

System-wide Policy: FI0137 Unmanned Aircraft Systems ("Drones")	
Version: 1	Effective Date: 01/24/2023

SECTION 1. Policy Statement

I. Unmanned Aircraft Systems (UAS) Coordinator

A. Designation Requirement

- i. Each campus and institute must designate a person or committee as the UAS Coordinator. The UAS Coordinators are listed at the end of this policy.

B. UAS Coordinator Duties

- i. UAS Coordinators are responsible for:
 1. Reviewing, approving or rejecting, and providing guidance for UAS operations on University property or UAS use in connection with University employment;
 2. Establishing campus/institute procedures to implement and enforce this policy; and
 3. Notifying the U.S. Federal Aviation Administration (FAA) of all UAS accidents, when required by the FAA.
- ii. UAS Coordinators may grant exceptions to this policy when the exception is necessary to facilitate actions that are in the University's best interests, provided that the exception does not violate any federal, state, or local laws or regulations.

II. Operation of UAS

A. General Prohibition Against Use of UAS

- i. Except for use of UAS that a UAS Coordinator has approved, the University prohibits use of UAS over University airspace and use of UAS while on University property.
- ii. The only exceptions to the requirement that all University employees obtain approval from the UAS Coordinator are:
 1. UAS operation is required by law; or
 2. The operator is a law enforcement agent or an emergency services official (such as firefighter or emergency medical technician), and the operator is acting in their official capacity under the authority of law.

B. UAS Coordinator Approval Required

- i. Before University employees may operate a UAS on University property or on non-University property, all employees who seek to utilize a UAS must first obtain approval for the UAS operation from the UAS Coordinator.
- ii. Employees requesting the UAS Coordinator's review must, at a minimum, demonstrate to the UAS Coordinator that the operation of the UAS will comply with this policy and all applicable laws and regulations, including without limitation, the operational, registration, licensing, and notification requirements set forth in FAA regulations.
- iii. When evaluating a request to operate a UAS, the UAS Coordinator may consider all relevant factors, including, without limitation, an individual's history of compliance with this policy.

C. UAS Coordinator Review and Authority

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- i. The UAS Coordinator will decide, in their sole discretion, whether to offer one-time approval, multi-use approval (for a limited duration), or blanket-use approval, on a case-by-case basis.
- ii. The UAS Coordinator may revoke or revise their approval, in the UAS Coordinator's sole discretion.
- iii. The UAS Coordinator may adopt a procedure requiring that individuals submit requests to the UAS Coordinator within a certain period of time in advance of the proposed UAS operation.
- iv. The UAS Coordinator may request additional relevant information from the requestor, and may provide direction or other requirements as a condition of approving the UAS operation request.

D. Prohibited Operation

- i. When a UAS Coordinator approves an employee's request to utilize a UAS, employees must not operate a UAS in a manner that:
 1. Violates this policy or other University policies or procedures.
 2. Violates federal, state, or local laws or regulations.
 3. Blocks or substantially impedes vehicular, bicycle, pedestrian, or other traffic.
 4. Blocks or substantially impedes entrances or exits to University property.
 5. Disrupts or interferes with operations, events, or activities taking place on University property.
 6. Monitors or records an area where a person has a reasonable expectation of privacy (note: "reasonable expectation of privacy" is a legal concept, defined by U.S. courts; if a department has questions, the department must consult with the UAS Coordinator).
 7. Threatens to damage University property.
 8. Threatens the health or safety of a person or animal.
 9. Monitors or records residential hallways or lounges.
 10. Monitors or records the interior of campus daycare facilities.
- ii. Further, employees may not operate a UAS:
 1. Inside University-owned buildings or facilities;
 2. On or above University-owned streets or University-owned sidewalks;
 3. Above a human being who is either:
 - a. not directly participating in the operation of the UAS, or
 - b. not located under a covered structure that can provide reasonable protection from a falling or malfunctioning UAS.
 4. On University property four hours before the scheduled kickoff time of an intercollegiate football game on the campus; during the game; or for two hours after the conclusion of the game.
 5. Between sunset and sunrise at the applicable campus/institute, as defined by the [National Weather Service](#).

E. When UAS Coordinator Approves Use

- i. When the UAS Coordinator approves an employee's request to utilize a UAS, the employee must comply with:

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1. Federal, state, and local laws and regulations, including without limitation, FAA regulations (for example, operational, registration, licensing, and notification requirements), and Export Control regulations.
2. University rules, policies, procedures, contracts, and research grants;
3. All instructions that the UAS Coordinator provides.
- ii. Non-University Property:
 1. In addition to complying with the requirements listed in section II(E)(i) immediately above, when an employee obtains approval from the applicable UAS Coordinator to operate a UAS on non-University property, the University employee must also obtain approval from the owner of the non-University property. Further, the University employee must comply with the property owner's rules and regulations.

F. Accident Reporting

- i. UAS operators must report all UAS accidents (even if there are no injuries to people or animals, or no damages to the UAS itself, or to property) to the applicable UAS Coordinator within two business days from the accident.
- ii. When required by the FAA, the UAS Coordinator will report UAS accidents to the FAA.

III. University Purchases of UAS

A. National Defense Authorization Act List of Banned Manufacturers

- i. Tennessee law prohibits state agencies, including the University, from purchasing drones from manufacturers that the U.S. Department of Defense places on its list of banned manufacturers. The National Defense Authorization Act (NDAA) allows the Department of Defense to maintain the list of banned manufacturers.
- ii. Before purchasing a UAS, departments must contact the applicable campus or institute Export Control office. The department must not order a UAS until the Export Control office advises the department. If the applicable Export Control office advises that the UAS is banned, the department must not purchase the UAS.
- iii. The Tennessee laws related to the NDAA list applies to UAS purchases regardless of the source of funding. In other words, this requirement applies to all University UAS purchases, even when funded with grants, gift funds, or other sources of revenue.

B. University departments may, but are not required to, consult with the applicable UAS Coordinator before purchasing a UAS.

C. University departments must notify the Office of Risk Management about UAS purchases within three business days after receiving a UAS.

- i. Risk Management will report the purchase to the State of Tennessee so that the UAS unit is covered by the State of Tennessee's insurance coverage.
- ii. If a department fails to report the UAS to Risk Management, the UAS unit will not be insured and the department will be liable for any costs associated with UAS accidents, loss, etc.
- iii. Departments must not attempt to purchase insurance outside of UT System Administration Risk Management.

IV. Export Control Regulations

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- A. The United States Department of State (International Traffic in Arms (ITAR)), the United States Department of the Treasury (Office of Foreign Assets Control (OFAC)) and the United States Department of Commerce's Bureau of Industry and Security (Export Administration Regulations (EAR)) govern export control (which includes exporting or importing items) over various types of UAS. University employees who plan on designing, building, modifying, and/or dismantling UAS must give prior notice to the appropriate campus or institute Export Control Office.
- B. When a department will no longer use a UAS that it owns, the department must notify the applicable University Export Control office and advise the Export Control Office on the disposition of the UAS.

SECTION 2. Reason for the Policy

This policy ensures compliance with state and federal laws related to University employees utilizing UAS on university property.

SECTION 3. Scope and Application

This policy applies to all University employees who want to operate a UAS (drone): on University property; over University airspace; or operate a UAS on property or over airspace owned by a third party (non-University property). The UAS Coordinator will apply and enforce this policy, including, when applicable, referring matters to the appropriate government authorities.

This policy supplements the University's Rule on the use of unmanned aircraft, [Chapter 1720-01-02-.06](#). For clarity, this policy applies to university units even though Chapter 1720-01-02-.06 exempts University units.

SECTION 4. Procedures

The University has not adopted separate system-wide procedures related to this policy. Each campus/institute will adopt procedures related to this policy.

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SECTION 5. Definitions

FAA: The term "FAA" means the Federal Aviation Administration, which is the federal government agency that regulates the national airspace system, including, without limitation, the operation of UAS.

UAS Coordinator: The term "UAS Coordinator" means the University employee or employees that a campus or institute designates as the official or officials responsible for ensuring compliance with this policy and applicable laws and regulations related to UAS operations.

University Property: The term "University property" means any and all real property owned, controlled, or operated by The University of Tennessee, including the air above the property necessary for the reasonable use and enjoyment of the property.

Unmanned Aircraft: The term "unmanned aircraft" means a device that is used or is intended to be used for flight in the air without an individual in or on the device. Unmanned aircraft are often referred to as "drones," remotely piloted aircraft systems (RPAS), or unmanned aerial vehicles (UAVs).

Unmanned Aircraft System or UAS: The term "unmanned aircraft systems" or "UAS" means an air vehicle and associated equipment that do not carry a human operator, but instead are remotely piloted or fly autonomously.

SECTION 6. Penalties/Disciplinary Action for Non-Compliance

The University may temporarily or permanently ban an individual from UAS operations if an individual violates this policy. Further, individuals who violate this policy might be subject to civil or criminal penalties, University adverse human resources actions (up to and including termination), or other punishment. The UAS Coordinator will report all violations of applicable laws or regulations to federal, state, and local authorities, including the FAA.

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SECTION 7. Responsible Official & Additional Contacts

All University of Tennessee campuses

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SECTION 8. Policy History

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