

SCHOOL DISTRICT

COMMERCIAL DRONE USE CHECKLIST



This checklist was compiled to help school districts start the implementation of a drone program that will promote safe operations, limited liability, and procedures for understanding uses and laws as well as ensure the extended opportunity to expose young people to aviation.

- ☐ Are all school district drones registered with the Federal Aviation Administration (FAA)?
- ☐ Do teachers/staff use pre-flight checklists and risk mitigation forms for internal use and documentation?
- ☐ Do teachers/staff have flight binders for documentation of flights?
- ☐ Does the school district have unmanned air systems (UAS) or drone maintenance plans and record-keeping procedures?
- ☐ Are all applicable teachers/staff FAA Part 107-certified pilots?
- ☐ Does the current insurance policies include coverage for small UAS/drones? (**Note:** Most private policies do not cover aircraft.)
- ☐ Are there procedures for public flight over district-owned facilities for privately owned aircraft?
- ☐ Are there signs in place for no-drone zones and for proper procedures and permissions?

How can Pitsco Education and CrossFlight help schools achieve successful drone implementations?

1. We can assist with procedures and policies for teachers/staff and student use of district-owned and personal equipment.
2. We can help with equipment and purchases to meet training objectives for STEM education programs.
3. We can check for additional state and local regulations that might be in place and that they are included in your district policy if applicable.
4. We can help establish training programs for district teachers/staff to understand federal regulations relating to safe drone use.
5. We can help you implement a detailed privacy policy that specifies drone use.
6. We can ensure that all school resource officers (SRO) are trained on procedures, laws, and use of drones on or over school property.



FAQS ON

DRONES AND SCHOOLS



Guidance and Research Prepared by: CrossFlight Sky Solutions

We want school districts to be aware of and provide some recommendations to mitigate the inherent risks of flying drones.

First, what exactly is a drone?

A drone is called either a small unmanned aircraft system (UAS) or an unmanned aerial vehicle (UAV) under federal and state laws. Drones are small aircraft flown by operators on the ground that are less than 55 pounds. This includes the larger commercial drones and smaller, more personal drones.

Can drones be flown at school?

Generally, yes. The Federal Aviation Administration (FAA) issued a 2016 memorandum on educational use of UAS that sets forth the conditions under which drones may be flown at schools. The FAA issued this memorandum in recognition that UAS are increasingly being used in education, including science, technology, engineering, and math (STEM) education. Please note that the FAA is updating the information in this memorandum to reflect the most current FAA policy.

Who may use a drone at school?

The type of use and the user will determine the federal laws, including FAA regulations, that apply. Unless an exception applies, a drone operator must obtain FAA authorization before flight and comply with all applicable federal and state laws. A person may operate a drone for hobby or recreational purposes at an educational institution without receiving FAA authorization IF specific requirements are met. The FAA Modernization and Reform Act of 2012 (FMRA) Section 336 hobby or recreation use rule requires that all the following requirements are met. The FAA Reauthorization Act of 2018 rescinded Section 336, but until the FAA publishes new rules, the following items still apply:

1. The drone is flown for hobby or recreation purposes only.
2. The drone is operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization (see, e.g., *Academy of Model Aeronautics Safety Handbook* at www.modelaircraft.org/files/100.pdf).
3. The drone weighs no more than 55 pounds (unless otherwise certified).
4. The drone is operated in a manner that doesn't interfere with and gives way to any manned aircraft.



FAQs CONTINUED

5. When flown within five miles of an airport, the drone operator provides the airport operator and the airport traffic control tower with prior notice of the operations.
6. The hobby or recreational purposes element prohibits the operator from receiving compensation directly or incidentally related to operation of a drone.

The FAA determined that a student's coursework of learning how to operate a UAS constitutes a hobby or recreational activity. UAS use as a part of STEM and aviation-related education or other coursework, such as television and film production or the arts, is consistent with the hobby or recreational use rule. A stand-alone course on UAS flight would likely be considered a commercial venture requiring FAA authorization.

Generally, school faculty do not fall under the Section 336 hobby or recreational use rule. Teachers are compensated for instruction, which excludes them from this rule. Teachers may assist a student who is operating a drone, provided that the student maintains operational control and the teacher's operation of the controls is incidental and secondary to the student's operation.



If a teacher provides more than "limited assistance" to a student operating a drone – or if a teacher or other school employee operates a drone – the teacher/employee must meet the federal, state, and local legal requirements and hold the appropriate certification. The process requires a minimum of six hours of hands-on instruction and passing a written exam focused upon FAA regulations and safety. Visit www.faa.gov/uas/getting_started for more information.

A model aircraft hobbyist or enthusiast may fly UAS at a school to promote safe UAS use and to encourage student interest in aviation provided that the hobbyist receives no compensation (including an honorarium or reimbursement of costs) and if the hobbyist follows the Section 336 requirements stated previously.

If the use does not satisfy Section 336, the school or its teachers and students must meet the statutory prerequisites and obtain requisite FAA approvals. Please note that important FAA safety rules for UAS operation must be reviewed and followed. For example, small UAS must be in the operator's visual line of sight (VLOS), may not be flown above 400 feet, and must remain below surrounding objects. The UAS safety information can be found on the FAA website at faadronezone-access.faa.gov.



Must a school register its drones?

Drones weighing more than .55 pounds and less than 55 pounds **MUST** be registered with the FAA. UAS registration information can be found on the FAA website at faadronezone-access.faa.gov.

FAQs CONTINUED

Could a school or district regulate drone use on or over school property?

Schools may control drone use on or over their property. Schools should require that prior permission is required to operate a non-school-owned drone over school property. Drone operators may not use the drone in a manner that would violate other people's reasonable expectation of privacy. FAA's 2018 "Fact Sheet – Small Unmanned Aircraft Regulations (Part 107)" states that FAA regulations prohibit operation of small UAS "over anyone not directly participating in the operation, not under a covered structure, or not inside a covered stationary vehicle." Operators who wish to operate a drone over people must seek an FAA exemption.



Are schools liable for damage or injury caused by drone operation?

Generally, schools are subject to liability for torts of its officers, employees, and agents acting within the scope of their employment or duties. Drones are commonly considered aircraft. As such, a district's commercial general liability policy may exclude drone-related liability losses for property damage or personal injury. School districts should check their insurance policies to determine whether a standard exclusion for aircraft is included. School districts that consider engaging in school-related drone use should confirm that the usage is not subject to exclusion. If a district purchases, maintains, or rents a drone, it might be wise to obtain specialty aviation insurance. In addition, it might be prudent to obtain coverage that specifically protects the district from claims related to non-school drone losses.

Whom do school districts contact about drone-related liability coverage?

Because of the complex nature of direct and ancillary risk-related exposures (including potential insurability) from drone activities, we encourage school district members to reach out to their insurance and other risk-management advisers.

Whom can I contact for help?

Contact support@pitsco.com for more information on programs and support options for school districts.

