



**FOOTHILL-DE ANZA  
Community College District**

Book	Administrative Procedures
Section	Chapter 3 - General Institution
Title	Use of Unmanned Aircraft Systems
Code	AP 3910
Status	New
Legal	<a href="#">Federal Aviation Administration Modernization &amp; Reform Act of 2012</a> <a href="#">Federal Aviation Administration Small UAS Rule, 14 CFR §107 (Part 107)</a> <a href="#">California Civil Code §1708.8</a>
Origin	Chancellor's Office
Office	Business Services Office
Next Review	July 1, 2025

Operation of Unmanned Aircraft Systems (UAS) shall only be allowed in accordance with this Administrative Procedure.

This Administrative Procedure applies to:

- any District employee and any student operating UAS in any location as part of their District employment, educational experience, or as part of their College activities; and
- the operation of a UAS by any person(s) on or above District property.

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, shall contact the Director, Purchasing, Contracts & Risk Management or designee in advance in order to assess whether the requested operation of the UAS will comply with the FAA Small UAS Rule, 14 C.F.R. §107 (Part 107) and to obtain approval to proceed with the purchase. All purchases of a UAS or its parts are also subject to the District's purchasing procedures set forth in AP 3140.

**DEFINITIONS:**

**Unmanned Aircraft Systems (UAS)** – UAS are also known as and commonly referred to as Drones. According to the FAA, a UAS is the unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft. Model Aircraft are not considered by the FAA as UAS and have different regulations which apply to their operation.

**Small UAS** – Small UAS are UAS that weigh less than 55 lbs., on takeoff, including everything that is onboard or otherwise attached to the UAS. Small UAS are the only type of UAS that can be operated on District property other than by police or other first responders in connection with an emergency.

**Model Aircraft** – Model Aircraft are not for business purposes and are only used for hobby and recreation. Model Aircraft are not subject to the same FAA regulations as UAS.

**District Property-** District property includes all buildings, grounds, parking lots and land that are owned by the District or controlled by the District via leases or other formal contractual arrangements to house ongoing District operations.

**Remote Pilot Certificate.** A Remote Pilot Certificate with a small UAS rating is a certificate issued by the FAA and is required for operation of a small UAS.

### **PROCEDURES FOR APPROVAL OF UAS OPERATIONS:**

UAS flights that are considered to be in support of or in concert with the mission of the District or Colleges will be considered for approval.

UAS and Model Aircraft shall not be flown over District buildings, pedestrian walkways, roads, parking lots and athletic fields and facilities. Nor shall UAS and Model Aircraft be flown inside District buildings. If a UAS or Model Aircraft is operated outside of permitted areas and causes damage to District property or personal injury to anyone on District property, the operator shall be solely responsible for the expense to repair or replace the damaged property, and for any personal injury damages caused by the operation of the UAS or Model Aircraft.

The District's Director, Purchasing, Contracts & Risk Management shall assist with processing requests for UAS activities consistent with federal, state, and local laws and regulations and policy requirements.

### **WHO MAY OPERATE A UAS:**

Any Contractor, District employee or student wishing to operate a UAS as part of their job duties or as part of a District program must first obtain a Remote Pilot Certificate pursuant to 14 C.F.R. §107.12, Part 107 Small Unmanned Aircraft.

A Remote Pilot Certificate is not required if one of the following two conditions are met:

1. The operation of the UAS is in connection with a course or school club that teaches the building and operation of UAS as part of the class or club curriculum; or,
2. The operator is a student or otherwise not compensated by the District or College.

### **SUBMITTING OPERATING PLANS**

1. The operation of any UAS equipment on District Property shall follow all state and federal regulations and requires a prior filing of an operating plan with the Director, Purchasing, Contracts & Risk Management.
2. Operating plans shall include:
  - a. Equipment to be used, (including information about the UAS control systems, communication systems, etc.)
  - b. Date and approximate time to be used
  - c. Location(s) to be used
  - d. Purpose(s) of the operation
  - e. Specific need for use of UAS equipment
  - f. The identity and day-of-flight contact information of pilot(s) or other remote Operator(s)
  - g. All forms of data (including imagery) to be collected
  - h. Intended use of data
  - i. Current status of any required licenses or permissions
3. The Director, Purchasing, Contracts & Risk Management or designee shall review and approve the plan, noting any limitations.
  - a. Plan must be submitted at least ten (10) business days prior to operations.
  - b. The Chief of Campus Police shall review the plan and advise the Director, Purchasing, Contracts & Risk Management of any recommended limitations.
  - c. Operators shall check in with the Campus Police before use on campus and upon leaving campus.

- 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.

## **REQUIREMENTS PRIOR TO OPERATION**

1. Any operator of a UAS who is required to have a Remote Pilot Certificate under the FAA Small UAS Rule, 14 C.F.R. §107 (Part 107), must register the UAS with the FAA's UAS registry unless the UAS weighs less than 55 lbs.
2. Any person flying a UAS would be considered an "Operator," and must have a Remote Pilot certificate with a small UAS rating prior to flying a UAS:
  - a. Operator must be at least 16 years old
  - b. Operator must take an aeronautical knowledge test at an FAA-approved testing center; or hold a part 61 pilot certificate and complete a flight review within the last 24 months; and
  - c. Operator must be vetted by the Transportation Security Administration (TSA).
3. 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.
4. Any Contractor hired by the District for commercial purposes who will be operating a UAS in connection with the contracted services must, prior start of any work, provide the Director, Purchasing, Contracts & Risk Management with a Special Airworthiness Certificate (SAC); enter into an agreement indemnifying the District for any claims or liability arising out of the operation of the UAS; and, provide District Risk Management with proof of General Liability and Aviation Liability Insurance with an Endorsement to such policies naming the District as Additional Insured.

## **REQUIREMENTS DURING OPERATION**

1. During flight operations, Operators must have in their possession the following documentation:
  - a. Remote Pilot Certificate or Temporary Remote Pilot Certificate from the FAA;
  - b. Current operations' logs of all flights; and,
  - c. Proof of access to public or private property associated with the flight operations, including the District's written authorization to operate the UAS.
  - d. Certificate of Waiver from the FAA, if applicable.
2. The UAS must be operated in compliance with the FAA Small UAS Rule, 14 C.F.R. §107 (Part 107), which includes the following time, place, and manner restrictions for the operation of UAS:
  - a. The UAS shall only be flown by persons with appropriate certification.
  - b. UAS shall not be flown over people unless they are directly participating in the operation of the UAS, including during sporting events, athletic team games or practices, concerts or other outdoor public gatherings.
  - c. UAS shall not be flown inside buildings or inside covered stationary vehicles.
  - d. UAS shall only be flown during daylight hours.
  - e. Operator must be within visual line of sight of UAS and in control at all times.
  - f. UAS shall not be flown in adverse weather conditions such as in high winds or reduced visibility.
  - g. UAS shall be flown at a maximum altitude of 400 feet. Institutional airspace includes that portion of the air space between the surface of the ground and 300 feet above the ground or above a building or structure erected on the property.
  - h. UAS shall stay well away from manned aircraft, especially low-flying helicopters.
  - i. UAS shall not be flown in a manner which interferes with ground vehicles or traffic.
  - j. UAS shall not be used to monitor or record any classroom, office, hallways, lounges, or the insides of any District owned or operated building.

- k. UAS shall 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.
- l. UAS shall not be used to conduct surveillance or photograph persons in areas where there is an expectation of privacy without the individual's permission.
- m. UAS shall 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.

#### **REPORTING OBSERVED UAS ON DISTRICT PROPERTY**

If an employee or person serving in an official capacity on behalf of the District observes a UAS flying on District property, he/she shall notify the Campus Police Department. Upon notification, the Campus Police Department will verify that the District has approved the UAS operations in the area observed. If it is determined that the UAS operation has not been approved, the Campus Police will dispatch an officer to respond to the area to notify the Operator of this Administrative Procedure.

#### **DAMAGE OR INJURY**

In the event of damage to property or injury arising from the use of a UAS, the Operator shall notify the Campus Police Department to report the incident, and the incident must be documented in an Incident Report filed with District Risk Management.

#### **MAINTAINENCE AND STORAGE**

The 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.