

3364-70-26 Audio/visual recording in university of Toledo (“UToledo”) animal housing and use areas.

(A) Policy statement

UToledo is committed to the protection of animal health and the advancement of science, and recognizes the need for faculty, staff and students under faculty supervision to obtain photos or videos of laboratory animals for scientific and educational purposes. However, entry to animal care and use environments is strictly controlled for the protection of animals, laboratory staff and non-laboratory staff.

(B) Purpose of policy

This rule specifies the limitations, conditions, restrictions, and pre-requisites to audio and visual recording of animals, persons and facilities in UToledo animal research facilities. This policy is intended to protect the welfare of animals, integrity of scientific protocols, and provide confidentiality and security of UToledo animal use and related procedures.

(C) Scope

This policy applies to all UToledo faculty, staff, students, and research participants, and describes allowable use of audio/visual recording in UToledo animal housing and use areas including the lake Erie center (“LEC”). Animals on public display are not covered by this policy.

(D) Definitions

- (1) Animal housing and use area: Established UToledo animal facilities, core service facilities, or principal investigator (“PI”) laboratories where animals are housed, tested, or used for procedures or teaching, and conveyances in which animals are transported between animal use areas.
- (2) DLAR: Department of laboratory animal resources.
- (3) IACUC: Institutional animal care and use committee.

- (4) Institutional official (“IO”): The individual who, as a representative of senior administration, bears ultimate responsibility for the research program and is responsible for resource planning and ensuring alignment of research program goals with the institution’s mission. At UToledo the IO is the vice president for research (“VPR”).
- (E) The use of any recording device (e.g., film camera, digital camera, camera phones, digital recorder, sound recorder) is prohibited in animal use areas with the following exceptions:
- (1) When performed by government inspectors (e.g. United States department of agriculture veterinary medical officer);
 - (2) When performed by an authorized PI or an animal user approved on the related animal study when required for scientific reasons (e.g., publications, laboratory documentation) or academic activities;
 - (3) When performed by animal care or veterinary staff when required to assist in clinical diagnosis of disease or response to treatment;
 - (4) When performed to document condition of facilities, or compliance or animal handling issues at the direction of UToledo officials, the IACUC, DLAR staff, or representatives of federal agencies;
 - (5) Photography or filming by outside interests (e.g., non- UToledo entities or journalists), when approved at least three business days in advance the IO, the dean of the PI’s college, UToledo communications office, and DLAR (where appropriate, see a. below).
 - (a) When filming within a DLAR facility, DLAR must be informed in writing at least three business days in advance of any planned audio or visual recordings in animal use areas by outside interests (e.g., non-university entities or journalists).
 - (b) The IO must be informed at least three business days in advance of planned recordings.

- (c) The dean of the PI's College must be informed at least three business days in advance of planned recordings.
- (d) The written request should include justification for the audio/video recording, a description of what will be recorded (including species), who will be performing the recording, the proposed date and time of the recording, and scope of the distribution.
- (e) UToledo communications office must be informed at least three business days in advance of filming of or release of videos or photos by non-UToledo entities.
- (f) When all required notifications are documented and the written request is approved, the IO (or designee) will notify the outside interest. Requests may be denied if presented without sufficient notice or when the university determines that the risk is not acceptable

(F) Additional requirements and restrictions:

- (1) Consideration should be given to secure processing, transport, and storage of negatives, disks, tapes, media cards, or any other mechanism for storage that include digital images/sound captured by authorized PIs and approved animal users on the related animal study in the course of their work.
- (2) Images and/or audio/visual recordings may not be posted to any type of social media, including laboratory websites, without express written permission from the IO (in consultation with the IACUC and attending veterinarian) and UToledo communications office.
- (3) Only procedures and animals that are included in an approved IACUC protocol may be the subject of any recordings.
- (4) Appropriate and accurate context must always be shown when any recordings are made, including but not limited to the following: (if an animal is anesthetized or sedated, include the vaporizer or tray holding the bottle of injectable drug; personnel must be wearing

required personal protective equipment appropriate for the work appear in the image).

- (5) For privacy and security purposes, no identifying landmarks, facility location, or security measures (e.g., room numbers, workers' name badges/IDs, security camera locations) may be shown in any images.
- (6) Personnel may not be photographed without their express permission.

(G) Other Considerations:

Laboratory personnel and research staff must recognize the potential for photographs and recordings to be the subject of public records requests. All public requests for photographs and recordings should be directed to UToledo's office of legal affairs office.

(H) Sanctions and Remedies

- (1) Violation of this policy may result in administrative actions including but not limited to loss of animal research privileges/facility access.
- (2) Unauthorized images or recordings and images or recordings that do not comply with this policy, including those located on unauthorized devices, must be immediately surrendered to the chief compliance officer and secured for destruction, except that such images or recordings may be retained at the direction of human resources or student affairs or the appropriate UToledo department as needed for any related conduct or disciplinary actions.

Effective: 4/13/2020

CERTIFIED ELECTRONICALLY

Certification

04/01/2020

Date

Promulgated Under:	111.15
Statutory Authority:	3364
Rule Amplifies:	3364