

EASTERN UNIVERSITY

Policy Regarding Capture and Use of Photographs, Video and Audio Recordings

Eastern University respects the privacy of its students, faculty and staff. This policy is intended to provide guidelines regarding the capture and use of photographs, video and audio recordings created on University-owned or leased property and at events (on campus and off) hosted or sponsored by or affiliated with the University.

Photographs, video and audio recordings are captured on campus in many different ways and for different purposes.

Photographs Used for Identification.

All students, faculty and staff are expected to permit the University to capture, possess and use their photographs for identification and security purposes. Students may, under the Family Educational Rights and Privacy Act (which treats such photographs as “directory information”) request that such photographs not be disclosed to third parties (except as required for security purposes). Such a request shall be delivered to the Communications Office of the University. Such request shall not prevent the University from using such photographs for all University purposes. Absent such request, such photographs can be disclosed by the University to third parties and used for all purposes.

Photographs, Video and Audio Recordings Made By or For the University.

The University will, from time to time, take photographs and make video and audio recordings in public places on the University’s campus and at events (on campus and off) hosted or sponsored by or affiliated with the University. Students, faculty and staff, as well as others visiting the campus, will be deemed to have given permission to the use of such photographs and video and audio content by the University, and others authorized by the University, to promote the University and the events hosted or sponsored by or affiliated with the University. Students, faculty and staff may request that they not be included in such photographs, video and audio recordings and the University will attempt to accommodate such requests but it will be the responsibility of such students, faculty and staff, who do not wish to appear in such photographs, video and audio recordings, to advise University personnel taking such photographs and making such video and audio recordings of their desire not to be included. Students, faculty and staff should appreciate that it may not be possible to accommodate their requests in certain instances, particularly, if they participate in the events being photographed or recorded.

Photographs, Video and Audio Recordings Made By Students, Faculty and Staff.

Photographs may be taken and video and audio recordings made by students, faculty and staff in public places on the University campus for non-commercial use. Use of such photographs, video or audio recordings for any other purpose will require the prior, written permission of the University.

Photographs may be taken and video and audio recordings made in any classroom, laboratory, workshop or other location where classes are being held, only with the permission of the faculty member or other teacher or lecturer in charge and then only to be used for non-commercial use. Use of such photographs, video or audio recordings for any other purpose will require the prior, written permission of the University.

No photographs may be taken or video and audio recordings made in any bathroom, changing room, locker room or private place under any circumstances or in any residence hall, student housing, cafeteria, athletic facility, store, faculty or administrative office of the University unless and until every person who is photographed or recorded has given his or her permission to being photographed or recorded and, even in such cases, the photograph, video or audio recording may only be used for personal and non-commercial use. Photographs taken and recordings made in any residence hall, student housing, cafeteria, athletic facility, store, faculty or administrative office of the University should NOT be posted on social media sites unless and until every person who is photographed or recorded has given his or her permission to the posting. The taking of photographs, or making of video or audio recordings (or the distribution of such photographs or recordings) in prohibited areas or without the knowledge and permission of all persons who are photographed or recorded (even inadvertently) is a violation of University policy and may result in disciplinary action and may lead to civil and criminal liability for the violators.

Photographs, Video and Audio Recordings Made By the Public.

Members of the public (other than students, faculty or staff) attending University events (on campus and off) or events hosted or sponsored by or affiliated with the University may take photographs or make video or audio recordings in public places at such events for non-commercial purposes only. The taking of photographs or making of video or audio recordings in non-public areas of the campus at any time or even in public areas of the campus in the absence of University events requires the prior, written permission of the University. Such permission may be made subject to conditions regarding the ownership and/or use of the photographs, video or audio recordings. The University may post notices on the campus and at the events and otherwise advise members of the public of this policy.

Copyrights in Photographs, Video and Audio Recordings.

Photographs, video and audio recordings may be eligible for copyright protection under the law. Except as provided in the next paragraph, this policy is not intended to affect the ownership of such copyrights except that students, faculty and staff shall be deemed to provide the University with the permission to use such photographs, video or audio recordings consistent with this policy notwithstanding any claim to ownership of the photographs, video or audio recordings or claim to copyright in such items. If the University is made aware of a valid claim of copyright in a photograph, video or audio recording, it may place a copyright notice on the photographs, video or audio recordings but will not be required to do so.

Execution of Releases and Waivers.

Generally, the University shall: (i) require those taking photographs or making recordings at the request of the University to assign ownership and copyrights to the University (see, Photographer's and Videographer's Assignment of Copyright); (ii) may, in some cases, request a release or a waiver from a student, faculty member or staff member and, if such release or waiver is consistent with this policy, such student, faculty member or staff member provide the release or waiver to the University (see, Photo Assignment and Release).

Prohibition on Copying the Photographs, Video and Audio Recordings of Others.

The University does not condone the unlawful copying, distribution or sale of copyrighted photographs, video or audio recordings (or other materials) on its campus or using University equipment or resources. Such conduct by students, faculty or staff is a violation of University policy and may result in disciplinary action and may lead to civil and criminal liability for the violators.

Notice Concerning the California Consumer Privacy Act

If You are a California resident please read the information in this section. The State of California has enacted the California Consumer Privacy Act of 2018 (“CCPA”) and it may give covered students, faculty and staff (“You” or “Your”) additional rights respecting Your “Personal Information.” The term “Personal Information” and many other terms used in this section are defined in the CCPA and You may wish to consult the CCPA in order to better understand Your rights under this section. It is codified in the **California Civil Code in Sections 1798.100 to 1798.199.**

The University is not subject to the CCPA.

Should the University become subject to the CCPA you may have the following additional rights:

The right to make requests (“Requests”) as follows:

Access Requests You can make such a request no more than twice in any 12-month period and Request that The University disclose the following information:

- Categories of Personal Information the University collected about You during the preceding 12 months
- Categories of sources from which Personal Information is collected about You
- Business or commercial purpose for collecting or selling Personal Information
- Specific pieces of Personal Information the University collected about You
- Categories of Personal Information about You that The University has sold
- Categories of third parties to whom the Personal Information was sold
- Categories of Personal Information disclosed about You for a business purpose
- Categories of third parties to whom Personal Information was disclosed for a business purpose

Deletion Requests You can Request that the University delete Personal Information that the University collected about You.

Do Not Sell Requests You can Request that the University let You opt out of the sale of Your Personal Information.

Non-Discrimination

Eastern University will not discriminate against You because You exercise Your rights under the CCPA or other applicable law. For example, Eastern University will not deny You goods or services or charge You a different price or rate for goods or services if You make an access, deletion, or do not sell request.

Notice Concerning the Nevada Privacy Act of 2019

If You are a Nevada resident please read the information in this section. The State of Nevada has enacted the Nevada Privacy Act of 2019 (the “Nevada Privacy Laws”) and it may give covered students, faculty and staff (“You” or “Your”) additional rights respecting Your “Covered Information.” The term “Covered Information” and many other terms used in this section are defined in the Nevada Privacy Laws and You may wish to consult the Nevada Privacy Laws in order to better understand Your rights under this section.

The University is not subject to the Nevada Privacy Laws.

Should the University become subject to the Nevada Privacy Laws you may have the following additional rights:

The right to review and change Your Covered Information online and by Written Request

- If you have created an account on www.eastern.edu, you can log in and go to **My Account > My Profile > Update Profile** on to review and update your Personal Information, including contact, billing, and shipping information.
- You may also request a report of Your Covered Information or request a correction to such Covered Information by sending a written request therefor to Eastern University, Attn: Nevada Privacy Inquiry, 191 Sheree Blvd., Exton, PA 19341. Please allow 60 days for a response.

You may also have the following rights under the Nevada Privacy Laws:

Correction Requests Request the University report Covered Information that We collected from or about You and make proper corrections when requested.

Do Not Sell My Info Requests Request the University opt You out of the sale of Your Covered Information.