

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: General Administration

NUMBER: 01.F.02

AREA: Public Safety

SUBJECT: Purchasing Approval and Use of Unmanned Aircraft Systems (UAS)

1. PURPOSE

- 1.1 The use of Unmanned Aircraft Systems (“UAS”) is regulated by the Federal Aviation Administration (“FAA”) as well as other federal, state, and local law. All UAS, regardless of the purposes for which they are used, are aircraft and subject to FAA regulation. Most UAS must be registered with the FAA. Applicable pilot qualification requirements for the particular aircraft must be met.
- 1.2 The purpose of this document is to establish University of Houston System (“System”) policy regarding the use of UAS to ensure compliance with applicable law, enhance academic and educational opportunities, and to reduce the risks to safety, while protecting individuals’ security and privacy on campus.
- 1.3 The Associate Vice Chancellor of Police Operations, or designee, is charged with implementing this policy and will be responsible for administering the review and approval process for UAS activities.

2. APPLICATION OF POLICY

- 2.1 This policy applies to:
 - a. The use of UAS by anyone for any purpose, from, on, or over any premises owned or leased by the System;
 - b. The use of UAS by System faculty, students, and staff for System sanctioned activities off the System; and
 - c. The purchase of UAS with any funding from System accounts, grants or gifts.
- 2.2 All owners and operators of UAS are personally responsible for complying with FAA regulations, applicable state or local law, and individual university and overall System policies.

3. DEFINITIONS

- 3.1 Certificate of Authorization or Waiver (COA): An authorization issued by the FAA to an operator for a specific UAS activity in a specific block of airspace. After a complete application is submitted, FAA conducts a comprehensive operational and technical review. If the COA is approved it will describe the conditions, parameters and limitations of flight operations.
- 3.2 Commercial Operations: Any UAS operation where the operator receives direct or indirect payment or compensation for the operation. Compensation is not just limited to monetary payments but includes anything of value. **Commercial operations include university employees who operate a UAS in the course and scope of work, including for educational or research purposes.**
- 3.3 Crewmember: A UAS flight crew member including pilots, sensor/payload operators, visual observers (VO), or other persons required to ensure safe operation of a UAS.
- 3.4 Governmental or Public Use of UAS: Operation of UAS for governmental or public use occurs *only* if the UAS is flown for one of the following governmental functions: national defense, intelligence missions, firefighting, search & rescue, law enforcement (including transport of prisoners, detainees, and illegal aliens), aeronautical research, physical plant operations (including building envelope assessments, campus aerial photography and mapping), or biological or geological resource mapping. *UAS used for educational purposes (including teaching how to fly a UAS) or research that does not fall under any of these categories does not constitute a governmental function and do not fall under this category.*
- 3.5 Hobby or Recreational Operations: UAS operation for personal interests and enjoyment.
- 3.6 Licensee: Licensees are third parties who visit the University for their own purposes but are *not* invited by University personnel or present for official University business.
- 3.7 Model Aircraft: An unmanned UAS (1) flown for hobby or recreational purposes; (2) capable of sustained flight in the atmosphere; and (3) flown within visual line of sight of the aircraft operator.
- 3.8 Part 107 Certification of Waiver: A document provided by the FAA evidencing its waiver of certain 14 CFR Part 107 operation limitations. Part 107 is the main set of rules for flying small drones (less than 55 lbs.)

- 3.9 Qualified Pilot: A qualified pilot is one who has obtained an FAA airman certificate.
- 3.10 Request: A UAS Request Form, which seeks permission to operate a UAS, not including model aircraft, on System Premises or at a System-sanctioned event.
- 3.11 Special Airworthiness Certification/ Special Experimental Category (SEC): An SEC is provided by the FAA to allow Civil Entities to fly the UASs for Commercial Operations.
- 3.12. System: As used herein, the University of Houston System, its universities and any university department, division, unit, faculty, staff and students, including third parties invited by University personnel or present for official University business.
- 3.13. System Premises: Buildings, grounds, and land that are owned, controlled, occupied or operated by the System.
- 3.14. 333 Exemption: Exemption granted by the FAA exempting the use and operations of an USA from certain Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA) requirements.
- 3.15 Unmanned Aircraft System (UAS): Any remotely operated or controlled aircraft and its associated communications, support, and navigational equipment (also known as a “drone,” quadcopter, quadrotor). FAA regulations apply to UAS regardless of size or weight, but different regulations apply depending upon the weight. UAS includes Model Aircraft except where otherwise noted in this policy.

4. POLICY AND PROCEDURES

- 4.1 Purchase of UAS with University Funds
 - a. Any System employee, student, or department purchasing a UAS, UAS parts or services, and/or operating a UAS must be familiar with the FAA and other legal and regulatory requirements for the use and operation of the UAS on or above System Premises and for university sanctioned purposes as set forth in this policy.
 - b. All System employees or departments purchasing a UAS, including a Model Aircraft, or the parts to assemble a UAS or Model Aircraft with System funds, funds disbursed through a System account, or grant funds

must first proceed through the System Office of Police Operations to understand the applicable internal process and System requirements..

- c. Any UAS aircraft purchased with University funds as set forth above must be inventoried in the System property management system in accordance with [SAM 03.E.02](#) and university policies, and contain an identification plate with the name, address, and phone number of the University and its operator. Disposal of UAS must follow University policies.

4.2 UAS Approval Process

- a. Any individual or organization who seeks to operate a UAS other than Model Aircraft, from, on or above System or off System Premises for System-sanctioned activities must submit a complete [UAS Request Form](#) (“Request”), Certificate of Export Review, and all applicable authorizations or exemptions from the FAA (including but not limited to any 333 Exemption, Qualified Pilot License, Proof of UAS Registration with the FAA, a COA, and/or Part 107 Waiver) in advance of the proposed date of use. For System-sanctioned activities off System premises, written permission from the property owner and/or the property owner’s authorized agent is also required. Licensees shall also enter into a facility use agreement holding the university harmless for any resulting claims, loss, or damage from flight operations and provide proof of insurance as required by the Office of Risk Management.
- b. The Associate Vice Chancellor of Police Operations or designee will process UAS requests on a case by case basis and work with other System or university offices as necessary to process the requests.
- c. If the Request is granted, the permission will be valid only for a specific use and time period.
- d. Insurance may be required for UAS use on System property or System sponsored activities off campus. Insurance requirements and coverage will be determined by Risk Management.
- e. The System Office of Police Operations will maintain a record of the results and decisions relating to UAS requests.
- f. Prior notice is not required for use of UAS on System Premises for certain emergency operations by personnel acting under the authority of applicable laws.

- 4.3 Use of UAS for Research. Faculty proposing to use UAS for research must submit a Request through the UAS Approval Process. Appropriate FAA authorization must be obtained with assistance from the Division of Research. Faculty use of UAS for research is not considered research for a governmental function unless the research falls within the definition of Government Use. All other research constitutes commercial use.
- 4.4 Rules for Model Aircraft Operations
- a. Student and faculty use of UAS and certain other on-campus use of UAS that meet the qualifications of a Model Aircraft do not have to go through the UAS Approval Process in § 4.2, and thus can operate without formal permission from the System.
 - b. To qualify as a Model Aircraft, the UAS must:
 - (1) be [registered](#) with the FAA if over 0.55 pounds;
 - (2) be flown strictly for hobby or recreational use, as described below;
 - (3) be operated in accordance with a community-based set of safety guidelines within the programming of a nationwide community-based organization (such as the Academy of Model Aeronautics);
 - (4) be less than 55 pounds, unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;
 - (5) be operated within line of eyesight at all times and in a manner that does not interfere with and gives way to any manned aircraft;
 - (6) be flown below 400 feet above ground level, beyond 5 nautical miles of any airport, and beyond 2 nautical miles of any active heliport; or, if flying within five miles of an airport, the airport operator and the airport air traffic control tower have been provided with prior notice of the operation.
 - c. To constitute hobby or recreational use as specified in § 4.4.2, the use of the UAS must be operated as follows:
 - (1) UAS may be demonstrated on System Premises provided that the person operating the aircraft is not compensated (including

honorarium or reimbursement of costs, etc.) directly or incidentally to the operation of the UAS.

- (2) Students can operate UAS if the UAS is teaching tool for coursework *and* the course is not inherently UAS-related. The students cannot receive compensation (including honorarium or reimbursement of costs, etc.) directly or incidentally to the operation of the model aircraft. The compensation prohibition does not include financial aid, work study, or paid research assistantships for a class that teaches UAS operations as a component of the course.
- (3) Faculty teaching courses described in § 4.4.3 may assist students with UAS operations provided that the operations are used to teach students enrolled in those courses and the faculty member's participation in the UAS operation is *de minimis*. (*i.e.* the student maintains operational control of the UAS such that the faculty member's use of the controls is incidental and secondary.)

d. The following uses of UAS are NOT considered hobby or recreational uses, do not qualify as Model Aircraft and must go through the UAS Approval Process:

- (1) Faculty research involving UAS, including a student's use of UAS for research on behalf of a faculty member
- (2) Other uses of UAS related to the faculty member's professional duties and compensation
- (3) Operating UAS in courses that are inherently UAS-related (for instance one related to UAS flight instruction);
- (4) Operating UAS for Commercial Operations.

4.5 Rules for Operating All Types of UAS

- a. If approved, a copy of the approved UAS Request Form must be in possession of the operator at all times during flight activity, and must be presented to any university official or representative with control or jurisdiction over the activity, upon request.

- b. UAS operators must only conduct approved flights under favorable conditions. If unforeseen circumstances develop (e.g., adverse weather) under which operations cannot be conducted in a safe manner, the operator must postpone the flight and request an extension from the UAS Advisory Committee within 3 business days of the original date. If the extension is not requested within 3 business days, a new UAS Request Form must then be completed and submitted.
- c. UAS are export-controlled under U.S. Export Regulations. Individuals or organizations seeking to design, build, research, use in research, modify, dismantle, and/or operate a UAS must do so in accordance with such regulations and the Export Control policy. Before submitting a UAS Request Form, individuals and organizations must first discuss any such activities with the Export Compliance Officer (exportcontrol@uh.edu) and obtain a Certificate of Export Review to submit with UAS approval request.
- d. For official University UAS operations outside System Premises, the UAS owner/operator is responsible for determining local requirements, ensuring all rules and regulations are followed, and obtaining written permission from the owner or owner's agent of the property.
- e. Any UAS operated on or above System Premises must be registered as provided for in 14 CFR Part 47 or Part 48. The registration number must be legible and displayed in a readily accessible location on the UAS.
- f. Any person operating a non-Model Aircraft UAS on or above System Premises or off System Premises for System sanctioned activities must either hold a remote pilot airman certificate with the appropriate rating or be under the direct supervision of a person who does hold such a certificate. Operators should ensure a detailed and thorough training of all system operators and flight crew.
- g. Where applicable, operators should place safety barriers around, or visual indicators of, any areas of danger when systems are being tested or in use.
- h. Under FAA guidelines, Temporary Flight Restrictions (TFR) may be implemented on System Premises or at any System sponsored event, prohibiting UAS use at certain events, locations, or times (e.g., university sporting events). The System may use its discretion to issue additional No

Drone Zones on System Premises or at any System sponsored event, which prohibit any type of UAS operations from taking place.

- i. The operation of UAS by the Department of Public Safety and/or System emergency personnel may be exempt from this policy based on the determination of **emergency** needs. During such operations the Department of Public Safety will follow internal department protocols.
- j. When operating a UAS for purposes of recording or transmitting visual images, operators must take all reasonable measures to avoid violations of areas considered private. All persons must be compliant with privacy provisions under state law, including but not limited to Chapter 423 of the Texas Government Code, and other applicable laws, particularly when operating a UAS over private property. Violation of this provision may result in criminal penalties.
- k. Indoor use of UAS will only be permitted for official System business and for safety operations or with express written approval from the Chief of Police, or designee, and Risk Management.

4.6 Prohibited UAS Operations

- a. UAS must not be flown over people not directly involved in the flight operations or within a 30 foot radius of individuals, modes of transportation, buildings or any other structures.
- b. UAS may not be operated in populous areas or near large crowds of people, such as sporting events, concerts, festivals or other special events.
- c. UAS shall not be operated in adverse weather conditions or outside of daylight hours except for official System business with written approval.
- d. UAS will not be operated on campus during high traffic or parking use times.
- e. UAS will be required to land and move to a new location if multiple UAS are using the same area.
- f. UAS operations above or in proximity of TDECU Stadium on game days or otherwise are prohibited under FAA regulation (<https://www.faa.gov/uas/faqs/>), state and local law, and University policy unless granted an FAA airspace waiver and approval from the police and

Risk Management who shall consult with the Division of Athletics to determine whether NCAA or division rules restricting UAS use and operation are applicable. Texas Govt. Code 423.0056 provides further restrictions regarding the operation of UAS below 400 feet over certain sports venues.

- g. UAS operations that illegally monitor or record sensitive, institutional or personal information are prohibited, including, but not limited to: individual or institutional workspaces, computers, or other electronic displays, restrooms; changing, dressing, or locker rooms; residential rooms, hallways, lounges, or apartments; medical treatment facilities; or childcare facilities.
- h. UAS must not be used to take photos or videos of persons or property without express written permission of the System and the persons involved. Requests to video or photograph System property, campus events or campus performances should be directed to the division of University Marketing and Communications.
- i. UAS must not be used for for any unlawful purpose.
- j. UAS shall not be flown on or retrieved from private property without obtaining permission from the owner. Operators should request written permission from property owners if he/she is planning to fly over a private property or if there is the possibility that images of the private property will be taken.
- k. UAS operations that create an unsafe environment to the university community or the public are prohibited as defined in 14 CFR 107.23 or as otherwise set forth in applicable law and System policies. This includes acting as a crewmember of a UAS under the influence of alcohol, drugs or medication.

4.7 Accident and Adverse Event Reporting

- a. Any incident that causes damage to persons or property involving a UAS either owned by the System, operated on System Premises or at a System-sponsored event must be reported immediately to the campus police or the appropriate law enforcement agency. As applicable, the police report will be forwarded to Risk Management. If another law enforcement agency has jurisdiction over the accident, the UAS operator will report the event to

Risk Management as soon as possible and a records request will be initiated to obtain the report from the outside law enforcement agency.

- b. Any adverse event (e.g., near misses, non-damage collision incidents, etc.) must be reported by the UAS operator to Risk Management as soon as possible with a description of the adverse event.
- c. The System is not responsible for any damage resulting to a UAS. The operator will be responsible for any property damage or losses resulting from the operation of UAS.

5. SANCTIONS

- 5.1 Any individual or organization found to be operating a UAS on System Premises or at a System-sponsored event in violation of their FAA-approved status, or in violation of any federal, state, and local laws or regulations, or in violation of applicable university policies, may be directed by authorized university representatives to cease operation of the UAS immediately unless or until approval is obtained. Violations will be referred to the university disciplinary process and will be considered regarding future UAS Requests. Individuals who violate this policy may also be subject to civil or criminal penalties and the seizure of UAS by campus police or security.
- 5.2 Legal prohibitions regarding physical presence on campus/trespassing and other legal action may also be pursued against third parties that operate UAS in violation of this policy.
- 5.3 Fines or damages incurred by individuals or units that do not comply with this policy will not be paid by the System and will be the responsibility of those persons involved.

6. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice Chancellor of System Police Operations

Review: Every five years

7. APPROVAL

Approved: Jim McShan
Senior Vice Chancellor for Administration and Finance

Renu Khator
Chancellor

Date: 1/7/2020

REFERENCES

www.faa.gov/uas/

Texas Government Code Chapter 423

UAS Use Permit Application

This UAS Use Permit Application must be completed and submitted to cmoore2@uh.edu for review and approval by Office of Police Operations at least 2 weeks prior to any UAS operations on UH property or at any UH sponsored event. The Requestor will receive a response within 10 business days. **AN INCOMPLETE FORM WILL DELAY PROCESSING.**

Operator must possess a copy of the approved application at all times during flight activity.

Requester Information		
Applicant Full Name	Contact Phone #	Email Address
UH Unit, Sponsor or 3 rd party Organization		
Affiliation		If Other, Describe
<input type="checkbox"/> UH Faculty <input type="checkbox"/> UH Staff <input type="checkbox"/> UH Student <input type="checkbox"/> Third-Party/Visitor <input type="checkbox"/> Other:		
Mailing Address		

Purpose of UAS Request/Proposed Activity	
Purpose of UAS Use	UAS Usage
<input type="checkbox"/> Recreational <input type="checkbox"/> Educational <input type="checkbox"/> Research <input type="checkbox"/> Commercial	<input type="checkbox"/> Single/Multi Day Use <input type="checkbox"/> Reoccurring Use
Location(s) of Use	Date (s) of Use
Proposed Activity (Provide full details of flight purpose)	

UAS Operators

List all operators of the applicant’s UAS (attach additional pages as needed):

Name	Phone #	Email
FAA Pilot Certification	UAS Training or Experience	If Yes, Describe
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Name	Phone #	Email
FAA Pilot Certification	UAS Training or Experience	If Yes, Describe
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Name	Phone #	Email
FAA Pilot Certification	UAS Training or Experience	If Yes, Describe
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Name	Phone #	Email
FAA Pilot Certification	UAS Training or Experience	If Yes, Describe
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Name	Phone #	Email
FAA Pilot Certification	UAS Training or Experience	If Yes, Describe
	<input type="checkbox"/> Yes <input type="checkbox"/> No	

UAS Information (attach additional pages if needed)

UAS Make and Model	Manufacture Year	Registration #	Serial #	Weight	Dimensions	UAS Value

Payload Information (Attach additional pages if needed)

Serial # or ID	Year	Make & Model	Specifications Payload Type & Use	Value	Comments
Serial # or ID	Year	Make & Model	Specifications Payload Type & Use	Value	Comments
Serial # or ID	Year	Make & Model	Specifications Payload Type & Use	Value	Comments
Serial # or ID	Year	Make & Model	Specifications Payload Type & Use	Value	Comments
Serial # or ID	Year	Make & Model	Specifications Payload Type & Use	Value	Comments

UAS Operations

Attached all required documentation to this form.

UAS Operations (select all that applies)		Will UAS be flown outdoors within 5 miles of any airport?	
<input type="checkbox"/> Indoor <input type="checkbox"/> Outdoor <input type="checkbox"/> Off-Campus			
If Yes, List Airport(s) and provide copy of COA			
Photographs taken during flight	Video Recorded During Flight	Confidential Information Stored on UAS	Operating under a COA or 333
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Acknowledgement and Signature

By signing above, the individual or entity submitting this request agrees to and will abide by all applicable local, state, and federal laws along with UH policies and procedures governing the use of UAS on or over UH property or UH-sponsored event. A copy of the approved UAS Use Permit must be in possession of the RPIC or UAS operator at all times during the activity, and must be presented to any UH official or representative with control or jurisdiction over the activity, upon request. UH reserves the right to request additional documentation as a condition of approval and operation.

Name (Print Name)

Signature

Date

Export Control Approval (If required)

Approved

Disapproved

N/A

Name (Print Name)

Signature

Date

Permit Status (For OPO Use Only)

Approved

Disapproved

Conditionally Approved

Permit Valid _____ to _____

Approved by (Print Name)

Signature

Date

			Permit #
Evaluated by	Date Entered	Notes	
		<input type="checkbox"/> Export Control Approval Required	