

1 The board supports and encourages the use of innovative and emerging technologies, including  
2 unmanned aircraft or drones, to further the goals and objectives of the educational program.  
3 However, the board also must consider how the use of such technologies may impact the safety,  
4 security, and privacy of people and property. Therefore, the board authorizes some use of  
5 unmanned aircraft on school property and at school-sponsored events in accordance with the  
6 requirements of this policy and to the extent that such use is not otherwise prohibited by federal,  
7 state, or local law or regulation.

8  
9 This policy applies to all students, school system employees, contractors and vendors, school  
10 visitors, and other members of the general public on school property and at school-sponsored  
11 events.

### 12 13 **A. DEFINITIONS**

14 For purposes of this policy, the following definitions apply.

- 15  
16  
17 1. An “unmanned aircraft” or “drone” is an aircraft weighing less than 55 pounds  
18 that is operated without the possibility of direct human intervention from within  
19 or on the aircraft. The board strictly prohibits the use of an unmanned aircraft  
20 weighing more than 55 pounds on school property or at a school-sponsored event.  
21
- 22 2. The “use” of an unmanned aircraft includes the launch, operation, and/or recovery  
23 of the unmanned aircraft.  
24
- 25 3. “School property” includes any property that is owned, leased, or otherwise  
26 controlled by the board.  
27
- 28 4. Use of an unmanned aircraft is for a “recreational” purpose if the use is solely for  
29 personal interests or enjoyment. Use for work or business purposes or for  
30 compensation or hire is not considered to be recreational.  
31

### 32 **B. AUTHORIZED USE OF UNMANNED AIRCRAFT**

33  
34 The use of an unmanned aircraft on school property or at a school-sponsored event for  
35 any purpose must be approved in writing by the superintendent or designee and must  
36 comply with the requirements of this policy and all other applicable board policies,  
37 including the public use requirements of policy 5030, Community Use of Facilities, when  
38 applicable. Such use also must comply with all federal, state, and local laws and  
39 regulations, including the most current registration, certification, permit, safety, and other  
40 requirements established by the Federal Aviation Administration (FAA) and the North  
41 Carolina Department of Transportation (NCDOT).

42  
43 The superintendent or designee may grant approval for use on a case-by-case basis with  
44 any additional requirements or restrictions deemed appropriate, including, for example, to

45 protect the safety, security, and privacy of people and property. However, the  
46 superintendent or designee shall not approve the use of unmanned aircraft for recreational  
47 purposes on school property or at school-sponsored events during the school day or at  
48 any other time when groups of students or employees may be present outdoors.  
49

50 Prior to obtaining approval from the superintendent or designee, the operator of any  
51 unmanned aircraft may be required to provide proof of insurance, including adequate  
52 liability coverage for any claims arising out of the use of an unmanned aircraft, and proof  
53 of the registration, certification, permit, and/or waiver required by the FAA and/or  
54 NCDOT to operate the unmanned aircraft for the intended purpose(s).  
55

56 An unmanned aircraft used on school property or at a school-sponsored event must be  
57 operated either by or under the direct supervision of an FAA-certified drone pilot in  
58 accordance with subsection B.1, below, or by a recreational flyer in accordance with  
59 subsection B.2, below.  
60

61 1. Use by or under the Direct Supervision of an FAA-Certified Drone Pilot  
62

63 An FAA-certified drone pilot, or an individual under the direct supervision of an  
64 FAA-certified drone pilot, may operate an unmanned aircraft for any commercial,  
65 educational, recreational, or other school system-related purpose as approved by  
66 the superintendent or designee. To qualify as an FAA-certified drone pilot, an  
67 individual must obtain a Remote Pilot Certificate from the FAA and have the  
68 certificate easily accessible during all use.  
69

70 An FAA-certified drone pilot and any individual under the direct supervision of  
71 an FAA-certified drone pilot must comply with all federal, state, and local laws  
72 and regulations, including all applicable requirements under 14 C.F.R. Part 107  
73 (“Part 107”). In addition, if the use of an unmanned aircraft is not solely for  
74 hobby or recreational purposes, an FAA-certified drone pilot and any individual  
75 under the direct supervision of an FAA-certified drone pilot also must comply  
76 with the training and permit requirements of G.S. 63, art. 10, as applicable.  
77

78 2. Use by a Recreational Flyer  
79

80 A recreational flyer may operate an unmanned aircraft strictly for recreational  
81 purposes as approved by the superintendent or designee. A recreational flyer is  
82 not required to be an FAA-certified drone pilot or under the direct supervision of  
83 an FAA-certified drone pilot. However, a recreational flyer must comply with all  
84 federal, state, and local laws and regulations, including all applicable federal  
85 requirements under the *Exception for Limited Recreational Operations of*  
86 *Unmanned Aircraft* (49 U.S.C. 44809).  
87

88 **C. UNAUTHORIZED USE OF UNMANNED AIRCRAFT**

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89  
90 School system employees shall reasonably attempt to monitor school property and  
91 school-sponsored events for the unauthorized use of unmanned aircraft. Employees must  
92 report any known or suspected unauthorized use of an unmanned aircraft as soon as  
93 practicable to the principal or other school official responsible for supervising the school  
94 property or school-sponsored event. If the unauthorized use poses a threat to the safety,  
95 security, or privacy of people or property, the employee should attempt to intervene  
96 directly if it is possible to do so safely and effectively and ask the operator to discontinue  
97 the use. If the employee is unable to identify the individual operating the unmanned  
98 aircraft, or if the unmanned aircraft is grounded and unattended, the employee should  
99 immediately notify the principal or other school official responsible for supervising the  
100 school property or school-sponsored event.

101  
102 A student or school system employee who uses an unmanned aircraft in violation of this  
103 policy will be subject to disciplinary action, up to and including suspension or expulsion  
104 for students and termination for employees. A contractor or vendor, school visitor, or  
105 other member of the general public who uses an unmanned aircraft in violation of this  
106 policy will be asked to discontinue the unauthorized use and/or asked to leave school  
107 property or the school-sponsored event in accordance with policy 5020, Visitors to the  
108 Schools.

109  
110 School officials may also report the unauthorized use of an unmanned aircraft to local  
111 law enforcement and/or the FAA, as appropriate.

#### 112 113 **D. GUIDELINES FOR ALL USE OF UNMANNED AIRCRAFT**

##### 114 115 1. FAA Safety Guidelines

116  
117 A student, school system employee, contractor or vendor, school visitor, or other  
118 member of the general public who is authorized by the superintendent or designee  
119 to operate an unmanned aircraft on school property or at a school-sponsored event  
120 must comply with all applicable FAA safety guidelines, including, but not limited  
121 to, the following.

- 122  
123 a. The unmanned aircraft must be registered with the FAA and marked with  
124 the registration number.
- 125  
126 b. No later than September 16, 2023, the unmanned aircraft must be  
127 equipped with remote identification unless flying within an FAA-  
128 recognized identification area.
- 129  
130 c. The unmanned aircraft must have a maximum groundspeed of 100 mph or  
131 less.
- 132

- 133 d. The operator ~~must fly the unmanned aircraft during daylight only and~~  
134 must keep the unmanned aircraft within his or her visual line of sight at all  
135 times.  
136
- 137 e. The operator must not fly the unmanned aircraft above 400 feet in  
138 uncontrolled airspace and must not fly the unmanned aircraft in controlled  
139 airspace (e.g., near airports) without FAA authorization. The operator  
140 must comply with all other FAA airspace restrictions (e.g., near military  
141 bases).  
142
- 143 f. The operator must not fly the unmanned aircraft near other aircraft and  
144 must always yield the right of way to all other aircraft, especially manned  
145 aircraft.  
146
- 147 g. The operator must not fly the unmanned aircraft ~~over people, groups of~~  
148 ~~people, public events, or stadiums full of people, or~~ near emergency  
149 response activities.  
150
- 151 h. The operator must not fly the unmanned aircraft under the influence of  
152 drugs or alcohol. In addition, the operator must not fly the unmanned  
153 aircraft if he or she knows or has reason to know of any other physical or  
154 mental condition that would interfere with the safe operation of the  
155 unmanned aircraft.  
156
- 157 i. The operator must not otherwise fly the unmanned aircraft in a careless or  
158 reckless manner.  
159
- 160 2. Other Guidelines  
161
- 162 A student, school system employee, contractor or vendor, school visitor, or other  
163 member of the general public who is authorized by the superintendent or designee  
164 to operate an unmanned aircraft on school property or at a school-sponsored event  
165 also must comply with the following guidelines established by the board.  
166
- 167 a. The operator of any unmanned aircraft on school property or at a school-  
168 sponsored event must provide appropriate documentation of approval from  
169 the superintendent or designee immediately upon request by any school  
170 system employee.  
171
- 172 b. Students are prohibited from operating an unmanned aircraft on school  
173 property or at a school-sponsored event without appropriate faculty or  
174 other adult supervision whether or not such supervision is required under  
175 federal regulations.  
176

- 177 c. The superintendent or designee, as well as the principal or other school  
178 official responsible for supervising school property or a school-sponsored  
179 event, may require the operator of an unmanned aircraft to temporarily or  
180 permanently suspend further use of the unmanned aircraft on school  
181 property or at a school-sponsored event at any time for any reason.  
182
- 183 d. The use of an unmanned aircraft to photograph or to record audio and/or  
184 video of the following is prohibited without the express written approval  
185 of the superintendent: (a) students, employees, visitors, or other  
186 individuals, (b) school- or school system-sponsored activities and other  
187 events, or (c) school buildings or other school system facilities. Any such  
188 photographs or other audio and/or video recordings obtained through the  
189 use of an unmanned aircraft may not be used for any marketing or other  
190 commercial purpose or otherwise distributed to a third party without the  
191 express written approval of the superintendent.  
192
- 193 e. Unmanned aircraft may not be flown over people or moving vehicles  
194 without the express written approval of the superintendent. As a pre-  
195 condition of receiving approval, the operator must provide the  
196 superintendent information sufficient to determine that the flight will be  
197 conducted in compliance with applicable FAA regulations.  
198
- 199 f. Any data or other information collected through the use of an unmanned  
200 aircraft may not be sold for profit.  
201
- 202 g. The use of an unmanned aircraft inside any enclosed school or other  
203 building on school property (including any school or other building under  
204 construction) or indoors at a school-sponsored event off school property is  
205 prohibited without the express written approval of the superintendent or  
206 designee.  
207
- 208 h. The use of unmanned aircraft within the physical confines of any stadium,  
209 field, arena, or other structure, including the playing area of the venue,  
210 during a North Carolina High School Athletic Association contest,  
211 including pre-and post-game activities, is prohibited.  
212
- 213 i. Any incident resulting in an injury to a person or damage to property  
214 caused by the use of an unmanned aircraft must be reported immediately  
215 or as soon as practicable thereafter to the principal or other school official  
216 responsible for supervising the school property or school-sponsored event  
217 where the incident occurred. This requirement applies whether or not the  
218 incident is also subject to the mandatory reporting requirements under  
219 federal regulations.  
220

221 j. Any unmanned aircraft owned by a school or the school system must be  
222 properly insured and must be scheduled (i.e., listed on the policy) and  
223 operated as required by the school system's liability coverage agreement.  
224

225 The superintendent or designee may develop any additional administrative  
226 procedures or other regulations necessary to implement the requirements of this  
227 policy or to further protect the safety, security, and privacy of people and  
228 property.  
229

230 Legal References: FAA Reauthorization Act of 2018, P.L. 115-254; 49 U.S.C. 44801 *et seq.*; 14  
231 C.F.R. Part 89, Part 107; Federal Aviation Administration, Advisory Circular 91-57B (May 31,  
232 2019), available at [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/AC\\_91-](https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_91-57B.pdf)  
233 [57B.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_91-57B.pdf); Federal Aviation Administration, Advisory Circular 107-2 (June 21, 2016), available at  
234 [https://www.faa.gov/uas/resources/policy\\_library/media/AC\\_107-2\\_AFS-1\\_Signed.pdf](https://www.faa.gov/uas/resources/policy_library/media/AC_107-2_AFS-1_Signed.pdf); G.S. 14-  
235 7.45, -280.3, -401.24, -401.25; G.S. 15A-300.1, -300.2, -300.3; G.S. 63, art. 10; G.S. 113-295;  
236 North Carolina High School Athletic Association, Policy 2.2.3(c) (2019-2020 2021-2022),  
237 available at <https://www.nchsaa.org/handbook>  
238 <https://www.nchsaa.org/sites/default/files/attachments/2.2.3%20Facilities.pdf>  
239

240 Cross References: Student Behavior Policies (4300 series), Visitors to the Schools (policy  
241 5020), Community Use of Facilities (policy 5030)  
242

243 Other Resources: Federal Aviation Administration, Unmanned Aircraft Systems (UAS) website,  
244 available at <https://www.faa.gov/uas/>; North Carolina Department of Transportation, Division of  
245 Aviation, Unmanned Aircraft Systems website, available at  
246 <https://www.ncdot.gov/divisions/aviation/uas/Pages/default.aspx>  
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