

Procedures Regarding the Use of Drones on Klein ISD Property

The Texas Education Code grants school districts the authority to adopt rules to protect the safety of students, employees, and property. (Tex. Edu. Code 37.102(a)). Pursuant to this authority, Klein ISD has adopted these procedures regarding the use of Unmanned Aerial Systems (UAS) or Unmanned Aerial Vehicles (UAV), otherwise known as drones, on or in the airspace above District-owned property or off-site for any District purpose by any person, including Klein ISD officers, employees, representatives, contractors, volunteers, students, and parents, as well as members of the general public, to the extent specified herein.

In General

In order to protect student privacy, promote safety, and comply with federal and state laws and UIL requirements, any use of drones on or in the airspace above Klein ISD-owned property or off-site for a District purpose shall be subject to, and must comply with, the following, as applicable:

- a) Federal Aviation Administration (FAA) rules and regulations, including proper registration, Air Traffic Control clearance from David Wayne Hooks Airport, and FAA licensure;
- b) State laws, including the Texas Privacy Act;
- c) UIL rules;
- d) Klein ISD Board Policies, including Board Policy CQ regarding District Technology Resources;
- e) The District's acceptable use policies; and
- f) These procedures.

Drones shall not be flown over any match, tournament, scrimmage, game, practice, or other school-sponsored or school-related event, or otherwise over people, unless specifically permitted by law and UIL rules. In no event shall any drone be flown over District-owned property or off-site for a District purpose in a careless or reckless manner.

As part of these procedures, Klein ISD may also display signage regulating drone use in certain locations, such as areas frequented by pedestrian traffic, or at certain times of the day, such as when students are outside on a playground, as appropriate.

Any drone flight involving take off from or landing on District-owned property or conducted off-site for a District purpose shall require prior written authorization from Klein ISD's Superintendent or his designee as described below.

District personnel should report any drone use in violation of applicable law or these procedures to a Klein ISD administrator or a District police officer.

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District-Authorized Flights

Any drone flight involving take off from or landing on District-owned property or conducted off-site for a District purpose, including indoor flights, must be approved in advance, in writing, by Klein ISD's Superintendent or his designee. Requests for authorization must be submitted in writing to Klein ISD's Deputy Superintendent at least 30 calendar days prior to the drone use requiring authorization.

The District reserves the right to permit or prohibit any drone use on or in the airspace above Klein ISD-owned property or off-site for a District purpose based on factors including risk to people or property and educational purpose served.

Drone flights involving take off from or landing on District-owned property will not be approved unless the drone operator is a District officer, employee, student, or other District-affiliated party, such as a contractor or volunteer, and the drone flight serves a District purpose. Klein ISD, in its discretion, may authorize District employees, students, or other District-affiliated parties to operate a drone in designated indoor spaces at designated times. Outdoor drone use will not be approved by the District without written confirmation that the drone operator has provided notice to and obtained authorization from David Wayne Hooks Airport, as required by applicable authorities. Drone flights over people will not be approved without written confirmation that the flight complies with applicable FAA requirements or a FAA waiver has been granted.

In addition to obtaining District authorization, all drone operators shall provide at least 24 hours prior written notice of the approved drone flight to affected parties, such as Klein ISD Police Department dispatch and any relevant campus administration, as directed by Klein ISD in the approval notice. All District-authorized drone flights must remain within the visual line of sight of the operator at all times and may not be flown in areas where there is an expectation of privacy, such as above locker rooms and restrooms.

Drone Flights by Contractors, Volunteers and District Agents

In addition to complying with the requirements and restrictions set forth above, a drone operator who is not an employee or student of the District and who is seeking authorization to operate a drone on or in the airspace above District-owned property or off-site for District purposes, such as construction, exhibitions, and inspections, must:

- a) Obtain authorization from Klein ISD's Superintendent or his designee;
- b) Provide the District with a signed statement indemnifying, defending, and holding the District harmless from any harm to individuals or damage to property in connection with the drone flight; and
- c) Provide the District with proof of liability insurance with policy limits of at least \$1 million and copies of policy endorsements showing the District as Additional Insured, Waivers of Subrogation

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in favor of Klein ISD, and proof of coverage for injury or damage resulting from the operation of drones, including operation in violation of applicable law.

Drone Flights by Members of the General Public

Drones operated by members of the general public are not permitted to take off from or land on District-owned property. Any drone flights in the airspace above District-owned property by members of the general public shall comply with all FAA regulations, state privacy laws, and local requirements, such as restrictions imposed by local airports and law enforcement authorities. Additionally, drones shall not be flown:

1. over people (unless specifically permitted by law),
2. in a reckless or careless manner, or
3. in such a manner as to disrupt school-sponsored or school-related activities or the educational process.

Law Enforcement and Public Safety Operations

These procedures shall not apply to drone operations performed by public safety officials, whether or not employed by the District, for law enforcement or public safety purposes.

Nothing in these procedures shall be construed as a waiver or relinquishment of any governmental immunities or defenses on behalf of Klein ISD, its trustees, officers, employees, and agents. Failure of any District employee or student to comply with these procedures and applicable law may result in disciplinary action. The District reserves the right to report any drone use in violation of applicable law to the appropriate law enforcement authorities.