

# MANUAL OF POLICY

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<b>POLICY NUMBER:</b>	V-50	<b>PAGE</b> 1 of 4
<b>POLICY TITLE:</b>	Unmanned Aircraft Systems (Unmanned Aircraft and Model Aircraft) Operation	
<b>LEGAL AUTHORITY:</b>	FAA MODERNIZATION AND REFORM ACT 2012 (PUBLIC LAW 112-95); FAA REAUTHORIZATION ACT OF 2018; FLORIDA STATUTES 934.50 (“SEARCHES AND SEIZURE USING A DRONE - FREEDOM FROM UNWARRANTED SURVEILLANCE ACT”)	
<b>DATE OF LAST REVIEW:</b>	10/24/2023	
<b>DATE OF BOARD ACTION:</b>	3/22/2016 and 10/24/2023	

## A. STATEMENT OF POLICY

To provide an official College policy pertaining to the operation and use of unmanned aircraft systems, including drones and model aircrafts (collectively “UAS”) on or above Miami Dade College (College) property.

The College will establish procedures required to ensure compliance with Federal Aviation Administration (FAA) and relevant federal, state and local laws and reduce risks to safety, security and privacy on college property.

## B. TO WHOM THIS POLICY APPLIES

1. To College employees and students operating unmanned aircraft systems in any location as part of their employment and/or student-related College activities;
2. The operation of UAS on or above College property;
3. The purchase of unmanned aircraft systems with funding through the College, including general funding accounts, grants, or Miami Dade College Foundation accounts, and;
4. The hiring of or contracting with any unmanned aircraft services by a College unit.

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## C. DEFINITIONS

1. Unmanned Aircraft Systems (UAS) - commonly referred to as drones, is defined by the FAA as “the unmanned aircraft (UA) and all of the associated support equipment, control stations, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft. The UA is the flying portion of the system, flown by a pilot via a ground control system or autonomously through the use of an onboard computer, communications links and any additional equipment that is necessary for the UA to operate safely” pursuant to Section 331(9) of the FAA Modernization and Reform Act of 2012. For purposes of this policy, UAS also includes, but is not limited to, drones and model aircraft.
2. Certificate of Authorization or Waiver (COA) - According to the FAA, the COA is an authorization issued by the Air Traffic Organization to a public operator for a specific UA activity. After a complete application is submitted, FAA conducts a comprehensive operational and technical review. If necessary, provisions or limitations may be imposed as part of the approval to ensure the UA can operate safely with other airspace users.
3. College Property - Buildings, grounds, and land that are owned, leased by College or controlled through licenses or other formal contractual arrangements for use of property to support the College’s educational purposes.

## D. POLICY

1. All operators of UAS on or above College property must comply with all applicable federal, state and local laws, including, but limited to, FAA regulations, regarding the use of UAS. The operator of the UAS is responsible for obtaining the required permits and authorizations and to ensure compliance with all applicable laws and regulations in the operation of the UAS.

Specific authorization to operate a UAS on or above any College property, must be granted by the appropriate Campus President or designee, and Risk Management before such operation is permitted. UAS operators must obtain and provide proof of FAA approval of UAS operation.

UAS operators seeking to operate a UAS over College property must provide a certificate of insurance, with the following coverage and minimum limits of liability of \$1,000,000 per occurrence, for College Risk Management approval, prior to such usage:

- a) General Liability Insurance, with Certificate of Insurance confirming coverage for UAS operation, or
- b) Aviation Liability Insurance
- c) Insurance policy shall be endorsed to include the District Board of Trustees of Miami Dade College, Florida as an Additional Insured.

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2. Any College employee or student wishing to operate a UAS as part of their College employment or as part of a College program must first obtain an FAA Section 333 exemption or Certificate of Waiver or Authorization (COA) and any other permits and authorizations that may be required. This will be in addition to receiving permission from the Campus President or designee, and Risk Management.

Such operators must also complete the School of Aviation Drone Safety course before Risk Management grants UAS Airmen privileges.

3. FAA regulations require that UAS operators operating UAS within a five-mile radius of Miami International Airport (MIA) must give specific notice prior the use of UAS to the airport operator or controller. College campuses are within or near a five-mile radius of the airport(s).
4. In accordance with FAA and state laws, any UAS operated on college property may not exceed an altitude of 400 feet, fly near people or in a careless or reckless manner, interfere with manned aircraft operations and be used to take photographs or videos for compensation or sale to another individual or business establishment.
5. No College UAS and UAS on College property may be used to monitor, photograph, or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms. These areas include, but are not limited to, restrooms, locker rooms, individual residential rooms, changing or dressing rooms, and health treatment rooms. Further,

UAS may not be used to monitor, photograph, or record any leased residential apartments or the insides or playground area of campus daycare facilities.

6. The College UAS and UAS on College property may not be used to monitor, photograph, or record sensitive institutional or personal private information in accordance with Section 934.50, Florida Statutes, as may be amended, and other applicable law.
7. The FAA "Notice to Airman" (NOTAM) FDC/3621 forbids all aircraft operations, including UAS operations within a three (3) nautical mile radius (NMR) up to and including 3,000 feet above ground level (AGL) of Kendall Campus Baseball Stadium beginning one hour prior to the scheduled start-time of a baseball game and until one hour after the game ends. However, aircraft operations for broadcast coverage or for operational purposes of the event are authorized with an approved airspace waiver from the FAA. These restrictions do not apply to aircraft authorized by and in contact with Air Traffic Control (ATC) for Department of Defense, law enforcement, or air ambulance flight operations.
8. Any violations of this policy by employees and students will be addressed in accordance with applicable College policies and procedures. Any third parties that operate UAS in violation of this policy will be treated as trespassers and may be removed from campus. Violations of applicable federal, state and local laws may result in forfeiture or prosecution by appropriate agencies.
9. Approved UAS operators may not fly recklessly or in a manner that endangers the safety of the National Airspace (NAS) or student at any time.

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## E. ADDITIONAL CONSIDERATIONS

The College Office of Emergency Preparedness and Facilities Management may request to obtain or use all College-owned UAS for emergency purposes and/or conditions, upon the College President or designee issuing a “*Campus State of Emergency*” as per College Procedure 1590.

Currently, FAA requires all owners of small unmanned aircraft weighing more than 0.55 pounds (250 grams) and less than 55 pounds (approx. 25 kilograms) including payloads such as on-board cameras to register them with the FAA. Owners may register through a web-based system at [www.faa.gov/uas/registration](http://www.faa.gov/uas/registration).

## F. HOW TO APPLY FOR A COA


To apply for a COA, access the public FAA COA website and submit a letter on official letterhead indicating why secure access to the FAA COA website is needed. FAA will check the credentials of the person requesting access and will do a background check. FAA will vet the applicant and create a login and password so that the applicant can access the secure portion of the FAA COA website - <https://ioeaaa.faa.gov/oeaaa/>.

## G. ENFORCEMENT AND SANCTIONS

Any violations of College policies by an employee may result in the revocation of UAS flight status and confiscation of the equipment in accordance with applicable College safety procedures. Employees will also be subject to College Procedure 2410 Performance Standards and Appeal Procedure for Full- Time Professional Exempt Contractual, Professional Exempt Non-Contractual and Support Non- Exempt Employees; and College Procedure 2160 Part-Time Employee Performance Standards, as may be applicable, which includes, but is not limited to, investigation of the allegations and disciplinary actions which may result in suspension or termination from the College.

Any violation of this policy by a student will be subject to College Procedure 4025 (Student Code of Conduct) and College Procedure 4030 (Student Disciplinary Procedures), which include, but may not be limited to, investigation of the allegations and disciplinary actions which may result in suspension or expulsion from the College.

The College may take legal action against third parties that operate UAS in violation of this policy. Fines or damages incurred by individuals or units that do not comply with this policy will not be paid by Miami Dade College and will be the responsibility of those persons involved.

	10/24/2023
<b>CHAIRMAN</b>	<b>DATE</b>