Policy

University Policy AV-02.01-01/17

Policy Title: **UWF Photo/Video Release Policy**

Originator: **Dr. Brendan Kelly, Vice President**

Responsible Office: **University Marketing and Communications**

Reason for Policy/Purpose:

Florida law protects against the unauthorized use of a person's name or likeness for commercial purposes. This policy establishes the procedures and best practices related to the University of West Florida's use of photography and video that depicts campus life, events, ceremonies and other University activities.

Who Does this Govern and Who Needs to Know this Policy?

Employees of the University of West Florida, specifically those charged with marketing and communications responsibilities.

Definitions:

a. A person's likeness – The portrait, photograph (still or moving or reproductions), video, voice, recordings, or other representation of a person in print, digital, or any other media.

b. Endorsing – To express approval of or give support to by public statement; to recommend something (as in an advertisement).

c. Editorial photography – Photography that illustrates a news-related story – not intended to sell or promote a product, service, or idea.

d. Commercial photography – Photography that facilitates a business venture.

Policy Statement:

I. <u>When Photo/Video Releases Are Required</u>:

The University of West Florida requires written consent to feature a person's likeness, name and/or biographical information in print, digital or any other media when one or more of the following criteria apply:

a. When a person's likeness is used in University marketing or promotional materials that either:

   i. Use the person's name, or
   ii. Portray the person as endorsing the University of West Florida.

b. When the person is featured in a medical setting.

c. When the person is featured where there is a reasonable expectation of privacy – Areas considered private include dressing rooms, restrooms, homes, and residence hall rooms.

d. When the person is a minor, documented consent from a parent or guardian is required. (See Section III for more details on minors.)

II. When Photo/Video Release Forms Are Not Required:

As a general rule, the University of West Florida does not require written consent to feature a person's image, likeness, voice, name and/or biographical information in print, digital or any other media when one or more of the following criteria apply:

a. When the purpose is informational or editorial, but not commercial – Anything that informs, educates, or expresses opinions protected as freedom of speech.

b. When the footage is of Public Spaces; Public Events; Group Shots – Footage taken in public spaces that does not use any names of individuals. Examples of public spaces on campus include exterior walkways, entryways, atria, sports fields and classrooms.

III. Minors:

a. In general, parental or guardian consent must be obtained for photographing minors.

b. Group shots taken in a public setting that include minors may be published if the minors are not personally/individually identifiable. (Minors' names are not required to make an image personally/individually identifiable.)

IV. When Obtaining Consent – Use UWF Release Form:

a. UWF prefers that electronic signatures for the Photo/Video Release Form be collected from the appropriate people when at all possible. If obtaining an electronic signature is not feasible, a hard copy version of a UWF Photo/Video Release Form is acceptable and should be kept on file. The official Photo/Video Release Form may be reviewed online at https://uwf.edu/media/university-of-west-florida/offices/general-counsel/pdf/Photographic-Film-Consent-and-Release-2019-04-05.pdf.

b. It is strongly recommended that the official UWF Photo/Video Release Form be utilized. However, departments may develop an approved release by incorporating the official release wording into existing forms. The wording utilized in these forms must be identical to the official release and reviewed on an annual basis.

c. At a minimum, whenever reasonably possible, UWF photographers/videographers (or freelancers contracted by the University) shall identify themselves verbally or by wearing UWF identification including a nametag or press badge. If possible, signage should be posted at events to make attendees aware of photography and video activity. Example: Photography will be taken at this event and may be used for marketing and promotional materials.

d. The University will honor requests to not take or use photos/video to the extent practicable.

V. Best Practice Guidelines:

In order to effectively utilize this UWF Photo/Video Release Policy, Best Practice Guidelines are attached as Appendix A to this policy and may be reviewed online at http://uwf.edu/brand/photography/release-form-best-practices/.

Change Justification:

This is a new policy.

Authority and Related Documents:

Family Educational Rights and Privacy Act of 1974, as amended, and Section 540.08, Florida Statutes.

APPROVED: Dr. Martha D. Saunders, President **Date:** 1/20/17

History:

Adopted January 2017.