

pending Board Approval

Parkrose School District 3

Code: ECACB
Adopted: 10.22.18

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

Any employee or representative of the district operating a district unmanned aircraft system shall do so in accordance with this policy and all applicable Federal Aviation Administration (FAA) regulations.

An “unmanned aircraft system” (UAS) means an unmanned flying machine, commonly known as a drone, and its associated elements, including communication links and the components that control the machine.

The district recognizes the academic value of student operation of a UAS as one component of curricula pertaining to principles of flight, aerodynamics and airplane design and construction, which can also serve as an academic tool in other areas such as television, film production or the arts in general. Therefore, in compliance with the Federal Aviation Administration Modernization and Reform Act of 2012, Section 336, students may operate a UAS as part of a course requirement, as long as that student does not receive compensation directly or incidentally from such operation. District staff teaching a class that allows use of a UAS may assist a student in their operation of the UAS, provided the assistance is needed as part of the curriculum and assistance is to a student enrolled in the course. The staff member’s participation must be limited to the student’s operation of the UAS.

District employees shall work with administrators to ensure that proper insurance, registration and authorization are in place prior to adoption of curriculum that allows operation of a UAS as part of the curriculum.

A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA)¹ 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.

The superintendent shall develop procedures 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) 192.501345 on the district’s website.

¹ <http://www.osaa.org/governance/handbooks/osaa #85>

pending Board Approval

Third Party Use

Third party use of a UAS on district property or at district-sponsored events 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 regulations and shall provide the following to the district:

1. Proof of insurance that meets the liability limits established by the district;
2. Appropriate registration and authorization issued by the FAA and the Oregon Department of Aviation when required; 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 837.300 - 837.390](#)

[OAR 738-080-0015 - 0045](#)

[ORS 174.109](#)

[ORS 837.995](#)

[ORS 192.501345](#)

Federal Aviation Administration Modernization and Reform Act of 2012, P.L. 112-95 § 336 (2012).

Federal Aviation Administration, Educational Use of Unmanned Aircraft Systems (UAS) Memorandum, May 4, 2016.

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK #85 (2015-2016).

Additional Guidance from PACE (not policy) Drone Liability

We hope that your 2018-19 school year has gotten off to a safe and successful “flying” start!

We have recently become aware of several distressing incidents concerning the unsafe use of drones in Oregon schools which merit further attention. These episodes raise legitimate concerns that the PACE members involved may be at serious risk for liability in the unfortunate event of a drone-related accident.

*In order to be eligible for PACE liability coverage the member **must**, at the time of the claim, be using the drone in compliance with all applicable local, state and federal laws. Therefore, it is imperative that superintendents, building administrators, and program administrators be well-versed in both governmental regulations and district policies concerning the use of drones in schools and ensure compliance with them.*

www.faa.gov/uas/

www.oregon.gov/aviation/pages/index.aspx

www.osaa.org/docs/officials/AOH.pdf

We urge PACE members to contact their agent for specific coverage details. If there are further questions, please contact Risk Management at riskmanagement@sdao.com.

PACE | PO BOX 12613 | Salem, OR 97309-0613 | 800-285-5461
