

USE OF UNMANNED AIRCRAFT (DRONES)

For purposes of this policy, an unmanned aircraft, or drone, is defined as any powered, aerial vehicle that does not carry a human operator that (1) when operated outdoors, is subject to federal regulation as an unmanned aircraft, including as a "model aircraft"; or (2) uses aerodynamic forces to provide vehicle lift and can fly autonomously or be piloted remotely. A drone may be expendable or recoverable.

To the extent that the District has local authority to restrict the operation of drones under applicable state and federal law and in an effort to maintain the safety, security, and privacy of students, staff, and visitors, except as otherwise permitted or authorized under this policy, the following shall apply:

1. No person may operate a drone or provide direct assistance to a pilot-operator of a drone while such person is present on District property, whether owned or leased.
2. No person may use District property for the launch/take-off of a drone or for the planned landing of a drone, regardless of whether the drone is flown primarily above non-District property.
3. No person may operate a drone while he/she is present at any District-sponsored event or activity that is not being held on District property, where, as the event sponsor and occupant of the property in question, the District controls access/attendance and has the discretion to permit, deny, or revoke access/attendance based on this drone-related restriction.
4. No District employee may operate a drone in the course of, or while acting in the scope of, his/her employment.
5. No authorized agent of the District, such as an authorized volunteer, may operate a drone in the course of, or while acting in the scope of, his/her District-authorized role.
6. No student shall operate a drone while at school, while under the supervision of a District authority, or in a manner that would otherwise be cause for possible suspension or expulsion from school under the District's statutory disciplinary jurisdiction.

When a Wisconsin Interscholastic Athletic Association (WIAA) tournament event is being hosted at a District-owned or District-controlled facility and the WIAA's applicable policy regarding unmanned aircraft requires separate WIAA and host-district approval for any request to operate a drone at the event, the District may deny any such request regardless of whether the WIAA has approved.

The following are exceptions to the above-stated restrictions:

1. Public safety agencies and their personnel, including federal, state, and local law enforcement officers and fire and rescue personnel, who are lawfully operating a drone for an authorized governmental purpose (as determined by federal law) are not subject to the above restrictions. However, the District appreciates advance coordination and advance communication regarding any such operations that are of a non-emergency or non-essential nature.
2. If the District Administrator or Business Manager acting on the Board's behalf, gives advance written permission to a person or business providing commercial services to or for the benefit of the District, such person or business may operate a drone to the extent consistent with the scope of the District's permission and with applicable laws and regulations. The person, business, and any actual operator(s) are solely responsible for knowing and adhering to all state and federal laws related to the ownership, registration, marking, remote pilot certification and all other requirements for operation of the drone.
3. If the District Administrator or a building principal, acting in consultation with the Business Manager, on an as-needed basis, grants advance written permission to a certified remote pilot, District students may be authorized to operate a drone in connection with an activity that has a specifically-identified educational purpose, whether curricular or co-curricular.
 - a. A District employee or other responsible adult who is a certified remote pilot supervising drone operations authorized under this exception shall be designated as the remote pilot in command and shall comply with all state and federal law regarding the supervision of drone operation by uncertified student pilots.
 - b. The administration may elect to develop additional written guidelines and limitations that further address the regulatory, safety, privacy, and liability concerns that can arise in connection with proposals for students to operate a drone for an educational purpose.
4. Any other exception that may be approved by the Board, in advance of the activity, as an exercise of case-by-case discretion.

District permission or authorization to operate a drone that is given to any non-District third party shall not be construed to involve (1) the transfer of any liability to the District, or (2) the waiver of any District immunity from or any defenses to claims that the District otherwise would be permitted to assert. The operation of a drone on school property shall be construed as engaging in a recreational activity under Wisconsin law.

A person who operates a drone or who attempts to operate a drone on or above District property, or in connection with a District-sponsored event or activity, in a manner that violates District policy, that is inconsistent with any approval or authorization given by the District, or that is

unlawful is subject to appropriate consequences, including but not limited to possible exclusion from District property or events, possible District--imposed discipline, and/or referral to law enforcement .

LEGAL REF: Wis. Stat. § 114. 04
 Wis. Stat. § 114. 05
 Wis. Stat. § 114. 09(1)(b)(2)
 Wis. Stat. § 175.55
 Wis. Stat. § 941.292(1)
 Wis. Stat. § 942.10
 Wis. Stat. § 895.52
 14 CFR Part 107

APPROVED: July 10, 2017