

OPERATION OF UNMANNED AIRCRAFT SYSTEMS/DRONES

Policy Code: 3222/5042/6422

The Wake County Board of Education recognizes the benefits and risks of operating unmanned aircraft systems/drones for educational and commercial purposes.

Any drone being operated on or above Board property, of any size and for any purpose, must comply with this policy.

A. DEFINITIONS

1. “Drone” means an unmanned aircraft system, an unmanned aircraft vehicle, a remotely piloted aircraft, or a remotely operated aircraft that does not carry a human operator, can fly autonomously or remotely, and can be expendable or recoverable.
2. “Vendor” as used in this policy includes entities or individuals under contract with the Board to provide services on Board property and public or private entities or individuals granted access to Board property **by the Superintendent or Superintendent’s designee** for any reason.
3. “Operator” means the pilot of the drone or the person otherwise responsible for ensuring the safe operation **and/or** storage of the drone.
4. “Board property” is any property that is owned, leased or otherwise controlled by the Board as well as the airspace above said property.

B. RISKS

The use of drones poses unique risks, many of which are self-evident, such as the possibility of injury due to malfunction or misuse or property damage to others and the drone itself. Other risks may not be as obvious, such as the possibility of criminal charges for taking or distributing photos of a person in their home or on private property without consent or personal liability to the operator for damages/injury caused by illegal use (e.g., flying an unregistered drone, flying without the proper FAA Remote Pilot Certificate). All operators of drones on or in the airspace above Board property or off site for a school system purpose shall be subject to and must comply with **the following as any applicable laws and regulations including:** the Federal Aviation Administration (FAA) regulations, including proper registration and pilot certification; the North Carolina Department of Transportation (DOT) Division of Aviation regulations, including permitting requirements; North Carolina law; NCHSAA rules and guidelines; this policy and its accompanying regulations and procedures; and Policy 3225, Technology Responsible Use.

C. USE OF DRONES ON BOARD PROPERTY

Any drone being operated on Board property, of any size and for any purpose, must be ~~registered with~~ reported to Risk Management prior to operation. Any drones weighing over 0.55 pounds must also be registered with the FAA and properly marked with the registration number. All operators of drones on or in the airspace above Board property or off site for a school system purpose must abide by the following requirements:

1. Operator shall not operate drone above an altitude of 400 feet above ground level.
2. Operator shall not fly the drone more than 100 MPH.
3. Operator shall not operate drones weighing more than 55 pounds.
4. Operator must maintain safe control and line of sight with drone during all stages of operation.
5. Operator must not operate drone within five (5) miles of any airport without prior written notification and confirmation from airport authorities and shall at all times ensure that drone yields a right-of-way to manned aircraft.
6. Operator must notify the school principal of the proposed date and time of drone activity on campus.

D. USE OF DRONES FOR EDUCATIONAL PURPOSES

The Board is committed to providing all students and staff with technology-based learning opportunities. Access to drone technology is a privilege which brings with it responsibilities.

Any staff member seeking to establish an extra-curricular or curricular program in which students learn to program and/or operate drones must first receive written approval for the program from the Superintendent or designee. All drones that are ~~owned/used~~ purchased by the school system for educational purposes must be ~~registered with~~ reported to Risk Management and comply with the Technological Standards available at _____.

Any extra-curricular or curricular program involving the operation of drones must be led by a designated school system employee who holds a current and valid Remote Pilot Airman Certificate and has passed the Transportation Security Authority (TSA) vetting process. This designated school system employee shall be responsible for ensuring compliance with this policy, its accompanying regulations and procedures, and all applicable FAA regulations and NCDOT Division of Aviation requirements.

Any student use of drones must be as a verifiable component of science, technology, aviation, or media production curricular or extra-curricular program. All students operating drones must be under the direct supervision of the designated school system employee.

No recreational use of drones is permitted on or in the airspace above Board property by students, staff, or members of the general public. This provision shall not prevent non-commercial demonstrations for educational purposes by parents or community members approved in advance pursuant to the terms in Section E of this policy by Risk Management.

E. USE OF DRONES FOR COMMERCIAL PURPOSES

Vendors wishing to operate a drone on or in the airspace above Board property must complete the School System Drone Use Application, available from the Risk Management Department. The Application must be submitted to Risk Management at least five business days in advance of the desired flight time and shall include the following: the name(s) of the drone operator and any individuals participating in drone operation; proof of required liability insurance coverage and limits for the operation of the drone, including any required aviation liability insurance; proof of FAA Remote Pilot Airman Certificate; proof of NCDOT permit; signed form acknowledging that the operator has reviewed and agrees to comply with this policy and the accompanying regulations and procedures; and a detailed flight plan to include flight purpose, specific time, and specific location. Vendors must receive written approval from Risk Management prior to operating a drone on or in the airspace above Board property.

All Vendors using drones for commercial purposes are responsible for complying with the FAA Part 107 regulations, NCDOT requirements, this policy, and its accompanying regulations and procedures. Additionally, Vendors may not operate drones on occupied school sites between the period of 30 minutes before and 30 minutes after the regular school day for the relevant school campus. Vendors also may not operate drones on an active school campus at a time when groups of students or staff would reasonably be outdoors in or near the proposed flight plan. The acceptable time for the use of drones on Board property other than schools shall be scheduled through the Superintendent or designee.

Vendors operating drones may be required to stop the drone flight or leave Board property if they do not comply with this policy or are otherwise engaging in conduct that is considered harmful or dangerous to the school system or persons on Board property. Such conduct may include but is not limited to violations of the regulations established by the NCDOT and the FAA and provided in this policy.

The Superintendent or designee shall have the authority to grant approval to news outlets for use of a drone during adverse weather events involving snow and ice on days when schools are closed for students. This approval may be granted for up to one year as long as all of the requirements for Vendors in this policy and the accompanying regulations and procedures are met, except the news outlets shall not be required to provide a flight plan specifying the time and location of the flight on such days. ~~for specified purposes in~~

~~specified conditions for up to one year as long as all of the other requirements for Vendors in this policy and the accompanying regulations and procedures are met.~~

F. INAPPROPRIATE USE

Inappropriate uses of drones include, but are not limited to, the following:

- 1) Violating any of the guidelines included in this policy, other Board policy, or any regulations and procedures adopted by the Superintendent implementing Board policy;
- 2) Violating any local, state, or federal statutes or regulations;
- 3) Violating safe operating protocols as defined in drone user manual;
- 4) Any other use that that is disruptive or potentially harmful to students, staff, or Board property.

~~School system staff shall monitor for inappropriate use of drone technology as defined by this policy. Violators may be subject to disciplinary action, up to and including suspension for students, termination for School System employees, or termination of contracts or revocation of drone use privileges on or over Board property and/or any legal recourse available to the school system for Vendors and others.~~

G. DRONE INJURIES OR ACCIDENTS

Any injuries or property damage resulting from drone use on Board property shall immediately be reported to the school principal and to the Risk Management Department. Further use of the drone in question will be suspended until an investigation of the events takes place and clearance for use is provided.

Any scenarios not addressed within this policy or the accompanying regulations and procedures shall be governed by the appropriate Federal Aviation Administration regulations.

~~School system staff shall monitor for inappropriate use of drone technology as defined by this policy. Violators may be subject to disciplinary action, up to and including suspension for students, termination for School System employees, or termination of contracts or revocation of drone use privileges over Board property and/or any legal recourse available to the school system for Vendors and others.~~

H. POLICY IMPLEMENTATION

Questions regarding the use of drones on Board property or the implementation of this policy shall be directed to the Risk Management Department at droneuse@wcpss.net. Please see the regulations and procedures for this policy outlining the requirements governing the use of the drones on Board property.

Legal References: Title 49 U.S.C. 40101; P.L. 112-95 (126 Stat. 77 *et seq.*); Federal Aviation Administration Advisory Circular AC 91-57A; NCHSAA Policy 2.3.3(c); N.C. Gen. Stat. §§ 15A-300.1-300.3; §§ 63-95-96.

Adopted: