POLICY STATEMENT

Any individual who intends to operate an unmanned aircraft system (UAS) on University of North Dakota (UND) property or at university-affiliated/sponsored activities must do so in accordance with this policy.

REASON FOR POLICY

UAS offer opportunities for teaching and research, and provide the university community with valuable experiences in a wide range of academic disciplines. Operation of UAS is regulated by the Federal Aviation Administration (FAA) and by federal, state, and local laws. This policy was designed to mitigate risks to individuals and organizations potentially affected by UAS operations; ensure compliance with federal, state, and local laws, as well as other regulations and contracts; and enable academic scholarship.

SCOPE OF POLICY

This policy applies to:

- President
- Vice Presidents
- Deans, Directors & Department Heads
- Area Managers & Supervisors
- Faculty
- Staff
- Students
- Others: Affiliates, Visitors

WEB SITE REFERENCES

This policy: [http://UND.edu/finance-operations/_files/docs/6-32-uas.pdf](http://UND.edu/finance-operations/_files/docs/6-32-uas.pdf)
Vice President for Finance & Operations: [http://UND.edu/finance-operations/](http://UND.edu/finance-operations/)
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RELATED INFORMATION

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<tr>
<td>Grand Forks City Code Ord. No. 4276, § 1, 8-17-09</td>
<td><a href="https://www.municode.com/library/nd/grand_forks/codes/code_of_or">https://www.municode.com/library/nd/grand_forks/codes/code_of_or</a> dinances</td>
</tr>
<tr>
<td>Public Law 112-95, Section 331-336</td>
<td><a href="https://www.congress.gov/112/plaws/publ95/PLAW-112publ95.pdf">https://www.congress.gov/112/plaws/publ95/PLAW-112publ95.pdf</a></td>
</tr>
<tr>
<td>UND Code of Student Life</td>
<td><a href="http://und.edu/code-of-student-life/">http://und.edu/code-of-student-life/</a></td>
</tr>
<tr>
<td>UND Committee on Unmanned Aircraft Systems Research Ethics &amp; Privacy</td>
<td><a href="https://UND.edu/research/resources/uas-research-ethics-privacy.cfm">https://UND.edu/research/resources/uas-research-ethics-privacy.cfm</a></td>
</tr>
</tbody>
</table>

CONTACTS

Specific questions should be directed to the following:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Telephone</th>
<th>Office or Department E-Mail / Web Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Clarification</td>
<td>VP Research and Economic Development</td>
<td>(701) 777-6736</td>
<td><a href="mailto:vpr@research.UND.edu">vpr@research.UND.edu</a></td>
</tr>
<tr>
<td>Administration of the AirSpace Management Tool</td>
<td>Public Safety</td>
<td>(701) 777-3341</td>
<td></td>
</tr>
<tr>
<td>UAS flight within restricted areas</td>
<td>Grand Forks Regional Airport/FAA</td>
<td></td>
<td><a href="http://www.grandforksgov.com/govern">http://www.grandforksgov.com/govern</a> ment/committees/committee-listing/airport-authority</td>
</tr>
<tr>
<td>Indoor Use</td>
<td>Public Safety/Building Safety and Security Representative</td>
<td>(701) 777-3341</td>
<td></td>
</tr>
</tbody>
</table>
## DEFINITIONS

<table>
<thead>
<tr>
<th><strong>Academic/Institutional Use</strong></th>
<th>Use of UAS by an enrolled student, faculty, or staff member that is related to a class or course of study; or has a direct use and benefit to the university for current, future, or ongoing operations.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Affiliates</strong></td>
<td>An employee of an entity that is a recognized affiliated entity or organization that has contractual arrangements with the University of North Dakota; or an individual who has a formal written agreement for services, approved by a dean, vice president, and/or president.</td>
</tr>
<tr>
<td><strong>Airspace Management Tool</strong></td>
<td>Currently defined using AirMap, including the free downloadable application referenced in Related Information.</td>
</tr>
<tr>
<td><strong>Commercial Use</strong></td>
<td>Use of UAS for compensation or as a part of a commercial enterprise. This includes, but is not limited to, operations by contractors or third parties engaged by or on behalf of UND.</td>
</tr>
<tr>
<td><strong>Hobby or Recreational Use</strong></td>
<td>Includes use of UAS for pleasure or personal interest, not for compensation or sale (e.g., taking photos or videos for personal use, not for compensation or sale).</td>
</tr>
<tr>
<td><strong>Nuisance</strong></td>
<td>Operating in a manner that creates a nuisance under statute or common law is prohibited. This includes, but is not limited to, operation that is: (1) injurious to a person’s health; (2) indecent; (3) offensive to the senses; (4) an obstruction to the proper free use or enjoyment of University property, so as to essentially interfere with the comfortable enjoyment of the property; or (5) intrudes on a reasonable expectation of privacy. Any operation that interferes with or disrupts the University’s educational mission is also prohibited.</td>
</tr>
<tr>
<td><strong>Research Use</strong></td>
<td>Use of UAS operations related to sponsored research at UND.</td>
</tr>
<tr>
<td><strong>UND Permit</strong></td>
<td>Formal approval obtained by a user via UND’s Airspace Management Tool; namely, submitting and flying within the parameters of a flight plan using the Tool’s interface and receiving approval.</td>
</tr>
<tr>
<td><strong>UND Property</strong></td>
<td>Buildings, grounds, and land that are owned by UND or controlled by UND via leases or other formal contractual arrangements to house ongoing UND operations.</td>
</tr>
<tr>
<td><strong>University-affiliated/sponsored activities</strong></td>
<td>Events or activities organized by or on behalf of the university</td>
</tr>
<tr>
<td><strong>Unmanned Aircraft Systems (UAS)</strong></td>
<td>The term “unmanned aircraft system” means an unmanned 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 national airspace system.</td>
</tr>
</tbody>
</table>
PRINCIPLES

OVERVIEW - Any individual who intends to operate an unmanned aircraft system (UAS) on University of North Dakota (UND) property or at university-affiliated/sponsored activities must do so in accordance with this policy.

1. UND promotes the use of UAS for teaching, research, and service, to provide the university community with valuable experiences in a wide range of academic disciplines, and for recreation and enjoyment.
2. UND requires a safe and secure environment for all individuals and organizations with respect to UAS, the operation of which may not create an undue hazard to person or property, to plants or wildlife.
3. The university is committed to ensuring that the privacy of all persons is respected.
4. All members of the UND community are personally responsible for complying with this policy, with FAA regulations, with state and federal laws.
5. UAS operators are directly responsible for the operation of their UAS at all times. UAS pilot or visual observer must have unimpeded line of sight view of the UAS at all times, unless prior authorization is obtained.
6. Part of the UND campus falls within airspace designated by the FAA as requiring special permission to fly.
7. FAA classification or status is not justification or defense for a violation of this policy.

PROCEDURES

Authorization of UAS Use

Subject to principles and prohibitions stated in this policy, UAS are allowed for these purposes.

HOBBY OR RECREATIONAL USE – Use on UND Property requires a UND permit through UND’s airspace management tool. Use off UND Property does not require a UND permit.

ACADEMIC/INSTITUTIONAL USE – Use on UND Property requires a UND permit through UND’s airspace management tool. Use off UND Property does not require a UND permit.

RESEARCH USE – Faculty, staff, and students must first obtain approval from the Committee on Unmanned Aircraft Systems Research Ethics & Privacy. In addition to committee approval, use on UND Property requires a UND permit through UND’s airspace management tool. Use off UND Property does not require a UND permit.

COMMERCIAL USE – Contracts and agreements must be reviewed by legal counsel and/or payment and procurement services, in accordance with applicable UND policies. Agreements will expressly obligate third party operators to comply with this policy, including maintaining adequate liability insurance. Use on UND Property requires a UND permit through UND’s airspace management tool. Use off UND Property does not require a UND permit.

INDOOR USE – Flying inside campus buildings, is allowed with authorization from the building safety and security representative, or designee. Facilities may have predetermined locations and times where UAS use inside buildings is authorized, which can be found through the airspace management tool.

Policy Process

Students, faculty, staff, and visitors interested in operating a UAS on UND property, connected to any of the above uses, will be required to obtain a permit. This permit must be obtained through the online Airspace Management tool.

Reporting

When anyone observes a violation of this policy, they are encouraged to notify University Police Department (UPD). Upon notification, UPD will dispatch someone from the department to respond to the area to notify the
Sanctions
Possible violations by students will be referred to the Office of Student Rights and Responsibilities and may be addressed in accordance with the Code of Student Life as well as other applicable policies and may include sanctions, up to and including suspension.

Employee violations may be resolved in accordance with NDUS Human Resources Policy Manual and applicable UND policies, up to and including termination.

Violators of local, state, and federal laws and regulations may be dealt with by appropriate law enforcement.

Prohibited Uses
1. UAS may not be used in a manner that invades the privacy of any person. UAS operations that monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms are prohibited. These prohibitions include, but are not limited to:
   a. Unwarranted intrusion by the operator into a person’s private activities, affairs, or seclusion;
   b. Any appropriation or exploitation by the operator of a person’s name, likeness, or personality;
   c. Any recording or unlawful interception of private communications or information. This includes, but is not limited to any violation of applicable state and local privacy laws; or
   d. Any viewing into or capturing images of individuals within any University building or facility where such individual has a reasonable expectation of privacy, including without limitation, residential rooms, classrooms, locker rooms, restrooms, hospital/health treatment rooms, changing/dressing rooms and libraries.
2. UAS may not be used to monitor or record residential hallways, residential lounges, or the insides of campus childcare facilities.
3. UAS may not be used to monitor or record sensitive institutional or personal information which may be found, for example, on an individual's workspaces, on computer or other electronic displays.
4. UAS may not be operated in a way which creates a nuisance or unduly affects the environment of those studying or working within a building, or those entering, exiting or walking around a facility.
5. UAS may not be operated above public open-air events, inside public venues or above thoroughfares, unless otherwise approved by the Department of Public Safety through the special events and activities process (Policy 2.17 Events, Demonstrations, Fixed-Exhibits, and Short-Term Rentals).
6. UAS shall not be operated in a reckless or careless manner or under the influence of alcohol/drugs.
7. UAS may not carry hazardous material.
8. No person may allow an object to be dropped from a UAS that creates a hazard to persons or property.
9. Any operation that violates a University policy or NCAA or conference rule is prohibited.
10. Misuse of the airspace management tool is prohibited.

Public Safety Exclusion
Official use of UAS by law enforcement, first-responders, and other public safety authorities are not subject to this policy.

RESPONSIBILITIES

<table>
<thead>
<tr>
<th>Division Vice Presidents</th>
<th>Determine which areas under their purview, responsibility and control are available for UAS flight, in scope, duration and UAS parameters.</th>
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<tbody>
<tr>
<td>Public Safety</td>
<td>Implementation and management of permitting system, including maintenance of the Airspace Management Tool, permit approval process, and collection of necessary data for policy evaluation. Enforcement of the policy and responding to reports of policy violations. Educating and training UND representatives involved in UAS approval processes and UND community members using UAS on campus.</td>
</tr>
</tbody>
</table>
Committee on UAS Research Ethics and Privacy | Establishment of process and standards related to research ethics and privacy issues related to UAS utilization for research and education.
| Review and approval of research use of UAS.
| Training for faculty on the process/standards related to Committee approval.

Vice President for Research and Economic Development | Policy administration and revision.

Building Safety and Security Representatives | Management of indoor use

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**FORMS**

There are no forms associated with this document.

**APPENDICES**

There are no appendices associated with this document.

**REVISION RECORD**

| 09/11/2017 – Interim Policy Implementation | Signed by President Mark R. Kennedy |