

Unmanned Aircraft System (UAS) a.k.a. Drone

Any employee or representative of the ESD operating an unmanned aircraft system (UAS) shall do so in accordance with this policy all applicable Federal Aviation Administration (FAA) regulations and Oregon Department of Aviation (ODA) regulations and local law.

A small unmanned aircraft, as defined by law, may be operated by the ESD. 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 ESD 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 ESD 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, which can also serve as an academic tool in other areas such as television, film production or the arts in general.

Prior to operating a UAS, the ESD will review all airspace, certification, registration, and other requirements. When operating in the National Airspace System (NAS), the supervisor (instructor or 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 29 U.S.C. 44801, so any student(s) can fly under their direct supervision, and to be in compliance with current FAA regulations. ESD staff will not operate more than one UAS at the same time.

ESD employees shall work with district administrators to ensure that proper insurance, registration as required by FAA and ODA, reporting to FAA and authorization from ESD administration are in place prior to use as part of the curriculum.

A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA) when they are operated at OSAA sanctioned events.

An ESD staff member in violation of this policy may be subject to disciplinary action, up to and including dismissal.

All data gathered by the ESD as part of a UAS operation will belong to the ESD. The data gathering by the ESD will follow appropriate state and federal laws. Retention of such data will follow state and federal laws.

The superintendent shall develop procedures for the implementation of this policy. The ESD shall post a copy of this policy, associated procedures and a copy of Oregon Revised Statute (ORS) 192.501 on the ESD's website.

Third Party Use

Third party use of a UAS on ESD property or at ESD-sponsored events for any purpose is prohibited, unless granted permission from the superintendent's designee.

If permission is granted by the superintendent's 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 ESD:

1. Proof of insurance that meets the liability limits established by the ESD;
2. Proof of UAS registration and authorization (including a certificate identified 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 required; and
3. A signed agreement holding the ESD 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 192.345](#)

ORS 334.125(7)
[ORS 837.300](#) to -837.390
[ORS 837.995](#)

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

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 Rights Privacy Act, 20 U.S.C. 1232g (2018)
OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK #87