

SCA Printed Newsletters: Release Forms FAQs

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Who needs to use the release forms?

Every official local and kingdom SCA printed newsletter.

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

- an individual's facial features are identifiable (not obscured by helmets, garb or shadowing) in the photograph

The SCA PHOTOGRAPH GRANT OF USE FORM is needed from the photographer for all photos.

(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 we use the creative work form for permission to print personal information?

No, this form cannot be used for "you are hereby given permission to print my personal information". Within Society and kingdom policies, you can receive this information via e-mail, set-up a separate form, etc., but it cannot be added to this form. If you are looking for a sample form, the Kingdom of Caid's is available at <http://webwright.sca-caid.org/docs/Personal%20Info%20Release.pdf>.

What if the author will only allow the creative work to be published within a certain time frame?

If the contributor wants to add an "expiration date" or other restrictions (i.e. "you can publish this once before January 1, 2015") he/she can do so, but no other statements can be added to the form.

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.

Why can websites and electronic newsletters have "news" pictures without using the model release forms and traditional newsletters can't?

Once something is printed and distributed, it is very difficult to unpublish it, plus the majority of printed newsletters and publications have a subscription cost or purchase price associated with them, which means some may argue that the purpose of the photos is commercial.

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.

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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.