Unmanned Aircraft Systems

Policy Statement

The University of Southern Mississippi recognizes that the operation of Unmanned Aircraft Systems (UAS) also referred to as “drones” is increasing in popularity and usage. This policy establishes minimal requirements for the safe operation of unmanned aircraft systems and shall be a reference for each campus to use to assist with compliance with Federal Aviation Administration, state laws and university policies. The University of Southern Mississippi will establish procedures required to ensure compliance with those legal obligations and to reduce risks to safety, security and privacy.

Reason for Policy/Purpose

The University of Southern Mississippi must comply with FAA requirements, state law, and any other locally applicable laws or regulations regarding unmanned aircraft systems. Inherent risks in the operation of such equipment require additional insurance provisions and policy considerations. This policy is being implemented to protect the health and safety of the students, employees and campus visitors on all of The University of Southern Mississippi campuses.

Who Needs to Know This Policy

This policy applies to all members of The University of Southern Mississippi community, including but not limited to employees, students, clubs, organizations, visitors and individuals who are operating a UAS as part of their employment or as part of any University-related research or activity. This policy also applies to any person or entity not affiliated with the University that may operate a UAS on University property or land. This includes recreational and non-recreational aircraft. Any person operating a UAS on University land is personally responsible for complying with FAA regulations, state and federal laws and University policies.
Website Address for this Policy

www.usm.edu/institutional-policies/policies/pres-pr-003.

Definitions

**University Property** – Buildings, grounds, and land that are owned by The University of Southern Mississippi or controlled by the University via leases or other formal contractual arrangements to house ongoing USM operations or programs.

**COA- Certificate of Authorization or Waiver.** According to the FAA, the COA is an authorization issued by the Air Traffic Organization to a public operator for a specific UAS 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 UAS can operate safely with other airspace users.

**§ 333 Exemption** – FAA exemption based on Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA) which grants the Secretary of Transportation the authority to determine whether an airworthiness certificate is required for a UAS to operate safely in the National Airspace System.

**Unmanned Aircraft Systems (UAS)** - A UAS is an “aircraft” as defined in the FAA’s authorizing statutes and is therefore subject to regulation by the FAA. Forty-Nine U.S.C. § 40102(a)(6) defines an “aircraft” as “any contrivance invented, used, or designed to navigate or fly in the air.” A UAS is the unmanned aircraft and all of the associated support equipment, control stations, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft. A UAS may have a variety of names including quadcopter, quadrotor, drone, etc. FAA regulations apply to a UAS regardless of size or weight. Model aircraft are not considered by the FAA as UAS and have different regulations.

**Model Aircraft** - While flying model aircraft for hobby or recreational purposes does not require FAA approval, all model aircraft operators must operate safely and in accordance with the law. The FAA provides guidance and information to individual UAS operators about how they can operate safely under current regulations and laws. Guidance may be found at: [http://www.faa.gov/uas/publications/model_aircraft_operators/](http://www.faa.gov/uas/publications/model_aircraft_operators/). Model aircraft are not for business purposes, only for hobby and recreational uses. (Use of a UAS by or related to The University of Southern Mississippi does not qualify as a model aircraft under current FAA regulations.) Statutory parameters of a model aircraft operation are outlined in Section 336 of Public Law 112-95 ([http://www.faa.gov/uas/media/Sec_331_336_UAS.pdf](http://www.faa.gov/uas/media/Sec_331_336_UAS.pdf)).
Policy/Procedures

1.0 Responsibility for the UAS and Model Aircraft

1.1 All members of The University of Southern Mississippi community who operate, use or supervise the use of any UAS are personally responsible for complying with FAA regulations, state and federal laws, and University policies.

1.2 Any University employee or student wishing to operate an unmanned aircraft system (UAS) as part of their University employment or as part of a University program must first obtain a § 333 exemption or a Certificate of Waiver or Authorization (COA) issued by the FAA. The USM University Police Department is the FAA account holder for COAs for USM and must process all applications on a case-by-case basis.

1.3 Any third party or hobbyist wishing to use a UAS or model aircraft over University property must first receive approval through the USM University Police Department. Third parties planning to use a UAS must also provide proof of FAA approval.

1.4 Operation of a UAS or model aircraft by a third party or hobbyist over University property must be under a contract which holds the University harmless from any resulting claims or harm to individuals and damage to University property and provides insurance which includes general liability coverage with a $500,000 per occurrence limit. “The University of Southern Mississippi and the Board of Trustees of the State Institutions of Higher Learning its officers, employees, and agents” must be added as an additional insured.

1.5 In operating an approved model aircraft or UAS for purposes of recording or transmitting visual images, operators must take all reasonable measures to avoid violations of areas normally considered private.

2.0 Appropriate Uses

2.1 If a UAS has appropriate FAA certification and University Approval through the University Police Department and is being used to obtain photos, video or sound for commercial purposes, University commercial use policies must be followed. Permission for any such work needs to be granted in writing from University Communications.

2.2 If the UAS is to be used in support of research, teaching or testing pursuant to a valid FAA exemption or COA, faculty, staff or research associates must supervise student use of all unmanned aircraft, and notify the University Police Department twenty-four (24) hours in advance of each use.

2.3 If the UAS is to be used by a student, student organization, student group or club, or individual for personal use, permission must be granted by the University Police Department twenty-four (24) hours in advance of use. Permission will not be granted in the absence of previously-obtained FAA exemption or COA as noted above. The
student, student organization, student group or club, or individual must adhere to all University policies and proper proof of insurance must be approved and filed with the University prior to use. Such evidence of insurance must include general liability coverage with a $500,000 per occurrence limit. “The University of Southern Mississippi and the Board of Trustees of the State Institutions of Higher Learning its officers, employees, and agents” must be added as an additional insured.

2.4 If a University department or unit arranges for a contractor or a third party to use a UAS for purposes associated with a University facility or event, the contractor must adhere to all University policies and the contracting unit shall contact the University Police Department a minimum of twenty-four (24) hours in advance of the flight to ensure that the UAS owner and/or operator have an appropriate FAA exemption or COA and adequate insurance which must include general liability coverage with a $500,000 per occurrence limit. “The University of Southern Mississippi and the Board of Trustees of the State Institutions of Higher Learning its officers, employees, and agents” must be added as an additional insured.

3.0 Prohibited Uses

3.1 No UAS or model aircraft shall be used to monitor 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. Mississippi state law provides that a person who knowingly or intentionally records images or data of any kind of another person in an area in which that person has a reasonable expectation of privacy and without the consent of the person being recorded, may be charged with a felony criminal violation. See Miss. Code Ann. § 97-29-63.

3.2 No UAS or model aircraft shall be used to monitor or record residential hallways, residential lounges, or the insides of campus daycare facilities.

3.3 No UAS or model aircraft shall be used to monitor or record sensitive institutional or personal information which may be found, for example, on an individual's workspaces, on computer or other electronic displays.

3.4 Neither a UAS nor a model aircraft shall create a hazard to University-owned or controlled property, the University community or the public at any time. Neither a UAS nor a model aircraft may be operated in a way that disrupts instruction or unduly affects the environment of people in or passing through a common space, those working or studying within a building, or those entering, exiting or otherwise making their way about a facility.

3.5 Neither a UAS nor a model aircraft may be operated inside University buildings.

3.6 Neither a UAS nor a model aircraft may be operated above public open-air events, in or about public venues or above thoroughfares, including but not limited to roadways,
sidewalks, bike paths and pedestrian paths where any persons are located or congregate.

3.7 Pursuant to 14 CFR section 99.7, special security instructions, commencing one hour before the scheduled time of the event until one hour after the end of the event, all aircraft operations, including parachute jumping, unmanned aircraft and remote controlled aircraft, are prohibited within a 3NMR up to and including 3000ft AGL of any stadium having a seating capacity of 30,000 or more people where either a regular or post season NCAA division one football game is occurring. Thus, the unauthorized flying of a UAS on the campus of The University of Southern Mississippi during football game days is prohibited. When a University employee or someone serving in an official capacity on behalf of the University observes a UAS flying on the University campus on a game day, the USM Police Department (UPD) shall be notified. Upon notification, UPD will dispatch someone from that department to respond to the area to notify the operator of this policy and ensure that the activity ceases.

4.0 SANCTIONS

4.1 Upon a first occurrence of a person observed flying a UAS or model aircraft during the prohibited times, or without the proper authority or not in compliance with this policy, he or she will be given a written warning of violation.

4.2 Upon a second occurrence by the same person or persons, the UAS should be confiscated and impounded.

4.3 If warranted, the University may choose to pursue criminal charges or refer the matter to the Federal Aviation Authority (FAA) for appropriate action.

Review
This policy will be reviewed by the Vice President for Student Affairs every four years and as necessitated by changes in the law or as otherwise warranted.

Forms/Instructions
N/A

Appendices
N/A

Related Information
N/A

History
Amendments:
Created: March 24, 2016
Authorization

RECOMMENDED BY:

[Signature]
Responsible University Administrator
Date
5.3.16

[Signature]
Responsible University Officer
Date
4.15.16

REVIEWED BY:

[Signature]
Director of Compliance and Ethics
Date
4/24/16

[Signature]
Office of General Counsel
Date
27 APR 2016

APPROVED:

[Signature]
President
Date
5.3.16