

Chapter 3 - General Institution

AP 3710 Filming, Recording, and Photography

References:

Education Code §§38131 and 78907; Civil Code §3344(a): Porat v. Lincoln Towers Community Association, No. 04 CIV. 3199 (LAP), 2005 WL 646093 (S.D.N.Y. Mar. 21, 2005) aff'd, 464 F.3d 274 (2d Cir. 2006); Perry Education Association v. Perry Local Educators' Association, 460 U.S. 37 (1983); AP 6700; BP 6530

Because of issues of privacy, security, potential disruption of campus activities, and implied endorsement, the following guidelines have been established to clarify the rights and responsibilities of College guests, students, faculty, and staff relating to campus photography, filming, videography, virtual conference recording, and audio recording.

For simplicity, all references to film or filming in this policy are meant to include all forms of film, photography, video, live streaming, digital imaging, virtual conference recording, and audio recording. ~~If you are unable to find the answers you need in the guidelines below, please contact the Office of Marketing and Communication.~~

As used in this Administrative Procedure, the term public areas refers to the areas generally available to students and the community. The College reserves the right to designate areas as non-public as necessary to prevent the substantial disruption of the orderly operation of the College. Areas of the College that are non-public specifically include campus offices, classrooms, warehouses, maintenance yards, and locker rooms. The term "public" in this Administrative Procedure thus coincides with the term "limited public forum" as defined in Administrative Procedure 3900 - Freedom of Expression (Speech: Time Place and Manner).

A. General Provisions

On-campus filming and recording must be consistent with College policy and its mission; it must also not interfere with College operations, including but not limited to, educational operations and previously scheduled College events. In addition, filming and recording must not create a security, health, or safety risk to members of the College community.

B. Virtual Conference Recording

Audio and video recording in a virtual environment for the purposes of instruction, administrative meetings, and College events require consent from all participants. Every effort should be made to obtain written consent prior to the recorded meeting or classroom activity. Staff shall utilize audible recording disclaimers at the start of recorded meeting or classroom activity.

C. Commercial Filming and Recording

Express permission is required for non-news and commercial filming and recording on the College's campus. Requests for filming and recording on the College's campus for commercial use should be submitted in writing to Event Services at least 14 days prior to the desired date of the start of filming and recording. For commercial filming and recording,

proof of insurance is required. Execution of a separate Campus Use Agreement is also required. Fees may be charged for all commercial filming **and recording**. See Administrative Procedure 6700 – Campus Events and Use of Campus Facilities.

GD. Academic Filming and Recording

Filming **and recording** on the College campus or in College-owned or operated facilities for academic purposes is limited to College students, faculty, staff, and others attending the College's academic, extracurricular, and College-sponsored programs, including student-run newspapers and publications, and other programs that occur on the College's campus for which photography, videography, or audio recording is part of the program. With prior approval of the instructor of record, College students may engage in filming **and recording** if their project is to fulfill academic credit; is the requirement of a class project; if they are members of the College's newspapers, journals, or other publications, or of radio stations, streaming audio, or other media broadcasting. College students not adhering to these provisions are subject to discipline as described in Board Policy 5500 – Standards of Conduct and Administrative Procedure 5520 – Student Discipline Procedures.

DE. Internal College Projects

Divisions, departments, and other established units of the College are permitted to film for the purpose of film production related to the division, department, or unit. The filming must be not be disruptive or violate the privacy rights of individuals and must be done in accordance with College policy.

EF. The following guidelines are applicable to ALL College related filming or recording whether on campus or in a virtual environment:

1. Except for personal filming **and recording** (defined as non-news and non-commercial filming **and recording** in public areas for personal use or as a private record of a public event), permission from Event Services is required to film **and record** in indoor spaces, including the library, classrooms, laboratories, and dining facilities. The College accommodates reasonable requests, but reserves the right to deny permission when the request runs contrary to College policies, especially those that ensure student privacy. If applicable, faculty members and administrators with responsibility for the space, such as labs or classrooms, must also provide approval. In particular, consent from classroom instructors must be obtained prior to the use of electronic listening or recording devices, with the exception of reasonable auxiliary aids and academic adjustments for students with disabilities. This paragraph does not apply to:
 - a. Filming **and recording** of Board of Trustee meetings and any other meetings governed by the Brown Act;
 - b. Video recordings made in the College television studio or in the College remote production truck by College personnel or authorized students;
 - c. Still photography in campus studios (i.e., photography classes, Marketing photo studio);
 - d. Still photography for marketing purposes coordinated through Marketing and Communication or Web Services with permission from faculty members and/or administrators responsible for the space;
 - e. Audio recordings in support of academic research or in direct support of College programs (i.e., oral histories, off-air recordings by radio students);

- f. **Filming and** video recordings in direct support of College programs (i.e., game films for athletic teams, students practicing for a tournament or performance) **instruction, administrative meetings, and College events;**
 - g. News media recordings in public areas (AP 4600 elaborates on the role of College news media); and
 - h. Filming **and recording** as authorized in Board Policy 6530 – Closed Circuit Television Surveillance Systems.
- 2. Filming **and recording** must not be disruptive and must be done in accordance with College policy.
 - 3. On-campus filming **and recording** must not interfere with the ongoing operations of the College, including, but not limited to, educational operations and previously scheduled College events.
 - 4. Filming **and recording** must not create a security, health, or safety risk to any members of the College community or anyone involved in the project.
 - 5. **Filming and recording shall be conducted in a professional, ethical, and legal manner.**
 - 6. Appropriate releases may be required for individuals appearing on-camera, ~~with the exception of educational, informational, or purely personal photography.~~ Although releases are generally not required for filming **and recording** in public areas, there are exceptions and laws vary. When in doubt, get a signed video appearance form.
 - 67. Various fees may be incurred during film shoots requiring College services including location fees, supervision of the filming event, and other College services including security, grounds, custodial, and maintenance services.
 - 78. Pyrotechnics, explosives, amplified sound, sound or visual effects, replicas of weapons, and other props that would cause alarm or disruption to the campus community are prohibited without prior authorization from the College.
 - 89. Commercial works that include the College's name, logos, or other trademarked images need to be granted a license from the College for use of trademarks.

Approved: August 24, 2016