



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

Book	Administrative Procedures
Section	Chapter 3 - General Institution
Title	Autonomous Aircraft Systems (AAS)
Code	AP 3910
Status	Active
Legal	Federal Aviation Administration Modernization & Reform Act of 2012 Federal Aviation Administration Small UAS Rule, 14 CFR §107 (Part 107) California Civil Code §1708.8
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Operation of Unmanned Aircraft Systems (UAS) is allowed only in accordance with this Administrative Procedure. The District uses the term Autonomous Aircraft Systems (AAS), which has the same meaning as Unmanned Aircraft Systems (UAS) as defined by the Federal Aviation Administration and the California Civil Code.

This Administrative Procedure applies to:

- any District employee and any student operating AAS in any location as part of their District employment, educational experience, or as part of their College activities; and
- the operation of AAS by any person(s) on or above District property.

Any District employee, student, or department wishing to purchase AAS (or the parts to assemble an AAS) with District funds or funds being disbursed through a District account, or grant funds, shall contact the Director, Purchasing, Contracts & Risk Management or designee in advance in order to assess whether the requested operation of the AAS will comply with the FAA Small UAS Rule, 14 C.F.R. §107 (Part 107) and to obtain approval to proceed with the purchase. All purchases of AAS or its parts are also subject to the District's purchasing procedures set forth in AP 3140.

DEFINITIONS:

Small Autonomous Aircraft Systems (AAS) – Small AAS are AAS that weigh less than 55 lbs., on takeoff, including everything that is onboard or otherwise attached to the AAS. Small AAS are the only type of AAS that can be operated on District property other than by police or other first responders in connection with an emergency.

Model Aircraft – Model Aircraft are not for business purposes and are only used for hobby and recreation. Model Aircraft are not subject to the same FAA regulations as AAS.

District Property- District property includes all buildings, grounds, parking lots and land that are owned by the District or controlled by the District via leases or other formal contractual arrangements to house ongoing District operations.

Remote Pilot Certificate. A Remote Pilot Certificate with a small AAS rating is a certificate issued by the FAA and is required for operation of a small AAS.

PROCEDURES FOR APPROVAL OF UAS OPERATIONS:

AAS flights that are considered to be in support of or in concert with the mission of the District or Colleges will be considered for approval.

If AAS or Model Aircraft is operated outside of permitted areas and causes damage to District property or personal injury to anyone on District property, the operator shall be solely responsible for the expense to repair or replace the damaged property, and for any personal injury damages caused by the operation of the AAS or Model Aircraft.

The District's Director, Purchasing, Contracts & Risk Management shall assist with processing requests for AAS activities consistent with federal, state, and local laws and regulations and policy requirements.

WHO MAY OPERATE AN AAS:

Any Contractor, District employee or student wishing to operate AAS as part of their job duties or as part of a District program must first obtain a Remote Pilot Certificate pursuant to 14 C.F.R. §107.12, Part 107 Small Unmanned Aircraft, or in the case of a class, operate with a FAA-certified remote pilot directly supervising in person.

SUBMITTING OPERATING PLANS

1. The operation of any AAS equipment on District Property shall follow all state and federal regulations and requires a prior filing of an operating plan with the Director, Purchasing, Contracts & Risk Management.
2. Operating plans shall include:
 - a. Equipment to be used, (including information about the UAS control systems, communication systems, etc.)
 - b. Date and approximate time to be used
 - c. Location(s) to be used
 - d. Purpose(s) of the operation
 - e. Specific need for use of AAS equipment
 - f. The identity and day-of-flight contact information of pilot(s) or other remote Operator(s)
 - g. All forms of data (including imagery) to be collected
 - h. Intended use of data
 - i. Current status of any required licenses or permissions
 - j. If operated by an outside vendor, fully executed agreement with certificate of insurance naming the District as an additional insured.
Not required for students or District employees.
3. The Director, Purchasing, Contracts & Risk Management or designee shall review and approve the plan, noting any limitations.
 - a. Plan must be submitted at least five (5) business days prior to operations.
 - b. The Chief of Campus Police shall review the plan and advise the Director, Purchasing, Contracts & Risk Management of any recommended limitations.
 - c. Operators shall check in with the Campus Police before use on campus and upon leaving campus.
 - d. Local Law Enforcement use of AAS technology in execution of a search warrant or as part of a tactical response to an immediate threat is automatically authorized, subject to applicable law and government regulations.

REQUIREMENTS PRIOR TO OPERATION

1. Any operator of AAS who is required to have a Remote Pilot Certificate under the FAA Small UAS Rule, 14 C.F.R. §107 (Part 107), must register the AAS with the FAA's UAS registry unless the UAS weighs less than 55 lbs.
2. Any person flying AAS would be considered an "Operator," and must have a Remote Pilot certificate with a small UAS rating prior to flying a AAS:
 - a. Operator must be at least 16 years old
 - b. Operator must take an aeronautical Part 107 knowledge test at an FAA-approved testing center.
3. No person may operate a small AAS in Class B, Class C, or Class D airspace, or within the lateral boundaries of the surface area of Class E airspace designated for an airport unless that person has prior authorization from the FAA.
4. Any Contractor hired by the District for commercial purposes who will be operating AAS in connection with the contracted services must, prior start of any work, provide the Director, Purchasing, Contracts & Risk Management with (a) A copy of their Part 107 remote pilot's license and small UAS Certificate of Registration; (b) An agreement indemnifying the District for any claims or liability arising out of the operation of the AAS; and, (c) proof of General Liability and Aviation Liability Insurance with an Endorsement naming the District as Additional Insured.

REQUIREMENTS DURING OPERATION

1. During flight operations, Operators must have in their possession the following documentation:
 - a. Remote Pilot Certificate or Temporary Remote Pilot Certificate from the FAA;
 - b. Current operations' logs of all flights; and,
 - c. Proof of access to public or private property associated with the flight operations, including the District's written authorization to operate AAS.
 - d. Certificate of Waiver from the FAA, if applicable.
2. The AAS must be operated in compliance with the FAA Small UAS Rule, 14 C.F.R. §107 (Part 107), which includes the following time, place, and manner restrictions for the operation of AAS:
 - a. The AAS shall only be flown by persons with appropriate certification or with a licensed remote pilot directly supervising operation.
 - b. AAS shall not be flown over people unless they are directly participating in the operation of the UAS, including during sporting events, athletic team games or practices, concerts or other outdoor public gatherings.
 - c. Operator must be within visual line of sight of AAS and in control at all times
 - d. AAS shall not be flown in adverse weather conditions such as in high winds or reduced visibility.
 - e. AAS shall be flown at a maximum altitude of 400 feet.
 - f. AAS shall stay well away from manned aircraft, especially low-flying helicopters.
 - g. AAS shall not be flown in a manner which interferes with ground vehicles or traffic.
 - h. AAS shall not be used to monitor or record sensitive institutional or personal information which may be found, for example, on an individual's workspaces, on computer or other electronic displays.
 - i. AAS shall not be used to conduct surveillance or photograph persons in areas where there is an expectation of privacy without the individual's permission.
 - j. AAS shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms. These areas include but are not limited to restrooms, locker rooms, changing or dressing rooms, and health treatment rooms.

REPORTING OBSERVED AAS ON DISTRICT PROPERTY

If an employee or person serving in an official capacity on behalf of the District observes AAS flying on District property, he/she/they shall notify the Campus Police Department. Upon notification, the Campus Police Department will verify that the District has approved the AAS operations in the area observed. If it is determined that the AAS operation has not been approved, the Campus Police will dispatch an officer to respond to the area to notify the Operator of this Administrative Procedure.

DAMAGE OR INJURY

In the event of damage to property or injury arising from the use of AAS, the Operator shall notify the Campus Police Department to report the incident, and the incident must be documented in an Incident Report filed with District Risk Management.

MAINTAINENCE AND STORAGE

The department which purchased the AAS is responsible for maintenance and storage of all AAS equipment. When not in use, the AAS must be secured in a locked area.