

## Second and Final Reading of New Board Policy: 906 Unmanned Aircrafts – Drones

### **Background:**

Drones are a “hot topic” right now. In fact, drones are showing up at athletic events, wedding festivities, and even the White House. In addition to the privacy concerns associated with drone use, there are also questions of property damage and personal injury. While there are certainly concerns associated with drone use, there are wonderful things going on at schools too, such as students building drones and taking part in learning and conversations at new levels. Consequently, the IASB sample policy is drafted to allow superintendents to examine exceptions to the policy, such as the district’s curriculum, when determining whether to permit drones on district property.

As you consider whether or not the sample policy best meets the needs of your district, please take note of the following important considerations:

**NOTE:** The use of unmanned aircrafts is an unsettled area of the law. There is overlap with federal and state regulations and as such, there is the potential for challenge associated with the enforcement of the policy. Districts should, as with the adoption of any new policy, work with the district’s legal counsel to determine whether, when, and to what extent a policy on unmanned aircraft should be adopted at the local level.

**NOTE:** Districts who wish to approve the use of drones on school property, as part of the curriculum or for other purposes, should consult with the district’s insurance carrier prior to approval and operation. Most general liability policies have an exclusion for aircraft liability and the district would likely need additional liability coverage for the operation of drones. If you are a member of the IASB Safety Group, effective July 1, 2016, your policy with EMC automatically includes liability coverage for bodily injury and property damage caused by drones. However, coverage is not currently available for claims related to violation of privacy.

**NOTE:** Districts should be aware of the FAA unmanned aircraft safety guidelines, which include guidelines such as flying below 400 feet and not flying within 5 miles of an airport unless the airport and control tower have been contacted prior to flying. For a complete list of the guidelines, please visit the "Model Aircraft Operations" section of the FAA website, located at [http://www.faa.gov/uas/model\\_aircraft/](http://www.faa.gov/uas/model_aircraft/).

### **Recommended Action:**

I recommend the board approve the second and final reading of the policy 906 Unmanned Aircrafts – Drones.

## UNMANNED AIRCRAFTS – DRONES

The following policy applies to the extent not preempted by federal or state regulatory jurisdiction regarding unmanned aircrafts. For purposes of this policy, the term “unmanned aircraft” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

The Belmond-Klemme Community School District believes in maintaining the safety, security, and privacy of students, employees, and visitors. In keeping with this belief, the use or possession of unmanned aircrafts is prohibited on district property or in the space above the property that reasonably can be considered part of the district property.

The superintendent may make an exception to this policy in specific cases where the circumstances warrant such exception. In such situations and prior to approval, unmanned aircraft operators shall:

- Supply proof of insurance meeting liability limits established by the district;
- Present appropriate registration and authorization issued by the Federal Aviation Administration (FAA);
- Sign an agreement holding the district harmless from any claims of harm to individuals or damage to property; and
- Meet additional requirements as determined appropriate by the district.

If the unmanned aircrafts are operated as part of the district curriculum, prior to adoption into the curriculum, district employees shall work with district administration to ensure the appropriate insurance, registration, and authorizations are in place.

Unmanned aircrafts shall be operated in accordance with Iowa High School Athletic Association and Iowa Girls High School Athletic Union policy.

Failure to abide by this policy may result in local, state, and federal penalties if applicable.

*Legal Reference:*        FAA Modernization and Reform Act of 2012, P.L. 112-95, Title III, Subtitle B.  
                                 Model Aircraft Operating Standards, FFA AC No. 91-57A (Sept. 2, 2015).  
                                 Office of Chief Counsel, Fed. Aviation Admin., State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet (Dec. 17, 2015).  
                                 IHSAA Drone Policy

*Cross Reference:*        602.1 Curriculum Development

Date of Adoption:    10-21-2021    Reviewed:    \_\_\_\_\_    Revised:    \_\_\_\_\_