

SCA Websites: Release Forms FAQs

page 1 of 2

Who needs to use the release forms?

Every official local and kingdom SCA website.

Can you explain each release form and when I need to use them?

The SCA CREATIVE WORK COPYRIGHT ASSIGNMENT/GRANT OF USE FORM is needed from the author or artist for

- articles, poems, stories, songs, etc.
- original artwork (not clip art)

No form is needed for

- correspondence from officers or autocrats
- event notices
- captions

The SCA MODEL RELEASE FORM is needed from the person(s) in the picture if

- the image is portrait-style (see below)
- the photograph is taken in a private space at an event (such as a personal encampment)
- the photograph is taken at a non-public venue (such as an armor-making workshop at a home)

No model release form is needed when the photograph is taken at a public place and in a public forum

(where there is no expectation of privacy), including

- any SCA contest or competition, merchants' row, court, class, etc.

The SCA PHOTOGRAPH GRANT OF USE FORM is needed from the photographer for all photos added after Dec. 31, 2010.

(A photographer may check the "Perpetual Grants of Use" box, which means they can complete the form **once** and it covers any photograph submitted now or in the future.)

Can you explain "portrait-style" image?

A portrait-style image is perhaps easiest to define by its usage. The two images below are from the same picture.

The image on the left **would not** require a model release form:

The image was taken in a public area of an event and its caption defines it as "news".

The image on the right **would** require a model release form:

The image has been cropped to appear like a portrait, and it has a caption that only identifies the person and her position/office (in other words, it isn't "news"). This image is also the one likeliest to remain on the website for either a reign or a term of office. (Note: A photograph can have multiple people such as Their Majesties, Their Excellencies, etc. and still be a "portrait-style" image.)



A lull in the day is enjoyed by Baronesses Suephlay and Shirleyknott.



Baroness Suephlay
Chatelaine
chatelaine at anybarony.org

SCA Websites: Release Forms FAQs

page 2 of 2

Do I need the photographer's permission to modify a photograph?

Not necessarily. Most photographers expect that some level of cropping or color adjustment may occur, but if you are editing photos significantly, please confirm with the photographer that the finished image is okay to publish as modified.

If the photographer doesn't like the modifications, he or she may request that the image be removed. If you are cropping a photo to the point that it now appears portrait-style, you will need a model's release form from the subject.

Can we use portrait-style images of members who have passed away?

If you already have their image on your site, and no one has asked you to remove it to date, you may leave it. On the original letter of September 21, 2010, it was noted that "The Board of Directors has voted to leave existing images on web sites as they are, but asks that web ministers make the attempt to get releases on as many images as is feasible." If their estate later asks you to remove it, and you don't have a release form, you will need to remove it. If you are adding new portrait-style images you will need to get a signature from their estate.

Can we put the forms in roster format?

While you can certainly have release forms available at events, they cannot be modified in any way including into the format of a roster. It is the individual member's choice to sign or not, and cannot be presented as an attendance requirement at an event.

Can we modify the forms to cover specific dates?

The forms cannot be modified in any way with the exception of adding the publication and/or website name.

Can "permission to publish my image" be added to the blue cards?

No, agreeing for your image to be published is in no way a requirement to be a member.

Why are you allowing digital signatures?

As there is a large need for the required forms from so many members, the 11 months of development time also addressed ways to make them the simplest, the most straight-forward and the easiest to complete, and that included digital signatures. There does need to be a traditional or a digital signature on the signature line — just completing the form is not enough.

Are the digital signatures legal?

Yes. The Adobe e-signature format we are using for obtaining signatures on the various releases and assignments is acceptable. Since the passage of E-SIGN, in 2001, and the European Union's EU Directive for Electronic Signatures the year prior, electronic signatures on contracts are to be given the same status as traditional written signatures on contracts. The Adobe digital signature is one kind of electronic signature. Electronic signatures supported by public key infrastructures are generally considered "digital signatures". US and State laws do not dictate a particular technology solution for digital signatures, and in this case for what we are doing, it is acceptable.

What is meant by "public place"?

From USLegal.com: "A public place is generally an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, but not a place when used exclusively by one or more individuals for a private gathering or other personal purpose." In other words, the majority of SCA events and functions are held in public places, but there are exceptions: a household meeting held at someone's home, for example, would be considered a non-public venue, and in order to publish images from that meeting on an SCA-hosted website, Model Release forms would be required.

What does the statement "except where prohibited by local law" refer to?

This is intended for privacy and photography laws in countries other than the US.