



AP 6525 Unmanned Aircraft Systems

References: Federal Aviation Administration (FAA) Website on Unmanned Aircraft Systems; Title 14 Code of Federal Regulations (CFR) Part 107 – Small Unmanned Aircraft Systems; FAA Summary of Small Unmanned Aircraft Rule; Title 14 Code of Federal Regulations Part 47 – Aircraft Registration; Title 14 Code of Federal Regulations Part 48 – Registration and Marking Requirements for Small Unmanned Aircraft; Public Law 115-254, Title III, Subtitle B – Unmanned Aircraft Systems (FAA Reauthorization Act of 2018); Title 49 of the United States Code (U.S.C.) § 44809 Exception for Limited Recreational Operations of Unmanned Aircraft; Links to references are provided below.

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Last Revised:

Last Reviewed:

Purpose of this Procedure

Butte-Glenn Community College District must comply with federal and state laws and FAA regulations regarding Unmanned Aircraft Systems (UAS) and Small Unmanned Aircraft Systems (sUAS), including Drones and Model Aircraft. Inherent risks in the operation of such equipment necessitate proper safety practices, additional insurance protections, and requisite oversight and authority for the operation of UAS on any District Location or for any District Business.

The purpose of this Administrative Procedure on UAS is to establish minimum standards for the safe use and operation of UAS and sUAS, including Drones and Model Aircraft, on any District Location or for any District Business. This procedure requires that all UAS operations are performed in a manner that mitigates risk to safety, security, and privacy and ensures compliance with all applicable laws and regulations.

Application of this Procedure

This procedure applies to the operation of any Unmanned Aircraft (UA) owned by the District, operation of any UA at or within the property owned or managed by the District, and the operation of any UA used for District Business, by persons including, but not limited to, District employees (including faculty, administrative professionals, classified personnel, volunteers, and all other employees), students, persons acting under the direction and control of the District, and visitors.

The operation of UAS by emergency first responders may be exempt from this Procedure based on determination of emergency needs. During such operations, the emergency responders will follow their internal department protocols.

UAS Regulations

There are a range of UAS-related regulations that may be applicable in any given UAS activity. Different regulations may apply based on purpose of UAS activity, location of UAS activity or ownership of UA. A determination of which regulations are applicable is a component of the UAS activity review.

The District is held liable for UAS activity by District-owned UA and UAS activity for District Business.

All persons are personally responsible for complying with FAA regulations, state and federal laws, and District policies and procedures with respect to the operation of UAS, whether the use is personal, recreational, or for any District Business or on any District Location.

All UAS Activity for District Business or at District Locations must be conducted as either: 1) a civil operation under Part 107, or 2) a recreational operation under section 49 U.S.C. § 44809.

A summary and compliance list of specific regulations can be found at the links provided below and attached in Appendix 1 to this Procedure.

Civil Operations under Part 107: https://www.faa.gov/uas/media/part_107_summary.pdf

Recreational Operations under 49 U.S.C. § 44809: https://www.faa.gov/uas/recreational_fliers/

UAS Activity Request and Review

All UAS Activity must be approved in advance of flight by the Butte College Police Department. All persons seeking to operate a District-owned UAS, a UAS for District Business, or at District Locations must first submit a completed UAS Request Form to the Butte College Police Department at least four weeks in advance of the planned UAS Activity.

The UAS Request Form will address the following elements:

- General information: Name of requestor, District Department or Company, Contact name, email and telephone number
- Purpose, nature (research, instruction, other) and goals of the UAS Activity, and the specific need for UAS
- Description of UAS Activity including flight plan, takeoff procedures, UAS recovery, description of ground control system and system fail safe
- UAS registration #
- UAS equipment and associated systems information to be utilized and the manner in which it will be operated (manual or robotic)
- The identity of operator(s): name, licenses or certifications, and prior experience
- Dates and times of UAS Activity
- Location of UAS Activity
- All forms of data (including imagery) to be collected and intended use of data
- Provisions for security of the equipment, both during and outside of UAS Activity, and of any sensitive data collected
- Proof of access to public or private property associated with UAS Activity
- Communications plan for notifying College Police, local law enforcement agencies, and Chico Airport, as appropriate

The Butte College Police Department will review and process the request and notify the applicant if the request is approved, denied or will require further information no later than two weeks after submission of the request. Records of approval and the terms of the approval must be kept by the Butte College Police Department and the Operator.

Approval for UAS Activity may be granted in many forms:

- Single or set of UAS flights during a specific time-window
- Set of UAS flights over a defined period of time
- Scheduled recurrent UAS flights at a defined location
- Unscheduled UAS usage at a series of predefined locations
- Standing approvals.

The UAS Activity review must include:

- Compliance with applicable regulations and policies
- Impacts to public safety
- Impact to privacy, civil rights and civil liberties
- Compliance with insurance requirements

The review process may additionally include:

- Prioritization or disruption of District Business
- Approval of facility manager or other local authority
- Approval or consent of persons that may be impacted by the proposed operation
- Previous documented flight experience or expertise
- Impacts to wildlife or other environmental concerns

Once approved, the Operator must follow the requirements of this Procedure, any conditions required by the approval and all applicable laws and regulations.

A copy of the approved UAS Request Form must be in the possession of the Operator at all times during the UAS Activity and, upon request, must be presented to any District official or representative with jurisdiction over the activity.

UAS Activity Reporting

The reporting of UAS activity must be accomplished to meet specific compliance obligations.

The Operator must prepare a UAS Activity report as immediately as possible after the UAS Activity. The report records shall be maintained by the Operator for a period of three (3) years. Flight report data must include sufficient information to be able to determine:

- Date
- Pilot
- Aircraft
- Location
- # of flights
- Total flight time
- Accident or incident records

Flight records may additionally include:

- Flight altitude or distance
- Telemetry data
- Fuel or Battery information
- Software/hardware configurations, including payload
- Weather conditions
- Images or other media of the UAS Activity

UAS Accident Reporting

All UAS accidents, incidents and malfunctions must be reported immediately to the Butte College Police Department. Police Department and Risk Management will make a determination if the accident, incident or malfunction requires further reporting with the appropriate regulatory body.

UAS Registration

All UA must be registered under the regulations specified by 14 CFR 47 or 14 CFR 48, depending on the weight of the aircraft, location of the aircraft's operation or primary purpose of the aircraft.

All District-owned UAS must be registered in accordance with all applicable laws, regulations, and requirements and must reflect the following ownership data: Butte-Glenn Community College District, 3536 Butte Campus Drive, Oroville, CA 95965. Records of District-owned UAS registration must be provided to the Facilities Planning & Management Department.

For more information: https://www.faa.gov/uas/getting_started/register_drone/

UAS Insurance

The District's Liability Coverage provides coverage for UAS Activity that meet the following criteria:

- Flight operations are conducted on behalf of and sanctioned by the District
- Flight operations are operated within the curriculum
- Flight operations are consistent with applicable FAA guidelines

All 3rd party or non-District Business UAS Activity must have liability insurance that meets the District's requirements, and include a written indemnification and hold harmless agreement.

Restrictions for UAS Activity

- Do not use a UAS to monitor or record activities where there is a reasonable expectation of privacy.
- Do not use a UAS for unapproved recordings of any campus events or performances, or for any unlawful purpose.
- Do not operate a UAS over private property without prior approval.
- Do not use a UAS to harass people or intentionally disrupt events.
- Do not fly a UAS inside a building, or use it to see inside a building.
- Do not operate or participate in the use of a UAS while under the influence of alcohol or drugs, or in a reckless or careless manner.
- **Do operate** a UAS in compliance with the Operational Limitations of Part 107, or the statutory conditions of the exception of 49 U.S.C. § 44809 to operate a UAS for recreational purposes, as applicable.

Locations for UAS Activity

The District has designated the area as depicted in Appendix 3 to this Administrative Procedure where UAS Activity is permitted when scheduled and approved in advance. Availability of the designated area will vary according to the nature and purpose of the flight, priority, environmental conditions, and other factors.

UAS Activity is only permitted in the designated area unless an exception is granted by Butte College Police Department and Facilities Planning & Management.

Compliance with this Policy

Any violations of this Procedure will subject the responsible employee(s) to disciplinary action in accordance with applicable District policies and procedures, which may include actions up to and including termination from the District.

Students may be sanctioned for such violations in accordance with the Student Code of Conduct.

Unauthorized or improper use of a UAS may also subject the responsible persons to civil or criminal liability. Fines or damages incurred by individuals or units for legal violations will not be paid by the District and will be the responsibility of those persons involved.

Maintenance and Storage of Equipment

The physical maintenance, storage, and preparation of UAS operated and owned by the District will be conducted by the department and/or program in which the pilots/operators are associated. All District-owned UAS and related support equipment will be stored in appropriate facilities.

Definitions

Aircraft: Any vehicle, machine or device capable of being introduced into flight, including, but not limited to, fixed wing airplanes, gliders, ultra-lights, helicopters, lighter-than-air ships such as blimps and hot air balloons, unmanned aerial vehicles (also known as UAVs, unmanned aircraft systems or UAS, or drones), model aircraft, and rockets.

Civil Aircraft: Any aircraft other than public aircraft.

Civil Operations: Any operation that does not meet the statutory criteria for a public aircraft operation or model aircraft operation is considered a civil aircraft operation.

District Business: The official activities of the District that contribute to any one of the District's major functions of teaching, research, or public service, or to any other non-recreational District purpose.

District Location: Any property or building that is owned or leased by the District where District business or activities take place.

Drone: Common term for Unmanned Aircraft System.

Model Aircraft: An unmanned aircraft that is (1) capable of sustained flight in the atmosphere; (2) flown within visual line of sight of the person operating the aircraft; and (3) flown for hobby or recreational purposes. Model aircraft are not considered by the FAA as UAS and have different regulations. An aircraft used for District Business purposes is not a model aircraft, regardless of its nature or design.

Operator: The person manipulating the flight controls of the UAS. The operator may also be referred to as the Remote Pilot in Command (RPIC). A person may manipulate the controls of a UA under the direct and immediate supervision of an RPIC.

Part 107: FAA Final Rule on Operation and Certification of Small Unmanned Aircraft Systems, 14 CFR Part 107 (the "small UAS Rule"). This rule allows for routine civil operation of Small Unmanned Aircraft System for many different non-hobby and non-recreational purposes under a set of defined limitations. FAA Summary of Small Unmanned Aircraft Rule:

https://www.faa.gov/uas/media/Part_107_Summary.pdf

Public Aircraft: An aircraft owned and operated by the government of a State, the District of Columbia, or a territory or possession of the United States or a political subdivision of one of these governments, except when the aircraft is operated for commercial purposes. Title 49 U.S.C. § 40102(a)(41).

Public Aircraft Operation: An operation conducted by a Public Aircraft that is used for governmental function as defined by Title 49 U.S.C. § 40125(a)(2). Specific UAS activity within the District may be eligible for PAO status. Whether an operation qualifies as a PAO is determined on a flight-by-flight basis.

Recreational Operations: as described in 49 U.S.C. § 48809(a).

Recreational Purpose: Use of a UAS for non-commercial purposes as a hobby or as part of a non-commercial community-based organization. For the purposes of 49 U.S.C. § 44809 as added by the FAA Reauthorization Act of 2018, a 'recreational purpose' as distinguished in subsection (a)(1) of such section shall include an unmanned aircraft system operated by an institution of higher education for educational or research purposes. Pub. L. 115-524, div. B, Title III, §350.

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title49-section44809&num=0&edition=prelim>

Remote Pilot in Command (RPIC): A person who has a remote airmen certificate with a UAS rating issued by the FAA. The person who is responsible for the safe operation of a small unmanned aircraft system and has final authority over that operation conducted under part 107.

Small Unmanned Aircraft System (sUAS): An unmanned aircraft weighing less than 55 lbs. and associated elements that are required to operate safely and efficiently in the national airspace system.

UAS Activity: Refers to the act of flying. It may be used to represent a single flight or a set of flights.

Unmanned Aircraft (UA): An aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Unmanned Aircraft System(s) (UAS): An unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft, that are required for the pilot to command to operate safely and efficiently in the national airspace system. For the purposes of this Procedure, this includes all unmanned aircraft of all sizes.

Links to References

Federal Aviation Administration (FAA) Website on Unmanned Aircraft Systems

<https://www.faa.gov/uas/>

Title 14 Code of Federal Regulations (CFR) Part 107 – Small Unmanned Aircraft Systems:

<https://www.ecfr.gov/cgi-bin/text-idx?SID=b4f8bbf6ad8a82e603324b49527ccf8a&mc=true&node=pt14.2.107&rqn=div5>

FAA Summary of Small Unmanned Aircraft Rule:

https://www.faa.gov/uas/media/Part_107_Summary.pdf

Title 14 Code of Federal Regulations Part 47 – Aircraft Registration:

<https://www.ecfr.gov/cgi-bin/text-idx?node=pt14.1.47>

Title 14 Code of Federal Regulations Part 48 – Registration and Marking Requirements for Small Unmanned Aircraft:

<https://www.ecfr.gov/cgi-bin/text-idx?SID=d5ff8e2f4777a37a49a553c5eb953801&mc=true&node=pt14.1.48&rqn=div5>

Public Law 115-254, Title III, Subtitle B – Unmanned Aircraft Systems (FAA Reauthorization Act of 2018):

<https://www.congress.gov/115/bills/hr302/BILLS-115hr302enr.pdf>

Title 49 of the United States Code (U.S.C.) § 44809 Exception for Limited Recreational Operations of Unmanned Aircraft:

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title49-section44809&num=0&edition=prelim>

Appendices

Appendix 1: Summary of Specific Regulations

Appendix 2: Unmanned Aircraft Systems (UAS) Request Form

Appendix 3: UAS Activity Designated Location