

## **Name, Likeness, Images & Social Media Use Policy**

The Clark University (CU) name and logo are registered trademarks of CU. This Policy outlines rules for the use of the institution's name and likeness for the campus community as well as external individuals and organizations.

### **Section 1: Purpose and Scope**

This policy is intended to describe the general guidelines for using the University's name, likeness and federally registered trademark. The University maintains an invested interest in:

- protecting and controlling the use of the University name, nicknames, trademarks, service marks, seals, indicia, logos, mottoes, and mascots;
- promoting the image of the University to the public as well as to the University community;
- providing revenue streams in support of University programs by properly restricting utilization of its name and likeness.

### **Section 2: Definitions**

**Logo:** A graphic representation or symbol of the University's name, trademark, abbreviation, etc., often uniquely designed for ready recognition.

**Slogans:** Clark University uses a variety of slogans, such as 'Challenge Convention' and 'Clark Inspired.' These slogans are typically trademarked in order to protect them as uniquely Clark. Whenever CU employees develop a slogan to describe a product, program or initiative of Clark, it should be closely vetted by both the Office of Marketing and Communications as well as the Office of General Counsel. This review is necessary to ensure that the slogan does not infringe upon the trademark rights of any other institution and, similarly, if the slogan is unique and can be considered uniquely Clark, the Office of General Counsel would consider pursuing trademark protection for it.

**Trademark:** Any name, symbol, figure, letter, word, or mark adopted and used by the University in order to designate institutional goods and to distinguish them from those manufactured or sold by others.

### **Section 3: Policy**

The University name, logos and associated marks cannot be used in any way to imply endorsement of or collaboration with unaffiliated and/or unrecognized organizations, or non-approved marketing, soliciting or fundraising efforts.

Members of the CU faculty, staff and students, as well as individuals and entities external to the University, cannot, without approval of their respective vice president and the vice president for marketing and communications – use the University name, logos or trademarks, speak on behalf of the institution, or otherwise reference the institution's support or endorsement of any initiative, event, issue or other circumstance. They also cannot use its likeness in related information intended for electronic or printed publication or dissemination.

CU must approve in advance the use of its name or likeness in all third-party marketing and fundraising materials including, but not limited to, press releases, brochures, flyers, requests for proposals or donations, videos and websites.

Non-University organizations that wish to market events taking place at CU should make it clear that their organization is the sponsor of the event. References to CU should merely indicate that the event is happening on campus and must not insinuate that CU is a sponsor or co-sponsor of the event. The University logo, trademark, seal and related markings must not be used unless express written permission is given from the Marketing & Communications office. Any alleged violations of this policy should be reported to the Office of General Counsel.

### **Licensing**

Clark University periodically allows third-parties to utilize its logo, name, image or likeness if the usage does not disrupt the ordinary activities of the University, is not in conflict with Clark's code of conduct, policies, mission or values, and/or creates a mutually beneficially opportunity for all parties. Because the University marks have significant financial and sentimental value to the University, it closely scrutinizes any usages of its marks and may charge a licensing fee to third-parties desiring to utilize them. Any entities desiring to utilize University marks must work with the Office of General Counsel, and will be required to sign a licensing agreement.

### **Photographs, Audio Recordings and Videos:**

Express written permission from the vice president for marketing and communications must be obtained before taking and utilizing in an electronic, online or print posting or publication a photograph, recording or video that includes the name or likeness of CU or any of its faculty, staff or students. A company or individual desiring to photograph CU people, property or events must submit a written, detailed project proposal outlining the dates and times for the shooting, number of people involved, the type of equipment, props and structures to be utilized, and any security and safety requirements.

Any permission given does not constitute University endorsement of any image, cause, purpose, message, product, film, organization or entity, and the photographer/videographer shall not at any time or in any manner imply or in any way represent such endorsement. Any photos or videos of CU people, property or events must not be sold for profit, or distributed to others where there is a reasonable belief that a sale for profit is intended, without the permission of the vice president for marketing and communications.

### **Social Media:**

CU operates official social media accounts. The term 'social media site' should be construed in the broadest sense possible, and includes – but is not limited – to sites such as Twitter, Facebook, Pinterest, Snapchat, GoFundMe, and the like. Anyone not affiliated with the Marketing & Communication office should contact the vice president for marketing and communications and seek permission prior to launching any social media sites that would cause any reasonably prudent person to believe the site is an official CU social media account or otherwise affiliated with the University. Any sites or pages existing without prior authorization are subject to amendment or removal. Additionally, if any individual operates

an unofficial site, they should not accept any compensation because of the site and its perceived affiliation with the University, as such an action may constitute a conflict of interest against CU. Any offers of compensation received by any individual, any complaints received by faculty, staff and students from reviewers of posts, and any contacts from any media outlets to faculty, staff and students inquiring about the contents of post(s) on social media should be directed to the vice president for marketing and communications for handling.

Users of CU social media sites are expected to adhere to all applicable state and federal laws, as well as University policies including but not limited to the [Data Classification Policy](#). Of particular importance are confidentiality laws such as FERPA and HIPAA. FERPA (The Family Educational Rights and Privacy Act) protects the privacy of student education records. No posts should be made that divulges personal or educational data of students. Also, HIPAA (Health Insurance Portability and Accountability Act) protects all personally identifiable medical information of individuals and, as such, should not be posted on university social media sites. Similarly, confidential information about faculty and staff is not appropriate for posting on these sites. Any confidential information posted will be deemed a violation of the law and policy and will be removed when discovered.

In the interest of protecting individual privacy concerns, site contributors should be careful about posting photographs of students, faculty and staff without their consent or without ensuring the University has consent for the publication. If you are unsure, please contact the Marketing & Communications office and, if necessary, a consent and waiver can be secured. Contributors also need to be careful about posting images, artwork, literary and musical pieces, commercial and movie snippets and the like on the site. It is possible that the material is protected by copyright law and cannot be posted on the site without the permission of the holder of the copyright. While there are 'fair use' exceptions to copyright law, it is better to be safe and confirm permission has been received prior to the posting. Any concerns about fair use should be directed to the Office of General Counsel.

## **Related Information**

[Data Classification Policy](#)

## **History/Revision Information**

Responsible Division/Office: Marketing and Communications; Office of General Counsel

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