

Please email uopolicy@uoregon.edu if you have any questions.

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	Cassandra Moseley, Assoc. VP & Chief of Staff, Office for Research and Innovation
Policy Title & Policy #:	UNMANNED AIRCRAFT SYSTEMS POLICY
Submitted on Behalf Of:	Office of the Vice President for Research and Innovation
Responsible Executive Officer:	Vice President for Research and Innovation
Current Policy # (if applicable):	n/a (new policy)

SELECT ONE: New Policy Revision Repeal

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: Yes No

If yes, which attorney(s): Bryan Dearing

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

Unmanned Aircraft Systems Policy

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

- UO UAS Procedures (attached)
- UO UAS Request Form (available upon request)
- Federal Aviation Administration (FAA) Modernization & Reform Act (Pub. L. 112–95)
 - Available at <https://www.congress.gov/112/plaws/publ95/PLAW-112publ95.pdf>
- FAA Small UAS Rule, a/k/a “Part 107” (effective on August 29, 2016), 81 Federal Register 42063, 42063-42214 (also located in scattered sections of 14 C.F.R. Parts 21, 43, 61, 91, 101, 107, 119, 133, and 183)
 - Available at: <https://www.gpo.gov/fdsys/pkg/FR-2016-06-28/pdf/2016-15079.pdf>
- FAA Model Aircraft rules available at: https://www.faa.gov/uas/model_aircraft/
- ORS 837.300, 837.360, 837.365, 837.380, 163.700, 164.885, 498.128
 - https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2016orLaw0072.pdf
- OAR 738-080-0010, 738-080-0015, 738-080-0045
 - Available at: http://arcweb.sos.state.or.us/pages/rules/oars_700/oar_738/738_080.html

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

Unmanned aircraft systems (“UAS”) and model aircraft offer significant opportunities for teaching and research and provide the University community with valuable experiences in a wide range of disciplines. At the same time, UAS and model aircraft present unique health and safety risks, environmental risks, regulatory issues, and privacy concerns that must be balanced with the University’s other missions. The purpose of this Policy is to facilitate the operation of UAS and model aircraft for teaching and research; mitigate any risks to individuals and organizations potentially affected by UAS and model aircraft operations; and ensure compliance with federal, state, and local laws, as well as regulations and contracts.

AFFECTED PARTIES

Who is impacted by this change, and how?

This Policy will apply to all University of Oregon employees, students, volunteers, vendors, and all visitors who operate or seek to operate all aircraft, including UAS and model aircraft, on or above any University property or at any University sponsored event.

UAS flights by University of Oregon employees unrelated to their University employment and not on or above any University property or at any University sponsored event are not governed by this Policy. Nor are emergency landings and landings for emergency support (e.g., Life Flight).

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)

The following individuals/departments participated in discussions during the FAA Section 333 exemption process and received—and in several cases, provided edits and comments to—multiple versions of the UAS policy and procedure:

Name	Office	Date
Andre LeDuc	Safety & Risk Services	multiple
Flo Hoskinson	Safety & Risk Services	“
Moira Kiltie	Knight Campus for Accelerating Scientific Impact	“
Dean Walton	UO Libraries	“

Marie Swarrigim	Campus Planning, Design & Construction
Mark Fonstad	Geography
Marquis Blaine	Journalism & Communication
Christopher Ramey	Campus Planning, Design & Construction
Colin Ives	Art Department
Carl Stiefbold & Bitty Roy	Biology
Samantha Hopkins	Clark Honors College
Edward Davis	Museum of Natural and Cultural History
Gregory Retallack & Josh Roering	Earth Sciences
Bart Johnson & David Hulse	Landscape Architecture
Ric Stephens	Planning, Public Policy and Management
Betsy Boyd	University Advancement
Scott LaBounty	Athletics



Reason for Policy

The purpose of this Policy is to facilitate the operation of unmanned aircraft systems (“UAS”) and model aircraft for teaching and research; mitigate any risks to individuals and organizations potentially affected by UAS and model aircraft operations; and ensure compliance with federal, state, and local laws, as well as regulations and contracts.

Responsible Office

For questions about this policy, please contact the Office of the Vice President for Research and Innovation at 541-346-2090.

Enactment & Revision History

Enacted by _____ on _____.

Scope

This Policy applies to all University of Oregon employees, students, volunteers, vendors, and all visitors (invitees and licensees) who operate or seek to operate all aircraft, including UAS and model aircraft, on or above any University property or at any University sponsored event.

Emergency landings and landings for emergency support (e.g., Life Flight) are not governed by this Policy. Nor are UAS flights by University of Oregon employees unrelated to their University employment and not on or above any University property or at any University sponsored event.

Policy

OVERVIEW

UAS and model aircraft offer significant opportunities for teaching and research and provide the University community with valuable experiences in a wide range of disciplines. At the same time, UAS and model aircraft present unique health and safety risks, environmental risks, regulatory issues, and privacy concerns that must be balanced with the University’s other missions. The University of Oregon is committed to providing an academically vigorous, safe, and secure environment for all individuals. Inherent risks in operation of UAS and model aircraft necessitate proper safety practices, privacy restrictions, insurance protections, and

requisite oversight of and authority for operation of UAS and model aircraft on University property, University sponsored events, or offsite in support of the University's research, teaching, and business activities.

Operation of UAS and model aircraft is regulated by the Federal Aviation Administration and federal, state, and local laws. The University shall develop procedures to comply with this Policy and all applicable statutory and regulatory expectations governing the operation of UAS and model aircraft, and to reduce risks to safety, security, and privacy.

Any UAS or model aircraft operation by University employees, students, volunteers, vendors, and all visitors (invitees and licensees) must be approved in advance by Safety and Risk Services' ("SRS") Chief Resiliency Officer (or their designee) through the UAS Procedures referenced below. All such operations must also comply with all federal, state, and local laws and University policies.

GUIDELINES

- I. Office of the Vice President for Research and Innovation ("Research and Innovation") and Safety and Risk Services ("SRS"), will assist with processing requests for UAS and model aircraft activities consistent with applicable federal, state, and local laws and regulations and University of Oregon (UO) policy requirements.
- II. FAA regulations; federal, state, and local laws; and applicable UO policies must be followed in conjunction with any UAS or model aircraft activities.
- III. Operation of UAS or model aircraft on any UO property or at any UO sponsored event is prohibited unless approved in advance by SRS' Chief Resiliency Officer or their designee. SRS will seek review and input from Research and Innovation, the UO Police Department (UOPD), the Office of the General Counsel (OGC), and other stakeholders familiar with a particular request.
- IV. Do not use UAS or model aircraft to monitor or record activities where there is a reasonable expectation of privacy.
 - A. Using a UAS or model aircraft to record or observe areas such as camps or campus settings where minors are cared for or taught is prohibited unless expressly approved by SRS in advance.
 - B. UAS and model aircraft must not be used for unapproved recordings of any campus events or performances, or for any unlawful purpose.
 - C. Do not use a UAS or model aircraft to see inside a building unless expressly approved by SRS in advance.
- V. Do not operate or participate in the use of UAS or model aircraft while under the influence of drugs or alcohol, or in a reckless or careless manner.

- VI. Do not operate UAS or model aircraft directly over non-participants in the flight operations unless expressly approved by FAA and UO.
- VII. Do not fly a UAS or model aircraft beyond line of sight.
- VIII. Under FAA guidelines, Temporary Flight Restrictions (TFRs) may be implemented on UO property or at any UO sponsored event, which prohibit any type of UAS or model aircraft operations from taking place (e.g., UO sporting events). As needed, UO may issue additional “No Drone Zones” on UO property or at any UO sponsored event, which prohibit any type of UAS operations from taking place. (For example, the FAA prohibits all aircraft at or below 3,000 feet within a 3-mile radius of any stadium with a seating capacity of 30,000 or more people when there is a NCAA Division I football game occurring and one hour before and after the game.)
- IX. The operation of UAS by UOPD and/or the UO Emergency Operations Center (EOC) may be exempt from this procedure based on the determination of emergency needs. During such operations UOPD will follow internal department protocols consistent with federal, state, and local laws.
- X. UAS Operated for Civil/Commercial or Public Operations/Government Purposes on Behalf of the University of Oregon.
 - A. Any University employee wishing to operate a UAS as part of their University employment, or any student, volunteer, vendor, or visitor (invitee or licensee) wishing to operate a UAS on behalf of UO, must do so under a Section 333 Exemption and Certificate of Authorization (COA) issue by the FAA, or a civil operation under Part 107.
 - B. UAS owned by the UO of Oregon and used on behalf of the UO for Civil/Commercial or Public Operations/Government purposes will be operated under the authorization of the FAA, applicable federal, state, and local laws, and the aforementioned policy and procedure details.
 - 1. This authorization could take the form of an FAA Section 333 Exemption or Part 107 approval (for civil/commercial use) or a Public Use COA (for public/government use), and will be limited to a specific location and outline the conditions, parameters, and limitations of flight operations.
 - 2. Those operating UAS under an FAA Section 333 Exemption or Part 107 approval must also review and be aware of all FAA specifications, and file for any necessary amendments in advance.
 - 3. UAS owned and operated by the UO and used for Civil/Commercial or Public Operations/Government purposes on behalf of the UO must also comply with any applicable state law requirements, such as UAS registration with the Oregon Department of Aviation.

4. UOPD will work in conjunction with Research and Innovation, OGC, and local law enforcement jurisdictions for any UO sponsored events that do not occur on UO property.

XI. UAS Operated for Hobby or Recreational Purposes (“Model Aircraft”) on University Property or at a UO-Sponsored Event.

- A. All UAS operated for a hobby or recreational purpose on UO property or at a UO-sponsored event are considered “model aircraft” for purposes of this procedure.
- B. Individuals may operate model aircraft for recreational purposes, provided that they obtain prior approval from SRS under the processes outlined below and follow federal, state, and local law and UO policies, including but not limited to FAA guidelines and the Student Conduct Code. Furthermore, the model aircraft remote pilot must comply with all federal, state, and local laws, UO policies, and the additional safety requirements listed below in Section II.B.
- C. Any remote pilot of a model aircraft flown for hobby or recreational purposes on UO Property or at a UO-sponsored event found to be operating in an unsafe manner may, in addition to the consequences listed below (“Accountability”), be prohibited from additional flights on UO Property or at UO-sponsored events.

XII. Data recorded from operation of a UAS on behalf of UO, including images, video and audio recordings, shall be maintained in accordance with university records retention policies and schedules.

ACCOUNTABILITY

- I. Any individual or organization found to be operating a UAS or model aircraft on UO property or at a UO sponsored event in violation of any federal, state, or local law, or applicable UO policies or procedures (including this UAS Policy and procedure) will subject the responsible persons to discipline in accordance with applicable UO policies and Collective Bargaining Agreements (“CBAs”), an order to cease operation of the aircraft, and/or an order to leave the premises or property owned or controlled by UO. Violators will be held accountable for their actions, including but not limited to:
 - A. Volunteers are subject to reprimand or loss of volunteer status.
 - B. Students are subject to the Student Conduct Code.
 - C. Employees are subject to corrective action up to and including termination pursuant to applicable UO policies and CBAs.
 - D. All are subject to the consequences resulting from the violation of federal, state, and local laws, which may include civil or criminal liability.
- II. Violations will be considered in future UAS and model aircraft requests.
- III. Legal prohibitions regarding physical presence on campus, trespassing, and other legal action may also be pursued against individuals and organizations that operate UAS or model aircraft in violation of this policy and procedure.

- IV.** UO is not responsible for any damage resulting to a UAS or model aircraft. Fines or damages incurred by individuals that do not comply with the UAS policy and/or procedure will not be paid by UO, and the remote pilot(s) will be responsible for any property damage or losses resulting from the operation of UAS or model aircraft.
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Related Resources

Procedures and Definitions Related to UAS Policy: [UAS Procedures](#)

Contacts

Topic	Office	Phone
Policy and procedure interpretation, and general inquiries	Office of the Vice President for Research and Innovation	541-346-2090
Requests to operate UAS	Safety and Risk Services	(541) 346-8316

UNMANNED AIRCRAFT SYSTEM (UAS) PROCEDURE

Office of the Vice President for Research and Innovation
University of Oregon

APPROVAL PROCESS

I. Obtaining Approval and Operating a UAS for Civil/Commercial or Public Operations/Government Purposes on Behalf of UO.

A. UO Employees, Students, Volunteers, Vendors, and Invitees:

1. All individuals seeking to operate a UAS on UO property or at a UO sponsored event must submit a completed UAS Request Form, located [here](#), to riskmanagement@uoregon.edu at least 14 days in advance.
 - a. A COA, statement of reliance on and justification of operations under the UO's FAA Section 333 Exemption, and/or other relevant documentation (e.g., a waiver of restrictions and proof of compliance with pre-flight requirements under Part 107) must also be included with the UAS Request Form.
 - b. Individuals seeking to conduct UAS operations under the UO's FAA approval, but not on UO property or at a UO sponsored event, must contact SRS directly.
 - c. Vendors and invitees not operating a UAS owned by UO must sign a written agreement holding UO harmless for any resulting claims, loss, or damage from flight operations, and attest to insurance coverage in the amount required by SRS to cover UAS operations. The language for this agreement is [here](#), and must be submitted to SRS with the UAS Request Form or shortly thereafter.
 - d. UAS are export controlled under U.S. Export Regulations, and some systems cannot be exported to foreign nationals. 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 any UO Export Control procedures. Before submitting a UAS Request Form, individuals and organizations must first discuss with and obtain approval for such any such activities from [Sponsored Projects Services](#).
2. SRS will process the request and conduct an initial suitability assessment.
3. After the initial suitability assessment, SRS will route the request to Research and Innovation, UOPD, and OGC for review and input after which the requestor will be notified by SRS' Chief Resiliency Officer (or their designee) of a decision or receive a request for additional information within 10 business days.
4. If approved, a copy of the approved UAS Request Form must be in possession of the remote pilot at all times during flight activity, and must be presented to any UO official or representative with control or jurisdiction over the activity, upon request.

5. UAS remote pilots 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 remote pilot must postpone the flight to the alternate date and time requested or request an extension from SRS within 5 business days of the original date. If the extension is not requested within 5 business days, a new UAS Request Form must then be completed and submitted.

B. UO Licensees:

1. Licensees other than UO faculty, staff and students seeking to operate a UAS on UO property or at a UO sponsored event must follow the same process and comply with the all the above requirements listed in I.A., as well as the following:
 - a. Any requests by licensees must include an FAA flight approval (in the form of an FAA Section 333 Exemption or COA or proof of compliance with pre-flight requirements under Part 107) granted to the requestor, detailed maps of requested and FAA approved flight areas, a description of the rationale or purpose for the flight, and a detailed list of the individual(s) who will operate the UAS and their qualifications. SRS will provide direction to the requestor regarding any additional documentation required.
 - b. Licensees must sign a written [agreement](#) holding the UO harmless as specified in I.A.1.c, above.

II. Obtaining Approval and Operating UAS on UO Property or at a UO-Sponsored Event for Hobby and Recreational Purposes (“Model Aircraft”).

- A. All personal use of model aircraft by UO faculty, staff, students, or third parties on UO property, including recreational or hobby flight purposes, must comply with federal, state, and local law and be approved in advance by SRS Chief Resiliency Officer (or their designee) using the same process outlined above. Students currently enrolled at the UO shall not be required to have or maintain insurance coverage set forth in Section I.A. and B, above.
- B. Any remote pilot of a model aircraft on UO property or at any UO sponsored event must also follow the requirements below to ensure safety:
 1. The model aircraft must only be operated for hobby or recreational purposes, and not for any personal commercial or research applications.
 2. The model aircraft must not exceed a weight of 55 pounds. UAS or model aircraft weighing more than five pounds are considered heavy UAS and have a greater risk of harming people or property during operation. SRS will consider this greater risk when reviewing request forms.
 3. The model aircraft must only be operated in a manner which does not interfere with the flight path or operation of other manned aircraft.

4. The model aircraft must not be flown within 5 nautical miles of an airport unless the airport control source or authority is first notified of the activity.
5. The model aircraft must be flown under 400 feet, and remain well clear of all surrounding obstacles such as utility lines, buildings, and other structures.
6. The model aircraft must not be flown over or above groups of people or stadiums.
7. The model aircraft remote pilot must not recklessly attempt to perform maneuvers that could result in injury or damage.
8. The model aircraft must remain within visual line of sight of the remote pilot at all times. No flights may be operated during low light or nighttime conditions.
9. The model aircraft must be operated in accordance with federal, state, and local law, any applicable UO policies, and any applicable community-based safety guidelines.
10. The model aircraft must not be used for the unapproved monitoring or recording of individuals, performances, or campus events, or for any unlawful purpose.

DEFINITIONS

Certificate of Waiver or Authorization (COA): A certificate granted to an individual or entity by the FAA to a public operator for a specific UAS activity outlining specific conditions for flight. With the issuance of Part 107 (below), COAs are no longer required for most small UAS civil operations.

Emergency: An urgent situation where action is taken to promote the safety and security of persons and/or property.

FAA Section 333 Exemption: An FAA exemption under Section 333 of the Modernization and Reform Act of 2012 ("MRA") which grants an individual or entity the ability to operate a UAS for civil and non-governmental purposes and activities, other than recreational or hobbyist activity.

Invitee: Individuals or entities who visit UO property, by invitation of a faculty or staff member for some purpose which benefits UO.

Licensee: Individuals or entities who visit UO property for their own benefit or pleasure and are not invited by a faculty or staff member.

Model aircraft: An unmanned aircraft system that is (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 remote pilot. Must not exceed a weight of 55 lbs. Requires FAA registration and appropriate marking prior to any flight operation. A UO student's operation of UAS qualifies as a hobby or recreational use where the student's UAS operation is a component

of the student's science, technology, or aviation-related educational curricula or a component of the student's other coursework in television production, film production, or the arts. For further explanation of student uses of UAS for hobby or recreational purposes, see the FAA's [Interpretive Memorandum](#). An aircraft used for UO research or business purposes is not a model aircraft, regardless of its nature or design.

Part 107: The FAA's Final Rule on Operation and Certification of Small Unmanned Aircraft Systems, 49 CFR Part 107. This rule governs civil/commercial operations of all small UAS (less than 55 lbs. total weight including the aircraft) by a Remote Pilot in Command or under the direct supervision of a certified Remote Pilot. A few examples of operations that may be conducted under Part 107 include, but are not limited to:

- Flying a UAS over a UO construction site to inspect it;
- Flying a UAS for research purposes, other than aeronautical research, biological or geological resource management, or other public activities for which a COA is required.
- Faculty flying a UAS in connection with a class assignment.

Public Operations: A COA is required for "public operations," as defined in 49 U.S.C. §§ 40102(a)(41), 40125. Examples include, but are not limited to, law enforcement, aeronautical research, firefighting, and biological or geological resource management. Public operations do not include operations for which the UO earns compensation (e.g., under a grant or contract).

Reasonable expectation of privacy: Physical locations where there is an objective expectation of privacy. Examples include but are not limited to restrooms, locker rooms, residence halls, and health treatment and medical facilities.

University property: Any land, grounds, buildings, or facilities owned, leased, or used by UO pursuant to formal contractual or legal agreements. Also included are UO owned streets, sidewalks, and paths.

University sponsored event: Any UO event, on or off UO premises that is directly initiated or supervised by the UO.

Unmanned aircraft system (UAS): Any remotely operated or controlled aircraft intended to fly within the National Airspace System. Includes all associated support equipment, control station, data links, telemetry, communications, support, and navigational equipment necessary to operate the unmanned aircraft. FAA regulations apply to all types of UAS regardless of weight or size. A small UAS qualifying for operation pursuant to Part 107 consists of a small unmanned aircraft (which is statutorily defined as an unmanned aircraft less than 55 lbs. including everything onboard) and the equipment necessary for safe and efficient operation of that aircraft. Model aircraft, a subset of UAS limited to hobby and recreational use, have separate procedures (detailed above). Activities conducted in an indoor enclosed area (e.g., arena, gym, classroom, etc.) are not in the National Airspace System.

Resources

FAA Summary of Small Unmanned Aircraft Rule (Part 107)

- http://www.faa.gov/uas/media/Part_107_Summary.pdf

FAA Modernization and Reform Act of 2012 (Pub. L. 112–95)

- <https://www.congress.gov/112/plaws/publ95/PLAW-112publ95.pdf>

Recreational use of UAS/Model Aircraft

- https://www.faa.gov/uas/getting_started/fly_for_fun/

FAA complete Small UAS Rule

- http://www.faa.gov/uas/media/RIN_2120-AJ60_Clean_Signed.pdf;
- <https://www.federalregister.gov/articles/2016/06/28/2016-15079/operation-and-certification-of-small-unmanned-aircraft-systems>

FAA Guidelines for Submitting a Petition for Exemption:

- <http://aes.faa.gov/Petition/>

FAA Section 333:

- https://www.faa.gov/uas/legislative_programs/section_333/

Section 333 Petition Checklist and Guidance

- https://www.faa.gov/uas/getting_started/fly_for_work_business/beyond_the_basics/section_333/how_to_file_a_petition/media/Section-333-Petition-Checklist.pdf

UAS Frequently Asked Questions

- <https://www.faa.gov/uas/faqs/>

FAA Model Aircraft rules:

- https://www.faa.gov/uas/model_aircraft/

FAA Interpretative Memo re: Educational Use of UAS

- http://www.faa.gov/uas/regulations_policies/media/Interpretation-Educational-Use-of-UAS.pdf

UO UAS Frequently Asked Questions

- [_____]

UO UAS Request Form:

- [_____]

UO UAS Hold Harmless Agreement:

- [_____]

UO Student Conduct Code:

- <https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code>

UO Policy on Proscribed Conduct:

- <https://policies.uoregon.edu/proscribed-conduct>

UO Collective Bargaining Agreements:

- <https://hr.uoregon.edu/er/uos-bargaining-units-cbas>

UO Sponsored Projects Services information on Export Control Regulations:

- https://orsa.uoregon.edu/index.cfm?toplevcat=proposals&page=pp_export_control