

Question of the Month: Can a flying club hold a part 141 certificate?

We pondered this question for quite a while as we did a deep dive in the rules and regulation of FAR part 141 “Pilot Schools”, and along with the original “can” we added “should” to the question.

We indeed know of aviation entities with the word “club” in their names who hold part 141 certificates, but does this suggest that more generic flying clubs can—or should—consider operating under part 141, rather than part 61? As we will see, the answer is a definitive NO!

So, where did this all come from? Well, one of the larger of AOPA’s Network Flying Clubs asked the question, which was firmly based on the commendable desire to provide high standards of safety, consistency and quality of training for its members. Let’s first take a look at what it takes to attain—and maintain—a part 141 certificate and then we’ll see if it is practical, and indeed legal, for a non-profit flying club to hold one.

What is a part 141 Certificate?

A part 141 certificate permits a pilot school to operate under [FAR 141 Pilot Schools](#), which imposes strict standards and operational procedures to yield a very rigid training structure. Such a school must provide students with a dedicated (not shared) facilities such as private classrooms and flight briefing areas for students and instructors to use ([FAR 141.43](#)). These facilities must be available continuously to students and must either be owned or leased by the school ([FAR 141.31b](#)). This type of pilot school must also have several formal positions that require minimum qualifications laid out in [FAR 141.35-141.37](#). Those positions include a chief flight instructor, assistant chief instructor, and a check instructor to conduct stage checks for students. Additionally, a part 141 flight school must develop a curriculum that breaks the flight training process into phases that can be evaluated by a check instructor. This curriculum is developed and submitted to the FAA for approval as part of the application process for the part 141 certificate.

Part 141 schools are intended to produce well trained pilots who are usually looking to pursue a flying career in a quick and professional manner. The program is very structured and requires frequent stage checks before each student can progress to the next phase of training.

How do you obtain a 141 certificate?

First, an interested aviation entity must create a curriculum along with an operation manual and submit both to their local Flight Standards District Office (FSDO) for approval. The local FSDO will appoint an inspector who will be the point of contact for the school. A part 141 school should strive for a good working relationship with their FSDO inspector, since they will be in frequent communication. The inspector will review the curriculum, the facilities and the qualifications of the appointed personnel, and will determine if the school meets the standards of the part 141 certificate.

What is the reality of maintaining a 141 certificate?

Once a certificate is granted, the school will be subject to inspections and reviews from the local FSDO on a regular basis. Typically, these are performed annually but may be more frequent as the inspector deems necessary. Since the part 141 process is tightly structured, there is a sizeable amount of paperwork and record keeping required—both for the application as well as ongoing operations. The

number of students currently enrolled, their stage status, and completion rates must all be closely documented and accounted for.

So, can (should) a flying club hold a 141 certificate?

The very concept of a part 141 operation is that it is a flight school. Indeed the word “school” is in the title of the part! The reality of maintaining a part141 certificate requires a steady stream of new students and successful check rides. Conversely, the reality of a flying club is that it is a non-profit, exclusively member-only organization that does not provide flight instruction to the public. As we have detailed [previously](#), members of flying clubs can use club aircraft for individual flight training, and some clubs do permit primary training for a small number of non-pilot members, but clubs are not intended to accommodate a high volume and turnover of students—this simply goes against the rules ([FAA Order 5190.6B, section 10.6](#)) as well as the spirit of flying clubs. To accommodate a part 141 structure, a club would have a continually changing membership, and the airport operator, the FAA and insurance companies will quickly see through this as a school masquerading as a club, perhaps to enjoy the benefits afforded to clubs based on the requirement of them being non-profit and non-commercial organizations. Moreover, flying clubs are prohibited from “holding out” to the public, advertising flight training, and otherwise implying that they are a flight training provider ([Amendment to FAA Order 5190.6B](#) and [Flying Club Policy Change](#)). A part 141 organization would of course want to get the most from the investment in their part 141 certificate, so clearly would advertise for new students on a regular basis, and so, by definition, it cannot be a true non-profit flying club. Don’t be fooled by some flight training organizations that use the word club at the end of their business name—a cute marketing ploy, but they are definitely not flying clubs according to the FAA definition and operational rules.

If the above isn’t enough to persuade you, the required staff and record keeping needed for a part 141 operation would make it impossible for a non-profit member run organization to keep up. As discussed in past articles, a flying club may have [employees](#), but the amount of work involved with keeping a part 141 flight school operational would be beyond the capabilities of non-profit clubs. Additionally, the facility requirements of classrooms and briefing rooms that have to be under exclusive use of the part 141 operation would place additional practical and financial strain on a non-profit organization that is attempting to adhere to the constructs of a true flying club.

So, *can* a true non-profit flying club hold a 141 certificate? By definition, no it cannot!

What about *should* a flying club hold a part 141 certificate? Again, clearly no, it shouldn’t, but that must not deter a true flying club from aspiring to high standards of operations, and the FAA have provided the solution in the form of the FAASTeam WINGS program. You can find more on *WINGS for Clubs* [\(Link\)](#), and also at our Flying Club Workshops [\(Link\)](#).