

ASU System Policy

Effective Date: May 7, 2010

Subject: Commercial Filming and Photography

Category: Campus Access 8.01

1. Purpose

The Arkansas State University System will protect the intellectual property rights of its campuses, grounds, and marks while accommodating those who desire to film or take photographs depicting ASU System Property.

2. Arkansas State University System Commercial Filming and Photography Policy

Arkansas State University System has strictly protected the use of its campuses and has not opened its campuses as public forums. Commercial advertising on ASU System Property is tightly controlled by Board policy. Legitimate commercial filming or photography on ASU System Property will be allowed so long as those actions are authorized after full review of the proposed activities and determined to be in the best interest of the ASU System. Persons not complying with this policy shall be deemed trespassers and escorted from ASU System Property.

3. Definitions

Arkansas State University System. Arkansas State University System ("ASU System") means any of the constituent institutions and campuses which comprise the Arkansas State University System.

ASU System Property. ASU System Property means all buildings and grounds of the Arkansas State University System.

Commercial Filming and Photography. Commercial Filming and Photography means any reproduction of ASU System Property in any medium including moving films, photography, and digital images which is used to promote a third party's interest whether or not such interest results in income. Examples include, but are not limited to, television commercials, magazine contents, billboards, electronic signs, newspaper publications, and computer or other electronically created advertisements.

4. Process

A. AUTHORIZATION

Any person or entity desiring to conduct commercial filming or photography on ASU System Property, or depicting ASU System Property in film or photograph, must secure permission from the president, chancellor, or their designees.

B. APPLICATION

The person or entity desiring to conduct commercial filming or photography shall complete a written application for access to and use of ASU System Property for commercial purposes. The president, chancellor, or designee shall review the application giving consideration to the following elements:

- I. Whether campus programs or operations will be disrupted by the filming or photography
- II. Whether risks to person and property will result from the filming or photography
- III. Whether ASU System marks will be displayed in the filming or photography
- IV. Whether the proposed filming or photography contains any stated or implied endorsement by the ASU System
- V. Whether the ASU System will incur costs as a result of the filming or photography
- VI. Whether remuneration will be provided for depiction of ASU System Property
- VII. Whether the filming or photography is consistent with the policies of the ASU System
- VIII. Whether the filming or photography will damage the reputation of the ASU System
- IX. Whether allowing the filming or photography is in the best interest of the ASU System

C. APPROVAL

If the president, chancellor, or designee determines that the application for commercial filming or photography should be allowed, administrator shall give approval in writing setting out the conditions under which the filming or photography may occur which may include any of the following restrictions:

- I. Times at which the filming or photography may occur
- II. Locations on ASU System Property at which the filming or photography may occur
- III. Proof of Insurance against personal injury and property damage
- IV. Cash deposit in the event of risk of personal injury or property damage
- V. Remuneration for use of ASU System Property

- VI. Purchase of an appropriate license for depiction of ASU System marks
- VII. Appropriate credit for the use of ASU System Property in screen or print credits
- VIII. Securing appropriate releases from any individual depicted in the film or photograph excluding student athletes who may not appear in any commercial advertisement
- IX. Any other restrictions necessary to protect the interests of the ASU System

D. AGREEMENT

The parties shall sign a written agreement setting out the terms under which the commercial filming or photography shall occur. All agreements shall require that any person or entity authorized to film or photograph on ASU System Property shall pay for any property damage or personal injury resulting from the filming or photography and indemnify the Arkansas State University System for any claims made against it as a result of the filming or photography.

(Adopted by the Arkansas State University Board of Trustees on May 7, 2010, Resolution 10-25, supercedes the policy on Taping/Filming of Movies, Commercials, and Documentaries dated July 1, 1991.)