

CLARK COUNTY SCHOOL DISTRICT REGULATION

R-3613.2

FILMING OR RECORDING ON SCHOOL DISTRICT PROPERTY

I. Purpose

The primary use of all resources of the Clark County School District ("District" or "CCSD") shall be for the support of the instructional program. The District permits filming or recording on District property in the instances described in this regulation, provided that the safety and the privacy of students and employees is maintained and the use does not interfere with school activities, result in any cost to the District, interfere with the mission of the District, or negatively affect the reputation of the District. This regulation sets forth the procedures and fees related to filming or recording on District property.

II. District Discretion

The District has no obligation to permit filming or recording on District property, including District-owned sidewalks. Express written permission is required for all filming or recording on District property. Permission is at the sole discretion of the District.

III. Definitions

- A. Recording. The term "recording" includes, but is not limited to, photographing, audio recording, filming, video tape recording, digital recording, or any other form of audio or video media recording.
- B. Non-News Media. The term "non-news media" includes, but is not limited to, an outside organization, entity, or cause not affiliated with the District or not related to a school-sponsored event whether for profit (including, but not limited to, commercial productions) or nonprofit in nature.
- C. News Media. The term "news media" includes news organizations, news producers, and news reporters who seek to record on District property for routine news-gathering purposes (including, but not limited to, filming, photographing, or interviewing).
- D. Producer. The term "producer" means an individual producer or production company that creates a production.
- E. Production. The term "production" includes, but is not limited to, the use of any recorded media to create a film, movie, television show, radio show, internet video, social media post, audio or video on a mobile device, or other

audio show, commercial, news magazine program, documentary, or public service announcement.

- F. District Property. The term "District property" includes school-based sites, non-school-based sites (including, but not limited to, administrative offices, transportation yards, or other District buildings/facilities), and District vehicles.
- G. District Vehicle. The term "District vehicle" includes, but is not limited to, school buses and school police vehicles.

IV. Procedures for Reviewing a Request to Record on District Property

The procedures for consideration of a request to record on District property are set forth below:

A. Non-News Media Request

- 1. Application Process. When a non-news media request to record on District property is initially received, it should be referred to the Risk Management Department who will provide the non-news media group with the following documents:
 - a. Application to Film or Record on CCSD Property.
 - (1) The application may be found online at www.ccsd.net.
 - (2) A summary of script tone, message, objective, audience, and outreach must be clearly outlined in the application. The District reserves the right to request a copy or summary of the production script, a summary or description of the overall production or context of the scenes involving the school or the District, and a copy of the final production to review and approve prior to the final release or airing.
 - (3) The deadline for submission of the Application to Record on CCSD Property is 45 days prior to the proposed date of recording.
 - b. District Facility Use Permit (CCF-410). See Section VI below.
 - c. CCSD Venue Release contract. See Section VII below.

- d. Release Form and Waiver for each student and/or staff member that will appear in the recording (if applicable). See Section X below.
 - e. The same application process applies when there is a request to use a District vehicle in a recording. See Section XII below.
2. Receipt of Applicant's Documents. Once all of the documents in Section IV(A)(1) are received, the Risk Management Department will work with the following individuals/divisions to review the request:
 - a. All requests to record at a school-based site must be approved by the Risk Management Department, the site administrator/school Principal, the Principal's supervisor, and the Chief Communications Officer or their designees.
 - b. All requests to record at a non-school-based site must be approved by the Risk Management Department, the site administrator who oversees the requested site, and the Chief Communications Officer or their designees.
 - c. See Section V below for additional consideration factors.
 3. Prior to final approval and collection of fees, notice, and information will be provided to the members of the Board of School Trustees.
- B. News Media
1. All requests from news media to record on District property for routine news-gathering purposes (including, but not limited to, filming, photographing, or interviewing) must first be made to the CCSD Communications Office.
 2. The CCSD Communications Office will then consult with the site administrator or school Principal to determine whether permission will be granted to record.
 3. In most cases, when the news media is recording for the purpose of news reporting or public information, the news media will not be required to complete an Application to Film or Record on CCSD Property, District Facility Use Permit (CCF-410), or CCSD Venue Release contract.

4. If students are to be recorded, the news media must ensure there is parent or guardian consent (e.g., CCF-588 or separate release) to be verified by the site administrator.

C. Vegas PBS

This regulation does not apply to Vegas PBS productions. Vegas PBS is governed by its own separate procedures which are set forth in contracts between Vegas PBS and the District.

D. District Recordings

This regulation does not apply to recordings on District property in connection with the District's own services or programs, including, but not limited to, training videos for use by schools, student-generated casts or productions that are part of the educational program, or other District educational purposes. If students will appear in District recordings, appropriate releases will be obtained (e.g., CCF-588 or separate release).

- E. This Regulation does not govern filming or recording by District-affiliated groups (such as the Nevada Interscholastic Activities Association or its contracted agent).

F. Political Activities

Political activities on District property are governed by Policy 6124.3.

G. Student and Parent Recording

This regulation does not govern filming or recording by students and parents on District property.

V. Factors to Consider in Granting or Denying Requests to Record on District Property

- A. Productions/recordings must not disrupt instruction or other school activities and must not utilize students or employees during instructional or contractual time, unless written approval is obtained from the Principal and the Principal's supervisor (for a school-based site) or the site administrator (for a non-school-based site such as an administrative office). Approval should only be granted if the recording causes minimal or no disruption or interruption to instructional time.

- B. Productions/recordings that will not be allowed on District property include, but are not limited to (determinations made at the sole discretion of the District):
1. Productions intended or perceived to be derogatory, defamatory, slanderous, censorable, untrue, or otherwise embarrass the District, students, or the community;
 2. Productions depicting gratuitous nudity, sexual activities, or lewd activities;
 3. Productions that include violence deemed to be sadistic, gratuitous, excessive, or extreme;
 4. Productions that denigrate any ethnic or minority group or member of a protected class under the law;
 5. Productions that involve or portray illegal activities;
 6. Productions that promote the use of illegal drugs or alcohol abuse;
 7. Productions that imply an endorsement by the District or its individual schools (including, but not limited to, productions that would violate CCSD Regulation 1232); or
 8. Productions that imply an endorsement of religion or a political position.
- C. The producer shall provide assurances that the production is intended to have a viewer rating not more restrictive than "PG-13."
- D. The producer must comply with all applicable safety regulations while on District property. The producer must provide written documentation of any equipment, scenes, or special effects that could endanger the safety of students and staff, or potentially damage District property, and be willing to assume liability for all damages and to indemnify the District from consequences as a result of the production. Written permission to use such equipment and/or special effects must be obtained from the Risk Management Department.

VI. Facility Use Permit and Fees

- A. The producer must submit a District Facility Use Permit (CCF-410) to the Risk Management Department at the time of the application.

- B. The use of District property must be in accordance with CCSD Regulation 3613.
- C. The producer must pay a fee to record on District property.
 - 1. Fee amount. See current Facility Usage Rates schedule for pricing.
 - a. A nonrefundable application and processing fee.
 - b. A daily fee for the use of District property.
 - c. Other fees as set forth in the Facility Usage Rates schedule.
 - d. Modification(s) to standard District forms fee (if applicable).
 - 2. Waivers and In-Kind. The District will not waive the application, processing, or form modification fee. However, the District may allow a waiver of the daily fee in exchange for in-kind services or donation of equipment/products to the school or District, which must be provided prior to the beginning of the recording.

VII. Venue Release Contract

- A. The producer must submit a signed standard CCSD Venue Release contract to the Risk Management Department at least 30 business days prior to the proposed date of recording.
- B. The Venue Release contract may only be modified with the consent of the Office of the General Counsel. If modification is requested, the Risk Management Department must contact the Office of the General Counsel at least 30 business days prior to the proposed date of recording.

VIII. Liability and Indemnity

The producer must provide a certificate of liability insurance with additional insured status for the District, a certificate for workers' compensation insurance with a waiver of subrogation endorsement in favor of the District, and a hold harmless agreement to cover the District, the Board of School Trustees, its agents, and employees in a manner satisfactory to the Risk Management Department. This information must be provided to the Risk Management Department at least 45 business days prior to the proposed date of recording.

IX. District Logos and Endorsements

- A. All signage, logos, marks, slogans, or other identifying marks of the District or of any individual school must not be included in the final production to avoid identification of the specific location, unless expressly permitted. This permission may be granted by the Chief Communications Officer or designee, and must be included in the CCSD Venue Release contract.
- B. The production must not imply any endorsement of a commercial product or service by the District or any school.

X. Release Form and Waiver for Student or Staff Participants

- A. Students and/or staff may not be included in recordings on District property unless each of those individuals and/or the parent/guardian has signed the CCSD Release Form and Waiver.
- B. The producer is also required to obtain their own separate release and/or contract with any students and/or staff that are included in the production.

XI. Suspension of Production/Recording

If at any time during the production/recording, the site administrator in charge (or designee) determines that the production is disrupting the normal activities of the school or the District, is in violation of the terms of the CCSD Venue Release contract, or is in violation of District regulations, state, or federal law, the administrator in charge shall immediately notify the District supervisor and notify the producer to halt or suspend the production/recording. The producer shall be permitted to resume only after the problem has been resolved to the satisfaction of the site administrator and the site administrator's supervisor, which will be assessed as quickly as possible.

XII. Procedures for a Request to Record that Involves a District Vehicle

- A. Use of a District vehicle (including, but not limited to, a school bus or school police vehicle) in a recording is at the District's sole discretion. Express written permission is required.
- B. The producer must submit the following documents to the Risk Management Department:
 - 1. Application to Film or Record on CCSD Property. The application will include provisions regarding use of a District vehicle in a recording.

2. CCSD Venue Release contract. The contract will include provisions regarding the use of a District vehicle in a recording.
 - a. The contract must include a provision that the producer is responsible for all injuries and damages that arise from services under the contract, including, but not limited to: personal injuries; workers compensation benefits; property damage; and liability for District property, employees, and third parties.
 - b. The contract must include a provision that the producer shall indemnify the District for any losses, damages, claims, or payments that arise from services under the contract caused by the producer, the producer's agents, employees, volunteers, extras, or independent contractors working on the production.
 - c. The contract must include a requirement that the producer provide evidence of hired/non-owned automobile liability coverage by way of a certificate of insurance.
 3. District Facility Use Permit (CCF-410), if the recording will occur on District property.
 4. Release Form and Waiver for each student and/or staff member that will appear in the recording (if applicable).
- C. The Risk Management Department will consult with the CCSD Transportation Department and the Chief Communications Officer or designee to determine whether permission will be granted to use a District vehicle in a recording.
- D. Permission may be granted only if there is a vehicle and a driver available and that vehicle is not needed to transport students or for other District business for the time period requested by the producer.
- E. The factors set forth in Section V must be considered in making the determination.
- F. Fees for the use of a District vehicle in a recording. See current Facility Usage Rates schedule for pricing.
1. A nonrefundable application and processing fee.
 2. A daily fee for use of the District vehicle.

3. The producer must pay for reimbursement to the District for driver wages and benefits at a minimum of three hours, whether those three hours are needed for the production or not.
 4. The producer shall pay the "out-of-district" fuel rate for the distance/fuel used in the vehicle as it travels to production, during production, and back to the assigned bus/vehicle yard.
- G. At no time may a non-District employee drive any District vehicle.
- H. The District driver may not be requested to perform any acting, stunts, or other action that is outside that driver's duties.
- I. The District driver must, at all times, comply with the rules of the State of Nevada, all transportation laws, and the CCSD Transportation Department Handbook.

Review Responsibility: Business and Finance Division
Adopted: [8/13/15]