

SOUTH DAKOTA BOARD OF REGENTS

Policy Manual

SUBJECT: Unmanned Aircraft Systems Policy

NUMBER: 1.7.3

A. PURPOSE

To provide for the requisite oversight and authority for the operation of UAS, guidance concerning the appropriate operation of and uses for UAS, and to protect them from abuse and from unlawful or other misuse.

B. DEFINITIONS

1. **Unmanned Aircraft System or Drone (“UAS”):** Unmanned aircraft and their associated elements (including communication links and the components that control the unmanned aircraft) that are required for the pilot in command to safely and efficiently operate the unmanned aircraft.
2. **Institutional property:** property or facilities owned, leased, or controlled by the SDBOR or an institution under its governance.
3. **Airspace:** the air available to aircraft to fly in. See the [FAA regulations and policy](#) for more information and airspace classifications.

C. POLICY

1. UAS and their operations are regulated by the Federal Aviation Administration (“FAA”) and all UAS operations on institutional property must comply with applicable local, state, and federal laws and regulations.
2. UAS operations by institutions’ students, employees, and their agents must comply with federal and state laws, FAA regulations, and applicable policies.
 - 2.1. Institutional UAS operations will be conducted in accordance with Part 107, pursuant to a Section 333 exemption, or a Certificate of Authorization (“COA”) from the FAA.
 - 2.2. All contractors conducting contracted UAS operations for an institution must provide the institution with proper proof of insurance evidencing insurance coverage. The default coverage limit shall be \$1,000,000 minimum coverage per occurrence, but the institution may approve a different coverage limit, provided such limit is stated in the contract.
3. Institutions will comply with the requirements of organizations with which they participate. Where the organization requires UAS no-fly over a qualifying event, such as for NCAA Division I athletics events, the event will be stopped until UAS flight has ended.

4. Each institution that intends to operate UAS shall develop, implement, and administer specific policies and procedures as necessary to comply with this policy and the requirements of local, state, and federal law.
5. Institutions shall designate an official to oversee UAS compliance, including providing advice and guidance to the institution and its stakeholders on purchasing and appropriate use of UAS on and off institutional property.
 - 5.1. Designated institutional officials will manage the Institution's UAS in conformity with property management regulations and policies and ensure appropriate insurance is maintained.
 - 5.2. Designated institutional officials will maintain a process and records related to official approvals for UAS use by students, employees, and contractors on behalf of the institution.
6. Institutions may seek federal designation for temporary airspace restrictions as allowed by law.
7. To protect the safety and privacy of institutional stakeholders, unless an exception is granted by the designated institutional official, institutions will not permit the following uses of UAS:
 - 7.1. Inside any institutionally owned or leased building;
 - 7.2. Monitoring or recording private institutional spaces including but not limited to offices, classrooms, labs, restrooms, locker rooms, individual residential rooms, dressing rooms, campus camp facilities, daycare facilities, and health treatment rooms; or
 - 7.3. Monitoring or recording sensitive institutional or personally identifiable information, which may be found, for example, on an individual's workspaces, computer or other electronic displays.
8. Noncompliant operation of a UAS in violation of applicable laws or regulations may subject the UAS Operator to civil or criminal penalties.
 - 8.1. Observed third party violations of applicable laws will be reported to law enforcement for engagement with federal enforcing agencies and violations by institutional employees and contractors will be reported in accordance with applicable policies and law.
9. Operation of a UAS in violation of this Policy, or institutional implementing policies, may result in disciplinary action consistent with Board of Regents and institutional policies.

FORMS / APPENDICES:

None

SOURCE:

BOR March-April 2015; BOR March 2017; BOR August 2018; October 2023 (Clerical); BOR May 2025.