

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**

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

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

221 operated as required by the school system's liability coverage agreement.

222

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

227

228 Legal References: FAA Reauthorization Act of 2018, P.L. 115-254; 49 U.S.C. 44801 *et seq.*; 14
229 C.F.R. Part 89, Part 107; Federal Aviation Administration, Advisory Circular 91-57B (May 31,
230 2019), available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_91-57B.pdf;
231 Federal Aviation Administration, Advisory Circular 107-2 (June 21, 2016), available at
232 https://www.faa.gov/uas/resources/policy_library/media/AC_107-2_AFS-1_Signed.pdf; G.S. 14-
233 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;
234 North Carolina High School Athletic Association **Handbook**, Policy 2.2.3(e) (2021-2022),
235 available at <https://www.nchsa.org/handbook>

236

237 Cross References: Student Behavior Policies (4300 series), Visitors to the Schools (policy
238 5020), Community Use of Facilities (policy 5030)

239

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

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