

Memo

To: Ohio Clients

From:

Date: August 14, 2015

Re: NEOLA Special Update – Electronic Release

Message

NEOLA is providing for the electronic release of a Resolution for districts to use in response to OHSAA's recent issuance of their 2015-16 General Sports Regulations, which includes a prohibition of the use of drones at OHSAA tournaments. OHSAA is calling for districts to establish their own policies regarding the use of drones. As explained in the attached materials, NEOLA is reluctant to issue policy documents, but is providing a resource for district use in addressing this matter.

These materials are being provided for your review and use prior to the release of the next regular update, Volume 34 Number 1, as some action on the part of member districts may be necessary.

The file of documents will be posted to your district file on the VPN by the end of the day August 21, 2015 and are attached in a zip file in this email.

Feel free to contact me if you have any questions. I will be in touch with you soon to schedule our Fall update appointment.

RESOLUTION

Whereas, the District is a participating member of the Ohio High School Athletic Association (OHSAA); and

Whereas, the District therefore has agreed to the rules and regulations promulgated by OHSAA;

It is therefore resolved as follows:

1. The operation of unmanned aerial vehicles (UAVs), commonly known as drones, is prohibited on _____ District premises during District-sponsored contests (including scrimmages and previews), practices, and activities under the auspices of the Ohio High School Athletic Association (OHSAA).

2. District officials may deny admission or entry to anyone attempting to use a UAV until the event has been completed.

3. Any exceptions to this regulation must be approved in advance by the Superintendent.

Adopted at the _____ Meeting of the _____
(Regular or Special) (District Name)

School District Board of Education held on _____.
(Date)

NEOLA, Inc.

SPECIAL RELEASE –AUGUST 2015

OVERVIEW AND COMMENTS

Publication of this Special Release is in response to recent client requests for information regarding unmanned aerial vehicles (UAVs), commonly known as drones.

The Ohio High School Athletic Association (OHSAA) has included a policy prohibiting the use of drones during OHSAA tournament activities in their latest release of 2015-16 General Sports Regulations. Further, OHSAA has directed member districts to establish their own policies for the use of drones during home regular season contests (including previews and scrimmages) and practices. Since this is a relatively recent development and an issue that has yet to be vetted by statute, regulation, or by the courts, NEOLA is reluctant to issue policy documents at this time.

By membership in the OHSAA, districts have already ascribed and agreed to abide by OHSAA's prohibition of drone use during tournament activities. It is strongly recommended that each district study this issue and engage in serious discussion of the use of drones across the full spectrum of school activities, particularly during home regular season athletic contests (including previews and scrimmages) and practices. The Board should certainly consider the advice of legal counsel in this matter, as well.

NEOLA recognizes the need for some action on the part of its client districts and therefore offers the suggestion of a resolution for Board action. This resolution mirrors the OHSAA position, specifically prohibiting the operation of a drone from school property. This resolution provides the opportunity for the Board to act on this matter without the need for multiple readings and loss of time. Further, if the use of drones on school property is desired for other legitimate purposes, the resolution can be easily modified or rescinded.

This Special Release includes:

RESOLUTION – OPERATION OF UNMANNED AERIAL VEHICLES (UAVs)

District-Specific Material

If the District chooses to adopt a new policy or guideline or incorporate District-specific material into an existing policy or guideline other than what has been proposed by NEOLA, then the District agrees to hold NEOLA harmless for those District-specific edits and acknowledges that NEOLA's warranty for legal challenges to that District-specific language in that policy or guideline will not be in effect. In addition, NEOLA retains ownership of the text from the original policy template that

remains in a policy to which District-specific material has been added. District-specific materials include the following:

- A. Materials from the District's existing materials that the District requests be incorporated during the drafting process;
- B. New materials that the District develops in their entirety and exclusive of NEOLA; and
- C. Revisions or deletions that substantively depart from NEOLA's templates.

Further, NEOLA does not recommend the use or incorporation of District-specific materials. NEOLA will, at the request of the District, incorporate District-specific materials into the licensed materials, with the implicit understanding that the District bears all risks associated with the District's decision to request that such District-specific materials be incorporated. NEOLA reserves the right to, but is not obligated to, advise the District to seek its own legal review of District-specific materials.

All production related materials and questions should be directed to the Coshocton Office at 632 Main Street, Coshocton, Ohio 43812 (phone 800-407-5815, fax 740-622-2557). Billing and other questions should be directed to the Stow Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone 330-926-0514, fax 330-926-0525).