Salem State University

Updated September 2026

IMAGE AND RECORDING AUTHORIZATION AND RELEASE POLICY

A. PHOTOGRAPHY, VIDEO AND AUDIO USAGE POLICY

Purpose

This policy governs Salem State University's (SSU) capture and use of photography, video, and audio of students, employees and visitors for marketing, communications, and promotional purposes. This policy does not apply to University Police acting within the scope of the officer's authority under applicable law, or by an order or warrant issued by a court.

1. Scheduled or Individual Capture

Any posed, individual, or scheduled photo, video, or audio session (for example, student spotlights, headshots, or testimonials) requires a signed release using the university's standard Photography-Video-Sound Release Form prior to the session.

2. Private Settings

Photos, videos, or audio recordings in private settings, such as classrooms, residence halls, counseling offices, restrooms, or locker rooms, and other areas not generally open to the public, require a signed release using the university's standard Photography-Video-Sound Release Form prior to the session.

3. Event and Public-Space Incidental Capture

Salem State routinely captures photo, video, and audio at public university events, in public or common areas of campus, and at university-sponsored activities for non-commercial use and for use in marketing and promotional materials.

- By attending or being present at such events or in such spaces, individuals consent to incidental capture and the university's non-commercial use of their image, likeness or voice, without requiring an individual signed release.
- This applies regardless of whether the individual is aware their photo or video is being taken at the moment of capture, provided that adequate public notice has been posted consistent with Section B of this policy.
- Written notice of this policy will be posted at event entrances or referenced in event promotional materials and, whenever possible, in writing at registration (see Section B).
- For use of photos or videos in marketing, advertising, and promotional materials, Salem State shall obtain written consent from identifiable subjects using the university's standard Photography-Video-Sound Release Form prior to the session.

4. Audio Recording — Massachusetts Law Requirement

Massachusetts General Laws Chapter 272, Section 99 prohibits the secret recording of oral communications. Salem State University will not secretly record audio of individuals at any event or in any campus space.

Any video capture that also captures audio must be conducted openly, with recording equipment visible and in active use, and with notice posted consistent with Part B.

- The notice requirement in Part B is the primary mechanism by which SSU establishes that audio recording is not secret.
- Covert or hidden audio recording by university staff or contracted photographers is strictly prohibited, regardless of setting.
- If an individual approaches university staff or a photographer and requests that audio capture cease, staff should make reasonable efforts to accommodate the request or direct the individual to an area outside the recording zone.

5. Additional Requirements for Obtaining Signed Release

A signed release using the university's standard Photography-Video-Sound Release Form is required, regardless of setting, when:

- The subject is a minor (under 18) being individually featured or identifiable as a prominent subject of a photo, video, or audio recording.
- The subject is a student-athlete being individually featured or identifiable as a prominent subject of a photo, video or audio recording.
- Content involves sensitive personal disclosures, including but not limited to mental health, immigration status, personal hardship, or medical information.
- The individual is a prominent, identifiable subject of a planned or posed shot rather than incidental to a wider scene.

6. Notice Requirement

Event organizers and Marketing and Communications staff must post visible signage at staffed events. See Part B for approved signage language. This notice should also appear in event registration and/or ticketing language where applicable.

7. Opt-Out Process

Individuals who do not wish to be photographed or recorded at a public event may identify themselves to event staff or the photographer in advance or contact Marketing and Communications to request removal of specific identifiable content after capture, where reasonably feasible. Opt-out requests must be treated with respect and acted on promptly.

8. Ownership and Scope of Use

All content captured by university staff or contracted vendors (for example, DJQ Media) under this policy is owned by Salem State University and may be used across web, social media, print, paid advertising, and OTT/streaming placements, in perpetuity, consistent with the terms of the standard release form where applicable.

9. Public Records Notice

Salem State University is a public institution of the Commonwealth of Massachusetts. Photographs, video, and audio captured by university staff or contractors in the course of university business may constitute public records subject to disclosure under MGL c. 66 § 1 and the Massachusetts Public Records Law. This policy does not restrict or override any applicable public records obligations.

10. FERPA Clarification

Photography or video alone, without accompanying personally identifiable education record information, is not considered an education record under the federal Family Educational Rights and Privacy Act (FERPA) and does not require separate FERPA consent. This policy does not authorize the disclosure of education records.

11. Commercial Photographers and External Vendors

Any individual or organization wishing to conduct photography or video recording on SSU property for commercial purposes must obtain prior written permission from Marketing and Communications. Contracted vendors operating under a university agreement are subject to this policy in full.

B. EVENT SIGNAGE AND NOTICE LANGUAGE

The following is approved language for photo and video capture and audio recording. Signage must be posted at event entrances, check-in tables, or referenced in event registration materials.

Standard version (entrances, registration pages):

- *Photography, video, and audio may be captured at this event for use in Salem State University promotional materials, including web, social media, print, and advertising. By attending or being present at such events you consent to such capture and the university's non-commercial use of your image, likeness, or voice. If you prefer not to be photographed or recorded, please let event staff or the photographer know.*

Short version for tight spaces (table tents, directional signage):

- *Photo, video, and audio recording may occur at this event for SSU promotional use. Questions? Ask event staff.*

Important: Signage must be posted visibly at entry points before the event begins. Digital event registration pages and ticketing confirmations should include the standard version language wherever possible.

C. USER-GENERATED CONTENT (UGC) USAGE GUIDELINES

Purpose

These guidelines govern how Marketing and Communications may source and reuse photo, video, or written content originally created and posted by students, families, alumni, or other individuals, when that content was not captured by SSU staff or contracted photographers. These guidelines are separate from the Photography-Video-Sound Release Form and the Photo, Video and Audio Usage Policy, which govern SSU-captured content only.

1. Scope

Applies to content discovered on social media, submitted through a contest or campaign or shared directly with SSU through tagging, hashtags or direct submission.

2. Permission Is Required Before Reuse

A platform tag or hashtag alone does not grant SSU rights to repost or reuse content in official marketing channels. Before reuse, one of the following is required:

- Direct permission request — Comment or message the original poster asking for permission to repost or use the content; retain a screenshot of their affirmative reply as documentation.
- Contest or campaign submission terms — When soliciting UGC through a defined campaign (for example, a photo contest or hashtag challenge), include usage-grant language in the submission rules stating that by submitting, the individual grants SSU rights to use the content in the specified marketing materials.

3. Required Documentation

For every piece of reused UGC, Marketing and Communications must retain:

- A screenshot of the original post.
- A screenshot of the permission request and reply, or a copy of the contest terms the submitter agreed to.
- The date of permission and the name or handle of the original creator.

4. Attribution

Where feasible, credit the original creator (handle or name) when reposting, even when not legally required, as a courtesy and best practice.

5. Exceptions Requiring Extra Caution

- Content featuring identifiable minors requires additional caution; treat as requiring explicit guardian permission.
- Content involving sensitive personal disclosures should not be reused for marketing purposes even with permission, unless reviewed by Marketing and Communications leadership.
- Content that includes intimate or nude imagery must never be reused, regardless of the original poster's intent.

6. Scope and Duration of Use

Permission obtained for UGC covers the specific use described in the request (for example, one social repost, one campaign, or a defined date range). Broader or repeated use, such as paid advertising, print or long-term web placement, requires separate confirmation from the creator, unless the original contest or campaign terms explicitly grant that broader scope.

7. Public Records Consideration

As a public Massachusetts institution, SSU's official social media accounts and content shared through them may be subject to public records obligations under MGL c. 66 § 1. Marketing and Communications staff should be aware that UGC reposted on official SSU channels may be retained consistent with the Commonwealth's records retention requirements.