Preamble: This policy, and the related policies and procedures described herein, is intended to ensure that the University operates any unmanned aircraft system in the furtherance of its educational, research, and service missions, as well as in compliance with applicable federal and state laws. This policy shall be effective immediately.

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A. Definitions.

A-1. Aircraft means any contrivance invented, used, intended to be used, or designed to navigate, or fly, in the air.

A-2. Unmanned Aircraft System ("UAS") means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the pilot in command to operate safely and efficiently in the navigable airspace of the United States under the regulatory authority of the Federal Aviation Administration ("FAA").

A-3. Certification of Waiver; Certificate of Authorization ("COA") means a Federal Aviation Administration grant of approval for a specific unmanned aircraft flight operation. Standard use of a UAS under the Section 107 does not require a COA. [rev. 2-17]

A-4. Navigable Airspace means the airspace of the United States above the minimum altitudes of flight prescribed by the regulations of the FAA, including airspace needed to ensure safety in the takeoff and landing of aircraft.

A-5. Public Operation COA means a COA grant by the FAA for a public aircraft operation. Public aircraft operations are those conducted by a public agency, like the University, in furtherance of a governmental function.

A-6. Governmental Function means an activity undertaken by a government, such as national defense, intelligence missions, firefighting, search and rescue, law enforcement (including transport of prisoners, detainees, and illegal aliens), aeronautical research, biological or geological resource management.

A-7. Civil Operation means any UAS operation falling outside the scope of a public aircraft operation, such as an operation involving a commercial purpose
or an operation involving research or other institutional activity outside the definition of governmental function. FAA authorization to fly a UAS in a civil operation may be granted under a Section 333 Exemption or a Special Airworthiness Certificate. In addition to obtaining FAA authorization for a Civil Operation, a COA must also be obtained from the FAA for any civil UAS flight operations. [rev. 2-17]

A-8. **Commercial Purpose** means the transportation of persons or property or other use of UAS for compensation or hire.

**B. Policy.**

B-1. **Introduction.** The University, in carrying out its educational, research, and service missions, may make use of Unmanned Aircraft Systems ("UAS"), more commonly known as "drones," in Navigable Airspace when granted authorization to do so by the FAA. As a "governmental instrumentality for the dissemination of knowledge and learning," the University of Idaho is eligible for Public Operation certificates of waiver or authorization ("COAs") from the FAA that permit the University to fly UASs in the furtherance of a Governmental Function and where use of UAS would otherwise be prohibited under current law. The University has committed to the FAA that it will not use any UAS for purposes that are not Governmental Functions, including but not limited to Commercial Purposes, or for purposes except as otherwise authorized by the FAA, including but not limited to authorization through a Special Airworthiness Certificate, Experimental Category, or through exceptions that may be granted under Section 333 of the FAA Modernization and Reform Act of 2012 ("Section 333") or through 14 C.F.R. §§107.1 et seq. ("Part 107"). This policy is intended to ensure University compliance with federal and state laws regarding UAS. [rev. 2-17]

B-2. **Policy.** No use of UAS may be undertaken by University faculty, staff, and students, or by third parties (including, but not limited to, consultants or contractors) acting on behalf of the University, without: 1) prior review by the UAS Committee; 2) approval by the Vice President for Research and Economic Development ("VPRED"), and, if necessary, 3) approval by the FAA of a COA and/or other authorizations or exemptions applicable to the University use. [rev. 2-17]

Personal use of UAS by University faculty, staff, students, or third parties on University property, including but not limited to recreational or hobby flight of model aircraft, is governed by APM 95.35, Personal Use of Unmanned Aircraft Systems on Campus, which prohibits such use on University property. See also APM 35.35, Public Use and Liabilities.

**C. Scope of Authority and Responsibility for Review, Approval, and Monitoring of University Use of UAS.**

C-1. **UAS Committee.** The UAS Committee is an ad-hoc committee established by the President, pursuant to FSH 1620B-3, to advise the VPRED,
who acts on behalf of the President in matters related to the use of UAS. The Committee will report to the VPRED. The UAS Committee is the principal mechanism by which the University ensures that it is meeting its obligations under federal and state law applicable to UAS use and under any COA approved by the FAA and that ethical issues related to UAS use is given due consideration prior to use.

C-2. The UAS Committee will review and make a formal recommendation to the VPRED, or his or her designee, regarding any proposed use of UAS in Navigable Airspace by any members of the University of Idaho community, including faculty, staff, students, or by third parties acting on behalf of the University. The UAS Committee will consider the legal and ethical issues related to the UAS use and apply relevant law, guidance from federal agencies, etc., in determining whether a proposed use should be recommended to the VPRED for approval.

The UAS Committee will determine whether a proposed use can be recommended for approval as described, needs modification to be recommended for approval, or should be denied. The UAS Committee shall only recommend for approval those uses that it reasonably believes: to be a Governmental Function and therefore eligible for a Public Operations COA; to be within those areas of activity covered by other authorizations or exemptions that may be granted by the FAA to the University for Civil Operations, including Part 107; to be within the Model Aircraft Rule for educational use; or to be covered by an authorization by the FAA for Civil Operations held by a third party, subject to an agreement between the University and third party with respect to such services. [rev. 2-17]

The UAS Committee may deny a proposed UAS use on the basis of factors including, but not limited to: the proposed use constitutes a Commercial Purpose; the proposed use is not a Governmental Function eligible for coverage by a Public Operations COA; the proposed use is not covered by other forms of authorization by the FAA for Civil Operation of UAS; or the proposed use is prohibited by law without written consent of the individual or the owner of a farm, dairy, or other agricultural industry, and such consent has not and/or cannot be obtained.

If the UAS Committee denies a proposed use, the denial may be appealed, in writing, to the VPRED. Any proposed use which the UAS Committee determines needs modification may be recommended for approval, following completion of any required modifications.

The UAS Committee, with the assistance of the Office of Research Assurances ("ORA"), shall provide ongoing review of any use approved by the VPRED and covered by a COA issued or other forms of authorization provided by the FAA. The UAS Committee may, with the assistance of ORA and subject to approval by the VPRED, develop and implement: standard operating procedures for use and operation of UAS; procedures for submission of a proposal to the UAS Committee; procedures for appeal to the VPRED of any denial of a proposed
UAS use by the UAS Committee; and internal rules and procedures for the operation and administration of the UAS Committee, as may be consistent with this policy.

The Committee may recommend suspension or termination of any use it deems inconsistent with the use approved by the VPRED and/or the requirements of the applicable COA or other authorization granted by the FAA. Authority to suspend or terminate any previously approved use rests solely with the VPRED, or designee.

C-3. Approval by VPRED. Any proposed use of UAS recommended for approval by the UAS Committee shall be reviewed by the VPRED, or designee, and approved or denied. Only those uses-operations approved by the VPRED may be covered by an application to the FAA, as necessary, and/or undertaken by University personnel, students engaged in coursework, or third parties operating on behalf of the University: a COA application submitted by the University to or a University-held COA approved by the FAA; an application submitted by the University for authorization for Civil Operations; or a Public Operations COA or other authorization from the FAA for Civil Operations held by a third party performing services on behalf of or collaborating with the University. Only the VPRED, or designee, may submit an application for a Public Operations COA or similar applications to the FAA and/or submit an application for authorization for Civil Operations to the FAA, after consultation with the Office of General Counsel. [rev. 2-17]

The VPRED may, at his or her sole discretion, suspend or terminate any previous approval of UAS under this policy on the basis that actual use is inconsistent with the previous grant of approval by the VPRED and/or the requirements of an applicable COA.

D. Contact Information. For further information regarding implementation of this policy you may contact the Office of Research Assurances, the UAS Committee, or visit the University UAS website.