



Regulation of the Chancellor

Number: A-640

Subject: FILMING AT SCHOOL FACILITIES

Category: STUDENTS

Issued: June 15, 2009

SUMMARY OF CHANGES

This regulation replaces and supersedes Chancellor's Regulation A-640 dated October 26, 1998.

Changes:

This regulation is updated to:

- reflect the current New York City Department of Education organization and policy.
- clarify that the procedures herein apply to both filming and photography projects.
- clarify that all requests must first be approved by the Office of Communications and Media Relations.
- advise that the New York City Department of Education's standard location contract and consent forms must be executed prior to any filming or photography project.



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ABSTRACT

All requests from producers of films, television shows, commercials, news magazine programs, or documentary news to film, photograph, or otherwise record images or voices in schools, on school playgrounds, or other

New York City Department of Education ("Department") property must be referred to the Office of Communications and Media Relations. The Office of Communications and Media Relations is the only office with authority to grant or deny such requests.

The filming of for-profit commercials is strictly prohibited.

I. PROCEDURES FOR CONSIDERATION OF REQUESTS TO FILM OR PHOTOGRAPH AT SCHOOL FACILITIES OTHER THAN THE PRESS

- A. All requests to film or photograph at schools or other school facilities by producers or makers of films, television shows, commercials, news magazine programs, or documentary news (hereinafter collectively referred to as "Producer") must first be made in writing to the Office of Communications and Media Relations.
- B. A written summary of the film story shall be submitted by the Producer. If the story deals primarily and predominately with the Department, its students or employees, the Office of Communications and Media Relations reserves the right to review the final shooting script. All filming approvals are at the sole discretion of the Department.
- C. The Office of Communications and Media Relations will consult with the principal, the Office of the General Counsel, and other appropriate personnel in reviewing the request for filming or photographing at school facilities.
- D. Student instruction shall not be impeded by any filming or photographing in school facilities. Every effort must be made to limit filming or photographing to days and hours when classes and testing periods are not in session. The Department may at any time halt or suspend filming if in their reasonable judgment student instruction is being interfered with or obstructed.
- E. Filming or photographing in school facilities during school hours will be permitted

- only with the written approval of the principal.
- F. Where more than one Department facility is needed for one production, an individual clearance and permit will be required for each facility. Approval for filming at one location cannot be used by the filming crew to move to another Department location.
 - G. Where the Department facility is a shared space (two or more schools are co-located in a building), permission will be required from each principal whose students or teachers are to be included in the filming. Approval for filming one school in a facility cannot be used by the filming crew to film any co-located schools. The Producer shall notify all principals in the facility in advance of the times, dates, and locations for filming.
 - H. The responsibility for the recruitment of production personnel and site selection is the exclusive obligation of the Producer.
 - I. No Department employees or students may be filmed or photographed except with the express written permission of the principal and in addition, the respective Department employee or the student's parent or guardian. All consent forms must be approved by the Office of the General Counsel in advance of filming. The use of any film or photographs shall be limited to the particular project and related promotion thereof. Should students be hired by a Producer to take part in productions scheduled to occur before or after normal school hours, outside of school sponsored events or not related to the Department, arrangements for compensation and permission are to be made directly between the Producer and the student's parents or guardians.
 - J. The filming or photography project will be required to benefit the school and its students, e.g., donation of money or equipment to the school for instructional purposes, provision of meaningful internships or ongoing mentoring projects for students, the provision of a speaker on filmmaking at an assembly program, visit to the school by a film star, etc. Moreover, for documentary projects about the Department, its students or employees, the Department reserves the right to negotiate a royalty for the benefit of the Department in the event such documentary is commercially licensed or distributed.
 - K. Once approval is granted from the Office of Communications and Media Relations, a Producer must obtain the necessary permit from the custodian of the facility to be used and must pay applicable fees including opening costs, on a sliding, discretionary scale relative to the purpose of the production, with feature films charged according to use. The waiver of fees may be considered for designated not-for-profit and film school student ventures. In addition, a Producer must pay fees for the use of a school facility as a holding area for a cast and film crew. Use of a school facility as a holding area must be granted by the Office of Communications and

Media Relations in consultation with the principal. Each permit is valid only for the original period for which it is granted.

- L. A Producer must include the Department and the City of New York as an additional insured party in a commercial general liability insurance policy for a minimum of one million dollars (\$1,000,000.00). In particular cases, an additional amount may be required if recommended by the Office of the General Counsel.
- M. The Producer and a representative from the Department must sign the Department's standard Location Agreement in advance of filming. The Location Agreement may only be modified with written consent from the Office of the General Counsel.
- N. There will be no identification of the school or use of the name of the school or "New York City Department of Education" in the filming or photographs unless explicit permission is granted in the Location Agreement signed by the Producer and the Department prior to filming.
- O. The Producer will be required to comply with all necessary safety regulations while on Department property, including those of the Department, the City of New York, and any others deemed applicable. At the expense of the Producer, NYC School Safety Personnel may be required by the Principal in addition to the Producer's own security staff.
- P. Filming of commercials in schools will not be permitted unless the commercial is being created for a public service announcement or the benefit of the Department such as a teacher recruitment campaign. Commercials shall be defined as any filming that is for advertising, political or promotional purposes, be it for profit or not-for-profit.
- Q. Filming or photographing of Department students and employees in connection with services provided to the Department, such as a training video for use by the schools, or for educational or artistic purposes requires the written permission of both the Office of Communications and Media Relations and principal in addition to the respective Department employee or the student's parent or guardian. Department students and employees may not be filmed or photographed for a commercial endorsement.

II. PROCEDURES FOR CONSIDERATION OF REQUESTS TO FILM OR PHOTOGRAPH AT SCHOOL FACILITIES BY THE PRESS

- A. All requests from news organizations, producers, and reporters to film at schools for routine news gathering purposes (filming, photographing, or interviewing) must first be made to the Office of Communications and Media Relations. News organizations, producers, and reporters must then obtain permission of the principal. If students are to be filmed, news organizations, producers and reporters must receive student release forms (available on the website of the Office of Communications and Media

- Relations), signed by the parent or guardian. Student instruction must not be disrupted.
- B. Magazines or documentary programs must follow the procedures set forth in Section I.

III. INQUIRIES

Inquiries pertaining to this regulation should be addressed to:

Office of Communications and Media Relations

N.Y.C. Department of Education

52 Chambers Street

New York, NY 10007

Telephone: 212-374-5141

Fax: 212-374-5584