

# ADMINISTRATIVE REGULATION 3950

SOUTH ORANGE COUNTY  
COMMUNITY COLLEGE DISTRICT

GENERAL INSTITUTION

## UNMANNED AIRCRAFT SYSTEMS (UAS)

The operation of unmanned aircraft systems (UAS), including drones, and model aircrafts is regulated by the Federal Aviation Administration (FAA). This regulation establishes procedures to ensure that any use of a UAS on District property shall comply with FAA requirements and applicable laws; mitigate risks; and ensure safety, security, and privacy.

District authorization by the Executive Director of Procurement, Central Services, and Risk Management or designee shall be required prior to the use of drones on District property by any non-District user.

### I. DEFINITIONS

#### A. Airspace:

1. In the U.S., there are two categories of airspace or airspace areas:

- Regulatory (Class A, B, C, D, and E airspace areas, restricted and prohibited areas); and
- Nonregulatory (military operations areas, warning areas, alert areas, controlled firing areas, and national security areas).

2. Within these two categories, there are four types:

- Controlled,
- Uncontrolled,
- Specific Use, and
- Other airspace

3. Class G airspace (uncontrolled) is that portion of airspace that has not been designated as Class A, B, C, D, or E airspace.

B. Class G airspace: Includes all airspace below 14,500 feet (4,400 m) mean sea level (MSL) not otherwise classified as controlled. Radio communication is not required in class G airspace. Visual flight rules visibility requirements in class G airspace are 1 mile by day and 3 miles by night, for altitudes below 10,000 feet (3,050 m) MSL. District property: Buildings, grounds, and land that are owned, leased, or used via other formal contractual arrangements by the District.

C. Model aircraft: A model aircraft is defined as an unmanned aircraft that is capable of sustained flight in the atmosphere, flown within visual line of sight, and used for hobby or recreational purposes. Model aircraft are considered differently by the FAA than other

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Page 1 of 5

UAS and have different regulations and are not for business purposes. (Use of UAS related to the District does not qualify as model aircraft regulations.)

- D. Remote Pilot in Command (Remote PIC): The person who has final authority and responsibility for the operation and safety of the flight; must be designated as pilot in command before or during the flight; and holds the appropriate category, class, and type rating, if appropriate, for the conduct of the flight.
- E. Unmanned aircraft system (UAS): An unmanned aircraft is an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. UAS are also known as or may be characterized 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. UAS may have a variety of names including quadcopter, quadrotor, etc. FAA regulation applies to UAS regardless of size or weight.
- F. Visual line of sight (VLOS): The locational delta between an unmanned aircraft and the pilot in command. At all times the UAS must remain close enough to the remote PIC and the person manipulating the flight controls of the small UAS for those people to be capable of seeing the aircraft with vision unaided by any device other than corrective lenses.
- G. Visual observer (VO): an individual who is selected to observe the flight activity and pay close attention to the aircraft through direct visual observation and scan the airspace where the UAS is operating for any potential collision hazard in order to increase safety. The VO does not manipulate the flight controls or participate in operating the aircraft.

## II. CONDITIONS FOR USE

### A. All UAS operators shall:

- 1. Have a specific educational use directly related to instructional programs, including for purposes of recording athletic events, practices, classes, etc.; or support District operations such as facilities planning and construction, marketing and public information, public safety, or other operational needs;
- 2. Obtain District authorization for use prior to submitting a purchase requisition through District Procurement. (Refer to District UAS Approval Form, RM#32);
- 3. Adhere to FAA regulations, including the general operating rules under Title 14, Part 107 Small Unmanned Aircraft Systems.
  - UAS shall meet FAA guidelines for device specifications and operations;
  - UAS shall be registered with the FAA prior to operations (<https://registermyuas.faa.gov/>);
  - Operate in accordance with the FAA Small Unmanned Aircraft Rule.
- 4. Provide acknowledgment in writing of their adherence to all conditions as stipulated in law and these regulations, along with a flight plan if the operator is a contractor or non-

District user, for approval to use from the District Risk Manager (Refer to UAS Pilot Form RM#31).

- B. All students must be supervised by a member of District staff or faculty at all times while operating a District UAS. The supervisor must be a certified PIC and be an approved UAS Pilot. (Refer to UAS Pilot Form, RM#31)
- C. All non-District facility users may use UAS for the purposes of recording athletic/sporting and other events, contingent upon evaluation and approval by the District Risk Manager.
- D. All individuals operating UAS while on District property shall adhere to the following guidelines as required by the FAA:
  - 1. Remote PIC Certification and Responsibilities:
    - a. Must be established as a remote PIC.
    - b. Must hold a remote pilot airman certificate with a small UAS rating or be under the direct supervision of a person who does hold a remote pilot certificate (remote PIC).
    - c. Must demonstrate aeronautical knowledge pursuant to FAA regulations to qualify for a remote pilot certificate, be vetted by the Transportation Security Administration (TSA), and must be at least 16 years old.
    - d. A remote PIC must:
      - i. Make available to the FAA and the District, upon request, the small UAS for inspection or testing, and any associated documents/records required to be kept under FAA rules;
      - ii. Report immediately to the District Risk Manager and the FAA within 10 days of any operation that results in serious injury, loss of consciousness, or property damage of at least \$500;
      - iii. Conduct a preflight inspection, to include specific aircraft and control station systems checks, to ensure the small UAS is in a condition for safe operation;
      - iv. Ensure that the small unmanned aircraft complies with the existing FAA registration requirements;
      - v. Act as a remote PIC or VO for only one unmanned aircraft operation at a time; and
      - vi. Operate a small unmanned aircraft only if they are free from any physical or mental condition that would interfere with the safe operation of a UAS.
  - 2. FAA Guidelines (Operational Limitation):
    - a. The UAS must weigh less than 55 pounds (lbs.) and be less than 4.5 feet long.
    - b. The UAS must be flown within VLOS at all times.
    - c. The PIC may not operate the UAS over any persons not directly participating in the operation, under a covered structure, or inside a covered stationary vehicle.
    - d. The PIC may use a VO, but is not required to do so.

- e. At all times, the UAS must remain close enough to the remote PIC and VO for those people to be capable of seeing the aircraft with vision unaided by any device other than corrective lenses.
- f. The PIC may operate the UAS during daylight hours only, or civil twilight (30 minutes before official sunrise to 30 minutes after official sunset, local time) with appropriate anti-collision lighting.
- g. The PIC must adhere to maximum altitude of 400 feet above ground level (AGL).
- h. The PIC must adhere to maximum ground speed of 100 mph (87 knots).
- i. There must be minimum weather visibility of 3 miles from control station.
- j. The PIC must yield right of way to other aircraft and not interfere with manned aircraft operations.
- k. The UAS must remain clear of surrounding obstacles.
- l. The PIC shall not operate the UAS from a moving vehicle or aircraft.
- m. The PIC shall not undertake careless or reckless operations.
- n. The UAS shall not carry hazardous materials.
- o. The UAS may carry non-hazardous objects if securely attached and does not adversely affect the flight characteristics or controllability of the aircraft.

### III. PROHIBITED USES

- A. All members of the District community are personally responsible for complying with FAA regulations, state and federal laws, as well as District policies and regulations.
- B. Under no circumstance can UAS or model aircraft be operated on or over District property or at District-sponsored events for personal use.
- C. Under no circumstance can District owned UAS be used for leisure, recreation, or non-educational purposes.
- D. UAS shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms and government regulations. These areas include but are not limited to restrooms, locker rooms, changing or dressing rooms, health treatment rooms, the insides of campus childcare facilities, or through windows.
- E. UAS shall not be used under any circumstance where the safety of participants and/or spectators may be compromised, for example above pools, athletic fields, stadiums, etc.
- F. UAS shall not be used to monitor or record residential property.
- G. UAS shall not be used to monitor or record sensitive institutional or personal information which may be found, for example, on an individual's workspace, on a computer, or other electronic displays.

### IV. SANCTIONS

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- A. Any violations of the District's UAS policy or regulation by an employee or student may result in disciplinary actions, up to and including termination from the District in the case of an employee.
- B. Any legal prohibitions regarding physical presence on campus/trespassing and other legal action may also be pursued against third parties that operate UAS in violation of this policy or regulation.
- C. Any unauthorized use of a UAS, including deviations from an approved flight plan by a non-District user, shall be subject to the UAS being confiscated and/or the non-District user being removed from District property.
- D. Any fines or damages incurred as a result of individuals not complying with this policy or regulation, will be the sole responsibility of those individuals involved.
- E. Accidents/incidents involving UAS operations must be reported to the Office of Risk Management and Campus Police immediately. Faculty and staff who oversee the use of UAS are responsible for reporting any accidents/incidents involving UAS operations within 24 hours to the District Risk Manager for any applicable claims processing.

*References:*

*Code of Federal Regulations, Title 14, Parts 1, 21, 36, 45, 47, 48, 61, 91, and 107*

*U.S. Code 49 U.S.C Section 44704*

*Public Law 112-95*

*FAA Modernization and Reform Act of 2012, Title III, Subtitle B Unmanned Aircraft Systems*

*FAA Remote Identification Rule 14 CFR Part 89*

*California Civil Code Section 1708.8*

*California Government Code Section 853 Public Agency Use of Drones*

*California Penal Code Section 4577*