

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 for or contracting of unmanned aircraft services by a SHSU official.

Policy Statement

Operation of UAS, including drones and model aircraft is regulated by the Federal Aviation Administration (FAA or Air Traffic Organization), relevant laws of the State of Texas and University policies. SHSU will establish procedures required to ensure compliance with those legal obligations and to reduce risks to safety, security, and privacy. UAS activity is only permitted on the SHSU campus when the use conforms to these authorities and is approved by the UAS Advisory Committee. 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 fifty-five (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 which are unregistered and weigh 0.55 pounds or less (less than 250 grams). Nano and Pocket UAS are not permitted on SHSU property.

Pilot in Command (PIC): Pilots In Command (PIC) have full control of 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.

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) - Office of Environmental Health & Safety (EH&S), Center for Innovation & Technology, College of Science & Engineering Technology, 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 regulations apply to every UAS regardless of size or weight.

Policy

1. All members of the SHSU 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 written approval from the UAS Advisory Committee.
 - a) All requestors must submit their requests to the Committee no less than ten (10) business days before the proposed use of UAS.
 - b) Requestors must show proof of [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 Pilot(s) 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 EH&S.
3. An “Authorization of Extended Drone Use” can be submitted for consideration and approval for areas on campus that regularly use drones as part of their business operations such as visual services for marketing and publicity purposes. This authorization must be reviewed and renewed annually. All other policy restrictions and requirements apply.

4. Approvals and/or denials will be communicated to the requestor with copy to the University Police by EH&S. EH&S shall maintain copies of all UAS requests and disposition of same.
5. 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.
6. Prior to using UAS over SHSU property, a third party must be authorized under a contract through SHSU's Procurement Office, Facilities Use Agreement with UAS provision 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 & RM.
7. 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 or critical infrastructure facilities 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.
8. Operators must ensure that all software and firmware associated with UAS operations are secure. This should include:
 - a) Download and install software and firmware from a separate network other than the SHSU network.
 - b) Software and firmware are downloaded from trusted third-party websites and integrity checks are performed against published checksums.
 - c) Software and firmware are run through an up-to-date antivirus platform before installation.
9. Operators must secure UAS operations. This should include:
 - a) If using Wi-Fi, ensure the data link supports an encryption algorithm for securing Wi-Fi communication and use the most secure standard.
 - b) Use complicated SSIDs that do not identify UAS operations on the network. Set the UAS to not broadcast the SSID or network name of the connection.
 - c) Use a standalone UAS-associated mobile device with no external connections or disable all connections between the UAS and the Internet during operations.
 - d) Run mobile device applications in a secure virtual sandbox configuration that allows operation while securely protecting the device and the operating system.
10. Operators must ensure secure data storage and transfer. This should include:

- a) Using a standalone computer to connect to the UAS or removable storage device.
 - b) Verifying a firewall is configured on the computer or mobile device.
 - c) Following SHSU Data Classification, Digital Encryption, and Media Sanitization IT Policies
11. Authorized UAS operators will receive an approval form from EH&S and must visibly display the approval form when operating a UAS on campus. Further, all UAS operators will be required to keep and maintain a flight log ready for inspection by members of the UAS Advisory Committee upon request. 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.
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.
3. 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 BearKat Buy. All UAS are required to be tagged and tracked through the SHSU Property office.
 - a) Drone Maintenance and Repair: 726300
 - b) Drone Purchase \$0 - \$4,999: 736401
 - c) Drone Purchase \$5,000 or greater: 737000

2. Purchases of UAS or related components are not allowable purchases on the PCard, without prior written 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: September 2022