

# Procedure for UNCG Student Photo Release Process

*Updated 4/9/21*

## **Purpose:**

While photography, which in this case should be thought of to include videography, is crucial to communicating the story of the life and success of UNC Greensboro, there are some steps that should be taken to ensure student privacy. The key to this process is communication with any student who may be a recognizable subject in a photo/video and confirming their willingness to participate in the photo and its subsequent usage.

To that end, any department, school, or project on campus should ensure that each recognizable student in a photo should complete a UNCG Photo Release form and that form should be stored as a record of their willingness to participate. Photographs/video taken by or on behalf of the University become university records. By making those records public, such as publishing it on [uncg.edu](http://uncg.edu) or social media, the University is making a disclosure of a student record not considered to be directory information. To comply with FERPA, UNCG must have a signed written consent for all students easily identified in UNCG-produced photos/video prior to making the content public.

Collection and storage of photo and video releases are the property and responsibility of the department who requested the photo or video service, not University Communications. Photography rights can be a confusing area and the department should make sure that they have obtained the proper rights to the images as well as the permission from identifiable subjects. For questions regarding photography rights agreements please contact the University Purchasing department.

## **Procedure:**

When using photographs or video of individuals in connection with UNCG, including on any UNCG website and related sites, in any UNCG-produced programs, advertising, promotion, social media and/or publicity, it is important to consider if a UNCG Photo Release Form ("release") from the subjects/models is required before the photography is published or otherwise made publicly available.

The following guidelines apply to the distribution of photos/videos taken by University personnel or those acting as an agent of the University and distributed externally, such as on University websites, digital channels or in marketing materials.

If your college, school, or program has established more stringent requirements than what is listed below, you should observe your area's requirements.

Releases are typically required if the individual:

- Is recognizable; the primary focus of the photograph/video shot
- Is identifiable in a small group setting, such as a small group of students studying in the library or congregating by the fountains. In these cases, a release should be obtained from *each* subject
- Has been recruited to serve as a model
- Is a minor (under 18 years of age); a parental release is required

Releases are typically not required if:

- Photographed in large group shots in a public space or at public events with little expectation of privacy, such as commencements, sporting events, and concerts
- It is a large group setting, such as wide shots of classrooms or campus scenic shots with no single subject
- The subject is not recognizable, such as silhouettes, posterior view or out of focus
- The photos/video are not being taken or distributed by UNCG. When news media is covering a story on campus or a production company is shooting content it plans to distribute, a UNCG photo release is not required. In many cases they will have their own releases.

### **What if I am not sure if a release is required?**

If the situation does not fall under one of the outlined scenarios, assess the need for a release by asking: what expectation of privacy does the subject reasonably have in this situation? If there is a reasonable expectation of privacy, a release is necessary. When in doubt, obtain a release.

### **Why do we need photo releases?**

Photo releases are especially important and necessary when photographing students and complying with the Family Educational Rights and Privacy Act of 1974 (**FERPA**), the federal law that protects the privacy of student education records.

### **Do photo releases only apply to students?**

No. The photo release *must* be used for models, students and minors, per the guidelines outlined above. It is strongly suggested and a best practice to use the release form for *any individual* who is the primary subject of the photo, including faculty and staff.

In all cases, consent must be given. It is permissible, however, to get informal consent from faculty, staff and other individuals, such as asking to use a person's image and receiving consent through email.

For large open events, post signage that prominently includes a notice to attendees that photos will be taken and possibly used by the University. Approved signage for this purpose can be found [here](#).

Typically, you need consent for each photo event. One release does not constitute consent for any and all future photos of the student. However, it is permissible to get a release for a semester if it specifically identifies the program/group being documented. Example: if you are documenting a group of architecture students building a project over the course of a semester and it will involve multiple photo sessions, you can have one release that covers consent during the course of participation.

### **Who manages photo release forms and how long should we keep them?**

It is the responsibility of each department or unit that requested the photography to execute and maintain executed photo release forms. Such records should be kept on file indefinitely or, if known, for five years after the student's graduation from the University.

### **Responsibility:**

In all cases it is the responsibility of the department requesting the photos/photoshoot to obtain and store the photo release forms of any identifiable subjects in the photos as outlined above. Those forms should be stored and retrievable within that department as long as the photos are in use and/or for a time period at least five years after the student subject graduates from their UNCG program.

If University Communications or other departments receive inquiries regarding either rights or consent regarding images stored in the University's digital asset management system, they will reach out to the photo organizing department for proof of compliance.