



05.380

FILMING ON UNIVERSITY PROPERTY

Authority: Chancellor

History: Revised and Reformatted January 23, 2009;
Effective September 1, 1990;
Supersedes former policy FAC1.20, which
Replaced MSC 1.10

Source of Authority: UNC Code, Chapter X, Section 502A

Related Links: [Copyright Ownership Policy](#); Request for Filming Form

Responsible Office: Business Affairs

I. Purpose

The purpose of this policy is to clarify the circumstances filmmaking may occur on UNCW property or property leased by the university and the criteria for approval.

II. Scope

This policy applies to all external filmmaking for commercial or non-academic purposes, unless specifically excluded in section III below, and for which the university will not own the copyright to the created product.

III. Policy Exclusions

- A. University departmental filmmaking that is conducted or contracted for and which the university exercises artistic, creative control, and/or copyright ownership is considered internal use. Such filmmaking is subject to the UNCW visual identity guidelines and other relevant university policies.
- B. Because student filmmaking is considered academic and for internal use, it is subject to academic guidelines.
- C. Filming activities conducted for news purposes may include reporting on persons, events or scenes that are in the news for newspapers, television news, and other news media, including the Internet. All requests for news reporting shall be referred to the Office of Marketing and Communications or Athletics, as appropriate.

- D. Filming for political purposes is not allowed at any time without the express written permission of the university. All requests must be referred to the Office of Marketing and Communications.
- E. Filming activity conducted for the purpose of marketing or promoting the university (commercials, admissions-related, etc.) must be discussed with and approved by the office of Marketing and Communications before filming commences.
- F. Photography requests shall be referred to the Office of Marketing and Communications.

IV. Policy

- A. With prior university approval, filmmaking will be permitted on university campus or property leased by the university provided that such activity does not interfere with the education, research and normal operating or program functions or previously scheduled events of the university and which does not pose a security or safety risk. Furthermore, the university reserves the right to deny filming on the basis of content related to pornography, defamation, obscenity, activities in violation of State law or if the university deems that the content of the production is contrary to the mission of UNCW, or other reasons as specified in Section VII below. The use of campus images requires the express written approval of the university.
- B. It is preferable that productions be scheduled on weekends and during scheduled academic breaks and holiday periods. Disruptions to university scheduled classes, programs, events and activities are considerations that will be used when evaluating proposals. Special conditions or precautions may be required to ensure that no disruption occurs to the regular operations of the university.
- C. Charges associated with filmmaking shall be determined by the Office of Business Services based upon reimbursement of actual costs incurred and actual revenues lost in accordance with applicable State law. Actual costs incurred include, but are not limited to, staffing costs as set out in a schedule maintained in the Division of Business Affairs depicting hourly rates for location management, police security, traffic control, physical plant trades, grounds restoration, trash removal, parking and other services rendered. Actual costs include services contracted by the university and any costs incurred to repair damages or return facilities to the condition that they were in prior to filming.

V. Definitions

- A. Campus Image: A campus image is a still or moving image of UNCW that can be readily identified by the public as UNCW property by architecture, landmarks, signage, sculptures, the presence of prominent individuals, mascot, the inclusion of logo, marks and collegiate gear or athletic uniforms or any other means.
- B. Filming: Filming is the capture of moving or still images of university property by any means through the use of any media, including, but not limited to, film, videotape, digital disk, or any electronic transmission to another medium or to the Internet.
- C. Filmmaking: Filmmaking means original motion picture, television or radio images for theatrical, commercial or educational purposes.
- D. Location Use Agreement: The location use agreement is the officially approved contract between the university and the Production Company.
- E. Production Company: Production Company means any person, partnership, entity or corporation engaged in the business of filmmaking activities under the scope of this policy.
- F. UNCW Location Contact: the associate vice chancellor for business affairs – business services or designee is the UNCW Location Contact for all filmmaking under the scope of this policy. The UNCW Location Contact is the first point of contact for all filmmaking under the scope of this policy and is responsible for all arrangements pertaining to the film production. These duties include, but are not limited to, distribution of the policy to the Production Company, execution of the Location Use Agreement between the parties, coordination of script review, coordination of the scouting of campus locations, evaluation of requests for filming, estimation of costs and expenses in coordination with pertinent campus offices, inspection of locations following the filmmaking activities and finalizing billing.

VI. Procedures

- A. Production Company shall submit a written request for filming with the Office of Business Affairs a minimum of ten (10) working days in advance of the load in, first set up or filming day. A request form is not considered complete unless a scene description is provided. The university reserves the right to request a script in addition to the scene description. If a script is requested, the Production Company should mark the script prior to submitting it to the university with the words “confidential” and/or “trade secret” in accordance with the NC Trade Secret law. Failure to mark the script may subject the document to disclosure under the NC Public Records Act.

- B. Permission may be granted conditionally provided the Production Company's request satisfies Section IV. A and B above and Section VII below as determined in the sole discretion of the Vice Chancellor for Business Affairs or designee. A decision to film will be made after a site location and/or use of Campus Images is decided and agreed upon by the university, which will be communicated by the UNCW Location Contact within seven working days of receiving the completed request.
- C. The UNCW Location Contact will assist the Production Company in obtaining permission for site surveys, location and technical scouts. Permission to scout does not constitute approval by the university for the use of the facilities. Locations with privacy concerns such as occupied residences, offices, locker rooms, and rest rooms will not be considered.
- D. The Production Company's authorized representative must enter into and sign the Location Use Agreement and return it to the UNCW Location Contact. At least forty-eight (48) hours before filming, set up or load in, Production Company must provide the UNCW Location Contact a certificate of insurance as specified in the Location Use Agreement.
- E. The UNCW Location Contact will determine whether the Production Company will be required to pay a deposit in advance of filming. In all cases, the University will invoice the Production Company at the end of filming for all associated charges. Any additional donations will be processed through University Advancement.

VII. Grounds for Denial

A request for filming may be denied on any of the following grounds in addition to the criteria specified in Sections IV.A.-B. above.

- A. The Request Form is not fully completed.
- B. The Request Form contains a material falsehood or misrepresentation.
- C. The Production Company has on prior occasions damaged university owned or leased property and has not paid in full for such damage, or has other outstanding and unpaid debts to the university.
- D. The use or activity intended by the requestor would conflict with planned programs organized and/or conducted by the university and scheduled for the same time and/or location.
- E. The production company and/or location manager has made on prior occasions material misrepresentations regarding the nature or scope of the

filming previously granted or has violated the terms of prior grants of filming on university property. (Note: Issues with a location manager may be resolved by the production company changing location managers.)

- F. The proposed filming would unreasonably interfere with pedestrian and/or vehicular traffic.
- G. The proposed filming involves locations deemed unsuitable due to privacy concerns, such as occupied residences, offices, locker rooms, and rest rooms.