

AP 6543 Use of Unmanned Aircraft Systems

References:

- FAA Modernization and Reform Act of 2012 (FMRA)
- FAA Small UAS Rule, 14 C.F.R. § 107 (Part 107)
- FAA Special Rule for Model Aircraft 14 C.F.R. 101.41-43

Introduction:

The Santa Clarita Community College 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 model aircraft (recreational or hobbyist) is authorized on District property, except as a part of an approved instructional course or curriculum.

1. 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. Model aircraft, a subset of UAS, have separate procedures detailed in this policy. All UAS, excluding model aircrafts, 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.)
 - 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).*
- C. **Model Aircraft**: A UAS that is (1) flown for hobby or recreational purposes; (2) capable of sustained flight in the atmosphere; and (3) flown within visual line of sight of the aircraft operator. Must not exceed a weight of 55 pounds. Model aircrafts may be

operated in one of two ways: (1) according to the FAA's Special Rule for Model Aircrafts; or (2) according to the FAA's sUAS Rule at Part 107.

- D. **Hobby or Recreational Purposes**: UAS operations for enjoyment and not for work, business purposes, or for compensation or hire.
- E. **Public Aircraft**: A UAS used by a public agency or organization for the purpose of performing "government functions."
- F. **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.)
- G. **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.
- H. **Commercial purposes**: Flight for compensation or hire. (49 U.S.C. § 40125.)
 - **Examples**:
 - Commercial Filming
 - Commercial Photography (Aerial)
 - Commercial Surveying
 - Direct Instruction on Drone Use
- I. **Section 333 exemption**: An FAA exemption under Section 333 of the FAA Modernization and Reform Act of 2012 grants an individual or entity the ability to operate a UAS for civil and non-governmental purposes and activities, other than recreational or hobbyist activities.
- J. **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.
- K. **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.)

- L. **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.
- M. **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.
- N. **Visitors:** Individuals or entities who intend to fly UAS on District property, other than District employees, students, or District-sponsored organizations.

2. Procedures for District Operation

- A. Faculty and students must receive approval from the CIO or designee, who will ensure all laws, rules, regulations and procedures are followed.

INSTRUCTIONAL USE ON/OFF CAMPUS:	Faculty	Student
Class on Drone Use License Required by UAS Law Part 107	YES	NO
Supervision by Faculty – Peripheral Drone Use License Recommended by District	YES	NO
No Faculty Supervision – Peripheral Drone Use License Recommended by District	N/A	YES

- B. 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

3. Procedure for Third Parties

- A. Third parties (including film crews), wishing to use a UAS on or above District property must first:
 - 1) 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).
 - 2) Provide proof of licensure, which includes FAA authorization or proof of compliance with Part 107 when operating a sUAS.

- 3) 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.
 - 4) 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.

4. General Procedure for All UAS Operators 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:
- Any individuals or organizations operating UAS for non-hobbyist or non-recreational purposes must provide proof of an FAA-issued Section 333 exemption, COA, or compliance with sUAS Part 107 Rules. Operators are required to follow the specifications in a Section 333 exemption and file for any necessary amendments in advanced and will be restricted to specific locations, and subject to specific conditions, parameters, and limitations of flight operations.
 - Those operating UAS under a Section 333 exemption must also review and be aware of all FAA specifications.
 - The UAS pilot must complete the requirements to obtain a Remote Pilot Operator license by:
 - Demonstrating aeronautical knowledge by either:
 - Passing an aeronautical knowledge test at an FAA-approved testing center; or
 - 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.
 - Be vetted by the Transportation Security Administration, including passing a background check.
 - Be at least 16 years old.
 - 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:

All sUAS operators without a Section 333 Exemption 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.

5. Operating Plan Form

- A. 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 Vice President of Business Services will review the Operating Plan Form and make a recommendation of approval, noting any limitations.
- B. 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.
- C. 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.
- D. 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.
- E. 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:

- 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.
 - 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.
 - District's Canyon Country campus is not located within 5 miles of any airport or heliport.
- UAS must be flown at a maximum altitude of 400 feet.
- UAS must stay well away from manned aircraft, especially low-flying helicopters.
- Operator must be within visual line of sight of UAS and in control at all times.
- UAS may not be flown over outdoor athletic facilities or stadiums when people are present.

- 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.
 - UAS may not be flown near emergency response efforts such as fires.
 - Operators must not fly UAS while under the influence.
 - Hobbyist operators must not fly an aircraft that weighs more than 55 pounds.
 - Operators must be aware of airspace requirements, including no fly zones.
 - Operators must be in possession of their FAA registration certificate during any flight, either on paper or electronically.
 - Operators must be in possession of a copy of the approved Operations Plan Form at all times.
- B. District Requirements: In addition to the above safety requirements and any particular individual or organization's Section 333 Exemption, 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:
- Only persons with appropriate certification and District-approval may fly the UAS.
 - UAS may only be flown during daylight hours.
 - UAS may not be flown within 100 feet of buildings.
 - UAS may not be flown within 150 feet of persons or animals.
 - UAS may not be flown in adverse weather conditions such as in high winds or reduced visibility.
 - UAS may not be flown in a manner which interferes with ground vehicles or traffic.
 - UAS may not be flown inside buildings.
 - UAS operators must not recklessly attempt to perform maneuvers that could result in injury or damage.
 - 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.
 - UAS may not be flown over Early Childhood Education Center facilities.

- 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.
- 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.
- Violations of any restrictions listed in the policy may result in revocation of District flight approval and future use, and disciplinary action.

7. 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.

8. 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.

9. 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.

Date Adopted: January 24, 2018

Next Review Date: Spring 2024