NYIT
Office of Facilities Operations & Security

Policy – Use of Unmanned Aircraft Systems (Drones) and Model Rockets on Campus

I. Policy Statement:

NYIT establishes the following policy and guidelines which is applicable to all employees, students, staff, contractors, vendors and guests. The operation of an unmanned aircraft system (UAS), a drone or model rocket, is regulated by the Federal Aviation Administration (FAA). Operation by any person(s) of a UAS, from or above any of NYIT’s campuses, is governed by this policy. This policy is established to require and ensure compliance with ALL applicable laws, reduce safety risks, and preserve the security and privacy of members of the NYIT community.

II. FAA Regulations:

The FAA classifies UAS use as one of three (3) types:

- Public – Governmental
- Civil Operations – Non-Governmental
- Model Aircraft – Hobby or recreation only

Using a UAS to take photos/videos for personal use is considered recreational. Using the same device to take photos/videos for compensation or sale is commercial use; commercial use requires an FAA Sec. 333 Exemption or a Special Airworthiness Certificate. A Certification of Waiver or Certificate of Authorization means an FAA grant of approval for a specific unmanned operation. (See www.faa.gov) for additional information.

III. Campus Policy:

Any use of a UAS from or over the campus or inside a campus building is prohibited except under the following circumstances (Note: the use of UASs at the Manhattan campus is prohibited at all times):

A. Hobby or Recreational Use, including use of a UAS in conjunction with credit-bearing coursework or NYIT acknowledged student club or activity:

Must obtain prior written approval from the Senior Director of Facilities Operations and Security (or designee) at least 48 hours prior to the use of the UAS.
Must provide date/time, purpose, and length of UAS operations, as well as the area of the campus where the UAS will be used.

Must comply with all federal, state and local laws.

Must operate the UAS in a responsible manner.

Must not operate over areas of public assembly, athletic fields, or areas of construction.

Must not photograph/video or monitor areas where other members of the NYIT community would have reasonable expectation of privacy, such as locker rooms, restrooms, individual residence rooms, or other private areas.

Must not post videos or photographs of UAS-shot footage on any publicly accessible commercial website such as Youtube, Facebook, Instagram, etc.

Any violations of law (trespassing/ illegal surveillance) or violations of NYIT policies may subject the individual to both criminal and/or disciplinary action. Damages/injuries occurring to NYIT property or individuals will be the responsibility of the UAS operator(s).

Campus Security maintains the authority to “ground” or suspend operations of any UAS that is not compliant with FAA regulations, this policy, or presents a danger to NYIT property or the NYIT community.

B. NYIT-sponsored Research Use:

All NYIT-sponsored research in connection with a UAS must comply with all federal (FAA), state, and local laws.

The principal investigator of NYIT-sponsored research in connection with a UAS must obtain prior written approval from the Senior Director of Facilities Operations and Security (or designee) at least 48 hours in advance of the proposed use of the UAS.

Any UAS operated in the furtherance of NYIT-sponsored research must comply with the FAA regulations by obtaining and maintaining a “333 Exemption” or a “Special Airworthiness Certificate” prior to use on campus. Please contact the Office of General Counsel for assistance in securing a 333 Exemption.
All NYIT-sponsored research UAS operators must file a “flight plan” including date, time, and duration of flight and operational area, with the Senior Director of Facilities Operations and Security (or designee) 48 hours prior to commencing the UAS flight.

The UAS must be operated in a reasonable manner.

The UAS may not operate over areas of assembly, athletic fields or populated areas.

The UAS is not permitted to photograph, video, or monitor areas of any of NYIT’s property where other members of the NYIT community would have a reasonable expectation of privacy, such as locker rooms, restrooms, individual residence rooms, or other private areas.

Any violations of law (trespassing/illegal surveillance) or violations of NYIT policies may subject the individual(s) to both criminal and/or disciplinary action. Damages/injuries occurring to NYIT property or individuals will be the responsibility of the UAS operator(s).

Campus Security maintains the authority to “ground” or suspend operations of any UAS that is not compliant with FAA regulations, this policy, or presents a danger to NYIT property or the NYIT community.

All UAS operated in the furtherance of NYIT-sponsored research shall be operated only by applicably licensed personnel.

C. Third-Party Commercial use of UAS (including marketing and videographer companies hired by NYIT to perform shoots)

A third-party commercial operator must be accompanied by a representative of NYIT at all times while operating a UAS.

In addition to a written agreement, a third-party UAS operator must provide to the NYIT Controller’s Office a current certificate of insurance (COI) evidencing Commercial General Liability coverage in an amount of no less than $1,000,000.00. Such insurance coverage shall name NYIT as an additional insured, and have no exclusion for aircraft or UASs.

All third-party commercial UASs must comply with all federal (FAA), state, and local laws.
The Department hiring the third-party commercial operator must obtain prior written approval from the Senior Director of Facilities Operations and Security (or designee) at least 48 hours in advance of the proposed use of the UAS.

All third-party commercial operators must file a “flight plan” including date, time, and duration of flight and operational area, with the Senior Director of Facilities Operations and Security (or designee) 48 hours prior to commencing the UAS flight.

All third-party commercial operators must comply with FAA regulations by obtaining and producing a “333 Exemption” or a “Special Airworthiness Certificate” prior to use on the campus. All such 333 Exemptions shall be cleared in writing by the Office of General Counsel on a case by case basis.

The UAS must be operated in a reasonable manner.

The UAS may not operate over areas of assembly, athletic fields or populated areas.

The UAS is not permitted to photograph, video, or monitor areas of any of NYIT’s property where other members of the NYIT community would have a reasonable expectation of privacy, such as locker rooms, restrooms, individual residence rooms, or other private areas.

Any violations of law (trespassing/illegal surveillance) or violations of NYIT policies may subject the individual(s) to both criminal and/or civil action. Damages/injuries occurring to NYIT property or individuals will be the responsibility of the third-party UAS operator(s).

Campus Security maintains the authority to “ground” or suspend operations of any UAS that is not compliant with FAA regulations, this policy, or presents a danger to NYIT property or the NYIT community.