



Operation of Unmanned Aircraft Systems (UAS)

No. 5820

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Affected Parties:
Undergraduate
Graduate
Faculty
Staff
Other

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1.0 Purpose

The operation of unmanned aircraft systems (“UAS”), or “drones” is regulated by the Federal Aviation Administration (“FAA”) and relevant state laws. Virginia Polytechnic Institute and State University (the “university”) recognizes that UAS is a rapidly growing industry that is creating unique educational, research and commercial opportunities for faculty, students, and the broader campus community. Indeed, the university is a leader in research and development of UAS technology, and recognizes the broad benefits that the UAS industry offers to workforce development, industry capability, and even social and humanitarian efforts. As such, the university is committed to promoting, supporting, and sustaining university efforts in furtherance of UAS research and development, and the use of UAS for educational and workforce development purposes. However, the university recognizes that the use of UAS on campus may pose significant risks to safety, security and privacy.

The university establishes the following policy (the “Policy”) to enable operation of UAS on campus and university-controlled property in furtherance of the foregoing objectives, while ensuring compliance with its federal and state legal obligations and reducing the risks to safety, security, and privacy on campus and any other university-controlled property.

This Policy governs (i) the operation of UAS on or over University Facilities, which include the university campus and property owned, rented, leased, and controlled by the university, (ii) the operation of university-owned UAS, and (iii) the operation of UAS by university personnel for university-related purposes (each, a “University UAS Operation”; collectively, “University UAS Operations”).

2.0 Policy

Anyone conducting University UAS Operations shall be personally responsible for complying with FAA regulations, state and federal laws, this Policy, and all university policies and procedures.

Any violations of federal, state, and local law or violations of university policies may subject the UAS operator to criminal or civil penalties, and/or disciplinary action. Fines or damages incurred by individuals or units that do not comply with this Policy will not be paid by the university and will be the responsibility of those persons involved. 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.

A violation of this policy shall be considered unacceptable conduct and subject to the disciplinary actions under the appropriate faculty, staff, and student policies, up to and including dismissal.

- University staff and classified employees are subject to disciplinary action as outlined in the Commonwealth of Virginia Standards of Conduct and Performance Policy 1.60.



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- University faculty members are subject to disciplinary review as outlined in the Faculty Handbook (http://provost.vt.edu/faculty_affairs/faculty_handbook.html).
- Hourly and wage employees, including adjunct faculty, are “at will” employees and may be disciplined or dismissed.
- Undergraduate and graduate students are subject to disciplinary actions as outlined in the Hokie Handbook (<http://www.hokiehandbook.vt.edu/>) (Student Code of Conduct and University Policies for Student Life).

University UAS Operations are subject to the following limitations and requirements:

2.1 Authorization of UAS Operations

2.1.1 Responsible University Entity: UASOC

The UAS Oversight Committee (UASOC) has been established to administer this Policy. The UASOC shall be comprised of seven members:

- The Assistant Vice President for Emergency Management, Chair of the UASOC
- The Chief of Police and Director for Security (or designee)
- Vice President for Research and Innovation (or designee)
- Executive Vice President and Provost (or designee)
- Faculty member engaged in UAS research and appointed by the Provost
- Director of Risk Management
- Representative of the Mid-Atlantic Aviation Partnership (MAAP)

2.1.2 Changes to Policy

The UASOC shall be solely responsible for the review and approval of any requested variances of this Policy. The UASOC shall propose to the Vice President for Operations appropriate changes to this Policy as needed.

2.1.3 Establishment of Location-Specific Protocols

UASOC will be principally responsible for the review and approval of site specific protocols (the “Protocols”) for the authorization of all University UAS Operations conducted at University Facilities (such as the Blacksburg Campus, Kentland Farms, and other university-controlled properties). If a site specific Protocol for a university-controlled location has not been established and approved by the UASOC, then the Blacksburg Campus Protocol will control. The UASOC has the sole authority to establish Protocols and all proposed site protocols must be submitted to UASOC for approval.

In addition, any proposed changes to established Protocols must be submitted to UASOC for approval. UASOC will be responsible for the review, approval and establishment of any Protocols or changes to Protocols.

2.1.4 UAS Safety Office

The UAS Safety Office, consisting of one or more University UAS Safety Officers, will be charged with the development and administration of the Protocols and the review and approval of all University UAS Operation



requests or applications made pursuant to the Protocols. The UAS Safety Office will manage the UAS Flight Authorization system.

2.1.5 University Authorization: Limitations

This Policy, the Protocols, and any university authorization of UAS operations pursuant to this Policy will not replace or supersede any technical or safety reviews of flight operations (such as reviews relating to aviation safety, qualifications of operators, and feasibility of the operations) as may be required and or conducted by the FAA. The university is not responsible for an operator's failure to comply with any reviews or requirements that may be imposed by the FAA. Strict compliance by the operator with FAA requirements is necessary for aviation safety.

2.2 Operations of UAS Owned by the University or Operated by University Personnel for University Purposes that do not Occur on University-Controlled Property

All UAS operations that are conducted utilizing UAS owned by the university, or by university personnel for university-approved purposes that do not occur on university-controlled property must be conducted in accordance with federal regulations, and applicable state laws and applicable local ordinances. Prior university approval for University UAS Operations that do not occur on university-controlled property is not required. The university is not responsible for an operator's failure to comply with any reviews or requirements that may be imposed by the FAA. Strict compliance by the operator with FAA requirements is necessary for aviation safety.

2.3 Permitted Uses for University UAS Operations

The university may authorize the following University UAS Operations pursuant to the Policy and applicable Protocols:

- Educational or Research Uses
- Civil or Commercial Uses
- Public or Governmental Uses (including the use of UAS in an Emergency)
- Hobby or Recreational Uses (UAS operations limited to designated areas)

All inquiries concerning permitted uses for University UAS Operations should be directed to the UAS Safety Office.

2.4 Safety, Security, and Privacy

All University UAS Operations must demonstrate respect for public interests including protection of property and privacy, and commitment to safety. FAA statutes and regulations prohibit conduct that might endanger lives, property, or other aircraft.

In addition to strict adherence with existing laws and regulations, it is imperative that UAS operations are conducted in a manner that is consistent with respect for privacy. Except for photography that may occur in public areas where there is no expectation of privacy, intentional data collection on individuals is prohibited except when prior consent has been obtained and the operator has received Institutional Review Board (IRB) approval.



The use of imaging or other recording technology for aerial surveillance by UAS for the collection, retention, or dissemination of surveillance data or information on individuals, homes, businesses, or property at locations where there is a reasonable expectation of privacy is strictly prohibited unless express written permission is obtained from the individuals or individual property owners.

2.4.1 Appropriate Use and Confidentiality of Data

Collection, use and dissemination of UAS-generated data must be limited to the provisions of the university-approved UAS operation. Protocols for the use, distribution, security, and retention of collected data must comply with applicable university policies. Given that UAS-generated data is transmitted through the internet and other digital communication platforms, UAS operators are expected to know and follow University Policy 7000, Acceptable Use and Administration of Computer and Communication Systems (<http://www.policies.vt.edu/7000.pdf>) and the Acceptable Use of Information Systems at Virginia Tech (<http://www.vt.edu/about/acceptable-use>).

2.4.2 Export Controls

UAS technologies may be subject to U.S. Export Controls. Any University employee, student, or unit seeking to export UAS or UAS related technology outside of the United States or to foreign nationals (including foreign national students) must comply with university export policies and procedures (University Policy 13045 Export and Sanctions Compliance Policy, <http://www.policies.vt.edu/13045.pdf>, and Office of Sponsored Procedure OSP 29-05 Management of Restricted Research Agreements, https://osp.vt.edu/content/dam/osp_vt_edu/policies/vt_osp_export_control_policy_osp-29-05.pdf). All inquiries concerning this section or export controls in general should be directed to the Office of Export and Secure Research Compliance at oesrc@vt.edu.

3.0 Procedures

3.1 Authorization

As may be required by a Protocol, anyone seeking to conduct a University UAS Operation will submit an application to the UAS Safety Office, requesting flight authorization from the UAS Safety Office.

All inquiries concerning University UAS Operations should be submitted to the UAS Safety Office.

3.2 Insurance Requirements

Anyone conducting University UAS Operations shall contact the Office of Risk Management (<http://risk.controller.vt.edu/>) to determine insurance requirements.

3.3 Certificate of Authorization

All university personnel issued a Certificate of Authorization (COA) from the FAA in the name of the university are required to file a copy of the approved COA with the Office of Risk Management



4.0 Definitions

UAS Safety Officer: Plans, implements, and coordinates safety and flight operations in accordance with written regulations, procedures, and policies.

University Facilities: Any location, either permanent or temporary, owned or leased by Virginia Tech, and includes satellite campuses and offices. This includes, but is not limited to, the buildings, grounds, and the surrounding perimeters, including the parking lots, field locations, classrooms, alternate work or class locations.

Unmanned Aircraft Systems (“UAS”): An unmanned aircraft system is an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft.

5.0 References

Virginia Tech, Acceptable Use of Information Systems
<http://www.vt.edu/about/acceptable-use>

Virginia Tech, Hokie Handbook
<http://www.hokiehandbook.vt.edu/>

Virginia Tech, Office of Sponsored Procedure OSP 29-05, Management of Restricted Research Agreements
https://osp.vt.edu/content/dam/osp_vt_edu/policies/vt_osp_export_control_policy_osp-29-05.pdf

Virginia Tech, University Policy 7000, Acceptable Use and Administration of Computer and Communication Systems
<http://www.policies.vt.edu/7000.pdf>

Virginia Tech, University Policy 13045, Export and Sanctions Compliance Policy
<http://www.policies.vt.edu/13045.pdf>

6.0 Approval and Revisions

Approved August 21, 2017, by the University Safety and Security Policy Committee.

Approved August 21, 2017, by the President, Timothy D. Sands.