



AP 6543 Use of Unmanned Aircraft Systems

References:

FAA Modernization and Reform Act of 2012 (FMRA)

FAA Reauthorization Act of 2018

FAA Small UAS Rule, 14 C.F.R. § 107 (Part 107)

FAA Unmanned Aircraft Systems Regulations, 49 U.S.C. 44801 et. seq.

1. The Santa Clarita Community College District ("District") recognizes that Unmanned Aircraft Systems ("UAS") offer opportunities for teaching and research. Operation of UAS is regulated by the United States Federal Aviation Administration ("FAA") and by federal, state, and local laws. This procedure shall apply to faculty, staff, students, volunteers, vendors and all visitors that seek permission to operate a personally-owned or District-owned UAS on any District property. This policy shall also apply to faculty, staff, students, volunteers, or vendors who operate District-owned UAS on any property. District liability coverage applies to UAS operations within the curriculum or authorized District operations, and consistent with applicable FAA guidelines. Anyone who seeks to operate UAS on District property must receive approval in advance in accordance with this procedure. No operation of UAS is authorized on District property, except as a part of an approved instructional course or curriculum.

2. DEFINITIONS

- A. **Unmanned aircraft system ("UAS"):** Any remotely operated or controlled aircraft intended to fly within the National Airspace System. Includes devices commonly referred to as drones and may also include communications, support, and navigational equipment. FAA regulations apply to all types of UAS regardless of weight or size. All UAS, must be registered with the FAA and marked with a registration number prior to any flight operation.
- B. **Small UAS ("sUAS"):** A UAS weighing less than 55 pounds, including everything that is onboard or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft. sUAS operated for non-hobby or non-recreational purposes are subject to FAA's Small UAS Rule, Part 107. (14 C.F.R. § 107.3.)

- C. **FAA Small UAS Rule (sUAS), 14 C.F.R. § 107 (Part 107): *Non-Recreational Use: Commercial Use or Civil Use (Includes Direct Instruction of Drone Use)***
- D. **Public Aircraft:** A UAS used by a public agency or organization for the purpose of performing “government functions.”
- i. **Government Function:** An activity undertaken by a government, such as national defense, intelligence missions, firefighting, search and rescue, law enforcement (including transport of prisoners, detainees, and illegal aliens), aeronautical research, or biological or geological resource management. (49 U.S.C. § 40125.)
- E. **Civil Use:** A catch-all category of flights, which includes any aircraft that does not qualify as a public aircraft or model aircraft. (49 U.S.C. § 40102(a)(16).) Civil use includes all flights for commercial purposes.
- i. **Commercial purposes:** Flight for compensation or hire. (49 U.S.C. § 40125.)
- ii. **Examples:**
1. Commercial Filming
 2. Commercial Photography (Aerial)
 3. Commercial Surveying
 4. Direct Instruction on Drone Use
- G. **Certificate of Authorization (“COA”):** A certificate granted to an individual or entity by the FAA which outlines specific conditions for flight. The FAA may insert provisions during the approval process to ensure the UAS can be operated safely. A Public Use COA is granted to a public agency or organization to operate a specific aircraft for a specific purpose in a specific location. A Public Use COA is only issued after the process of determining public status, government use, and an operational and technical review.
- H. **Certificate of Waiver (“CoW”):** The FAA allows a UAS operation to deviate from certain provisions of Part 107 if the FAA finds that the proposed operation can be safely conducted under the terms of that CoW. (14 C.F.R. § 107.205.)
- I. **Exception for Limited Recreational Operations:** A person may operate a sUAS without specific certification or operating authority if the operation adheres to **all** of the following limitations: (49 U.S.C. § 44809)
- i. The aircraft is flown strictly for recreational purposes.
1. For the purposes of this section, “recreational purpose” shall include a sUAS operated by an institution of higher education for educational or research purposes. (Pub. L. 116-283, 49 U.S.C. § 44809[note])

- ii. The aircraft is operated in accordance with or within the programming of a community-based organization's set of safety guidelines that are developed in coordination with the FAA.
 - iii. The aircraft is flown within the visual line of sight of the person operating the sUAS or a visual observer co-located and in direct communication with the operator.
 - iv. The aircraft is operated in a manner that does not interfere with and gives way to manned aircraft.
 - v. In Class B, Class C, or Class D airspace or within the lateral boundaries of Class E airspace designated for an airport, the operator obtains prior authorization from the Administrator or designee before operating and complies with all airspace restrictions and prohibitions.
 - vi. In Class G airspace, the sUAS is flown from the surface to not more than 400 feet above ground level and complies with all airspace restrictions and prohibitions.
 - vii. The operator has passed an aeronautical knowledge and safety test issued by the FAA and maintains proof of test passage to be made available to the Administrator or law enforcement upon request.
 - viii. The sUAS is registered and marked in accordance with FAA regulations and proof of registration is made available to the Administrator or law enforcement upon request.
- J. **District Property:** Any land, grounds, buildings, or facilities owned, leased, or used by the District per formal contractual or legal agreements. Also included are District-owned streets, sidewalks, and bike paths.
- K. **Reasonable Expectation of Privacy:** Locations where there is an objective expectation of privacy. Examples include but are not limited to restrooms, locker rooms, residence halls, and health treatment and medical facilities.
- L. **Visitors:** Individuals or entities who intend to fly UAS on District property, other than District employees, students, or District-sponsored organizations.
- M. **Control Station:** An interface used by the remote pilot to control the flight path of the sUAS.
- N. **Visual Observer:** A person who is designated by the remote pilot in command to assist the remote pilot and the person manipulating the controls of the sUAS to see and avoid other air traffic or objects aloft or on the ground.

3. LIMITED RECREATIONAL OPERATION EXCEPTION (EDUCATIONAL AND RESEARCH)

- A. Faculty and students must receive approval from the CIO or designee, who will ensure all laws, rules, regulations and procedures are followed.
- B. sUAS operated by faculty or students for educational or research purposes, may adhere to the Exception for Limited Recreational Operations outlined in section 2(I), above.

- C. Faculty and students shall be subject to the following licensing requirements:
 - i. Students are not required to have a license to operate sUAS while doing so in a course of study or while under the supervision of a faculty member, provided they meet the requirements for the Exception for Limited Recreational Operations.
 - ii. Although faculty may legally operate sUAS without a license pursuant to the Exception for Limited Recreational Operations when used for educational or research purposes, faculty must meet minimum job qualifications for teaching courses, as determined by Instruction and Human Resources.
- D. District employees must receive approval from the Contracts, Procurement & Risk Management Services Office by filing a completed Operating Plan Form at least ten (10) business days before the intended flight (see below).

DISTRICT (NON-INSTRUCTIONAL) USE ON/OFF CAMPUS:	Employee	3rd Party
License Required by UAS Law Part 107	YES	YES

4. PROCEDURES FOR THIRD PARTIES

- A. Third parties (including film crews), wishing to use a UAS on or above District property must first:
 - i. Receive approval from the Contracts, Procurement & Risk Management Services Office by filing a completed Operating Plan Form at least ten (10) business days before the intended flight (see below).
 - ii. Provide proof of licensure, which includes FAA authorization or proof of compliance with Part 107 when operating a sUAS.
 - iii. Provide the Contracts, Procurement & Risk Management Services Office with proof of insurance with a limit of no less than one million dollars (\$1,000,000), and add the District as additional insured. The minimum insurance limit may be increased at the District's discretion.
 - iv. Sign a written agreement holding the District harmless from any resulting claim, loss, harm to individuals, or damage to property.
- B. Any other of UAS that is not authorized by the District may be considered recreational or hobbyist activity; therefore, it is not authorized on campus.

5. GENERAL PROCEDURE FOR ALL UAS OPERATORS NOT SUBJECT TO LIMITED RECREATIONAL EXEMPTION (REQUIRING A LICENSE)

- A. Any District faculty, staff or employee wishing to operate UAS as a part of their job duties or as part of a District program must first:
 - i. Any individuals or organizations operating UAS for non-hobbyist or non-recreational purposes must provide proof of an COA or compliance with sUAS Part 107 Rules.

- ii. The UAS pilot must complete the requirements to obtain a Remote Pilot Operator license by:
 - 1. Demonstrating aeronautical knowledge by, within the previous 24 calendar months, either:
 - a. Passing an aeronautical knowledge test at an FAA-approved testing center; or
 - b. Hold a part 61 pilot certificate other than student pilot, complete a flight review within the previous 24 months, and complete a small UAS training course provided by the FAA; or
 - c. Completing recurrent training covering the areas of knowledge specified in 14 C.F.R. § 107.73.
 - 2. Be vetted by the Transportation Security Administration, including passing a background check. Be at least 16 years old.
 - 3. For operation of a sUAS, be able to speak, write, and understand the English language. If an applicant is unable to meet one of these requirements due to medical reasons, the FAA may place such operating limitations on that applicant's certificate as are necessary for the safe operation of the sUAS. (14 C.F.R. § 107.61(b))
 - 4. An individual who does not possess a Remote Pilot Operator license may manipulate the flight controls of a sUAS if they are under the direct supervision of a remote pilot in command and the remote pilot in command has the ability to immediately take control of the flight of the sUAS. (14 C.F.R. § 107.12)
- ii. The same procedures listed above also apply for off-campus use. In addition, the operator shall be responsible for ensuring that all UAS operations comply the particular flight restrictions and requirements in the particular flight area, including applicable local ordinances, trespass laws, and privacy laws.

B. Exceptions:

- i. All sUAS operators without an exemption for limited recreational purposes or COA must comply with all of the provisions of Part 107, including operating rules, preflight inspection requirements, registration requirements, accident reporting requirements, and must provide proof of a remote pilot certificate. The Contracts, Procurement & Risk Management Services Office may choose to allow exceptions to Part 107 requirements if the operator presents an FAA-authorized CoW and the Contracts, Procurement & Risk Management Services Office determines that the District's interests are best served by allowing such flight.
- 1. CoW: (14 C.F.R. § 107.200)
 - a. A request for a CoW must contain a complete description of the proposed operation and justification that establishes that the operation may be conducted under the terms of the CoW.

- b. A person who receives a CoW may deviate from FAA regulations to the extent specified in the CoW, and must comply with any conditions or limitations specified in the CoW.
- c. The only FAA regulations subject to a CoW are outlined in 14 C.F.R. § 107.205.

C. OPERATING PLAN FORM

- i. All individuals or organizations seeking to operate a UAS on District property outside instructional use must submit an Operating Plan Form to the Contracts, Procurement & Risk Management Services Office at least ten (10) business days before the intended flight. The CBO will review the Operating Plan Form and make a recommendation of approval, noting any limitations.
- ii. The Director of the Contracts, Procurement & Risk Management Services Office will notify applicants of approval to operate on or above District property. This must be received before the UAS is brought onto campus. If approved, a copy of the approved Operations Plan Form must be in possession of the operator at all times during flight activity, and must be presented to District officials upon request.
- iii. The District holds the right to immediately shut down the operation of a UAS on District property if found to be operating in violation of the operator's FAA-approved status, or any federal, state, and local law or regulation, or in violation of District policies, or in a way that interferes with or poses a risk to District persons or property. Violations will be referred to applicable District disciplinary processes and will be considered regarding future UAS requests.
- iv. Local law enforcement use of UAS technology in execution of a search warrant or as part of a tactical response to an immediate threat is automatically authorized, subject to applicable law and government regulations.
- v. The Contracts, Procurement & Risk Management Services Office shall create and make available the Operating Plan Form, which shall contain at least the following information:
 - 1. Equipment to be used (include information about the UAS control systems, communication systems, etc.)
 - 2. A COA, other FAA authorization, or proof of compliance with Part 107 (for non-recreational operation)
 - 3. Date and approximate time to be used
 - 4. Location(s) to be used
 - 5. Purpose(s) of the operation
 - 6. Specific need for use of UAS equipment
 - 7. The identity and day-of-flight contact information of pilot(s) or other remote Operator(s)

8. Prior experience of Operator(s)
9. All forms of data (including imagery) to be collected
10. Intended use of data
11. Current status of any required licenses or permissions
12. Provisions for security of the equipment, both during and outside of operation, and of any sensitive data collected

6. REQUIREMENTS TO OPERATE A DRONE

A. FAA REQUIREMENTS: At a minimum, all operators must comply with the following requirements:

- i. Any person flying a UAS within 5 miles of an airport or other airspace (heliport) must obtain permission from the airport or control tower prior to flying UAS within this 5-mile radius.
 1. District's Valencia campus is located within 5 miles of 4 heliports (Sheriff's Station Heliport, Sheriff's Wayside Heliport, Castaic Dam Heliport, and Henry Mayo Newhall Memorial Hospital Heliport), and thus the operator must obtain permission from each of these heliports prior to flying a UAS.
 2. District's Canyon Country campus is not located within 5 miles of any airport or heliport.
- ii. UAS must be flown at a maximum altitude of 400 feet.
- iii. UAS must stay well away from manned aircraft, especially low-flying helicopters.
- iv. Operator must be within visual line of sight, unaided by any device other than corrective lenses, of UAS and in control at all times.
 1. For a sUAS, a remote pilot and command and the person manipulating the flight controls need not be in visual line of sight if a Visual Observer is in visual line of sight and maintains effective communication at all times. The remote pilot in command, the person manipulating the flight controls, and the Visual Observer must coordinate to scan the airspace where the sUAS is operating for any potential collision hazard and maintain awareness of the position of the sUAS through direct visual observation. (14 C.F.R. § 107.31-33)
- v. UAS may not be flown over outdoor athletic facilities or stadiums when people are present.
- vi. UAS flight is prohibited over any person not participating in the operation of the UAS, under a covered structure, or inside a covered stationary vehicle.
- vii. UAS may not be flown near emergency response efforts such as fires.
- viii. Operators must not fly UAS while under the influence.
- ix. Hobbyist operators must not fly an aircraft that weighs more than 55 pounds.
- x. Operators must be aware of airspace requirements, including no fly zones.
- xi. Operators must be in possession of their FAA registration certificate during any flight, either on paper or electronically.
- xii. Operators must be in possession of a copy of the approved Operations Plan Form at all times.

- xii. Operators must not fly sUAS if they know or have reason to know they have a physical or mental condition that would interfere with the safe operation of the sUAS. (14 C.F.R. § 107.17)

B. DISTRICT REQUIREMENTS: *In addition to the above safety requirements and any particular individual or organization's COA or Part 107 requirements, the District imposes the following restrictions, which apply to the time, place, and manner in which UAS and model aircrafts are operated on District property:*

- i. Only persons with appropriate certification and District-approval may fly the UAS.
- ii. UAS may only be flown during daylight hours.
- iii. UAS may not be flown within 100 feet of buildings.
- iv. UAS may not be flown within 150 feet of persons or animals.
- v. UAS may not be flown in adverse weather conditions such as in high winds or reduced visibility.
- vi. UAS may not be flown in a manner which interferes with ground vehicles or traffic.
- vii. UAS may not be flown inside buildings.
- viii. UAS operators must not recklessly attempt to perform maneuvers that could result in injury or damage.
- ix. UAS may not be used to monitor or record sensitive institutional or personal information which may be found, for example, on an individual's workspaces, on computer or other electronic displays.
- x. UAS may not be flown over Early Childhood Education Center facilities.
- xi. UAS may not conduct surveillance or photograph persons in areas where there is an expectation of privacy without the individual's permission. All videography, photography, or audio recording is subject to District's Board Policy regarding camera use.
- xii. UAS may not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms. These areas include but are not limited to restrooms, locker rooms, changing or dressing rooms, and health treatment rooms.

- C. Violations of any restrictions listed in the policy may result in revocation of District flight approval and future use, and disciplinary action.
- D. If you have any questions about whether your use of UAS on District property complies with the District's regulations, please contact the Risk Management Office.

7. LIMITED RECREATIONAL PURPOSE REQUIREMENTS:

In order to qualify for an exemption for limited recreational purposes, in addition to the requirements set forth herein, the operator must comply with all requirements contained at <https://ftca.flitetest.com/safety-guidelines/>.

8. DRONE PURCHASE USING A DISTRICT ACCOUNT

- A. Any District employee, student, or department wishing to purchase a UAS (or the parts to assemble a UAS) with District funds or funds being disbursed through a District account, or grant funds, must contact the Contracts, Procurement & Risk Management Services Office in advance in order to assess the District's ability to obtain a COA or other FAA authorization and to obtain approval to proceed with the purchase.

9. MAINTENANCE AND STORAGE

- A. The District department which purchased the UAS is responsible for maintenance and storage of all UAS equipment. When not in use, the UAS must be secured in a locked area on campus.

10. DAMAGE OR INJURY

- A. In the event of damage or injury arising from use of the UAS, the operator shall notify Campus Safety at extension 3229 to report the incident and the incident must be documented in an incident report. Additionally, operators must comply with Part 107 reporting requirements, when applicable.

Reviewed by CPC: 11/12/2024

Approved: 01/31/2025

Next Review Date: Spring 2031