations

4.6.1 Operation of UAS on university property, or on non-university properties by employees, students, and others working in university programs or UVU-sponsored activities, must be in compliance with all applicable privacy laws.

4.6.2 UAS must not be used to take photos or videos of persons or property without approval of the Office of Risk Management and the persons and/or property owners involved. UAS should not be used to monitor or record in sensitive areas or areas where there is a reasonable expectation of privacy. These areas include but are not limited to restrooms, locker rooms, changing rooms, child care centers, classrooms, offices, and the Student Health Center.

4.7 Sanctions for Policy Violations

4.7.1 Depending on the severity of the action, violation of this policy may result in fines or disciplinary action, up to and including termination of employment and/or expulsion from the University and referral to UVU Police, FAA, and/or other law enforcement agencies. If applicable laws have been violated, violators may be subject to potential criminal and/or civil sanctions and penalties. UVU Police and the Office of Risk Management will investigate each violation of this policy on a case-by-case basis.

4.7.2 Legal prohibitions regarding physical presence on campus/trespassing, violations of privacy laws, and other legal action may also be pursued against third parties that operate UAS in violation of this policy.

4.7.3 The University shall not be responsible for any fines, damages, or legal fees incurred by individuals or units who do not comply with this policy.

5.0 PROCEDURES

5.1 Obtaining Authorization to Operate a UAS

5.1.1 Those seeking authorization to operate a UAS on university property must ensure that the UAS is registered with the FAA, certify that the UAS weighs less than 55 lbs., comply with all FAA regulations, and submit a *Request for Authorization to Operate a UAS/Drone on UVU Property* (available on the Office of Risk Management webpage) to the Office of Risk Management. The request shall include an acknowledgment that authorized pilots of UAS on university property must comply with this policy. The University reserves the right to deny this authorization and to revoke approved *UVU Flight Authorization Documents* at its sole discretion.

5.1.2 University faculty, staff, and students (unless otherwise exempted in section 5.1.1) seeking authorization must complete the UVU UAS/drone training available on UVU's online training



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platform. Certifications of completion must be submitted to the Office of Risk Management, which will maintain these authorizations.

5.1.3 UAS authorization applicants must consult with the Safety Coordinator of the School of Aviation Science, who will assist in determining how applicants will comply with FAA regulations, including obtaining any of the following:

- 1) A remote pilot certificate with a small UAS rating, pursuant to CFR Part 107,
- 2) An FAA Section 333 exemption,
- 3) A *Certificate of Waiver or Authorization (COA)*,
- 4) A *Memorandum of Understanding* with airport authorities, and/or
- 5) Any other FAA grant of authority.

5.1.4 After applicants complete the UVU UAS/drone training and submit certification of completion and the required documents listed in section 5.1.3 to the Office of Risk Management, Risk Management will review the request. If the request is approved, the approved user will be given a signed *UVU Flight Authorization Document*. This document will serve as proof that authorized pilots have been approved to operate UAS on university property or on behalf of the university at other locations. This document must be available for inspection any time the pilot is operating a UAS. To be valid and active, the pilot must sign the document to acknowledge the rules and conduct requirements related to the operation of a UAS. Before operating UAS outdoors on university property, authorized pilots must notify UVU Police (Phone 801-863-5555).

5.1.5 The *UVU Flight Authorization Document* is valid for two years. Upon expiration, the document holder must contact the Office of Risk Management and comply with training and other documentation requirements to be considered for renewal. If an authorized user violates this policy, the University may suspend or revoke a *Flight Authorization Document*.

5.2 Fines

5.2.1 The University may impose a fine per violation of this policy as established by President's Council. The University may collect unpaid fines by withholding from money owed the violator, by revoking privileges or placing holds on academic records such as diplomas and transcripts until the fine is paid, by using the judicial process, or by any reasonable combination of these methods.

5.2.2 A person may appeal a fine imposed under this policy by submitting a written request for appeal and any supporting documentation to the Office of Risk Management. Requests for appeal must be submitted by mail, email, or personal delivery within 10 calendar days of the date



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the fine was issued. The Office of Risk Management shall decide whether to rescind the fine or reject the appeal, and shall notify the appellant of its decision within two weeks after receiving the appeal.

5.2.3 Fines imposed under this policy shall be paid within 10 calendar days unless the fine is appealed. If a request for appeal is properly submitted but ultimately rejected, then the fine must be paid within 10 calendar days of the rejection. The University may impose a reasonable late fee when a fine is not paid in accordance with this policy.

POLICY HISTORY		
November 29, 2018	New policy approved for Policy Manual.	UVU Board of Trustees