

UNMANNED AERIAL SYSTEMS (DRONE)

In an effort to maintain the safety, security and privacy of students, staff and visitors, the Bethlehem Central School District (the District) prohibits the unauthorized use of an unmanned aerial system (UAS), also known as a drone, on or above District property. For the purposes of this policy, a UAS or drone is any aircraft without a human pilot aboard the device.

The use of drones on District property will only be authorized if the operator first obtains express, written permission from the superintendent (or his/her designee). The District will only consider requests for drone use that are limited to the District's own instructional, co-curricular, or operational purposes. Drone use by members of the general public, or corporate or other entities that has not been approved by the superintendent is prohibited. Any individual wishing to operate a drone on or above District property must seek permission from the superintendent or his/her designee in writing to do so, pursuant to procedures adopted by the superintendent to address such requests. The superintendent will consider whether to grant permission on a case-by-case basis, pursuant to the procedures.

The District may acquire drones for use by students and employees of the District. The acquisition and use of District-owned drones will only be authorized with express, written permission from the superintendent, pursuant to procedures adopted by the Board of Education. The District shall obtain appropriate insurance coverage to protect against potential claims.

All superintendent-authorized drone operations on District property and operations of District-owned drones are subject to relevant Federal Aviation Administration (FAA), state and local laws and regulations, in addition to any rules and requirements imposed by the Board of Education. Each authorized drone operator must comply with all such requirements when operating drones on or above District property and/or operating District-owned drones.

The superintendent or his/her designee shall refuse admission or entry to anyone attempting to engage in unauthorized drone use on District property. If necessary, the superintendent or his/her designee may remove anyone attempting to engage in unauthorized drone use and/or confiscate the unauthorized drone. Additionally, the District reserves the right to immediately shut down the operation of authorized drones, and confiscate any authorized drones, if the operator is not complying with relevant FAA, state, or local laws, or if the drones create any type of electronic interference, pose unacceptable risks to individuals or property, or interfere with any District activity. Any injuries, or property damage in excess of \$50 as a result of drone operation, must be reported to the superintendent.

Violation of this policy may be grounds for disciplinary action, up to and including termination, suspension or expulsion from the District, in accordance with the Code of Conduct, District policies, applicable student and employee handbooks, and any applicable collective bargaining agreements.

Cross-ref: 8700, Insurance

Legal References: FAA Modernization and Reform Act of 2012 (Public Law 112-95), Sections 333, 336(a).
Title 14 Code of Federal Regulations, Part 107.

Adoption date: September 19, 2017

Revised date: February 27, 2019

AUTHORIZED DRONE USE PROCEDURES

Pursuant to Board Policy No. 1505, the superintendent has adopted the following Authorized Drone Use Procedures, which apply to (1) all individuals who seek permission and/or receive authorization to use a drone on the District's property; and (2) all individuals who operate a District-owned drone.

Procedure to Seek Permits to Operate Drones

The superintendent or his/her designee has sole and absolute discretion to grant or deny (1) the use of drones on District property; and (2) the acquisition and use of District-owned drones. Without permission from the superintendent or his/her designee, the use of drones on District property and the use of District-owned drones are expressly prohibited. In order to obtain authorization to operate a drone on District property or use a District-owned drone, the following procedures must be followed:

- A. Any individual, class, or group seeking to operate a drone on District property for the benefit of a District program, or seeking to use a District-owned drone, must submit a Drone Usage Request Form (the Request) (attached hereto as **Appendix A**) to the superintendent or his/her designee.
- B. The Request Form must be submitted at least two weeks prior to the date of the requested use.
- C. The applicant must clearly and completely describe the intended drone use on the Request Form.
- D. All Requests by groups or organizations engaged by district staff must be signed by an authorized agent of the group or organization requesting the use.
- E. The applicant's signature on the Request Form shall attest to the individual, class, or group's intent to comply with all Bethlehem Central School District's Board of Education (the Board) policies and regulations; to follow all applicable FAA, state, and local laws when operating the drones; and to use the drones strictly in accordance with the use described on the Request Form.
- F. All applicants to use privately owned drones on District property must agree to assume responsibility for all damages resulting from the drone use. Proof of adequate insurance must be provided by the applicant at least ten days before the date of the requested use.
- G. The superintendent or his/her designee will determine whether to grant the request based on District policies, and all applicable laws, rules, and regulations.
- H. If the Request is approved, the individual will be issued a Drone Usage Permit, and permitted to operate the drone on District property and/or operate a District-owned drone. If the Request is denied, however, the individual will not be permitted to operate a drone on District property or operate a District-owned drone.
- I. Permits shall be valid only for the facility, use, dates, and time specified on the Request Form. No adjustment to the permit is allowed except with the prior written approval of the superintendent or his/her designee. Permits shall not be transferable.
- J. The superintendent or his/her designee is authorized to alter or cancel any permit in his or her sole and absolute discretion.

- K. With regard to authorizing drone operations, the District retains the right to give preference to individuals, classes, and groups that are associated with, or sponsored by, the District.
- L. The superintendent retains the sole and absolute discretion to extend or deny permission to operate drones on or over District property.

Requirements for Authorized Drone Operations

I. *Requirements for Model Aircraft Use*

The following requirements apply with respect to the use of drones that qualify as “model aircraft” for hobby or recreational use under the FAA Modernization and Reform Act of 2012 (FMRA): (1) on District property; and (2) when the drones are District-owned. This includes drone use by students as a component of educational curricula or other coursework, and may also include *de minimus* drone use by teachers, when such use is a component of educational curricula or other coursework, and the primary purpose of the course is not the operation of drones.

- A. The drone must be operated in compliance with all applicable District policies, and all applicable FAA, state, and local laws, regulations, and guidance.
- B. The drone must be operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization, such as the Academy of Model Aeronautics (AMA) (www.modelaircraft.org).
- C. The drone must be limited to not more than ten pounds.
- D. The drone must be operated in a manner that does not interfere with, and gives way to, any manned aircraft.
- E. When flown within five miles of an airport, the operator of the drone must provide the airport operator and the airport air traffic control tower (when an air traffic control facility is located at the airport) with prior notice of the operations. (Model aircraft operators flying from a permanent location within five miles of an airport should establish a mutually agreed upon operating procedure with the airport operator and the airport air traffic control tower.)
- F. The drone must be flown within the visual line of sight.
- G. If the drone weighs more than 0.55 pounds and less than fifty-five pounds, the drone (1) must be registered with the FAA online at <https://registermyuas.faa.gov/> (see “Unmanned Aircraft Systems (UAS) Frequently Asked Questions” at <https://www.faa.gov/uas/faqs/>); and (2) must be labeled with its FAA registration number.
- H. The District will register all District-owned drones.
- I. The drone must be operated at or below forty mph, and at or below 400 feet above ground level.
- J. A safety line must be established between the flight operators and any spectators.

- K. The drone cannot be flown over groups of people, stadiums, or sports events; near emergency response efforts such as firefighting; over public roadways; or within fifty feet of utility wires and poles.
- L. The drone cannot be flown while the operator is under the influence of alcohol or drugs.

II. *Requirements for All Other Drone Use*

The following requirements apply with respect to the use of drones that do not qualify as “model aircraft” and/or “hobby or recreational use” within the meaning of the FMRA (unless the applicant provides proof of a waiver of any of these requirements): (1) on District property, and (2) when the drones are District-owned. This includes drone use by teachers in courses where the primary purpose of the course is the operation of drones.

- A. The drone must be operated in compliance with all applicable District policies, and all applicable FAA, state, and local laws, regulations, and guidance.
- B. The operator of the drone:
 - 1. Must be at least sixteen years old;
 - 2. Must pass an initial aeronautical knowledge test at an FAA-approved knowledge testing center; and
 - 3. Must be vetted by the Transportation Safety Administration (TSA).
- C. The drone must:
 - 1. weigh less than ten pounds; and
 - 2. be registered with the FAA (at <https://registermyuas.faa.gov/>).
- D. During operation, the drone must remain within the visual line of site of the remote pilot in command and the person manipulating the flight controls, or the visual observer.
- E. The drone may not fly over people.
- F. The drone can only be operated during the day, and only operated within manufacturer’s specifications relative to weather conditions.
- G. The drone must yield right of way to other aircraft.
- H. The drone must fly at or below fifty mph, and at or below 400 feet (within and well below the limitations for operation in Class G airspace).
- I. No person may act as a remote pilot in command or visual observer for more than one drone operation at one time.
- J. The drone cannot be operated from a moving aircraft or vehicle.
- K. The drone requires preflight inspection by the remote pilot in command.

III. *Additional Requirements for Course-Related Drone Use*

A teacher, student, or class using District-owned drones as part of a course curriculum must adhere to the following additional requirements:

- A. Students may not supply cameras, or any other objects, to attach to and use with the District-owned drones. District-owned drones shall be limited to only factory-installed cameras.
- B. Eye protection is required for the drone operator and all members of the class who are present when the drone is operated.
- C. When not in use, all drones must be stored and locked at the High School main office.
- D. In order to use the District-owned drones, the drones must be signed out in a log kept in the High School main office, and then return by an authorized staff member.
- E. Drones shall not be operated indoors under any circumstances.
- F. To maintain compliance with hobby/recreational use requirements, any person providing drone flight demonstrations to District students or staff cannot be compensated for this service.

ADOPTED: September 19, 2017

Appendix A

Drone Usage Request Form

Requestor Information:

Applicant Full Name: _____

Affiliation:

District Employee District Student Other _____

Mailing Address:

Contact Phone: _____

Email Address: _____

Operator Information:

Name(s) of Anticipated Drone Operator(s): _____

FAA Certificate(s) Held by the Operator(s): _____

Please attach copIES of any FAA certificatEs CURRENTLY HELD By ANY ANticipated drone operators.

If no Certificate(s) are held by the Operator(s), state what if any exemption(s) from certification requirements apply/applies, and explain the basis for the exemption(s):

Do the Anticipated Drone Operator(s) have insurance coverage for the drone use? _____

If so, please state the insurance carrier and policy number: _____

FOR PRIVATE DRONE USERS, PLEASE ATTACH PROOF OF ANY INSURANCE COVERAGE.

Purpose of Request / Proposed Activity:

Provide full details of the purpose of the drone flight, and proposed drone flight activities.

Will the drone be used as part of an educational course or curriculum? _____

If so, list which course, and explain how the drone will be used in the course, and further the course curriculum.

Will the drone be used to take photographs or videos? _____

If the drone will be used to take photographs or videos, who will be supplying cameras for such use?

Details of Proposed Operation:

Specific Location for Proposed Activity: _____

Dates for Proposed Activity: _____

Starting Time: _____

Ending Time: _____

Drone Description

A. *For District-Owned Drones:*

Registration Number(s) for Drone(s) Requested: _____

B. *For Privately Owned Drones:*

Type/Model: _____

Weight / Dimensions: _____

Power Source / Serial #: _____

Is this drone required to be registered with the FAA: Yes No

If yes, Registration Number: _____

If not, why is it not required to be registered? _____

Prior Related Requests:

Date(s) of any Prior Related Request(s): _____

Was the previous request approved: Yes No

If yes, date of previous approval: _____

If no, why not? _____

Certification of Applicant:

Name (Print): _____

Signature: _____

Date: _____

By signing above, the individual/entity submitting this request agrees to and will abide by all District policies governing the use of UAS / UAV / drones on or over District property. A copy of the approved UAS Request Form must be in possession of the operator at all times during the activity, and must be presented to any District employee upon request. The District reserves the right to request additional documentation as a condition of approval and operation. In addition, any operator violating any portion of the UAS / UAV / Drone Policy will be held accountable for their actions.