



## **Drone Use Policy**

**Issuing Authority:** Paul LeBlanc, President

**Responsible Officer(s):** Wil Zemp, Chief of Staff

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## 1 Introduction

Southern New Hampshire University recognizes the emerging importance of drones, also known as Unmanned Aircraft Systems (“UAS”), and wishes to encourage the safe and compliant use of this technology in furtherance of the University’s educational mission. This Policy is intended to identify acceptable uses of UAS for Southern New Hampshire University employees, students, and faculty, and to empower the use of UAS in appropriate educational, research, and other settings within the university community.

## 2 Definitions

**333 Exemption.** Exemption in the FAA’s Modernization and Reform Act of 2012 which allows the Secretary of Transportation to determine whether an airworthiness certificate is required to safely use a UAS in the National Airspace System.

**Certificate of Authorization Waiver (COA).** Certificate issued by the Air Traffic Organization for a specific UAS activity or purpose.

**Remote Pilot in Command (RPIC).** Operator with an RPIC certification through a knowledge test at a FAA-approved testing facility. RPICs operate drones or UAS under the safety measures taught. Re-certification is periodically required based on FAA regulation.

**Unmanned Aircraft Systems (UAS).** Sometimes called a drone, a UAS is an aircraft without a human pilot on board – instead, the UAS is controlled from an operator on the ground. Currently, FAA regulations apply to UAS universally regardless of size, weight, or sophistication of equipment.

**Visual Line of Sight.** The plain un-aided (except for glasses or contact lenses) sight of the operator.

## 3 Policy

### 3.1 Scope

This policy applies to Southern New Hampshire University employees, vendors, clubs, departments, and students using UAS. It also applies to hiring or contracting for any UAS services with outside firms or agencies. The Policy covers both recreational and commercial uses of UAS within the University community.

### 3.2 Purpose

The use of UAS is governed by Federal Aviation Administration (FAA) regulations, and applicable state and local law. This policy covers requirements and procedures for drone use at Southern New Hampshire University and establishes procedures

required to ensure compliance with those legal obligations and to reduce risks to safety, security, and privacy within the University community.

### **3.3 Roles and Responsibilities**

Departments are responsible for ensuring operators within their department have required certificates or approvals prior to permitting any UAS use, and must comply with the rules and procedures set forth below.

Operators of any UAS on campus shall notify Public Safety prior to use. University groups wishing to hire outside contractors to operate UAS on campus must have their contract reviewed and approved by the Office of General Counsel and Compliance, and selected contractors will be required to maintain additional industry-specific insurance coverage.

All uses of UAS requiring a Section 333 Exemption and/or Certificate of Authorization, or otherwise outside the scope of uses contemplated by this policy, and all requests for an exception from the requirements of this Policy must be reviewed by the Office of General Counsel and Compliance.

## **4 Procedure**

All students, staff, employees, and departments possessing or using a UAS on campus are subject to the following requirements:

1. All UAS operation on SNHU property must be reported to the Office of Public Safety at least twenty-four hours before the intended use.
2. All UAS operators in the University community must register any drones over one-half pound (.5 lbs) with the FAA and label all UAS with their assigned registration numbers prior to any operation.
3. No UAS exceeding ten pounds (10 lbs) may be operated by Southern New Hampshire University employees or students under the terms of this Policy. This limit includes any added weight for camera equipment, and any other attachments or cargo.
4. Faculty or staff looking to operate a UAS in conjunction with a class or for other department uses (non-hobbyist in nature) must ensure that the intended operator of the UAS has an FAA-issued RPIC certificate, approved 333 Exemption, and/or COA prior to any UAS operation.

The FAA Process for anyone intending to operate a UAS under an RPIC certificate requires the operator to take a course and exam through a Federal Aviation Association certified testing facility. Any SNHU employee seeking an RPIC is responsible for following these procedures and remains responsible for safely operating the UAS under the terms and restrictions of his or her RPIC certificate.

Absent a waiver through the FAA online portal application, RPIC drone flights require:

- a. Operation during daytime hours
  - b. Operation within the visual line of sight of the operator
  - c. No flight above people or crowds
  - d. Drone registration
  - e. Weight of drone below 55 pounds
  - f. Pre-flight inspection
  - g. Operation speed remains below 100 mph
  - h. A flight ceiling of 400 feet
  - i. Air Traffic Control permission in class B, C, D, or E airspace zones
  - j. Flight reviews every 24 months
5. SNHU students may use UAS without an RPIC, 333 Exemption, or COA, as a component of science, technology, or aviation related educational curricula, or other coursework such as television, film production, or the arts. These uses are considered “hobby or recreational” by the FAA. All student educational drone use must be supervised and instructed by a staff member with an RPIC certificate (or other applicable FAA commercial use authorization) able to step in to regain control or terminate a flight if needed. Students must also read and follow the community-based set of safety guidelines for safe drone operation summarized in Section 10, below.
  6. Outside of the classroom environment, students may only use UAS recreationally on University property if advance approval is given by Public Safety, in their sole discretion. Use of a camera or other recording device on a UAS in such circumstances must be specifically approved by Public Safety. All out-of-classroom student drone use is subject to additional safety requirements in Public Safety’s discretion, including limiting areas of permitted use.
  7. Employees or officials intending to use UAS for marketing or advertising purposes must ensure that any contractor or employee filming for these purposes has the required certificates and registration, and required publicity releases for any individually identifiable persons appearing in the recorded footage. UAS industry-specific insurance must be contractually required of all outside contractors.
  8. Any faculty or staff seeking non-hobby or recreational use of a UAS beyond the limitations of an RPIC certificate must coordinate with the Office of General Counsel and Compliance to review options and coordinate on the process of applying for 333 Exemption, COA, or other form of authorization.
  9. Any recording or transmission of visual images through a UAS must be done through reasonable measures to avoid violating private spaces. A UAS shall not be used to monitor or record areas such as restrooms, locker rooms, dressing rooms, health treatment rooms, or other areas with a reasonable expectation of privacy.
  10. A UAS operator shall not use a UAS to record or monitor personal information such as information in personal workspaces, student records, employee records, or other areas where such personal information may be contained.

11. Operators shall take all reasonable steps to ensure the safety of people and property from damage caused by a UAS.

The following community-based safety standards, adopted from the Academy of Model Aeronautics National Model Aircraft Safety Code, apply for any operators of UAS within the SNHU community:

- Fly only in approved locations.
- Test all drone safety measures prior to UAS operation.
- Fly at or below 400 feet.
- Keep your UAS in sight at all times.
- Never fly anywhere after dark, in poor visibility, or in foul weather.
- Never fly directly over other people.
- Never fly closer than 25 feet to any person except the operator as necessary during take-off and landing.
- Keep a clear take-off and landing area.
- Never touch a UAS while it is still under power, except to prevent it from striking another individual.
- Never fly over stadiums or any sporting event.
- Never fly while under the influence.
- Do not fly from or above a moving vehicle.
- Always yield right-of-way to manned aircraft.
- You must present, upon request by SNHU Public Safety, your FAA registration.
- For all non-hobby and recreational uses, you must provide upon request evidence of your authorization (e.g. RPIC certificate, Pilot Airman Certificate, COA, or exemption) to operate the UAS for commercial purposes.
- For all hobby and recreational uses, you must provide prior notification to the airport and air traffic control tower, if one is present, when flying within 5 miles of an airport (NOTE: The 2500 North River Road campus is outside of five miles from Manchester airport, but 33 So. Commercial St. and 1230 Elm St. are not).

12. All UAS operators shall promptly report any damage (to persons or property) to Public Safety and the Office of General Counsel and Compliance.

Failure to follow this policy may result in disciplinary action. Failure to follow FAA regulations in the operation of UAS may lead to individual legal penalties.