

Bandon School District 54

Code: ECACB
Adopted: 5/13/19
Revised/Readopted: 5/09/22
Orig. Code: ECACB

Unmanned Aircraft System (UAS) a.k.a. Drone

Any employee, volunteer, or representative of the district operating an unmanned aircraft system (UAS) shall do so in accordance with this policy, all applicable Federal Aviation Administration (FAA) and Oregon Department of Aviation (ODA) regulations and local laws.

A small unmanned aircraft, as defined by law, may be operated by the district. A small unmanned aircraft must weigh less than 55 pounds, including the weight of anything attached to or carried by the aircraft and must be registered through the FAA and ODA. The district will register as a user of such with ODA.

Publicly supported kindergarten through grade 12 school programs and publicly-supported entities that support K-12 schools or after school K-12 programs are exempt from the requirement to pay the ODA registration fee.

Prior to operating a UAS, the district will review all airspace, certification, registration, and other requirements. When operating in the National Airspace System (NAS), the supervisor (instructor/teacher) of the educational UAS shall hold a current pilot certification described in 14 C.F.R. Part 107 or have a Certificate of Authorization as described in 49 U.S.C. § 44801, so any student(s) can fly under their direct supervision, and to be in compliance with current FAA¹ regulations. District staff will not operate more than one UAS at the same time.

District employees shall work with administrators to ensure that proper insurance, registration as required by FAA and ODA, reporting to FAA, and authorization from district administration are in place prior to use as a part of the district's curriculum.

A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA)² at OSAA -sanctioned events.

A student in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion.

A staff member in violation of this policy may be subject to disciplinary action, up to and including dismissal.

All data gathered by the district as part of a UAS operation will belong to the district. The data gathering by the district will follow appropriate state and federal laws. Retention of such data will follow state and federal laws.

¹ https://www.faa.gov/uas/educational_users/

² <http://www.osaa.org/governance/handbooks>

The superintendent shall develop procedures³ for the implementation of this policy.

The district shall post a copy of this policy, associated procedures, and a copy of Oregon Revised Statute (ORS) 192.345 on the district's website.

The district will report accidents involving a UAS to FAA no later than 10 calendar days after the accident when it involves:

1. Serious injury to any person or any loss of consciousness; or
2. Damage to any property, other than the small UAS, unless the cost of repair (including materials and labor) does not exceed \$500, or the fair market value of the property does not exceed \$500 in the event of total loss.

Third Party Use

Third party use of a UAS on district property or at district-sponsored events or activities on district property for any purpose is prohibited, unless granted permission from the superintendent or designee.

If permission is granted by the superintendent or designee, the third party operating a UAS will comply with all FAA and ODA registration and use regulations and shall provide the following to the district:

1. Proof of insurance that meets the liability limits established by the district;
2. Proof of UAS registration and authorization (including a certificate identified in 14 C.F.R. Part 107 or a Certificate of Authorization described in 49 U.S.C. § 44801) issued by FAA, and proof of user registration with ODA when required⁴; and
3. A signed agreement holding the district harmless from any claims of harm to individuals or damage to property.

END OF POLICY

Legal Reference(s):

[ORS 164.885](#)
[ORS 174.109](#)
[ORS 192.345](#)

[ORS 837.300 - 837.390](#)
[ORS 837.995](#)

[OAR 738-080-0015 - 080-0045](#)
Senate Bill 581 (2019)

Federal Aviation Administration Reauthorization Act of 2018, 49 U.S.C. §§ 44801-44810 (2012).
Small Unmanned Aircraft Systems, 14 C.F.R. Part 107 (2018).
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).
OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK.

³ Procedures will include: the length of time data will be retained by the district; specifications for third party storage of data, including handling, security and access to the data by the third party; a policy on disclosure of data through intergovernmental agreements.

⁴ A public body, as defined in ORS 174.109, operating an unmanned aircraft system must register as a user with ODA. (ORS 837.360)