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Responsible University Office: Business & Finance

Responsible University Administrator: Vice Chancellor for Business and Finance

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Unmanned Aerial Vehicle/Systems (UAS)

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Scope

This policy applies to University of Nebraska at Kearney (UNK) owned and non-owned UAS when operated by:

- UNK employees, students, and other individuals as part of UNK activities at any location (UNK User)
- Individuals performing contracted services for UNK under FAA civil and governmental use at any location (Commercial Civil UAS User)
- Hobbyists for recreation or other Outside Entities on or above UNK property

Policy Statement

All members of the UNK community operating unmanned aircraft systems in any location of University property, as part of their University employment or as part of University activities, including instructional purposes, are responsible for complying with current FAA regulations, state and federal laws, and university policies. This means applying for the appropriate exemption to fly, i.e. Certificate of Waiver or Authorization (COA) or FAA 333 Certificate to fly. The COA or 333 Exemption is held by the University and not by the individuals and affords permission to fly under the COA or 333 Certificate. Therefore, the faculty/staff project leader is responsible for compliance with all provisions of the COA or 333 Exemption and assertions made pursuant to these requirements.

Reason for Policy

Unmanned Aircraft Systems (UAS), also called unmanned aerial vehicles or “drones,” are considered 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. Rapid advances in technology provide opportunities for the use of UAS as a tool for education, research, and outreach. The purpose of this policy is to provide clarity and a framework for UAS operations at UNK.

Procedures

UAS Operations by UNK Employees and Students

Prior to operating UAS as part of UNK activities at any location, the project leader must complete, sign, and submit the required information to the designated UNK campus authority and receive approval for UAS flights in support of a specific project. If approved, the UAS operator must follow UNK policies, state and federal laws, and FAA rules and regulations (<https://www.faa.gov/uas/>) including FAA authorization through a Certificate of Waiver or Authorization (COA), Section 333 exemption, and/or other procedures as required by the FAA. UAS operations outside the United States as part of UNK activities also require export controls review.

Civil and Governmental UAS Operations

Individuals conducting civil and governmental UAS operations on behalf of UNK, including performing contracted services, must comply with state and federal laws, FAA rules and regulations, and this policy including submission of the required information and receipt of approval by the designated UNK campus authority. Anyone operating UAS not owned by the UNK must provide a COA, Section 333 exemption, and/or other evidence issued by the FAA authorizing them to perform the proposed flight, as applicable. Such operators must also provide credentials and a certificate of insurance which shows adequate UAS liability insurance coverage and names the Board of Regents of the University of Nebraska as an additional insured.

Recreational/Hobbyist/Other Entity UAS Operations at UNK

As there are public safety concerns that must be addressed, individuals desiring to operate UAS for non-University purposes, on or above University property, must complete and submit required information to the Risk Management Office—including required credentials and a certificate of insurance verifying adequate UAS liability insurance coverage and naming the Board of Regents of the University as an additional insured.

Requirements for Operating UAS on UNK Owned or Controlled Property

- FAA regulations require that UAS operators operating UAS within a 5-mile radius of an airport and 2-mile radius of any helipad must give specific notice prior to the use of the UAS to the airport operator or controller. The University’s main campus is within a 5-mile radius of the Kearney airport, and within a 2-mile radius of both of Kearney’s hospitals.

- Operation of UAS requires express approval as described in the previous section.
- Permission of the Chancellor is required to operate UAS above public open-air events, above thoroughfares, and inside or above public venues, and obtaining a waiver from FAA.
- UAS must be under the control of the operator at all times and the operator must be able to see the UAS at all times without use of visual aids. Use of a spotter next to the operator is allowed, if approved in the FAA authorization.
- Visibility has to be over three miles to operate.
- Outside operations must be performed in daylight only.

Prohibited Uses

- UAS operations over or in University owned or controlled, without submission of the required information and approval by the University, are prohibited.
- UAS shall not be operated in a way that creates an undue hazard to University owned or controlled property, the University community, or the public at any time, or in a manner that unduly affects the environment of those working within a building, or those entering, exiting or walking around a facility.
- UAS must not be operated within 100' of any Residence Hall, unless written approval has been obtained from the Director of Police & Parking Services.
- UAS operations that monitor or record sensitive institutional or personal information are prohibited, including but not limited to: an individual's workspace or computer; restrooms; changing, dressing, or locker rooms; residential rooms, hallways, or lounges; health treatment rooms; or daycare facilities.
- If images are obtained via, video or still photography, they can only be of public areas where there is no expectation of personal privacy being violated.

UAS operations as part of University of Nebraska activities outside the United States:

UAS operation outside the United States as part of UNK activities requires export controls review. The project leader must submit to the University Risk Management office the required information and receive approval for UAS flights in support of a specific project.

Sanctions

Any violations of university policies or student code of conduct by an individual will be administered in accordance with applicable university policies and procedures. Individuals who violate this policy may be subject to civil or criminal penalties and the seizure of UAS by campus police or security. Fines, damages, and claims against individuals who violate this policy may be the responsibility of that individual.

Definitions

Certificate of Waiver or Authorization (COA): An authorization for a specific UAS activity and is limited to a specific aircraft type, with demonstrated flightworthiness and suitable training and testing for any pilot/operator.

333 Certificate: An operational approval by FAA to fly a UAS in the National Airspace System.

Unmanned Aircraft System (UAS): is any contrivance invented, used or designed to navigate, or fly in the air, that is operated without the possibility of direct human intervention from within or on the aircraft.

University of Nebraska at Kearney property: Buildings, grounds, and land that are owned by or controlled by the University via leases or other formal contractual arrangements to house ongoing UNK operations.

Model Aircraft: the FAA considers Model aircraft differently than other UA's and have different regulations. Model aircraft are not for business purposes, only for hobby or recreation.

Additional Contacts

Forms

[UAS Project Approval UNK User](#)

[UAS Project Approval Commercial & Civil User](#)

[UAS Project Approval Hobbyist](#)

[UAS Operating Agreement](#)

Related Information

[Executive Memorandum No. 31](#)

History

This is a new policy.