785 Unmanned Aircraft Systems

Approved by President __________________________

Effective Date: ________________, 2019

Responsible Division: Academic Affairs
Responsible Office: University Provost
Responsible Officer: University Provost

Sidney A. McPhee, President

I. Purpose

Middle Tennessee State University (MTSU or University) is committed to providing a safe educational, living, and working environment for its students, employees, and visitors. The University recognizes the growing technology around Unmanned Aircraft Systems (UAS) and the great potential this technology offers as a tool to further advance mission-related activities, including, but not limited to, teaching and institutional research. However, the University also recognizes that the use of UAS on University property or at University-sponsored events may threaten the safety and privacy of the University community, and interfere with the University community’s reasonable use and enjoyment of both its property and airspace.

This policy addresses the takeoff and/or landing of UAS on University property, as well as UAS overflight of MTSU property. Specifically, this policy applies to those operations on the ground (takeoff/landing), as well as those operations that are within the altitude range (overflight) that may be reasonably expected to be governed by the University for the appropriate use, privacy, and enjoyment of the property and safety of the people and property on the ground and/or around areas of the University where there is a reasonable expectation of privacy. The requirements under this Policy are in accordance with the FAA directives regarding federal preemption of the national airspace system.

In addition, this policy enhances the safety of the University by restricting the use of UAS on University property and/or during, or as part of, University-sponsored events, to activities directly related to teaching, research, or institutional operations.

II. Scope

This policy applies to all faculty, staff, students, contractors, vendors and event co-sponsors of MTSU. The policy is in effect twenty-four (24) hours a day, seven (7) days per week, year round.

III. Definitions
As used in this policy, the following terms shall mean:

A. Federal Aviation Administration (FAA). A division of the U.S. Department of Transportation that inspects and rates civilian aircraft and pilots, enforces rules of air safety, and installs and maintains air-navigation and traffic control facilities.

B. University Property. All property and facilities owned, leased, controlled, or operated by MTSU, including the airspace above the property necessary for the reasonable use and enjoyment of the property.

C. University Sponsored Events. Activities directly related to the life of the University community beyond the classroom. Examples include athletics, recreation, student programming activities, and academic camps/conferences/workshops. There are two (2) sub-categories of such events.

1. Official University Events. Programs that are scheduled or sponsored by faculty, staff, administrative offices, and departments that are planned primarily for members of the MTSU community. Affiliated entities, affiliated individuals, guests, non-affiliated entities, non-affiliated individuals, and students may attend these programs.

2. Student Events. Programs, activities, and services that are scheduled or sponsored by student clubs or organizations that are officially recognized by MTSU and planned primarily for members of the University community. It is recognized that affiliated entities, affiliated individuals, guests, non-affiliated entities, non-affiliated individuals, and students may attend these programs.

D. University Related Events. Match the same criteria as a University sponsored event, but also include a charge for registration and/or admission.

E. University Co-sponsored Events. Academic programs, conferences, and/or meetings involving two (2) entities: a MTSU school, academic department, administrative unit, or student organization and an outside organization such as a professional association in which MTSU holds membership or maintains a relationship that directly benefits the MTSU community.

F. Unmanned Aerial Vehicle (UAV). Any contrivance invented, used, or designed to navigate or fly in the air without the possibility of direct human intervention from within or on the aircraft. This includes model aircrafts, which are unmanned aircrafts capable of sustained flight, flown within the visual line of sight of the individual operating the aircraft, which are flown for recreational purposes. Such model aircrafts are commonly referred to as drones.
G. Unmanned Aircraft System (UAS). An unmanned aerial vehicle and its associated elements that are required for the safe and efficient operation of the unmanned aerial vehicle in the national airspace system, including control stations, communication links, support equipment, flight termination systems, and launch and recovery equipment.

H. Overflight. The flight of a civil unmanned aircraft over a specific area. Specific to this Policy, “specific area” refers to University property and/or airspace within the altitude range where the University may govern operations.

IV. General

A. The use of UAS on University property, or during a University-sponsored event or University Co-sponsored event, is strictly prohibited unless approved in advance by the Provost and the Vice President for Business and Finance, or as may otherwise be required by law.

B. Any individual requesting approval for the operation of a UAS on University property or during a University-sponsored event or University co-sponsored event must demonstrate that the use of the UAS will be in compliance with the operational, registration, certification and notification requirements set forth in FAA regulations.

C. Prior notice and authorization is preferred, but not required, for use of UAS by emergency personnel acting under the authority of applicable local, state, or federal law.

V. Compliance and Enforcement of Policy

A. The Provost and the Vice President for Business and Finance, in collaboration with the Chair of the Department of Aerospace or designee, are responsible for approving requests for the use of UAS on University property and at University-sponsored events and University co-sponsored events. The Provost, Vice President for Business and Finance, and the Chair of the Department of Aerospace or designee, shall analyze the following criteria in making a decision regarding the approval or disapproval of the requested UAS use. Such analysis must include an assessment of:

1. Risk to the health and safety of the University community;
2. Risk to University property;
3. Measure of distraction from the educational mission of the University;
4. Educational, business, or research value added to the University;
5. Compliance with all federal, state, and local laws and regulations, including FAA airspace restrictions and all applicable registration and certification requirements;
6. Compliance with all export control regulations; and,
7. Compliance with all insurance requirements.

B. The Provost and the Vice President for Business and Finance, in collaboration with University Police, the Office of Compliance and Enterprise Risk Management, and the Chair of the Department of Aerospace or his/her designee, have developed Procedures for University Use of Unmanned Aircraft Systems (UAS) for UAS operations on University property and at University-sponsored events or University co-sponsored events.

C. A University employee who violates this policy or the procedures referenced above is subject to disciplinary action up to and including termination. A student who violates this policy or the procedures is subject to disciplinary action, up to and including expulsion. Violation of this policy or the procedures by a contracted third party will be subject to all legal remedies available to the University, including removal from the University or University-sponsored event, arrest, and prosecution.

Forms:

Procedures for University Use of UAS

UAS Use Application

Revisions: July 12, 2018 (original); _______, 2019.

References: Federal Aviation Administration. Federal Pre-emption Fact Sheet (Dec. 17, 2015); 49 USC 40103..