

- To: Paul Wolter, Executive Director
- From: Becca DuBey, Curator
- Re: Notes, Discussion about Digital Images with Lee Grady, Archivist at WHS
- March 29, 2019

Lee made the following points:

- The risk of being sued over copyright infringement is very low, but the BOD should know there is a slight risk, and be given the choice to continue or drop the program, since they are the responsible party.
- The Museum may make digital images available for researchers without infringement concerns as long as we have a written paper trail giving us those rights to use. This makes use of Temporary Custody Receipts, Loan Agreements, and Deed of Gift very important.
 - Lee will be sending me copies of the forms they developed
 - Didn't have a chance to share our forms with him, but I can share them with you and we can make modifications as needed
 - I can discuss with Andy Krausher the process they went through in developing their Policies and Procedures that he developed.
- Follow our Collection Management Policy more closely, in particular
 - Who has authority to accept Loans and donations
 - Record keeping and paper trail issues are vital to our successful operations
- Consider following WHS policy in having a user sign an agreement before prints or files are released, to indicate they understand it is the users burden to investigate Copyright holder if they intend to use for other than personal use. Again, the paper trail is what will protect us. This is permissible under the law and releases us from harm.
- Consider re-wording the DOG to include Research use and online platforms use. (I began doing this, but it needs BOD approval.) I have some other concerns to add to the DOG based on the WHS DOG.
- We should add to our policy the statement that if a legitimate request is made to remove image(s) from the web site, we will review and remove if necessary. We would still retain the right to include in our searchable collections and make available to researchers, just not on the website.
- DOG asks for the rights the owner has; we may have to explain that we are not requesting rights the owner does not have (ex. Copyright.)
- If we would decide to use an image for a tee shirt, poster, or something for sale unrelated to research, then SCHS would be required to investigate the Copyright Owner.