

**Sam Houston State University**  
**A Member of The Texas State University System**

**President's Office Policy PRE-27**

**UNMANNED AIRCRAFT SYSTEMS (UAS) ADMINISTRATIVE POLICY**

**Scope**

This policy applies to:

- Sam Houston State University (SHSU or University) employees and students, operating unmanned aircraft systems (UAS) as part of their University employment, activities or business in any location on or above SHSU property;
- Any vendor, guest, third party or other person(s) operating UAS or model aircraft on or above SHSU property including but not limited to the university coliseum and equestrian center;
- The purchase or construction of unmanned aircraft systems with SHSU funds, accounts, grants or SHSU Foundation accounts, and;
- The hiring or contracting of unmanned aircraft services by a SHSU official.

**Policy Statement**

Operation of UAS, including drones and model aircraft is governed by the Federal Aviation Administration (FAA or Air Traffic Organization), relevant state laws and University policies. SHSU complies with all FAA requirements and state laws. UAS activity is only permitted on the SHSU campus when the use conforms to these authorities and is approved by the UAS Advisory Committee. The SHSU UAS policies and any UAS Advisory Committee procedures ensure compliance with legal obligations and reduce risks to safety, security and privacy. Inherent risks associated with the operation of a UAS may require additional insurance, policy considerations and research.

**Definitions**

**Model Aircraft:** Model aircraft is a UAS weighing less than 55 pounds, flown for recreational purposes according to the FAA's [Model Aircraft Operations](#) guidelines, including required FAA [Registration](#). UAS owned or used by SHSU are not, by definition, Model aircraft.

**Nano or Pocket UAS:** The FAA has not specifically addressed Nano UAS (weight less than 10 grams); however, due to the potential of a small UAS to invade privacy and cause injury, Nano and Pocket UAS are not permitted on SHSU property.

**Pilot in Command (PIC):** Pilots In Command (PIC) have full control for all UAS flight operations and must have an [FAA remote pilot certificate](#) (FAA Airman Certificate and/or Rating Application) and a current FAA third-class airman medical certificate or a valid U.S. driver's license issued by a state, the District of Columbia, Puerto Rico, a territory, a possession, or the Federal government.

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**Property:** Buildings, grounds, land, and airspace owned, leased, or controlled by or controlled by SHSU.

**UAS Advisory Committee** – The SHSU UAS Advisory Committee (Committee) is comprised of appointed representatives from the Office of Research and Sponsored Programs (ORSP) - <http://webcms.shsu.edu/dept/office-of-research-and-sponsored-programs/compliance/uas.html>, Office of Environmental Health, Safety & Risk Management (EHS & RM), Center for Innovation & Technology, College of Sciences, the Center for Excellence in Digital Forensics, and the TSUS Office of General Counsel as ex officio. This Committee is charged with reviewing purchases of UAS equipment, requests for use of a UAS, and appeal of the policy, procedures, or Committee decisions. Further, the Committee is responsible for establishing compliant procedures for use of UAS.

**Unmanned Aircraft Systems (UAS) or Drones:** The FAA identifies a UAS as an unmanned aircraft and all of its associated support equipment such as; the control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft. UAS may have a variety of names including drone, quadcopter, quadrotor, etc. FAA regulation applies to every UAS regardless of size or weight.

### **Policy Guidelines**

1. All members of the Sam Houston State University community are personally responsible for complying with FAA regulations, state and federal laws, and University and Texas State University System policies.
2. Due to federal and state restrictions limiting the purpose and use of UAS, any University employee or student wishing to operate any UAS whether owned by the University or operated as part of University employment or program must first obtain approval of the UAS Advisory Committee.
  - a) All requestors must submit their requests to the Committee no less than ten business days before the proposed use of UAS.
  - b) Requestors must obtain [FAA registration](#) per the Code of Federal Regulations (CFR), Title 14, Chapter I, Subchapter F, Part 107 “SMALL UNMANNED AIRCRAFT SYSTEMS” for the proposed UAS. Employees and students may only operate UAS on behalf of SHSU for professional and/or scholarly endeavors.
  - c) Requestors must provide the name(s) for the UAS Pilots In Command (PIC). All proposed PIC must provide an [FAA remote pilot certificate](#) (FAA Airman Certificate and/or Rating Application) and a current FAA third-class airman medical certificate or a valid U.S. driver’s license issued by a state, the District of Columbia, Puerto Rico, a territory, a possession, or the Federal government.
  - d) Upon securing FAA registration and PIC authorization, prospective operators must submit a request for approval to the Committee. Requests must be accompanied by (1) proof of FAA registration and PIC authorization and (2) employee certification of having reviewed Texas Government Code Chapter 423 and any other safety material provided by EHS & Risk Management.

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- e) Approvals and/or denials will be maintained by the UAS Advisory Committee and a copy will be submitted to University Police.
3. Any University employee, student, or unit seeking to purchase a UAS, the parts to assemble a UAS, or UAS services with University funds, including funds disbursed through a University account or grant funds, must have the prior approval of the UAS Advisory Committee and use purchasing codes provided in this document.
4. Prior to using UAS over SHSU property, a third party must be authorized under a contract through SHSU's Procurement Office or by execution of a Memorandum of Understanding upon receipt of approval for operations from the UAS Advisory Committee. Third parties planning to use UAS over SHSU property must provide the requisite commercial general liability insurance with a minimum limit per occurrence of \$1,000,000 and a minimum aggregate of \$2,000,000. In addition, the third party must list The Texas State University System Board of Regents/Sam Houston State University as additional insured and hold the University harmless from any resulting claims or harm to individuals and damage to University property. Third parties must submit proof of FAA UAS registration and FAA PIC authorization in the form of an FAA remote pilot certificate, FAA 333 Exemption, or FAA CERTIFICATE OF WAIVER OR AUTHORIZATION (COA). FAA documents will be retained by the office of EHS & Risk Management.
5. During approved operation of a UAS for purposes of recording or transmitting visual images, operators must take all reasonable measures to avoid violations of areas normally considered private and shall be personally liable for any civil or criminal charges/penalties related to the use of the UAS. See Texas Government Code [Chapter 423. Use of Unmanned Aircraft](#) for potential offenses and associated fines. Violations range from a Class C misdemeanor to penalties upwards of \$10,000 for a single civil violation.
6. Authorized UAS operators will receive an approval form from the UAS Advisory Committee and must visibly display the approval form when operating a UAS on campus. All uses of UAS must comply with the following Prohibited Uses:

**Prohibited Uses**

Each prohibited use applies equally to employees, students, and third parties.

1. UAS shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with the law and accepted social norms. These areas include, but are not limited to, restrooms, locker rooms, individual residential rooms, residential hallways or lounges, changing or dressing rooms, health treatment rooms, or other areas as determined by University administration.

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2. UAS shall not be used to monitor or record confidential, sensitive or personal information, which may be found, for example, on an individual's workspace, on computers or on other electronic displays.
3. UAS shall not be weaponized, carry flammable materials or explosives, or used in a manner that purposefully compromises the safety and security of individuals and/or property.
4. Model, Nano, and Hobbyist aircraft are prohibited on SHSU property.

**Exceptions**

1. UAS operated under declaration of federal, state, or University emergency may be exempt from these guidelines.
2. Appeals may be submitted to the UAS Advisory Committee.

**NOTE:** Under FAA guidelines, Temporary Flight Restrictions (TFR) may apply and must be followed.

**Purchasing Codes**

1. UAS and related expenses must be coded as follows and should be made on a Purchase Requisition through BearKatBuy.
  - a) \$500 or less: 733405
  - b) \$501 - \$4,999: 737407
  - c) \$5,000 or greater: 737304
2. Purchases of UAS or related components are not allowable purchases on the PCard, without prior approval through Procurement's PCard Exception Request process.

**Sanctions - Violations**

1. Legal prohibitions regarding physical presence on campus/trespassing and other legal action may be pursued against third parties that operate UAS or model aircraft in violation of this policy.
2. Fines or damages incurred by individuals or units that do not comply with this policy are the responsibility of those persons involved.
3. Students not complying with this policy shall be referred to the Dean of Students.

Approved by: President's  
Cabinet Date: May 2016