

Three Rivers School District

8550 New Hope Rd • PO Box 160 • Murphy, OR 97533

Policy: ECACB
Adopted: 6/20/18

UNMANNED AIRCRAFT SYSTEM (UAS) a.k.a. Drone

Any employee, volunteer, or representative of the district operating an district 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.

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.

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.

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, and 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 provide limited assistance to assist a student operating a in their operation of the UAS, provided the student maintains operational control of the model aircraft such that the staff member’s manipulation of the model aircraft’s controls is incidental and secondary to the student’s assistance is needed as part of the curriculum and assistance is to a student enrolled in the course. The staff member’s de minimis participation must be limited to the student’s operation of the UAS as part of the course.

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 adoption of curriculum that allows operation of a UAS as part of the curriculum 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. Use of a UAS at other district-sponsored athletics or activities is prohibited.

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

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

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 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) 192.504-345 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. Appropriate Proof of UAS registration and authorization (including a certificate in 14 C.F.R. Part 107 or a Certificate of Authorization described in 49 U.S.C. § 44801) issued by the 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 192.504-345](#)
[ORS 837.300 - 837.390](#)
[ORS 837.995](#)

³ Procedures must 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)

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

~~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.~~

~~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 and Rights Privacy Act, 20 U.S.C. § 1232g (2018).~~

~~OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK #857 (2015-2016).~~