

Procedures for Request and Approval of the Use of Unmanned Aircraft Systems (UAS) and Unmanned Aircraft Vehicles (UAV) on California State University East Bay (CSUEB) Campuses or on behalf of CSUEB

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PURPOSE

To provide guidance concerning the request for approval to use/fly Unmanned Aircraft Systems and Unmanned Aircraft Vehicles (UAS/UAV) related to research, education, and other endeavors at California State University, East Bay (CSUEB), in compliance with the [Cal State East Bay Operation of Unmanned Aircraft Systems \(UAS\) and Unmanned Aircraft Vehicles \(UAV\) Policy](#).

BACKGROUND

The **Federal Aviation Administration (FAA)** has jurisdiction over all navigable airspace in the United States. All aircraft, whether manned or unmanned, are subject to [FAA rules and regulations](#) if flown outdoors. Aircraft includes Unmanned air systems/Unmanned Air Vehicles (UAS/UAVs), commonly known as drones. Outdoor use of UAS/UAVs weighing 0.55 pounds or more generally requires adherence to FAA regulations, which includes registering the UAS through the FAA and obtaining an FAA Remote Pilot Certificate. FAA regulations differ depending on the type of UAS/UAV operator and uses. Violations of FAA regulations carry severe federal penalties and could endanger the campus community and public.

- Regulation categories include, but are not limited to, rules governing Small UAS/UAVs weighing between .55 - 55 pounds, flying under 400 feet Above Ground Level, educational use, indoor use, recreational use, commercial use, and weighing more than 55 lbs.
- As of May 2020 the FAA is in the process of developing additional guidance for Institutions of Higher Education (IHE) to implement the FAA Reauthorization Act of 2018 -PL 115-254, Section 350, which distinguishes some educational and research uses of drones by IHEs as recreational in nature. Procedures will be revised as additional FAA guidance is released.

The CSUEB [Operation of Unmanned Aircraft Systems \(UAS\) and Unmanned Aircraft Vehicles \(UAV\) Policy](#) requires approval prior to use/flight of UAS/UAV on any CSUEB campus or on behalf of CSUEB. The CSUEB UAS/UAV Committee is tasked with review and approval of CSUEB UAS/UAV Use Applications. Use is expected to fall under the categories of non-commercial education, research, scholarship, and creative activities. Commercial UAS/UAV flights on campus are not expected, but would also need to adhere to this policy. Faculty or staff wishing to engage the services of a third party for UAS/UAV services must submit an UAS/UAV Use Application.

PROCEDURES

UAS/UAV PURCHASE:

As stated in the CSUEB [Operation of Unmanned Aircraft Systems \(UAS\) and Unmanned Aircraft Vehicles \(UAV\) Policy](#), purchases of UASs/UAVs with university funds or with funds disbursed through CSUEB, CSU East Bay Foundation, CSU East Bay Educational Foundation, or ASI must be submitted through Purchasing. UAS/UAV purchases with a P-Card or personal credit card are not permitted.

- The CSUEB Purchasing Department will notify the Director of Compliance and Standards and the ORSP Compliance Analyst of any University employee or department purchase of a UAS/UAV (or the parts to assemble a UAS/UAV), or UAS/UAV services with university funds or funds being disbursed through CSUEB, CSU East Bay Foundation, or ASI.
- Upon notification of a UAS/UAV purchase, ORSP Compliance will send an email notification to the purchaser of record with links reminding the purchaser of the CSUEB UAS/UAV policy and procedures.
- Before use of the UAS/UAV an Use Application must be submitted by the operator and reviewed and approved by the CSUEB UAS/UAV Committee.
- Approval of a UAS/UAV purchase by a CSUEB authorized signer does not supersede the required approval by the CSUEB UAS/UAV Committee prior to take-offs, landings, or operations of any kind from CSUEB property or on behalf of the University on non-University property.

UAS/UAV USE:

Regardless of whether the use will be outdoor or indoor, UAS/UAV use or operation on University property or on behalf of the University on non-University property is prohibited unless the operator has a CSUEB approved Use/Flight Operations Plan.

- To obtain an approved Use/Flight Operations Plan, operators must submit a [UAS/UAV Use Application](#) to the CSUEB UAS/UAV Committee at least 60 calendar days prior to the proposed use.
- The CSUEB UAS/UAV Committee will review [UAS/UAV Use Applications](#) and respond with approval, denial, or a request for information within 30 calendar days of receipt of the application.
- The approved Use Application serves as the Use/Flight Operations Plan and is approved for one year from the date of approval. While a new application must be submitted annually, if the UAS/UAV protocol is exactly the same as the original application with no changes whatsoever, then the new application may include the attachment of the original approved flight plan in place of the descriptive information and will be considered for Expedited Review exempt from full committee review. Expedited review will consist of

review by the UAS/UAV Committee Chair and Risk Management designee, who will respond with approval, denial, or a request for additional information within 14 calendar days of receipt of the application. Upon completion of the Expedited review, the Chair will inform the UAS/UAV Committee of the Expedited Request decision.

- If planned users or components of the flight operations plan change at any time after the approval of an application and issuance of an Approved Flight Plan, then a revised application outlining the changes must be submitted to and approved by the CSUEB UAS/UAV Committee prior to continued use subject to the same timelines established for new applications above.

TO SUBMIT AN UAS/UAV USE APPLICATION:

1. Before submitting the application, the CSUEB Employee planning to operate or oversee operation of the UAS/UAV and their designee must read the [CSUEB UAS/UAV Policy](#) and this document (*the Procedures for Request and Approval for the Use of Unmanned Aircraft Systems (UAS) and Unmanned Aircraft Vehicles (UAV) on California State University East Bay (CSUEB) Campuses or on behalf of CSUEB* in its entirety).
2. CSUEB Employees planning to operate or oversee operation of a UAS/UAV must be aware of [FAA UAS regulations](#), understand when they apply, register their drone, and obtain an [FAA Remote Pilot Certificate](#) when applicable. Additional information on FAA regulation and pilot requirements are provided below.
3. The CSUEB Employee planning to operate or oversee operation of the UAS/UAV or their designee completes the [UAS/UAV Use Application](#), which, if approved, will become the Use/Flight Operations Plan. The completed UAS/UAV Use Application form must be submitted to the CSUEB UAS/UAV Committee for review and approval at least 60 calendar days prior to the proposed date of use by emailing the application along with all required documentation to the email address listed on the bottom of the application.

Application content includes, but is not limited to, the following elements:

- Applicant Information and Type and Purpose of Use (Indoor, Outdoor; Education, Research, Civil/Public, Government)
- Description of Use
- Operator and Personnel Information (pilots, remote operator(s), maintenance team)
- UAS/UAV specifications and registration information
- Location of Use, Operation, and Storage (launch area, flight path, recovery, storage, communications plan for notifying authorities and residents when required)
- Funding Sources and nature of financial support, if any
- Period of Operation. (Start and End Dates of planned flights)
- Risk Assessment and Safety Accountability (Insurance coverage, training, availability, UAS/UAV builder information and plan for preflight certification of airworthiness, All forms of data (including imagery) to be collected, provisions for security of data and people)

Incomplete application will be returned. Submission date will only be assigned upon receipt of a completed application.

See also [Resources and Guidance](#), including [Resource Links](#), [Additional Requirements the Applicant and Operators Must Understand](#), and [Requirements Summary Table](#).

4. Once a UAS/UAV application is received, the CSUEB Director of Compliance and Standards will perform an initial review of the application. If complete, the Director will forward the application to the committee chair for review. Incomplete applications will be forwarded back to the originator with questions and further instructions.
5. The CSUEB UAS/UAV Committee Chair will review the application and request a convening of the CSUEB UAS/UAV Committee to occur as soon as possible in order to return an approval or request for additional information within 30 calendar days from the application receipt date.
6. The UAS/UAV Committee Chair may deem low risk requests such as Indoor Use Only, or Requests for Renewals of Approved Flight Plans to be Expedited Requests exempt from full committee review. Such Expedited applications will be reviewed by the UAS/UAV Committee Chair and Risk Management designee. The remaining committee members will be provided with copies of the application and subsequent approved flight plan.
7. The CSUEB UAS/UAV Committee will be convened for UAS/UAV use applications that are deemed upon first review to require full committee review and applications initially expedited that are later deemed to require a full committee review with a convening. The committee members will review the application from the perspective of their respective represented roles and render a joint decision.
8. DECISIONS:
 - Approved - Approved applications will be signed by the CSUEB UAS/UAV Committee Chair and the Risk Management representative and returned to the applicant as an Approved Use/Flight Plan.
 - Approved Flight Plans are approved for 1 year, at which time they expire and a new application is required.
 - Applicants must submit new applications for each additional flight not included in the original request.
 - Changes of any kind to submitted flight plans require the submission of a revised CSUEB UAS/UAV application. A copy of the original application with changes highlighted and detailed may be submitted.
 - Under Review - When an application is under review by the CSUEB UAS/UAV Committee, but committee members require additional information to render a decision, one of the following will occur:
 - A member of the committee or designee will contact the applicant for the additional information.
 - A member of the committee or designee will complete additional research and report back to the committee within a specified timeframe.
 - Denied - Prior to denial, the application will remain under review and the applicant will normally be given the opportunity to provide additional information or rectify the cause of a potential denial. Denied applications will be returned by the CSUEB UAS/UAV Committee Chair with a letter detailing the reason for denial.

RESOURCES AND GUIDANCE

RESOURCE LINKS

Cal State East Bay UAS/UAV Frequently Asked Questions *(TBD)*

[Federal FAA UAS/UAV Regulations](#)

[Code of Federal Regulations \(CFR\) “Part 107”](#)

[When a Waiver is Required for activities not covered under “Part 107”](#)

[Educational Users](#)

[FAA Authorization Act of 2018, SEE PL 115-254, Section 350 IHE](#)

[FAA May 4 2016 Legal Interpretation for Educational Institutes](#)

ADDITIONAL KEY FAA REQUIREMENTS THE APPLICANT AND OPERATORS MUST UNDERSTAND

[Pilots](#)

[Flight Operations Logs](#)

[Incident Reports](#)

[Monthly Outdoor Use Summary Report](#)

[Data Storage and Use](#)

[Maintenance and Storage or Equipment and Instrumentation](#)

[Insurance](#)

[Compliance with Applicable Regulations and Laws](#)

Pilots

Pilots must possess the Use/Flight Operation Plan, operations logs, and any documentation that the law may require during the deployment of the UAS/UAV. The CSUEB UAS/UAV Committee may review this material at any time.

Flight Operations Logs—All approved UAS/UAV operations must maintain an up-to-date flight operations log while using UAS/UAVs.

- Operations logs must include the following:
 - launch and landing dates
 - flight times
 - location
 - approximate flight paths
 - altitudes
 - a brief qualitative description of the data collected
 - names of CSUEB staff, faculty, student researchers, volunteers, and administrators involved.

Incident Reports

All incidents that result in vehicle repair, property damage or injury must be documented in operations logs for each UAS. Incidents involving injury and/or property damage (excluding the UAS) or major UAS damage must be reported to the CSUEB UAS/UAV Committee Chair within 24 hours of the incident on the [CSUEB UAS/UAV Incident Report form](#).

Monthly Outdoor Use Summary Report

To maintain approval of an Outdoor-Use Flight Operations Plan, a [Monthly Outdoor Use Summary Report](#) must be filed with the CSUEB UAS/UAV Committee at the end of each month in which the UAS is operated. UAS operators who fail to file a summary report at the end of a month in which Outdoor Use occurred may not have new Use/Flight Operations Applications approved until their Summary Reports are current. The FAA and law enforcement regularly receive UAS/UAV sighting reports. Providing a monthly summary of flights assists the CSU and authorities ([FAA UAS Sighting Reports](#)).

Data Storage and Use

It is understood that the use of UAS/UAVs will be largely related to research activities and education. Data collection must be disclosed on the CSUEB UAS/UAV Use Application Data. Unlawful photography and surveillance on public or private property is prohibited. The approved operator must review data to ensure sensitive, compromising, or otherwise inappropriate material is eliminated (e.g. attributes that identify individuals such as, but not limited to, recognizable faces, license plate numbers on vehicles, etc.) before data are distributed for analysis, stored on a server with broader access, or made public in any way.

Maintenance and Storage of Equipment and Instrumentation

University-owned UAS/UAV and related support equipment will be stored in appropriate facilities designated in the approved Flight Operations Plan. Responsibility for the physical maintenance, storage and preparation of UAS/UAVs operated, owned, or approved by CSUEB will reside with the approved operator/applicant and that applicant's campus department. This collaborative responsibility rests with the faculty, staff, student researchers, or volunteers, named in the Flight Operations Plan. Aside from any fixed, onboard systems (i.e., temperature loggers, GPS, barometers, navigation cameras), the maintenance (including calibration) of any sensor instrumentation is the responsibility of the approved employee who submitted the UAS/UAV Use Application or designee identified in the Flight Operations Plan.

Insurance

Prior to UAS/UAV operations, appropriate insurance coverage must be in place. Risk Management has representation on the CSUEB UAS/UAV Committee and may request additional information to confirm an adequate amount of insurance is in place.

Compliance with Applicable Regulations and Law

The CSUEB UAS/UAV Committee and approved applicants and operators are responsible for compliance with all relevant FAA regulations. The applicant is responsible for ensuring that the proposed UAS/UAV operation meets the following:

- Complies with applicable laws, government regulations, and University policies,
- Does not pose a threat to health, safety, privacy, or the environment,
- Includes appropriate steps to manage and mitigate associated risks, and
- Serves the mission of the University and interests of the public at large

FAA-Regulated Flight Operation Procedures

The FAA may conduct inspections of FAA-regulated flights. Prior to commencing flight operations, the UAS/UAV operator must have in possession a copy of appropriate mechanical procedures or other documentation to ensure safe, legal, and appropriate operation. During outdoor flight operations the UAV pilots must be aware of all documentation they are required by the FAA to have in their position, which includes, but may not be limited to the following:

- a. FAA Remote Pilot Certificate
- b. Current operations logs of all flights and all data files collected
- c. Proof of allowed access to public or private property associated with flight operations

REQUIREMENTS SUMMARY TABLE

Specifications/Use	FAA UAS Registration Required	Application to CSUEB UAS/UAB Committee Required	Type of FAA Authorization	FAA Authorization Required	FAA Remote Pilot Certificate Required
Weight under 0.55 lbs. (250 g)	No	Yes	Model Aircraft (Considered Hobby/Recreational)	No	No
Weight greater than or equal to 0.55 lbs. but less than or equal to 55 lbs.	Yes	Yes	Public or Civil**, or Commercial, or Education or Research	Public, Civil, Commercial Use, including more than de minimis Faculty Use = YES ----- Educational or Research use with student as pilot or de minimis faculty use = YES until new FAA regulations are fully implemented	Yes (Until the new FAA regulations identifying Institutes of Higher Ed (IHEs) Education and Research use as Recreational)
Weight more than 55 lbs.	Yes	Yes	Civil	Yes	Yes
Indoor use only	Yes, if over .55 lbs	Yes	N/A	No	No
Recreational/Hobby not allowed on campus. Use must be for Education or Research	Under .55	Yes	N/A	No	No