



PARTICIPANT AGREEMENT

ETHICS

Participants must place the welfare of a subject and its environment ahead of their desire to capture a photograph. Upon entering the contest, participants automatically certify that subjects were treated with respect and dignity, and that no people, wildlife, or the environment were harmed or otherwise unethically treated in the capturing of a photograph. Houston Audubon and the judge panel reserve the right to ultimately decide whether or not a particular photograph was captured unethically.

If food-baiting or special equipment such as camera traps (e.g. trail cameras) were used to capture the photograph, this must be disclosed in the submission form under 'Disclosures'. Live animal baiting of wildlife is not permitted. Drone photography and/or videography is not permitted. Entrants can read a thorough treatment of ethical wildlife photography best practices at the National Audubon Society website [HERE](#).

If requested, participants must disclose the circumstances under which an image was captured as well as any instructions given to a subject.

BASIC RULES and CONTEST INFORMATION

Houston Audubon's (HA) inaugural *Flock Together Photo Contest* open submission period **begins August 1st, 2021, and ends August 29th 2021**, at 11:00 PM Central Daylight Time. Winners will be announced as part of HA [Bird Week](#) on **September 25th, 2021**. By submitting an entry, each participant agrees to the rules of the contest and states that they are 18 years old or older or has a legal guardian's consent to enter the contest.

All entries must be uploaded using the form on www.houstonaudubon.org/photocontest between August 1st and August 29th, 2021.

Each participant may enter into the contest no more than two (2) photographs total and no more than one photograph per category. Please note the maximum file size per image is 200 MB.

Entries into People's Choice Award (PCA) are automatic. All entries are eligible for the PCA and will automatically be entered.

All photographs must be taken within the state of Texas.

CATEGORIES

Judging will be based on content, creativity (think artistic), uniqueness (think rare shot), and overall impression *within its submitted category*. All entries are eligible for the People's Choice Award. HA seeks photos that best illustrate the following categories [write out lay-person descriptions of each on website]

- **Bird-Friendly Communities:** Photographs of bird-friendly communities, such as but not limited to backyards, parks, patios/porches, urban gardens, as well as [bird-friendly plants](#) and bird-friendly people. Essentially, any photograph that depicts a bird-friendly space is eligible!
- **Small-in-frame:** Photographs in which the bird merely occupies approximately 10% or less of the frame. ** Percentage will be at discretion of the judges 'in the spirit of' the category. **
- **Bird of Houston:** Any photograph that prominently features the yellow-crowned night-heron--the [official Bird of Houston](#)--is eligible for this category.
- **Bird Fails and Funnies:** Send in your best goofy and/or good-natured 'fails,' either your subject's fails or your own fails as a photographer.
- **Birds in Flight:** For those looking for a challenge, any artistically composed photograph of a wild and free bird in flight is eligible.
- **Birds of All Feathers:** All wild and free birds welcome. Include note on rules.
- **People's Choice Award (PCA):** In place of a panel of judges, The People's Choice Award is a separate award for submissions in any category that is selected by popular vote online using the People's Choice Award voting form on Houston Audubon's website! The window for voting on the PCA will take place during Bird Week beginning on **Saturday, September 18 through Friday, September 24 by 11:00 PM Central Daylight Time.**

PARTICIPANT ELIGIBILITY

Participants 18 years or older at the time of the contest OR participants below 18 years of age with consent of a legal guardian at the time of the contest are eligible. Winners under the age of 18 must have a signed consent form by a legal parent or guardian before they are eligible to have their photographs published by HA. The HA Photo Contest is open to all participants with the exception of HA employees and current Young Professional Advisory Council members. HA will determine winners' eligibility in its sole discretion.

PHOTOGRAPH ELIGIBILITY

All photographs must be taken within the state of Texas. Judges reserve the right to require participants to provide proof of photo location if requested. For its inaugural year the HA Photo Contest will accept photographs taken with no date restriction. This will change in future years. The participant certifies that they are the sole creator and copyright owner of the submitted photograph.

All photographs should accurately reflect the subject matter and the scene as it appeared. Cropped photos are eligible in all categories. We do not accept digitally or otherwise [enhanced or altered photos](#); image composites including HDR and stitched panoramas will be disqualified. Minor adjustments, including the removal of sensor dust or scratches on scans of negatives, dodging and burning, sharpening, contrast, toning, slight color adjustment and conversion to grayscale are acceptable for all categories. The addition and subtraction of objects is not permitted. Remember, this is not a photo

editing contest! If the judges determine that a photographer has altered his or her photo beyond the above specified parameters, they reserve the right to disqualify it.

For a photo in which a person is recognizable, you must be prepared to provide a model release from the subject or, in the case of a minor, the subject's parent or guardian, to HA upon request. A model release is available [here](#).

Similarly, entrants whose photos depict other people's work (such as sculptures, statues, paintings, and other copyrightable works) must be prepared to provide a release from the rights holder to HA upon request. When photographing the work of others, it must be as an object in its environment and not a full-frame close-up of another person's creation. An art release will be provided upon request.

RIGHTS TO PHOTOS

The photographer will retain all rights to any photograph they submit -- including ownership if applicable. By entering the 2021 HA photo contest, you grant HA a nonexclusive right and royalty free license, in perpetuity, to:

- Publish the images for HA purposes in any format, including on the HA website, social media accounts and in HA publications or presentations, such as newsletters, brochures, magazine issues, fundraising appeals, public service announcements, grant proposals, reports, awards, thank-you cards, displays, mailings and invitations.
- Use, in connection with the Photo Contest, your name, city, state and country of residence, and artist statement in promotions and other publications.
- Keep the files provided and archive the images on disk or in other electronic forms, so that your photo(s) can be used to support the HA mission and be properly credited.

As conditions of this permission, HA shall credit all photographs with the caption "© Person's Name" and/or social media handles when available.

Images remain the property of the Photographer. However, HA reserves and retains the rights to use all the images submitted as part of any HA photography contest, winning or not, indefinitely for all HA purposes, including, but not limited to, production of brochures, advertising promotions, education, exhibits, commercials, social media, and any other use as it pertains to the mission and promotion of HA and its programs existing today or established in the future.

HA reserves and retains the right to market and sell both prints and images on merchandise of any and all images, winning or not, submitted as part of any HA photography contest. HA has sole discretion to set the price of the prints it sells. This is not an exclusive right and Photographers may also sell their own prints. HA will not be required to pay any additional consideration or seek any additional approval in connection with such uses.

Naming Conventions When Entering Photo(s)

When submitting photos, all participants must name their photo file following HA's required naming convention to be eligible:

[last name]_[first name]_[category]_[title]_[year of submission]

EXAMPLE:

Rodriguez_Jane_BirdofHouston_Yellowcrownednightheron_2021

Judging and Winning Photographs

- SIX MAIN CATEGORY ENTRIES

Eligible images will be judged by an independent panel of judges. Judges will be instructed to select the best photos based on photographic merit. Photo entries will be judged based on creativity, quality, originality, responsiveness to the prompt and overall impact. Difficulty in obtaining the photo and the rarity of the subject will only be considered to break a tie. Decisions of the judges are final.

The six category winners will be notified via the contact information provided at the time of entry; HA may disqualify anyone who fails to respond to the notification within 5 days. After the 5 days have passed, HA contest organizers will move on to the next in line until a response is received. After the category winners have been notified, they will be announced during Bird Week 2021.

- PEOPLE'S CHOICE AWARD ENTRIES

Eligible entries will be judged by the public via an online form.

The PCA winner will be announced on the final day of Bird Week 2021. Please note, HA will attempt to reach the winner before announcing, but due to the expedited timeline, HA retains the right to announce the winner whether the winner responds or not.

HA may require a higher quality resolution of the winning photograph. If a suitable resolution for print is not available, an alternate winner may be selected.

Please do not contact HA staff or volunteers about the status of entries or judging.

Conditions of Entry

All Participants hold the Sponsors and their respective regents, directors, officers, employees, emeriti, fellows, interns, research associates, and volunteers (the "Indemnified Parties") harmless from and against all claims of any nature arising in connection with entrant's participation in the contest and acceptance or use of a prize. The Indemnified Parties are not liable for any costs, damages, injuries, or other claims incurred as a result of entrants' participation in the contest or winner's acceptance and usage of a prize. The Indemnified Parties are not responsible for incomplete or misdirected entries, technical or network malfunctions or failures, or causes beyond their control. Entrants are solely responsible for their entries. Entrants may not submit materials that introduce any software viruses, worms or other programs designed to damage software, hardware or telecommunications equipment or are off-topic, partisan-political, contain advertising, nudity, personal attacks or expletives, or is otherwise abusive, threatening, unlawful, harassing, discriminatory, libelous, obscene, false, sexually explicit, or that infringes on the rights of any third party.

The contest is void where prohibited or restricted by law. HA reserves the right to cancel the contest or modify these rules at its discretion. In the event of a dispute regarding the winners, HA reserves the right to award or not award the prizes in its sole discretion. HA reserves the right to disqualify any entrant whose entry or conduct appears in any way to: inhibit the enjoyment of others; tamper with the competition; violate these rules or other applicable law or regulation; infringe on the rights of third parties; or act in an unsportsmanlike or disruptive manner. Decisions of HA are final and binding.

Other Terms and Conditions

HA reserves the right to adjust the contest deadline if necessary.

By participating in this contest, you agree to these terms and conditions.