
LAMAR UNIVERSITY
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Campus Operations
AREA: EHS & Risk Management

Unmanned Aircraft Systems (UAS) Operation	MAPP 02.04.09
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I. POLICY

- A. The operation of unmanned aircraft systems (UAS), including model aircraft, is regulated by the Federal Aviation Administration (FAA) and relevant laws of the State of Texas. Lamar University (LU) complies with current and future FAA requirements and state laws. LU establishes policies and procedures required to ensure compliance with these federal and state obligations and to reduce risks to safety, security, and privacy. Inherent risks associated with the operation of this equipment may require additional insurance and policy considerations.

II. PURPOSE AND SCOPE

- A. This policy falls under the authority of the Texas State University System (TSUS) Rules and Regulations; the Texas Government Code, Title 4, Subtitle B, Chapter 423, as amended; the Code of Federal Regulations, 14 CFR 107, as amended; the FAA Reauthorization Act of 2018, as amended; applicable FAA regulations; and all other applicable state and federal statutes, rules, and regulations regarding UAS.
- B. For purposes of this policy, the term “unmanned aircraft systems” or “UAS” includes model aircraft, which, under this policy, are assumed to be a form of UAS.
- C. This policy applies to LU employees, students, and any persons operating UAS in any location, including on or above LU property, as part of their University employment, business, or other activities. These activities include, but are not limited to, (a) the purchase or construction of UAS with funding through LU accounts, grants, or LU Foundation accounts; and (b) the hiring for or contracting of any unmanned aircraft services by a LU representative.

III. DEFINITIONS

- A. **Property.** Buildings, grounds, and land owned or controlled by the University by means of leases or other formal contractual arrangements to support ongoing LU education, research, and other operations.
- B. **Certificate of Authorization (COA) or Waiver.** The FAA defines the COA as an authorization issued by the Air Traffic Organization to a public operator for a specific UAS activity.
- C. **Unmanned Aircraft Systems (UAS).** UAS are also known as or may be characterized as **Drones**. The FAA identifies UAS as an unmanned aircraft and all 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 quadcopter, quadroto, etc. FAA regulation applies to UAS, regardless of size or weight.

- D. **Model Aircraft.** The FAA considers a model aircraft that does not exceed 55 pounds to be a UAS that must be flown according to the FAA's Model Aircraft Operations guidelines, including registration, and FAA aeronautical knowledge and safety test and carry-proof of test passage. Model aircraft are not used for business purposes but are used for hobby and recreation and must meet criteria or "limitations" specified in the FAA Reauthorization Act of 2018, as amended.
- E. **Nano or Pocket UAS.** Nano or pocket UAS (weight less than 250 grams or eight ounces) are included under this policy.

IV. PROCEDURES

A. General Guidelines

1. All LU faculty, staff, and students are personally responsible for complying with all TSUS and LU rules, regulations, and policies; all state and federal laws and statutes; and all FAA regulations regarding UAS.
2. Due to federal and state restrictions limiting the purpose and use of UAS, any University employee or student wishing to operate any UAS owned, leased, or otherwise controlled by the University, as part of their University employment or as part of a University program, must first obtain approval from LU's Office of EHS & Risk Management, using the University's UAS Request Form. This form is available through the EHS & Risk Management Office. (**Note.** LU does not authorize use of its UAS for any purpose other than as part of LU employment or an LU program. In addition, LU does not allow any person who is not a current LU employee or student to use a University UAS.)
3. Any University employee, student, or department seeking to purchase a UAS (or the parts to assemble a UAS), or UAS services with University funds or funds being disbursed through a University account or grant funds, must first have approval for the purchase from EHS & Risk Management via the UAS Request Form. This form will provide required information to assess the University's ability to obtain a COA or other necessary FAA exemptions to meet compliance requirements prior to approving or disapproving the request.
4. LU employees must obtain the approval of EHS & Risk Management prior to using a UAS over LU property. The request for approval must be accompanied by proof of FAA authorization or exemption and employee certification of having reviewed Texas Government Code, Title 4, Subtitle B, Chapter 423, and other safety material provided by EHS & Risk Management.
5. Third parties (i.e., outside constituents to the University, including hobbyists or recreational users of UAS) must obtain the approval of EHS & Risk Management prior to using a UAS over LU property. Third parties planning to use a UAS must submit proof of FAA authorization or exemption with their request for LU approval. In addition, operation of a UAS by a third party over LU property must be under a contract that holds the University harmless from any resulting claims or harm to individual and property, as well as proof of insurance as required by EHS & Risk

Management. Third parties with permission to operate on campus must have commercial liability insurance with a minimum limit per occurrence of \$1,000,000 and a general aggregate of \$2,000,000 and list Lamar University as an additional insured as well as certificate holder.

6. 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 or penalties related to the use of the UAS. See Texas Government Code, Title 4, Subtitle B, Chapter 423, Use of Unmanned Aircraft, for potential offenses and associated fines or penalties. Violations range from a Class C misdemeanor to penalties upwards of \$10,000 for a single civil violation.
7. UAS operators with questions about UAS approvals and UAS use over LU property, or in connection with LU operations and activities, should contact EHS & Risk Management for guidance.

B. Required Procedures and Guidelines

1. UAS operated under declaration of federal, state, or University emergency may be exempt from these guidelines.
2. Under FAA regulations, temporary flight restrictions may apply and must be followed.
3. Model aircraft operation must be approved by EHS & Risk Management. Model aircraft are governed by special requirements and limitations detailed by the FAA and the FAA Reauthorization Act of 2018, as amended. Operators of model aircraft, including for hobby or recreational use, must seek guidance from EHS & Risk Management before use over LU property. LU faculty, students, and staff using model aircraft over non-LU property but in connection with LU activities must seek guidance from EHS & Risk Management before this use.

C. Sanctions – Violations

1. Legal prohibitions regarding physical presence on campus, trespassing, and other legal action may also be pursued against third parties who operate UAS in violation of this policy.
2. Fines or damage incurred by individuals or departments that do not comply with this policy are the responsibility of those persons involved.

V. REVIEW AND RESPONSIBILITY

Responsible Party: Director of EHS & Risk Management
 Vice President for Finance and Operations

Review: Every three years on or before September 1

VI. APPROVAL

Jeremy C. Alltop	07/28/2021
Vice President for Finance and Operations	Date

Dr. Jaime R. Taylor	07/29/2021
President	Date

REVISION LOG

Revision Number	Date	Description of Changes
1	03/24/2021	Initial version.
2	05/20/2021 07/27/2021	Revised to reflect current federal and state laws, statutes, rules, and regulations related to UAS (drones). Reformatted to reflect most recent formatting for Lamar U MAPPs/policies (05/20/2021). Based on review by TSUS Office of General Counsel, added "Note" to Section IV.A.2 to clarify who is authorized to use the University's UAS and under what circumstances (07/27/2021).
	07/29/2021	Approved by President.