

USE OF UNMANNED AIRCRAFT (DRONES)

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Definition

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.

General Restrictions and Prohibitions

Except for certain drone operations that are conducted by public protective services agencies or law enforcement officers who are engaged in their official duties, section 114.045 of the state statutes prohibits any person from operating a drone, from any location, without the express authorization of the District in each of the following circumstances:

1. Over a property owned by the District when the property is being used for an event approved by the School Board, including but not limited to any District-sponsored activity.
2. Over a property on which a District school is located during periods when the relevant school is open to students for instruction.

Unless express, advance authorization is granted by the District pursuant to this Policy, the District additionally prohibits the operation of a drone, whether indoors or outdoors, if any one or more of the following applies to the situation:

1. By any person who is located on District property.
2. As part of or by a person who is actively participating in a District-sponsored program or activity.
3. By any official, employee, or authorized agent (e.g., a District-approved volunteer) of the District who is acting in their official capacity or within the scope of their District-designated duties or responsibilities.
4. By a student who, when operating the drone, is at school or otherwise under the supervision of a school district authority.
5. By a contracted service provider while the individual or entity is rendering services to the District.

Requests for Authorization to Operate a Drone

Requests for authorization to operate a drone as an exception to section 114.045 and/or to any of the prohibitions established in this Policy shall be made in writing.

1. District employees and other authorized agents of the District shall submit such requests either to their direct supervisor, to the principal of the school to which the request is relevant, or to the Office of the District Administrator.

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2. Students shall submit such requests either to the Principal of the student's school or to the Office of the District Administrator.
3. All other persons shall submit such requests to the Office of the District Administrator.

The person making the request shall provide such information as the District may deem necessary to evaluate the request (e.g., the date, time, location, and general purpose of the proposed drone operation; the identity of the individual(s) who will operate the drone; and, as applicable, whether the drone(s) will be operated under the Federal Aviation Administration's rules for recreational operation or under the FAA's Part 107 rules).

The requester is responsible for verifying that the request was received as intended.

Responding to Requests for Authorization

In addition to the Board and to any District authorization that is provided by contract, the following individuals may authorize (or deny authorization for) the operation of a drone as an exception to section 114.045 and/or to any of the prohibitions established in this Policy:

1. The District Administrator; or
2. Provided the request is not a request to operate a drone for an educational purpose within a District-sponsored program or activity (which shall be decided by the Board or the District Administrator):
 - a. The **Executive Director of Operations**, in the absence or unavailability of the District Administrator.
 - b. The **Director of Business Services**, in the absence or unavailability of both other administrators.

The administrator who approves or denies a request for authorization, or such person's designee, shall respond to a request that is subject to section 114.045(1m)(b)1 of the state statutes, as further described above (operation over District property), within **5 business days**. Internal requests that raise approval issues beyond section 114.045, such as a request for authorization to operate a drone as part of a District-sponsored program or activity or in connection with an employee's or agent's district-assigned duties and responsibilities, are not subject to the 5-day deadline. If deemed necessary or appropriate, the District's response may be that the request has been denied but may be given further review.

To the extent permitted by law, a request for authorization to operate a drone under this Policy shall be deemed denied unless it is expressly approved.

Any District authorization to operate a drone that was issued as an exercise of District discretion may be subject to conditions specified by the District and may also be withdrawn. After any withdrawal of authorization has been communicated to the appropriate party, the party shall cease all affected drone operations.

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Special Exceptions for Certain Governmental Operations

The United States armed forces, the national guard, and any public protective services agency and their authorized personnel, including federal, state, and local law enforcement officers and fire and rescue personnel, who are lawfully operating a drone in their official capacity for an authorized governmental purpose (as determined by state and federal law) are not subject to the above restrictions. Further, to the extent it may be required, such entities and their authorized personnel have School Board authorization to operate drones from and/or over District property for such purposes pursuant to this paragraph of this Policy. However, the District appreciates advance coordination and advance communication regarding any such operations that are of a non-emergency or non-essential nature.

Additional Conditions and Consequences

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, (2) the waiver of any claims that might be brought by the District, or (3) the waiver of any District immunity from or any defenses to claims that the District otherwise would be permitted to assert. Further, any such third party and the actual operator(s) of such third party's drone(s) are solely responsible for knowing and adhering to all state and federal laws related to the ownership, registration, marking, and operation of the drone(s).

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 possible state or federal prosecution or other enforcement actions.

Legal References:

Wisconsin Statutes

Section 114.04	[lawful flight; flying and landing limitations]
Section 114.045	[limitations on operating drones over school property]
Section 114.05	[liability of the owner, lessee, and pilot of an aircraft]
Section 114.09(1)(b)2	[careless or reckless operation of an aircraft prohibited]
Section 114.105	[drone defined; regulation of drones by municipalities and counties generally prohibited]
Section 175.55	[drone defined; limitations on use by law enforcement]
Section 941.292(1)	[drone defined; weaponized drones prohibited]
Section 942.10	[prohibited use of a drone to photograph, record, or observe in locations where person has a reasonable expectation of privacy (other criminal laws may also apply)]

Federal Law

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[49 U.S.C. §44809](#)

[exception for limited recreational operations of unmanned aircraft; per a statutory note, includes some educational purposes]

[14 C.F.R. Ch. I](#)

[federal aviation regulations; generally]

[14 C.F.R. Part 48](#)

[federal aviation regulations; registration and marking requirements for small unmanned aircraft]

[14 C.F.R. Part 89](#)

[federal aviation regulations; remote identification requirements for unmanned aircraft]

[14 C.F.R. Part 107](#)

[federal aviation regulations; operation and certification of small unmanned aircraft systems other than under [§44809](#)]

[FAA Website](#)

[home page for FAA rules, policies, and other significant agency guidance related to Unmanned Aircraft Systems, including Advisory Circular [AC 91-57D](#) (2025)]

Cross References:

[Insert appropriate cross references to the policy as applicable to your district.]

Adoption Date: