



Ohio Administrative Code

Rule 3342-5-12.11 Administrative policy regarding recording of university property for a commercial or other non-university related purpose.

Effective: May 1, 2020

(A) Policy statement. Any individual or entity seeking to utilize university property, facilities, personnel and/or use identifiable university landmarks/ buildings/logos for a commercial or other non-university initiated purpose must submit a written proposal to the university at least two weeks prior to the expected date of arrival on campus. The vice president for university relations, or such designee as provided for herein, is responsible for the implementation of this policy.

(B) Scope. This policy applies to any individual or entity seeking to record images, video and/or sound through film or other electronic means for a commercial or other non-university initiated purpose. Entities exempt from the policy include:

- (1) Kent state university teleproductions work for channels 45/49;
- (2) Student media subject to rule 3342-4-12.1 of the Administrative Code;
- (3) Media, university or community members capturing content at university-organized news conferences and media events;
- (4) Students whose work is for class assignments;
- (5) Employees or others assigned to produce recordings for classroom, research, scholarly purposes, professional presentations or in-service training.

(C) Authority. The vice president for university relations, or designee responsible for university communications and media relations, has the authority to negotiate or waive part or all of the procedures in this policy upon written request if the production meets the following criteria:

- (1) Utilizes limited public property;



(2) Requires limited university personnel and/or management;

(3) Does not involve recorded participation of any university students, staff members or faculty, unless such individual has provided consent to the production in writing; and

(4) Adheres to all privacy laws and policies.

(D) Implementation.

(1) Any individual and/or entity not exempted under paragraph (B) of this rule must provide a proposal in writing to the senior vice president for strategic communications and external affairs, or designee responsible for university communications and media relations, at least two weeks prior to the expected date of arrival for on-campus activities. The request should be addressed to vice president for university relations, or designee responsible for university communications and media relations, and should be sent electronically to filmingrequests@kent.edu.

(a) The written proposal shall contain the following information, as applicable:

(i) Name of the chief executive officer and/or president of the production entity and/or firm that will be held liable for any expenses beyond normal university functions, damage to university property or facilities and/or physical harm to university employees;

(ii) Proof of insurance at an amount commensurate to the activities proposed, including the type of coverage; Kent state university must be named an additional insured;

(iii) Name of the individual(s) to be responsible for the project, if approved, who will be physically present during the recording process;

(iv) Detailed description of production to be recorded on campus;

(v) Detailed description of facilities needed; university property needed; electrical and other utility specifications; proposed locations (inside and outside) for recording and set-up as well as the anticipated number of parking permits, if applicable;



- (vi) Proposed hours, days and weeks the film/video crew will be on campus;
 - (vii) Proposed hours, days and weeks the film/video crew will be utilizing each proposed facility, university property and locations (inside and outside) for recording and set-up;
 - (viii) Proposed air date and name of organization and/or network airing the proposed film/video;
 - (ix) Any additional permits required by state and/or federal authorities.
- (b) The written proposal shall be accompanied by a one hundred dollar processing fee. The check must be made out to Kent state university.
- (c) The written proposal shall be reviewed by the executive director, university media relations, or a media relations designee, for completeness.
- (d) The executive director, university media relations, or a media relations designee, shall ask that further information be submitted in writing if the proposal is incomplete.
- (e) The executive director, university media relations, or designee, may consult with the office of general counsel, director of public safety, and/or the vice president for university relations as needed, depending upon the scope of the proposal.
- (f) The vice president for university relations, or designee, shall consult with executive cabinet to determine if the proposal will severely impact the university's mission to educate students and conduct scholarly research, its students and employees, and/or its physical plant.
- (2) Upon approval of the written proposal, executive director, university media relations, or media relations designee, shall work with the individual and/or entity to negotiate, prepare, and finalize all written agreements required prior to the commencement of activities subject to this rule. All agreements under this rule, including location agreements, shall be executed by the vice president for university relations; or may be executed by the executive director, university media relations for productions not exceeding forty-nine thousand dollars in value to the university. Any such agreement



shall include, without limitation, the following:

(a) Upon completion of the project subject to the proposal, Kent state university shall deliver an invoice to the individual and/or entity detailing expenses incurred by the university to be paid by the individual and/or entity. Such invoice must be paid within thirty days. The check must be made out to Kent state university.

(b) The individual and/or entity that submitted the proposal shall remit a quarterly royalty payment to the university of a percentage of the film/video production's gross sales revenue, in an amount and for a duration satisfactory to the vice president for university relations.

(c) Within thirty days of completion of on-campus film/video activities, the individual/entity shall deliver to Kent state university a copy of all raw film/video footage recorded/filmed on campus, and such raw footage may be used by Kent state university on a non-exclusive, non-transferrable, and non-commercial basis.

(3) Sole discretion. The vice president for university relations retains sole discretion to deny all or part of a request, or revoke any approvals already provided under this rule, based upon: the productions failure to meet the conditions or criteria provided for within this rule; the productions failure to adhere to university policies, local, state, and/or federal law; the adverse impact of the production to the university community; the productions interference with an existing university event or contract; or in the event the production encroaches upon a university locations designation as a national historic landmark.

(E) Location fees. Any individual and/or entity not exempted under paragraph (B) of this rule is further responsible for the following fees, in addition to other fees that may be further provided for in this rule:

(1) Exteriors only:

(a) Photography: two hundred dollars per day.

(b) Film or video: five hundred dollars per day.



(2) Interiors:

(a) Photography: four hundred per day.

(b) Film or video: one thousand per day.

(3) Rental fees, including but not limited to space, security, clean up, parking, for university facilities or grounds as may be applicable in accordance with the university's facility use policy as provided for in rule 3345-5-12.4 of the Administrative Code.