

SCHOOL OF FILM/VIDEO FACULTY PRODUCTION GUIDE

INTRODUCTION	2
RELATING PROJECT PREP TO PROJECT PROCESS	2
RESPONSIBILITY FOR OTHERS	3
PERFORMERS / PEOPLE ON CAMERA	3
Working with Minors	3
Working with SAG	6
Nudity / Simulated Sex	7
Stunts / Simulated Violence	7
Releases and Permissions for On-Camera Appearances/Actors	8
LOCATIONS / PLACES	9
Location Scouting	9
Location Agreements and Film Permits	12
Working in Heat	14
INSURANCE	15
SPECIAL CONCERNS	18
Moving Vehicles	18
Water and Boats	19
Prop Weapons	19
Insects / Animals	22
PERMISSION / FAIR USE / APPROPRIATIONS	25

INTRODUCTION

The following document is a guide for faculty helping students with their productions. In many cases, students are too deep into planning their project by the time they reach out to Production Services, making it challenging to pivot to a safer and more responsible way of moving forward. Prepared with more information on contemporary production practices, California laws, and current information resources, faculty mentors will be able to educate and guide students approaching new projects and can incorporate this information into the curriculum. This in turn should lead to safer productions for the students and less liability for the institute. As we emerge from the COVID-19 pandemic and get back to more traditional production practices, issues of respect, care, responsibility, safety and liability are on the forefront. The following outlines safety/logistical concerns that should be addressed when meeting with students and going over projects.

RELATING PROJECT PREP TO PROJECT PROCESS

Our students make work in many different ways. Clear communication of guidelines for all kinds of film/video production support students' creative freedom and helps them take more creative liberties with their work. Each student project deserves time and careful consultation, ensuring the student is educated about any potential safety issues and has been prepared to execute their project safely and responsibly.

Solo Shooting

Any solo production should utilize the buddy system. Ideally, the solo shooter should communicate all information about the production to at least one other person: where, how, and when. The solo shooter should check in once/twice a day or when the production day is completed. Some solo productions film on private property without permission. This should be talked about and analyzed for safety concerns during prep. **Examples: Students filming in deserts or mountains.**

Shooting in Public Spaces

Students often need permission to shoot in public spaces. Most of the time, this requires pulling a permit and posting signs alerting the public that filming is taking place. **Examples: Students filming at beaches, parks, or concerts.**

Observational / Non-fiction

According to the current California law, in a public setting, you are allowed to record a video (<https://www.absolutebailbonds.com/the-legality-of-recording-and-posting-crimes-online/>) of people without their consent, but only if you don't pick up any bits of their conversation. In California, the law allows you to capture video but not audio of other people. If you want to record a conversation, you'll have to get consent. This consent should be in written form so that if the person does decide to pursue legal action, you are protected. On private property, owners can set their own terms of acceptable practices. Students should always check. **Examples: Students filming at farmers' markets, fairs or museums.**

Scripted / Fiction

It is important to go through the students' material with them from a production standpoint and identify any issues listed in this document to help mitigate them. **Examples: Minors, permits, roadways, water, fire, nudity/simulated sex.**

Installation

Depending on the parameters of the installation, the appropriate safety advice and support should be given. **Examples: Students working with water, hanging items, lightning.**

- **Stop motion** - Students are encouraged to do extensive research for new ideas, technical processes, and equipment requirements. They should carefully consider the amount of time animation processes require and if certain equipment requires specialty tools and/or skill sets. Faculty can help them understand what can and cannot be accomplished in a shooting space. **Examples: Students working with fire, chemicals, flammable materials.**

RESPONSIBILITY FOR OTHERS

The excitement of making a film can sometimes tempt a student/artist/filmmaker to take chances and put the crew, cast, public or themselves at risk. Professional filmmakers go to great lengths to make sure their films are made without injury to anyone. When assessing a project from a safety perspective, focus on:

- What are the needs of the project during pre-production? Is there enough time to prep what needs to be done during production?
- Talking about diplomacy, inclusion and communications for departments or collaborators.
- What is the shooting schedule? Have you thought about food and allergies? Travel needs and coordination? Is there a 12-hour turnaround time between days? Bathrooms? **Example: What do the sleeping arrangements look like if a student is shooting on location?**
- The health and safety of participants. **Examples: Is the student shooting in a desert that will be 102 degrees? What about the student's PPE plan? Has the student looked up what animals or insects may be indigenous to the area? Is it rattlesnake season? (April - October)**
- Is this an international student, or is the student working with international students who do not know the laws or procedures in this country / area? Are there language issues or custom issues?

PERFORMERS / PEOPLE ON CAMERA

Working with Minors

Having a minor on set requires filmmakers to be professional and responsible even more than they normally would be. Students must ensure the safety and well-being of all minors.

It is critical to inform students early about the rules governing working with minors in California. All productions must follow California Labor Laws regarding working with minors.

- General Rules for Working with Minors

California Child Labor Laws are very strict and do not provide exemptions for student films. When children are present on a set, they are considered to be at work, and the labor laws are designed to protect them. California regulations apply to minors (under age 18) who work in California or who are taken out of state to work. They also apply to minors from out-of-state who work in California.

The State of California requires that an objective, third party must be present when a child is working—a person whose sole concern is to safeguard the welfare of the minor. These are commonly called “Studio Teachers.” See next section for details.

The work hours of minors are strictly regulated and vigorously enforced. Young children have shorter attention spans than adults, and they tire quickly. The number of hours a child may work is determined by age. Extension of these hours is not allowed. There are penalties for violation.

- Studio Teachers and Work Permits

A Studio Teacher in California is a credentialed secondary teacher who has been certified by the Labor Commissioner. A certified Studio Teacher must be present whenever a minor is working. In addition, the legal guardian or parent of the minor must be present the entire time the child is working and within sight and sound of the child. Relatives, neighbors or babysitters are not legal substitutes, even if they have written permission from the parent or legal guardian.

In California, a Studio Teacher is responsible, by law, for the health, safety and moral well-being of the child or children working on the film. The term “welfare worker” is sometimes used and is more appropriate. A Studio Teacher has the absolute discretion to remove a minor from a production if the teacher feels that the health, safety and/or moral well being of the minor(s) may be compromised. The Studio Teacher is required even when school is not in session, including weekends.

Minors 16 years of age and older only need Studio Teachers if schooling is required. (Schooling is not required on weekends and during the summer.)

Minors must have a permit to work before they can be employed. They must bring the permit to the set with them each day they work. Studio Teachers will want to see these permits before they allow a child to work on a film. It is the responsibility of the minor’s parents to obtain this permit. Be sure to ask whether the child has a permit to work when casting a film.

Filmmakers / students / employers of minors must also have a permit to employ when working with minors. Studio Teachers want to see the permit to employ before they allow filming to begin. These permits are also required for minors making voice recordings or who are employed as advertising or photographic models for photography or advertising. Permits are required even when the entertainment is noncommercial in nature. It is important to note that Workers Compensation Insurance is required to be issued a permit to employ minors. Permits to employ are free.

If you are working with an infant who is 15 days to six months of age, you must also have a nurse present on the set. You must provide an “adequate facility” removed from the work site where the baby can eat and/or sleep without being held. An infant of this age cannot be at the place of employment for more than 2 hours or work for more than 20 minutes. An infant cannot be exposed to light of greater intensity than 100 foot-candles for more than 30 seconds at a time. The use of infants younger than fifteen days is not allowed.

Work Hours for Minors

- The work hours of minors are strictly regulated and vigorously enforced. The number of hours a child may work is determined by the age of that child. Extension of these hours is not allowed. There are penalties for violation. Rehearsal counts as work time.

Ages	Time on Set	Time at work	School Time	Rest & Recreation	Total Time with meals
15 days - 6 mos	2 hrs	20 min		1 hr & 40 min	2.5 hrs
6 mos - 2 yrs	4 hrs	2 hrs		2 hrs	4.5 hrs
2 - 5 yrs	6 hrs	3 hrs		3 hrs	6.5 hrs
6 - 8 yrs	8 hrs	4 hrs	3 hrs	1 hrs	8.5 hrs
		6 hrs	0 (vacation)	2 hrs	
9 - 15 yrs	9 hrs	5 hrs	3 hrs	1 hrs	9.5 hrs
		7 hrs	0 (vacation)	2 hrs	
16+ yrs	10 hrs	6 hrs	3 hrs	1 hr	10.5 hrs
		8 hrs	0 (vacation)	2 hrs	

- Permits for students to work with minors can be obtained at:

Department of Labor Standards Enforcement

6150 Van Nuys Blvd.

Van Nuys, CA 91401

(818) 901-5484

Online form: www.dir.ca.gov/dlse/DLSE-Forms-CL.htm

- Consequences

The requirements established for the use of minors in motion picture and television production are California state law. Failure to comply with these laws could result in criminal and/or civil penalties for not only the producer and director, but other participants in the production as well. No one has the authority to “waive” the Studio Teacher requirement.

The state of California provides two types of civil penalties for violations of child labor laws. Class A violations are more severe, generally involving underage employment in hazardous occupations. Class A violations incur penalties of not less than \$5,000 and up to \$10,000 for each and every violation.

Class B violations include violations of Labor Code sections related to work permits and employment of minors in the entertainment industry and such other violations that the Director of Industrial Relations determines have a direct or immediate relationship to the health, safety or security of minor employees (other than Class A violations). Class B violations carry civil penalties of not less than \$500 and up to \$1000 for each and every violation.

In addition, any employer may be liable for civil penalties for:

- Failure to pay the applicable minimum wage.
- Failure to carry workers' compensation insurance.

Criminal violations of child labor laws are misdemeanors punishable by fines ranging up to \$10,000 or by confinement in the county jail for periods up to six months, or both fine and imprisonment. In essence, almost all the child labor laws, as well as the compulsory education laws, have some misdemeanor penalty attached to them.

- Liability for Child Labor Penalties

All statutes governing prohibited occupations make liable any person who employs or allows minors to work in the prohibited occupation. This means that any person, even if he or she is not the employer that permits an underage minor to perform a hazardous duty no matter how voluntary the act is on the part of the minor, is liable for Class A penalties. Even minors who regard themselves as self-employed may not engage in these prohibited activities. A client who permits such a minor to engage in the prohibited activity would be liable for Class A penalties. This type of liability also extends to underage employment in any of the federally regulated occupations adopted by the state of California.

Owners of a real estate property who knowingly benefit from child labor violations are subject to all applicable civil penalties, whether or not the person is the minor's employer.

Parents or guardians (in addition to employers, agents, managers, etc.) who permit the minor to be employed unlawfully in the entertainment industry (which includes any violation of state regulations governing minors in the entertainment industry) are liable for any civil and criminal penalties that arise from the violation.

Information on 2 Pop Support: <https://2pop.calarts.edu/student-handbook/working-with-actors/>

Working with SAG

All productions that work with SAG must be approved and become a signatory of SAG. Many CalArts thesis productions and others decide to go this route. Some benefits include working with professional actors who do this for a living, learning to work within a structure that will benefit the student in their professional career, and networking with professional actors to start building a group of collaborators with whom the student enjoys working with and trusts.

SAG asks for paperwork to be submitted at least two weeks prior to the start of production, so it is important to help students plan ahead.

The Student SAG Agreement vs The Micro-Budget Project Agreement

It is recommended that students use the Micro-Budget Project Agreement if their budget is under \$20,000. This contract has fewer limitations on distribution and paying into pension and health. This SAG contract is recommended.

The following is the student agreement information page as it appears on the SAG website. To access all the required information and start the process, please go to: sagaftra.org/production-center/contract/817/all-forms/document and click on *Producer's Guide to Working with SAG-AFTRA on a Student Film*. Production Services is here to help guide students through this process.

The following is the Micro-Budget Project Agreement information page as it appears on the SAG website. To access all the required information and start the process, please go to:

<https://www.sagaftra.org/production-center/contract/968/getting-started>

Information on 2 Pop Support: <https://2pop.calarts.edu/student-handbook/working-with-actors/>

Nudity / Simulated Sex

If a production includes nudity or simulated sex acts, it is important for students to consider an intimacy coordinator. Depending on the nature of the simulated sex and/or nudity, an intimacy coordinator may be required to be hired. If students use SAG actors, SAG will require them to hire an intimacy coordinator. A nudity rider is mandatory and clarifies what can be filmed and documents that an actor understands and agrees to this during performance. This rider clearly states what is expected of the actor so that there is no confusion on set or after the production has wrapped. This documentation of permission will help the filmmaker down the line if there is any miscommunication between parties.

Nudity Rider contract on 2 Pop Support:

<https://2pop.calarts.edu/student-handbook/nudity-simulated-sex-act-rider/>

Stunts / Simulated Violence

Some student projects have stunts, and sometimes students will plan a project without realizing what constitutes a stunt. Production Services works with students to identify any stunts in their projects and determine the safest way to execute them, but it is also important that faculty can identify stunts and discuss options with students. A stunt can be as small as a trip and fall or as complex as a physical fight. If there is any uncertainty in defining a stunt, the student should meet with Production Services.

The School of Theater has a fight choreographer (who charges a fee) and there are numerous Youtube videos on simulated violence and stunts.

Working with a Stunt Performer

- Physical action requiring an actor to fight, fall, jump, run and, in essence, perform in an athletic manner and/or in hazardous situations may require the services of a stunt performer to double the actor. Many common activities, which may be simple tasks for someone familiar with the tool, toy, appliance or device, can be dangerous to someone unfamiliar with its proper and safe operation—for example, skateboards, manual transmissions, scooters, bicycles, and motorcycles.
- Another challenge is to make the physical action look “real.” Awkward or clumsy physical action can destroy the illusion.
- Professional stunt players are actors and many are members of SAG covered by the provisions of the Basic SAG Agreement. Directors and producers cast stunt persons as primary cast whenever possible to avoid the cost and hassle of doubling.

What is a Stunt Coordinator?

- A stunt coordinator is a stunt player who assumes the responsibility for supervising all the stunt work and all stunt players in a film. In addition to hiring the stunt performers and arranging for any necessary equipment, the coordinator works with the cinematographer to plan the best possible camera angles for each stunt to achieve the most effective visual impact. They also have

the responsibility for keeping all members of the crew, the camera operator, and the stunt people safe during the filming of stunt work.

- The stunt coordinator is sometimes employed months before a film starts shooting to help the writers and director work on the action in the story. Then the coordinator breaks down the script and develops a stunt budget. Once a budget is accepted by the producer, the coordinator is expected to stay within it.
- On smaller productions, the stunt coordinator may perform many of the stunts themselves.

Working with a Stunt Coordinator

- The performance of all stunts or hazards is preceded by a meeting on the site of the event with all people concerned. This meeting includes a “walk-thru” or “dry-run” with the stunt coordinator and/or special effects crew and all of the persons involved in the event. An understanding of the intended action, possible deviations, and authority to abort should be made clear.
- All stunts and special effects should be reviewed by all participants prior to execution to help ensure that they are performed in the safest manner possible.

Information on 2 Pop Support about stunts:

<https://2pop.calarts.edu/student-handbook/stunts-and-coordination/>

Releases and Permissions for On-Camera Appearances/Actors

Students should always seek permission from on-camera appearances of any type, including actors, other performers, and non-fiction subjects, prior to production.

It is very useful for students to use contracts or deal memos to avoid confusion, miscommunication, and/or debate about verbal agreements. At times, these misunderstandings lead to ownership issues and/or threats of legal action. Having a written document can support the student. Starting Winter / Spring 2024 all productions that work with a third party (non-CalArts) person (s) as either an actor / crew or volunteer in another capacity (non-paid) must have that person (s) sign the volunteer agreement.

On 2 Pop Support <https://2pop.calarts.edu/student-handbook/> there are sample contracts for many situations, including release agreement, volunteer agreements and contracts. When working with multiple people on a project, students should use release and ownership documents, especially if their collaborators are non-CalArts.

Actor / Crew / Volunteer contracts on 2 Pop Support:

<https://2pop.calarts.edu/student-handbook/actor-contract-release/>

<https://2pop.calarts.edu/student-handbook/crew-contract-release/>

<https://2pop.calarts.edu/student-handbook/volunteer-agreement/>

LOCATIONS / PLACES

Location Scouting

Off-Campus Productions

Students can start the location scouting process by checking secondary sources: location files, guidebooks, Chambers of Commerce, etc. The California Film Commission, Film LA, and The Santa Clarita Film Office maintain websites with information about a large number of locations. We also have a local location library on 2 Pop Support (<https://2pop.calarts.edu>). (J talk about area)

Location Libraries and Info:

- Santa Clarita Film Office: filmsantaclarita.com
- LocoScout: locoscout.com
- California Film Commission: ca.reel-scout.com/loc.aspx
- 2 Pop Support Location Library: 2pop.calarts.edu/student-handbook/off-campus-location-library/

In addition to researching secondary sources, the student may need to physically visit the location to get more information. All potential locations should be documented with photographs – panoramas are best. The student should write down the addresses, contact names, emails, phone numbers, and any other relevant data.

Filming / Scouting in Areas Outside LA and other areas

Almost every city, county or state has a film permit office. The easiest way to find the right film office is to search the web. Not all cities require students to get permits. If a student is shooting in a community that does not issue filming permits, they should get an email or a memo that documents this for the School of Film/Video and Production Services.

The California Film Commission also offers a scouting service called Cinemascout: ca.reel-scout.com/loc.aspx. This scouting service is also first rate and can help student productions find locations online and speed up pre-production.

Technical Scout

After the initial scout, the filmmaker then visits potential locations with key crew members. The technical scout should include the director, producer, 1st AD, cinematographer, gaffer, key grip, and art director and/or any other people deemed necessary. The director walks the location explaining how they plan to shoot the scene. The key technicians evaluate the location in light of that information as it relates to their area of responsibility. It is a good idea to document the scout with a digital still camera and to make a map of the location showing access and parking.

Location Suitability

When helping a student select a location, important factors to consider are:

- Permission
Advise the student not to waste time on locations that won't grant permission or that the student cannot afford. Some locations are not free.
- Existing Light
How does the sun affect the location? Can the windows be blacked-out for "night" scenes to be shot during the day? Is it in a canyon that only gets a few hours of sun each day?
- Sound
The student should consider air traffic and street noise, machinery and appliances, pets and children. One of the biggest time-wasters while shooting on location is waiting for silence. The student should check the location at night if they plan to shoot there at night.
- Access
Does the location have exterior parking spaces? What are the road conditions (can the cast and crew actually get to the location?)? Are there interior elevators?
- Restrictions
Are there time limitations? Some communities limit the hours of filming. Are there restrictions on the number of people or vehicles the student can bring to the location, or the type of scene the student can stage at the particular place?
- Electrical Power
Is there sufficient power for the student's lighting needs? Will the student have to rent a generator?
- Destructibility
How "student-proof" is the location? Are there fragile objects too valuable to replace? What about carpeting, woodwork, and artwork?
- Neighbors
If the student's production involves stopping traffic, blocking streets, working late at night, or creating an inconvenience in some way, the student should make sure the neighbors are agreeable – in advance.

Comfort and Safety

Will the location be a safe and comfortable place? Is there a place where actors can change, rest areas and bathrooms? Is there proper air-conditioning, heating, or ventilation? Is the location structurally sound and free of toxic materials? Do you know where the closest medical, fire, and police stations are?

Securing the Location

Ideally, the location will be free – if not, standard rates of the location will apply or a deal will have to be negotiated with the property owner. If the student can procure the location for free, they might offer some sort of compensation or gift to show appreciation (for example, flowers). The student should get any deal made in writing. Additionally, the student may have to:

- Provide a Certificate of Insurance to the property owner
- Have the property owner sign a location release
- Get the neighbors' permission
- Get a filming permit from the city, county, or state
- Arrange for police and/or fire personnel
- Arrange for cast and crew parking
- Post temporary "NO PARKING" signs
- Make maps to be included in the call sheet or information email

Challenging Locations

Budget constraints make some types of locations more difficult to find than others. Below are some examples:

- Businesses (Restaurants, Bars, Grocery Stores, Etc.) - The presence of a film shoot is going to mean a loss of revenue to the owners of businesses. If the student is able to get a business to agree, they will probably need to shoot at odd hours.
- Hospitals - Always a tough one.
- Offices - If it's a working office, no one is going to want a film shoot interrupting their normal business activity.
- Churches - Their basements are good for holding areas, but the sanctuary/congregation area is bad for filming as they usually never rent it out.

Trouble Spots

As of this printing, it is strongly recommended that students not film in the following cities due to the inordinate hassle, cost, and delay: Alhambra, Burbank, Culver City, Glendale, Hawthorne, Vernon, Big Bear, El Segundo, Pacific Palisades, San Francisco.

Standing Sets

A number of location services and studios have standing sets in the Los Angeles area. These are “for profit” enterprises. They normally charge thousands of dollars per day. They may cut a deal for a student film, but it is still going to cost hundreds of dollars per day to shoot in their locations or sets.

The following is a list of standing sets. Many of these sets will work out a deal for student filmmakers.

- Riverfront Stages: riverfrontstages.com
- Remmet Studios: www.remmetstudios.com
- Cinema Town Studios: <https://www.cinematownstudios.com>
- Affordable Sound Stages: affordablesoundstages.com
- Nvisionate Studios: nvisionate.com/soundstage.php
- Electric Pony Studios: electricponystudios.com

Students can look at various listings on Peerspace (peerspace.com) to find a space that fits their needs, though spaces will cost money and can be expensive.

Wrapping the Location

The student should take before and after photos to document the location's condition. When shooting in someone's home, the student might consider paying for a professional cleaning service to clean up, doing everything they can to make certain the property owner is pleased before, during, and after the shoot. If any damage occurs, the student should take pictures of the damage.

Information on 2 Pop Support about locations: <https://2pop.calarts.edu/student-handbook/locations/>

On-Campus Locations

For Film/Video on-campus locations, please direct students to the 2 Pop Support website: <https://2pop.calarts.edu/student-handbook/production-installation-space-procedures/>. To reserve a Film/Video Production or Installation space, students must complete an FV Production/Installation Form (https://calarts.formstack.com/workflows/fv_production_installation). Depending on the scope of the project, the student may also need to complete an FV Project Form (<https://2pop.calarts.edu/student-handbook/the-fv-project-form/>) before they can reserve a production/installation space. For all other spaces on CalArts campus, please have students fill out an Event and Performance Checklist form, have the school or department sign off, and bring to Production Services.

Location Agreements and Film Permits

Location Agreements

Having a legal and approved location agreement is recommended for student productions. Students should inspect and photograph all locations as well as document everything that may be wrong or already broken before they sign a location agreement. This will help protect the student from any issues that could arise from access to the space or usage of the space. Location agreements are available on 2 Pop here:

Location Contract: <https://2pop.calarts.edu/student-handbook/location-contract/>

Permits

Pulling permits can take a long time and should be handled during pre-production, ideally two weeks before and no less than one week before production. A permit is required for filming in most Southern California communities. [Los Angeles Film Permits \(FILM LA, Inc\)](#)

- For detailed information on how to obtain film permits for Los Angeles Area locations, go to the Film LA website: filmla.com/for-filmmakers/student-filmmakers
- Film LA requires that the filmmaker submits their application at least 72 hours (three business days) before production begins..

Film LA is located in Hollywood.

- Contact info is available at: <https://filmla.com/who-we-are/contact-us/>
- Telephone Number: (213) 977-8610.
- Email: info@filmla.com
- Location service LocoScout: locoscout.com

Filming on State Property

If the student wants to shoot on California state property such as a state park, state historic site or state beaches, they will have to contact the California Film Commission to obtain a permit.

California Film Commission: film.ca.gov

California Film Commission does not charge any application or permit fees. However, students will be required to pay the wages of any state employees required on set. Additionally, students filming past the normal operating hours for a facility will need to pay the employees for their extra time on the job.

The state permit office requires at least three days (72 hours) to process permit requests.

Parks

There are many parks in the greater LA area and they fall under a number of different jurisdictions. For information, contact:

City of Los Angeles
LA City Park Office
Griffith Park
(323) 644-6220
laparks.org/dos/ranger/parkfilm.htm

The City Parks office has been extremely helpful to students. Students should call them one or two weeks before their shoot for information. They generally waive fees. However, if the shoot requires the presence of a ranger, generator, takes place at night or in restricted areas, or is more than 19 people, the student will be required to pay the ranger's wage.

Los Angeles County Parks are handled by Film LA, and California State Parks are handled by the California Film Commission.

National Forest - <https://www.fs.usda.gov/main/angeles/passes-permits/event-commercial>

If the student wants to film in a park located in a city or area other than those listed above, they should contact the permit office of the city in which the park is located.

Beaches

Most beaches in the Los Angeles area are handled by Film LA or The California Film Commission. A lifeguard is required for large-scale productions and for any shoots during which people will be in the water. Film LA or the California Film Commission will help the student coordinate with the Department of Beaches and Harbors.

Filming in Santa Clarita

In the past, students used to pay for certain types of monitors on city property. Production Services has worked out a pilot program with the Santa Clarita Permit Office that waives these fees.

City of Santa Clarita
Student Filming
(661) 284-1425
filmsantaclarita.com

This site also offers a wonderful resource location library.

Traffic and Roads

Students must know and follow the laws outlined below when working on or around roadways for the safety of all involved.

- Local, state and/or federal laws prohibit shooting on any public street, thoroughfare, road, highway or freeway, or any location near enough to any such roadway so as to present a “distraction and/or disturbance” without the proper permits and safety procedures.

- Filmmakers are never empowered to control or direct traffic in any way. The law prohibits controlling or limiting the natural flow of pedestrian or vehicular traffic on a public thoroughfare by anyone other than authorized personnel. The practice of having a production assistant or an AD control traffic for a shot is unsafe and illegal. The student should budget for police assistance if necessary.

The article below illustrates the hazards of ignoring these laws.

FILM STUDENT CRITICAL AFTER TRAFFIC ACCIDENT

*By Margo McCall Staff Writer
Antelope Valley Press*

LITTLEROCK – A Los Angeles film student was struck by a dump truck Monday afternoon after venturing onto Palmdale Boulevard to stop traffic to allow filming.

Jonathan Rosen, 27, was reported in critical condition at Antelope Valley Hospital Medical Center with a broken leg, pelvis and foot and internal injuries, a hospital spokeswoman said Monday night.

California Highway Patrol officer Charles Gilliard said the group from Los Angeles based American Film Institute did not have a permit to film.

Consequences for not having a permit include: Confiscation of equipment, ticket to appear before a judge, arrest, jail time, fines - <https://filmla.com/filming-without-a-permit-could-really-cost-you/>

Permit info on 2 Pop Support:

<https://2pop.calarts.edu/student-handbook/film-permits-and-location-agreements/>

Working in Heat

Hyperthermia, or heat illness, can cause damage to the brain and other vital organs and can be fatal. Below is important information on how to prevent hyperthermia on set.

Factors that Increase Chances of Heat Illness

- Elevated air temperatures and humidity
- Working around hot machinery
- Vigorous work activity
- Absence of a breeze or wind
- Exposure to direct sunlight

General Precautions for Hot Environments

- Provide overhead sun protection, water, and/or fluid supply for your cast and crew. Water should be provided at all times on the set.
- Eight ounces of fluid replacement every 15 minutes is recommended
- Alternate between water and sports drinks with electrolytes—not sodas or sweetened drinks
- Avoid alcohol and caffeine
- If possible, get acclimated; this can take several days
- Use sunscreen or sunblock
- Wear loose, long-sleeved shirts and (preferably) long pants
- Wear a wide brimmed hat; baseball caps do not provide protection for the ears and neck
- Wear sunglasses

Info on 2 Pop Support: <https://2pop.calarts.edu/student-handbook/working-in-heat/>

Environmental Impact / Sustainability

It is important for students to understand the impact their production may have on a particular location. There are locations with plants, fauna, insects, and more that are protected. Please make sure students understand that, even if solo shooting, there may be an environmental impact they should be aware of.

Recently the School of Film/Video has become part of the Green Film School Alliance (GFSA). The GFSA is a collaboration of academic film school leaders committed to providing and teaching sustainable tools to help students reduce the environmental impact of content production. The GFSA has put together an amazing green production guide for students. That Green Production Guide can be found here: <https://greenproductionguide.com/gfsa/>

Risks of Trespassing

When advising students to film on location, it is important not to encourage trespassing on private property. Just about any location can be accessed with a little foresight and planning. The risks of arrest or meeting an unfriendly property owner who may or may not have a weapon is too great a risk.

Consequences for Trespassing

There are over 30 different types of laws pertaining to trespassing in California alone. In the majority of cases, trespassing in California is a misdemeanor crime. If you are convicted of penal Code 602, the legal penalties include up to 6 months in a county jail and a fine of up to \$1,000. The fine can be as low as \$75 dollars. However, as the production would not have a permit, equipment is liable to be confiscated and an extra ticket given. Perhaps the greatest deterrent to trespassing for our students is the fact that the majority of our production occurs within the United States of America, a heavily armed country that has laws to protect homeowners/landowners for shooting people on their property.

INSURANCE

How CalArts Production Insurance Works

The Institute has four types of insurance coverage—rental property, auto, workers compensation, and general liability—available to students renting equipment, props, wardrobe, props and/or filming on location while shooting an approved CalArts project. If a student is shooting on campus, no insurance is

necessary as the production is already covered. All equipment checked out from the FV Equipment Cage is also already insured.

How to Acquire CalArts Insurance Coverage

Students fill out the insurance coverage request form available on 2 Pop Support:

<https://2pop.calarts.edu/student-handbook/insurance-request-form/>

Below are some tips on filling out the form:

- The replacement dollar amount of each piece of equipment rented is a figure provided by the rental agency, and this amount must appear on the insurance certificate. A general description of the items (camera, lenses, wardrobe, grip equipment, etc.) is all that is required. The total replacement value allowed at any one time is \$1,000,000, and there is a \$2,500 deductible, per occurrence, on this coverage.
- For the equipment rental time period, students simply list the dates their rental period starts and ends. If the dates change, the entire process must be done again.
- Students bring the completed form to Production Services for final signature (justinhogan@calarts.edu, Office E204c).

General Liability Insurance for FV Equipment Rental and/or Location Shooting

- General Liability Insurance is available in the amount of \$1,000,000 and also may be required by some companies, when renting film/video equipment.
- This type of insurance is also frequently requested by the owner of a location site (i.e. a private residence, commercial establishment, etc.).
- The owner / rental agency will request General Liability Insurance naming them as “additionally insured.”
- This represents additional liability exposure over and above that referenced above and, in effect, directs that in the event of a claim CalArts (and you), not the site or rental agency, will be held responsible for the property or injury.
- If the property owner or the rental agency asks to be named as “additionally insured,” extra paperwork is involved, and it is important that all details (rental dates, etc.) are firm before beginning this process.

Automobile Coverage

CalArts does provide automobile insurance, but students must see Production Services for access. A DMV record and copy of driver’s license is necessary. The approval process for auto insurance may take a couple of days.

Before and After Photos

It is always a good idea to take before and after photographs of locations—one set before you start shooting and another after you have finished. These will be helpful if the owner complains that filming activities somehow damaged the property.

Exclusions

Students are responsible for the full value of property when insurance coverage is excluded for any reason by the current property policy. The following activities are usually excluded:

- Stunts or special effects
- Open fires, fireworks, smoking, or pyrotechnics
- Farm or construction machinery, watercraft, snowmobiles, aircraft, etc
- Activity with motorized two-wheeled, three-wheeled or off-road vehicles
- Activity shall involve real firearms (modified or not), alcohol or illegal substances activity shall consist of throwing or dropping anything from an aircraft or vehicle
- Bungee jumping, skydiving, or rock climbing
- Live animals
- Activities on water or in the air
- The hotel or living quarters of cast and crew while on location
- Students who incorporate or form limited partnerships
- Circus and carnivals, mechanical amusement devices, motorized sporting events, tractor / truck
- Boxing, wrestling, hockey and contact karate events, rodeos and roping events, balloon events, professional sporting activities, loud concerts, and overnight camping.

If students plan to engage in any of the above activities, they must get approval from Production Services and purchase additional insurance.

If the Student Needs Additional Coverage

If the student needs additional insurance coverage, they may be able to purchase it from the CalArts insurance broker. They can get a referral from Production Services.

Information required for submitting a claim

- Time, place and specific nature of loss
- Cause or likely cause
- Description of the property involved
- Name and address of each person known to be a witness
- Name and address of each person that may have sustained a loss or damage (bodily injury)
- For property damage, separate damaged from undamaged property and make an inventory of damaged or lost property

Workers' Compensation Insurance

If the student plans on using SAG actors or minors for their production, they are required to have Workers' Compensation Insurance. Students can request Workers' Compensation Insurance by consulting with Production Services.

Info on 2 Pop support about insurance:

<https://2pop.calarts.edu/student-handbook/calarts-insurance-and-workers-compensation/>

SPECIAL CONCERNS

Moving Vehicles

Students may wish to include a scene in their film or video that involves dialogue between characters inside a car or other moving vehicle. Scenes like this are difficult to shoot. Even shots inside a car in motion without dialogue present serious challenges. The first question is, “Why is this scene taking place inside a moving car?” Is there something inherent in the setting that is crucial to telling the story? If the answer is “no” then our suggestion is to restage the scene in a location that is easier to control.

In general, permits are required when filming in a moving vehicle. This is looked at on a case-by-case basis. As a reminder, there is no filming allowed on any highway or freeway. Students must go through Caltrans and CHP. CalArts does provide automobile insurance, but students must see Production Services for access. Tow Shots

This is the industry-standard method for filming interior moving car scenes. Towing the picture vehicle affords the greatest amount of control for the filmmaker. Camera angles and lighting can be controlled—and since the engine is not running, the sound quality is good.

- Pros: best control of performance, picture, lighting and sound.
- Cons: complex and expensive—requires skill and knowledge to do well.
- Cost: about \$3,500 / day

Hood Mounts / Side Mounts

This is the technique of attaching lights as well as cameras to the picture vehicle using pipe rigs and ratchet straps. Occasionally “moving” shots are done with the actor actually driving the picture car to which the camera and lights have been attached with mounts. This is a dicey proposition. It is a rare individual who can act and drive a car at the same time and do both well. Either the acting is going to suffer or the driving is.

Other considerations are: where is the director while filming? In the back seat? What about the sound recordist? The cinematographer? Obviously, no one is looking through the lens during the shot. This could be a big problem when shooting film without a video tap.

Because the engine is running during the shot, sound quality suffers. Cutting between different angles can be a dialogue editor’s nightmare. The sound may be so bad that dialogue replacement (ADR) is required.

Safety is a big concern when using this technique. If driving in heavy traffic, the actor’s vision is impaired by the hood mount. Additionally, the actor’s attention is not completely directed towards driving—they are trying to remember their lines and deliver them with the appropriate emotion. Another risk is that side mounts are frequently knocked off as the actor drives too close to other vehicles or buildings, resulting in severe damage to the camera.

- Pros: inexpensive
- Cons: very little control over the elements—potentially dangerous
- Cost: \$100 / day

Handheld Driving Shots

This technique works best with small digital video cameras. Since the engine is running, sound quality is not very good. Space inside the vehicle becomes an issue. Not only the actor, but a camera operator, the director and maybe a sound recordist have to find someplace to be. Camera angles become limited (to avoid photographing all those extra people in the car).

Safe execution requires that all persons inside the car wear their seat belts when the vehicle is in motion.

- Pros: inexpensive, fast
- Cons: limited control—can produce unsteady image, poor sound
- Cost: nothing

Consequences: In Los Angeles, it is a misdemeanor offense to film without a permit. If caught, the production will be shut down, and the student may be subject to significant fines and costly court appearances. The filmmaker may even be subject to arrest and equipment confiscation.

Info on 2 Pop Support about moving vehicles:

<https://2pop.calarts.edu/student-handbook/shooting-on-or-near-moving-vehicles/>

Water and Boats

Working on water or in a boat can be very dangerous. The following precautions should be taken:

- If working on or near water, the student should find out if any cast or crew member has a fear of working around water or cannot swim. If so, the student may wish to make other arrangements.
- All cast and crew members working on or near water should wear life vests or other water safety gear when appropriate.
- When using watercraft, the student must be aware of load and rider capacity limits. Only required personnel should be on watercraft; all others should remain on land.
- Use safety lines, nets, watch safety personnel and/or divers when filming in rivers or other bodies of water where potentially hazardous conditions could exist (e.g., swift currents, thick underwater plant life, or rocks).
- The student should learn everything they can about the body of water they are working on or in, including its natural hazards and animal life.
- The student must not use an electrical source other than DC in close proximity to water, including pools, ponds, rivers, lakes, swamps, bogs, and/or oceans.
- If filming in a pool, lake, river or beach where an actor enters the water, a lifeguard is necessary.
- If filming underwater, a certified safety scuba diver is necessary.

Info on 2 Pop Support about water/boats: <https://2pop.calarts.edu/student-handbook/water-and-boats/>

Prop Weapons

It is against CalArts policy to bring any type of firearm, weapon, or prop weapon onto the CalArts Campus, stored in your car while on campus or on your person without following the procedures listed below. This includes, but is not limited to, pistols, rifles, carbines, shotguns, swords, sabers, daggers, knives, axes, chainsaws, muskets, replicas, and any other weapon that is real, modified, rubber, plastic, airsoft, BB, or capable of firing any type of projectile. Failure to comply with these policies is severe and will lead to disciplinary action.

TIP: An actor's behavior when properly matched with appropriate visual and sound effects in post-production will likely accomplish convincing the audience that an actor is holding a live firearm.

General Prop Weapon Policy for All CalArts Schools

- It is strictly prohibited to bring any type of weapon, referenced above, on campus for personal reasons (non-performance, film/video productions or exhibition).
- The only type of weapon that will be approved for performance, exhibition or film/video productions are rubber/resin weapons (or similar material), non-firing (plugged barrel) weapons, blunt or filed down weapons or replica weapons with the firing trigger removed. These approved weapons will be referred to as "prop weapons."
- Real guns may never be used under any circumstance.
- Prop weapons that are capable of propelling any sort of projectile may never be used.
- Live ammunition, blanks, squibs and other pyrotechnic devices may never be used on campus or off campus for film/video production.
- The prop weapon must be rented from an approved rental house. The filmmaker may not use personal or purchased toys, models, or replica firearms.
- The above referenced approved prop weapons can be used in art exhibits, theater/dance performances or film/video productions only, and the following procedures must be followed:
 - Prior to a prop weapon being brought on campus, a [Prop Weapon Release Form](https://2pop.calarts.edu/student-handbook/weapon-release-form/) (https://2pop.calarts.edu/student-handbook/weapon-release-form/) must be attained and filled out completely. The filmmaker should list the type of prop weapon and its use for the exhibition, performance or film/video production. The filmmaker should also list the dates on campus and areas the prop weapon will be used.
 - You will be notified by Production Services or the Risk Management Administration that your [Prop Weapon Release Form](#) has been reviewed, and a date will be set for you to bring the prop weapon on campus for inspection.
 - **When transporting a prop weapon onto campus, the student must alert the Safety Officer at the main gate that they are bringing a prop weapon onto campus.** They will direct the student to the facilities dock to meet another safety officer for inspection. The student will then be escorted to their destination. The prop weapon must be concealed in a duffel bag or by some other means so as not to alarm the campus community. Under no circumstances may a prop weapon be brandished, played with or otherwise displayed when transporting onto campus or while on campus.
- At inspection, pictures will be taken of all prop weapons.
- Once approval has been given, the prop weapon must be stored in a locked cabinet if not immediately used. No horseplay or brandishment allowed.
- In all campus areas where a prop weapon is being used in an exhibition, performance or film/video production, signage must be posted that announces the use of a prop weapon.
- Any and all prop weapons, referenced above, found unattended, or deemed to be brought on campus for personal reasons will be confiscated and given to Campus Safety. For exhibitions, performances or film/video productions the prop weapon will be held until the owner, production manager, or prop/weapons master has given written/email permission from their school/department to Campus Safety to have the weapon returned. If the weapon is to be used in a performance, exhibit or film/video production, it must immediately be given to the owner, prop/weapons master, or production manager to be locked up until needed. If a prop weapon is deemed to be brought on campus for personal reasons, it will be disposed of by Campus Safety and the owner will face disciplinary actions. **There are no exceptions to this rule.**

Additional Prop Weapon Guidelines for Film/Video Production on Campus

- The student must set up a meeting with Production Services to go over the use of the prop weapon.
- A member of the crew shall be designated Prop Master or Weapons Handler and have the responsibility for transporting, handling, control, distribution, and securing all prop weapons.
- The use of the prop weapon shall be noted on the call sheet.
- Before use on set, a safety meeting must be held and an announcement made to cast and crew that a prop weapon is about to be used.
- All prop weapons are to be treated as though they are real or loaded.
- Appropriate signage must be posted announcing the use of a prop weapon.
- If any of the above procedures are not followed, a safety officer will be assigned to act as safety coordinator for the film/video production. The time for this person will be charged to the School of Film/Video or student.

Prop Weapon Guidelines for School of Film/Video Productions Off Campus

The student will first meet with Production Services. The prop weapon must be rented from an approved rental house. The student may not use personal or purchased toys, models or replica firearms. Live ammunition, blanks, squibs and other pyrotechnic devices may never be used for any type of School of Film/Video production off campus.

The student will need a film permit. The permit form will ask if they are using a prop weapon. There may be restrictions on usage of prop weapons at the chosen location. Brandishing weapons in a public place usually requires the presence of a police officer. This means hiring an off-duty officer (an LAPD officer gets \$68.00 an hour with a 4-hour minimum).

The key is whether or not the production is visible to anyone not affiliated with the shoot. If the production is inside and the blinds are closed, it's probably okay. If the windows need to be open, signs should be posted on the outside of the window reading "FILMING" and "PROP WEAPON IN USE." Additionally, a crew member should be posted outside the window to watch for passersby and to give the all clear. Yellow caution tape can be used to block off an area and to prevent people from crossing in front of the camera in general.

These procedures help minimize the danger of someone outside the production misunderstanding the situation. Every precaution should be taken to avoid the possibility of misconception—whether it is making sure there is nobody around (although it is tough to be certain of this), posting signs, or notifying the police ahead of time.

The problem with posting "FILMING" signs is that depending on where you are, there is the potential of attracting onlookers. That is why it is best to have someone assigned specifically to crowd and pedestrian control.

Notifying the Police About Prop Weapons

The person to contact is the Watch Commander of the precinct covering the location for the production. For example, the Los Angeles Police Department has 18 different stations, each covering a different area of the city (Hollywood, West LA, Van Nuys, Devonshire, etc.). In the Santa Clarita Valley, the filmmaker would notify the Sheriff's Department.

The Watch Commander is the officer who dispatches officers to a scene. If they know that a filmmaker is shooting a film with prop weapons at a certain location at a certain time, and they get a call from a neighbor reporting it, they know not to dispatch squad cars. Officers who report to a scene where weapons have been reported are understandably on edge and nervous, and this is a very dangerous situation to be in.

The filmmaker should call at least a week before the planned shoot date so that the station can put the production on their calendar. This way, whoever is on duty at a particular time will be informed in advance. The filmmaker should call again the day before the shoot and again on the day of. Failure to comply with these policies and procedures will result in disciplinary action, and could result in injury or death.

Info on 2 Pop Support about prop weapons:

<https://2pop.calarts.edu/student-handbook/use-of-prop-weapons/>

Insects / Animals

Special safety considerations must be made when working in the natural habitats of various animals. In Southern California, for example, we may find venomous rattlesnakes, scorpions, black widow spiders, and brown recluse spiders. Although the types of critters may vary from region to region, basic precautions should be taken to prevent serious injury or illness to cast and crew members.

Pre-Planning for Animals

“Animal awareness” starts during the search for locations. The filmmaker should take time to identify the type(s) of insect / animals present and the location of nearby hospitals or medical facilities.

It is also the filmmaker’s responsibility to ensure the safety of the insects / animals in the filming area, and to provide for the removal of wildlife from locations. Any insects / animals that remain on the set are subject to American Humane Association (AHA) Guidelines and Procedures, including but not limited to:

- Section 809.1 if native animals are not to remain on the set, they must be carefully removed, relocated, or properly housed and cared for, then safely returned to their habitat after filming is complete. Only qualified and trained personnel should attempt removal of nests or hives.
- Section 809.2 a production may not intentionally harm and must take precautionary measures to protect nests, dens, caves, caverns, etc.
- Section 809.3 care must be taken to ensure that non-indigenous animals are removed from the area after the production has completed filming.

Animal actors brought to a location can be affected by other insects / animals resulting in undesirable situations ranging from distraction to life threatening situations, including the transmission of diseases. If this is likely to occur, the filmmaker should notify a professional trainer / supplier of the animal actors. If they have additional questions regarding the AHA Guidelines for the Safe Use of Animals in Filmed Media, they can contact the Film and Television Unit at (818) 501-0123. Here is the website for American Humane: americanhumanefilmtv.org.

General Safety Precautions for Working with Animals

While working around insects / animals, it is advisable to wear long pants with the pant legs tucked into socks or boots. A good boot above the ankle will provide better protection. It is also advisable to wear a long-sleeved shirt, dress in layers, and wear light colors. Avoid heavy perfumes or after-shaves, as they attract some pests. Apply repellents according to label instructions on the product. Applying repellents to clothing is most effective.

Bites and stings can cause serious allergic reactions for some people. The student should survey the cast and crew to find out if any of them have any known allergies so that they can take appropriate precautions. If someone on set is bitten or stung by an insect / animal, the student should immediately contact a medical facility. If the encounter with the insect / animal involves a life-threatening situation, they must call 911.

Common Desert Insects / Animals

The following are some of the more commonly encountered desert insects / animals on locations in Southern California: **Put in rattlesnake season**

- **Ants:** Special precautions should be taken when working around red fire ants to prevent bites..
- **Ticks:** If bitten, seek medical attention immediately. Ticks are known to carry many types of diseases such as tick paralysis, Lyme Disease, and Rocky Mountain spotted fever.
- **Scorpions:** All stings are painful, however, very few are fatal.
- **Stinging, Flying Insects (Bees, Hornets and Wasps):** If stung, seek medical attention. People who are allergic should carry reaction medication.
- **Africanized Killer Bees:** Remember this type of bee is very aggressive and will attack in swarms. Extreme care should be taken if a hive is located nearby.
- **Mosquitoes and Flies:** These insects can carry various types of diseases. Asian “tiger mosquitoes” have been found in the Los Angeles area and are known to carry dengue fever.
- **Chiggers:** Chigger bites produce blisters by irritating the skin. Use chigger bite ointment to remove the itch and promote healing.
- **Black Widow Spider:** They can produce painful to fatal bites.
- **Brown Recluse Spider:** They can produce painful to fatal bites.
- **Pit Vipers (Rattlesnakes, Copperheads, etc.):** Pit Vipers produce painful to fatal bites and do not have to be coiled to strike. For example, a rattlesnake can strike out for one half of its body length.

What to Do If Bitten By a Snake

- Seek immediate medical attention.
- Attempt to note the time, location, and which area on the body was bitten.
- Immediately immobilize the body part affected.
- Do not apply a tourniquet, incise the wound, or attempt to suck out the venom.
- Do not allow the victim to engage in physical activity.

Tips for Snake Avoidance

- Always look where you are putting your feet and hands.
- Never reach into a hole, crevices in rock piles, under rocks, or dark places where a snake may be hiding. If you need to turn over rocks, use a stick.

- Attempt to stay out of tall grass.
- Walk in cleared spots as much as possible.
- Step on logs, not over them so that you can first see whether there is a rattlesnake concealed below the far side.
- Be cautious when picking up equipment, coiled cables, and bags left on the ground.
- Remember that rattlers are protectively colored (camouflaged).
- On hot summer days, rattlesnakes can become nocturnal and come out at night when you do not expect it. Care should be taken working at night after a hot summer day.

Rodents

Locations that take place in alleyways, beneath bridges, tunnels, abandoned buildings, or other structures, may have rodents. Rats, squirrels, and other rodents can carry various types of diseases, which can be contracted through bites. In addition, their droppings or urine can contain the life-threatening hantavirus. Students must be alert and cautious when using these locations.

Info on insects and animals - <https://2pop.calarts.edu/student-handbook/indigenous-critters/>

Fire / Pyrotechnics

The use of fire—that is any open flame—constitutes a particularly hazardous situation on any film set. Extreme care must be taken to avoid endangering the student and/or the cast and crew when candles, fireplaces, campfires, cigarette lighters, and the like are used. The student follow the below safety procedures:

- **If the student is shooting in a local location (LA County or City), the Film Permit Office may require the presence of a professional Fire Safety Officer (in fact, probably will) if an open flame is used.** If the student is filming in a “High Fire Hazard” area they will not be allowed to use an open flame.
- The student should designate a responsible person for the handling, placement, safe use, and daily securing of any open flame devices. Firmly secure all stationary, open-flame fixtures.
- All flammables and combustibles should be kept at a safe distance from open flames. Flammables and combustibles must be kept in approved and properly labeled containers.
- All gas lines in connection with the use of open flames must be approved in accordance with applicable building and fire codes. When using liquefied petroleum gas (LPG), hoses and fittings must be of a type approved for LPG service.
- The student must all cast and crew, including stunt performers, reasonably in advance of their involvement with open flames.
- When fire is used, fire extinguishment equipment must be in close proximity, and properly trained personnel should stand by.
- Whether in a studio or on location, the student should contact appropriate fire authorities prior to the use of open flames.
- The person responsible for igniting the flame should ensure they maintain a clear line of sight of the flame or maintain direct communication with a designated observer.
- A fire extinguisher must be on set and ready to go.
- Extinguishers should be tested before igniting any open flame to ensure that they are in working condition.
- Students should be careful with loose clothing around open flame. Untreated fabric can ignite quickly and cause severe injury.

As a safer alternative, the illusion of fire can be created with a lighting effect.

Info on 2 Pop Support about fire/pyrotechnics:

<https://2pop.calarts.edu/student-handbook/open-flames-on-set/>

PERMISSION / FAIR USE / APPROPRIATIONS

Documentary Subjects / Actors / Other Performers

If students are interviewing subjects, using actors or other types of performers in their production, it is important that they issue releases to those subjects. In the past, there have been issues with permission.

At times, student actors have tried to rescind permission after the fact and at other times even claim ownership for another student's work. Releases are available on 2 Pop Support:

<https://2pop.calarts.edu/student-handbook/contracts-release-forms-introduction/>. Please encourage all students to use these. More information on releases can also be found on page 9 of this handout.

Music

Students are encouraged to consider using original music, composed specifically for their film. The advantages are numerous—from creative to rights—and there are many talented composers and musicians who offer their services to CalArts students. Generally, the expense is minimal and covers material costs.

Students who work with a composer should always have a written agreement. For a composer release, please see the contract / release section of 2 Pop Support:

<https://2pop.calarts.edu/student-handbook/musician-composer-release/>.

Pre-recorded or Published Music

All previously published music or pre-recorded music must be cleared, regardless of how much or how little of that music is used in a student's project. Failure to get permission to use a piece of music opens can result in a potential lawsuit from the owners of the copyright. There are different rights associated with any piece of music:

- Synchronization rights – are the rights to record music as a part of a film. They are usually controlled by one (or more) Publishers, and they give the filmmaker the right to use the underlying composition (song or melody) in timed synchronization with picture.
- Performance rights – getting this right allows the filmmaker to recite, play, sing, dance or act out a piece of music.
- Master use license – this is a contract to license a recording. It is usually controlled by a Record Company.
- Cue sheets are the primary means by which performing rights organizations track the use of music in films and TV. Without cue sheets, it would be nearly impossible for such composers and publishers to be compensated for their work. An accurately filled out cue sheet is a log of all the music used in a production. Please see the Head of Production Services if a distributor is requesting a cue sheet.

To clear a pre-recorded piece of music, the filmmaker will need the following in writing:

- Performance & Synchronization License (from the publisher(s))
- Master Use License (from the Record company)
- Permission from the performer(s) or other third parties, as advised by either the publisher or record company.
- Maybe a cue sheet

Example

If a filmmaker has a character hum, sing or whistle “Sympathy for the Devil,” they will need to get the *Performance rights* from ABKCO Music, Inc.

If the filmmaker wants to use “Sympathy for the Devil” from the Rolling Stones (all or part) in the soundtrack, they will need to get the *Master Use License* and *Synchronization rights* from ABKCO Music, Inc.

If the filmmaker wants to use “Sympathy for the Devil” from Guns n’ Roses (all or part) in the soundtrack, they will need to get the *Master Use License* from Geffen Records and the *Synchronization rights* from ABKCO Music, Inc.

The following companies can help the filmmaker find out who owns the music they are interested in and also help with securing the proper rights. They do so for a fee, however.

ASCAP Clearance Express: <https://www.ascap.com/repertory/about>

BMI Repertoire: <https://repertoire.bmi.com/>

SESAC Search Repertory: <https://www.sesac.com/repertory/>

Harry Fox Agency Theatrics Department: <https://www.harryfox.com/>

The Cost of Licenses

The fees for the use of pre-recorded and/or published music are based on a number of factors, including how the music will be used, the duration and the number of times the music will be used, and where the film will be exhibited.

Sync fees usually run between \$15,000 and \$50,000 for commercial productions. Fees are always negotiable, and not all record companies and music publishers charge the same amount. Students can negotiate reduced fees for educational screenings and film festivals.

Info on 2 Pop Support and music licensing: <https://2pop.calarts.edu/student-handbook/music/>

Film Clips & Other Copyrighted Material

Students should obtain permission from the company that presently owns the film or tape. Keep in mind that the material may have changed ownership since its original release or showing. If the student gets clearances on their own, they will probably need to obtain releases from the Writers Guild, the Screen Actors Guild, the Directors Guild, the American Federation of Musicians, as well as any other group that participated in the origination of the clip. Be aware that there is often a charge for these releases. If the clip is from a home movie or other non-commercial production, it may also be necessary to get permission from the people who appear in the clip. Clearances of clips involving music can be even more lengthy and complex – as well as more expensive.

Still Photographs

To use a photograph, the student needs the permission of the copyright holder and a release from the person(s) in the photo, if not previously granted.

Artwork

The student needs the written permission of the owner of a piece of artwork to use that material in their film.

Stock Footage

A solution most often used by professionals is to use stock footage. There are a great many companies (who are all listed in LA411 (<https://la411.com/>) that provide not only film clips, but photos and artwork that are cleared. They charge for this service, and the rates range from \$25.00 a second and up. A few of the better known companies are:

Producer's Library Service, Inc. - producerslibrary.com / stock footage and movie clips

Warren Miller Entertainment - warrenmiller.com / action sport

The Bridgeman Art Library - bridgemanimages.com / fine art images

Brands / Logos

When distinctive personal property that is identifiable with any person or entity (a logo like the Nike "swoosh" or a brand name) is filmed in a scene, the filmmaker may need consent in writing to use such property.

Most importantly, filmmakers may not photograph any trademark or logo that presents a company or entity represented, or its product, in a detrimental or defamatory way. To do so puts the filmmaker at risk of a lawsuit for slander and/or libel.

If the property/brand/logo is non-distinctive in the background, the filmmaker most likely does not need permission to film it. For example, if filming an exterior street scene, and the McDonald's arches can be seen indistinctly in the background, but no reference (either direct or implied) is made to that company, then the filmmaker does not need their permission.

Sources of cleared printed material (labels, posters, signs, etc.) are:

Earl Hays Press: <https://www.theearlhayspress.com/>

SGI Studio Graphics - (818) 951-5615

Fair Use / Appropriation

Appropriation of a copyright is a type of plagiarism that applies to a work of art. Anytime you create a work of art—writing, music, computer coding, or other creative output—you immediately own the copyright for that work.

You are not required to file for a copyright with the United States Copyright Office to establish ownership (it automatically exists). However, filing for a copyright gives you the right to enforce in court.

A copyright is valid for your lifetime plus 70 years (other rules apply to older art and works created in other countries). During that time, no one else is allowed to use the work of art without permission unless the use falls within several categories that are considered valid exceptions. When art is appropriated, it has been used in a new work without the artist's permission. This may or may not violate the original artist's copyright.

What is Appropriation Art?

In the genre of art known as appropriation art, artists intentionally take another artist's work and change, build on, or modify it in their own work. The famous Campbell's soup art by Andy Warhol is an example

of appropriation art. Campbell owns the image on the can labels. Warhol took that image and incorporated it into his own work, creating something new and unique.

Artists freely admit being influenced by other artists—but students should be aware of the distinction between **copyright violation** and **creative appropriation**. For more information on copyright violation, check out this article:

<https://www.legalzoom.com/articles/what-you-can-do-when-someone-steals-or-misuses-your-photos>

Fair Use Exception

One exception to copyright laws is fair use. Several types of fair use allow an artist to use another's copyrighted work. One common example is parody. Weird Al Yankovic has based his career on taking well-known songs and creating parodies, his own funny versions of the songs. This is one example of fair use. Other examples include news reporting, research, and criticism in which part of the original work is repeated. Appropriation art can also sometimes be considered fair use.

Courts have laid out four things to consider when determining whether a work falls under the fair use exception:

1. **Commercial use.** Courts consider whether the appropriation of the artwork creates a commercial benefit for the new artist. It's one thing to take a piece of art and alter it and hang it in your own home and another thing to appropriate it and then sell it for millions of dollars.
2. **Nature of the work.** Courts consider the nature of the new work. In the case of appropriation art, the new work is generally another piece of art.
3. **Amount of use.** The amount of the original art that is used in the appropriation piece is also considered. If an artist took an existing photograph, cut out a section, and used it in their own new work, the amount of use is small. However, if a 20-square-foot photograph is used as the basis for a piece of art in which it is painted over, most or all of the work is used.
4. **Effect on the market.** This factor looks at how the new use of the work affects the original work's market value. If the new work is truly transformative, it should have little or no impact on the original work's value. For example, if an artist makes T-shirts with their own designs, then a second artist takes those T-shirts and adds sequins in a few places, the sale of the sequined shirts will likely impact the sale of the original shirts because it is not transformative. This is the most important factor to consider when evaluating appropriation art.
5. **Example of a copyright disclaimer** - "Copyright Disclaimer Under Section 107 of the Copyright Act 1976, allowance is made for "fair use" for purposes such as criticism, comment, news reporting, teaching, scholarship, and research. Fair use is a use permitted by copyright statute that might otherwise be infringing. Non-profit, educational or personal use tips the balance in favor of fair use."

Guidance for Appropriation Artists

If the student is an artist who wishes to appropriate someone else's art into their own work, the first thing they should do is reach out to the artist and ask permission. The artist may grant them permission or may be willing to license the work for a small fee. This can help the student avoid any legal challenges.

If the student does not get permission, the best bet is to make sure that their use of the original work is truly transformative. For example, if they took a copy of a Jackson Pollack painting and placed it on the floor, and created an interactive display of laser lights on the ceiling as an art installation, they aren't doing anything at all to actually transform the painting.

However, if the student took the same painting and sliced it into one-inch pieces, and used a papier-mâché technique to create a polar bear out of them, that would completely transform the work. The more transformative the new work, the more likely it is going to be considered fair use if there is a legal challenge.

Artists have always been influenced by others' art. Making sure the work truly creates something new out of the old work is the key to avoiding a **copyright infringement** issue. For more information on avoiding copyright infringement, check out this article:

<https://www.legalzoom.com/articles/how-to-avoid-copyright-infringement>.