BOE Agenda Item Executive Summary
Date: February 12, 2024

Topic: Proposed Update of Drone Policy

Current Policy	Proposed	Title	Notes
P7090	N/A	Small Unmanned Aircraft Systems (sUAS)	Incorporate and clarify on Title 49, Part 44809 into the policy for JROTC application.

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P7090 SMALL UNMANNED AIRCRAFT SYSTEMS (sUAS)

BOARD POLICY:

The use by any person, entity, or organization of small unmanned aircraft systems (sUAS) on or over property owned or leased by Unified School District No. 259 is governed by this policy. Approved uses will be authorized by the Superintendent's designees only for official business or educational purposes of the district and must be consistent with the law, regulations, and the terms of this policy.

Administrative Implemental Procedures:

1. Approved Uses.
   a. Only uses specifically authorized by the Superintendent's designees are permitted.
   b. Any use not specifically authorized in subparagraph a. is prohibited. Any use for surveillance is not permitted.

2. Review and Authorization Process for sUAS Operations.
   a. Coordination and control of all sUAS operations occurring on or over district property will be vested in the Superintendent's designees. No employee may purchase an sUAS for official business or educational purposes without prior approval from their designees. Following approval for purchase, all district-owned sUAS weighing more than 0.55 pounds (250 Grams) must be registered with the Federal Aviation Administration (FAA) and must have a remote ID prior to operation.
   b. The designees shall confer with their assigned departments desiring to conduct sUAS operations and determine whether the proposed operations are consistent with applicable law, regulations, and this policy. If approved, the respective designee shall appoint an individual within each such department to manage flight operations. Particular operations may be conducted following approval of the flight plan(s) by the departmental appointees.
   c. Each departmental appointee shall submit a call-out procedure governing their flight operations authorization process to their respective designee for approval. The designees shall develop and publish a district-approved sUAS Flight Operations Manual as well as any additional guidelines, policies, and procedures to ensure the safe and proper use of sUAS. The designees shall be the official representative of the district for communications to and from the FAA.

3. Compliance.
   a. All use and operation of sUAS must comply with FAA regulations in Title 14, Part 107, **or in Title 49, Part 44809,** of the **United States Code** and with any other federal, state, or local laws or regulations regarding the use of sUAS.
   b. Any request for a waiver of Part 107 requirements may be submitted by a departmental appointee for approval to the FAA. If granted, operations shall thereafter be conducted consistent with the authority conferred by the FAA, which shall control over any conflicting provision of this policy.

4. sUAS Operators.
   a. All persons operating sUAS outdoors on or over district property must possess a remote pilot certificate with an sUAS rating issued by the FAA or be under the direct supervision of a remote pilot in command who has the ability to immediately take direct control of the

flight of the sUAS. Employees attaining certification must file their certifications with their respective designee.

b. Remote pilots in command must be at least 16 years of age and must perform all necessary training for safe and efficient sUAS operations, including but not limited to aeronautical knowledge training, sUAS model-specific flight training, and any additional training needed for recertification. Operators must be knowledgeable of the laws and regulations governing such operations.

5. sUAS Operations.
   a. Operations are permitted only **(i)** for official business or educational purposes of the district as authorized by the Superintendent's designees, **or (ii) by the district's JROTC program pursuant to 49 U.S.C. § 44809(a)(1)**. All other uses by employees, students, or members of the general public on or over district property are prohibited. Operators, whether district employees, contractors, or students supervised by certificated instructors, will conduct flights in accordance with the district-approved sUAS Flight Operations Manuals and governing law and regulations. Indoor operations are permitted based upon the judgment of the departmental appointee that such operations are suitable within the space. Regardless of location, due regard for the safety of persons, the national airspace, and physical security of property shall guide all operations.
   b. Each operator shall maintain a logbook containing notations for each flight, performance of maintenance or task for the sUAS, and any other information relevant to proper conduct of operations. The logbook shall be submitted to the Superintendent's designees on January 1 and July 1 of each year.
   c. Violations of the law, regulations, or this policy by employees may be subject to discipline. Violations by the public may be subject to referral to the appropriate authorities. As may be required by federal regulations, potential violations may also be reported to the FAA.

6. Data Security and Privacy.
   a. Data acquired from sUAS operations shall be collected, secured, and stored in accordance with electronic data security standards established by the Division of Information Services and Technology. Contractors must agree to retain data for at least three (3) years following any operation and to provide such data to the Superintendent's designees upon request.
   b. Operations shall be conducted so as to minimize the collection of data regarding property not owned or used by the district and shall not infringe upon reasonable expectations of personal privacy. Requests from the general public to delete, de-identify, or obfuscate data gathered shall be submitted to:

      Unified School District No. 259, Sedgwick County, Kansas
      ATTN: Clerk of the Board
      903 S. Edgemoor
      Wichita, KS 67218

   c. The requirements of the Family Educational Rights and Privacy Act (FERPA) and BOE Policy 5501 and its implementing guidelines (5501a) shall govern the collection and maintenance of any data regarding district students.

7. Insurance and Indemnification. Prior to the commencement of any sUAS operations, the designees shall assure their inventoried drones or changes to the inventory are reported to EBIM (Employee Benefits Insurance Management) and are properly covered under the current

drone insurance policy for such operations in an amount not less than five hundred thousand dollars ($500,000.00) per occurrence. Prior to authorization of operations by contractors or other third parties, the departmental appointee overseeing the operation shall require entry of an agreement to indemnify the district and hold it harmless from any and all claims arising from such operations as well as providing proof of liability insurance naming the district as an additional insured in an amount not less than five hundred thousand dollars ($500,000.00) per occurrence before being allowed to operate.

8. sUAS Maintenance. sUAS must be airworthy as defined by the FAA and should be inspected preflight and at regular intervals by authorized personnel to assure their proper and safe operation. Maintenance should be performed in accordance with manufacturer/industry standards. A list of all district-authorized sUAS shall be maintained by the designees.

9. Notifications. Any concerns regarding the propriety or safety of any specific operation or possible violation of this policy should be directed to the Superintendent's designees. Any accident-causing personal injury or damage to property (other than the sUAS) should be reported to the respective designee. Depending on the nature and severity of the incident, the designee shall report the accident to the FAA consistent with the requirements of federal regulations. In addition to FAA reporting and regardless of severity, the Superintendent's designees should assure district forms, including but not limited to, employee report of incident, incident involving a member of public, security incident report, and student accident reports are completed and filed with the proper department in a timely manner.

Administrative Responsibility: Facilities
Latest Revision Date: **February 2024**
Previous Revision Date: **November 2023**

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