

Procedures for contracting commercial photographers

Concerns related to engaging commercial photographers include ownership of resulting images, liability associated with using these images, their accessibility to other departments and their preservation as historical records. These and other issues are addressed in the contracting procedures below. As you will see, the procedures require that commercial photographers first enter into a master agreement with the Purchasing Department.

Guidelines and policies

It is essential to recognize that photographs taken at the request of a department of Northern Michigan University are official university records. As such, they must be collected and maintained in accordance with records management and disposition procedures developed in consultation with the university archivist.

Commercial photographers wishing to do business with Northern Michigan University or one of its departments must first execute a master **Photographic Services Agreement with the Purchasing Department, 136 Services Building (227-2360)** . The agreement recognizes the university's sole ownership of resulting photograph materials (negatives, slides, prints, digital images, etc.); the photographer's inability to use any resulting images, or portions of images, without the express written consent of the university; and the photographer's obligation to surrender all resulting photographic materials to the requesting department. A commercial photographer who has not executed such an agreement should be referred to the Purchasing Department. Copies of the master agreement are available on request from that office.

Under the master agreement, the commercial photographer is required to provide the university with a current schedule of fees. A copy of the fee schedule, along with any supporting materials or work samples that the photographer chooses to provide, will be maintained in University Marketing and Communications, 409 Cohodas (227-2720), where they may be reviewed by interested parties.

The master agreement instructs the photographer to submit itemized invoices for services rendered to the University Archivist, 114 Learning Resource Center (227-1225), who will retain a copy and forward the invoice to the requesting department. This will enable the Archivist to learn of the creation of photographic records and offer assistance to university departments and others searching for photographs that are believed to be part of the university's photographic collection.

Departments requiring the services of a commercial photographer must:

1. select a photographer and ascertain that he or she has executed a Photographic Services Agreement with the [Purchasing Department](#);
2. establish the specific terms and conditions for the work to be performed (time, place, subject matter, print medium, print delivery date, and delivery date for other photographic material, fees, etc.);
3. obtain a [signed release form \(PDF format\)](#) from:
 - any individual whose likeness is to be used in a picture taken expressly for inclusion in advertisements, student recruitment publications or other publications that are intended to attract business to Northern Michigan University; and
 - any celebrity or luminary whose likeness is to be used in a picture taken for any purpose other than the creation of a memento or keepsake.

4. establish the identification of individuals appearing in photographs, where possible, and record basic information concerning the event or activity photographed (date, place, name of the program, description of event, description of the activity depicted in the photographs, etc.);
5. ensure delivery of the photographic prints, slides and all other materials under the terms arranged with the photographer and account for these materials in accordance with records management procedures established in consultation with the Archivist; and
6. upon receipt of the photographer's invoice from the Archivist, prepare a check request, and send the invoice with check request to the Controller's Office, 504 Cohodas (227-2054). Be sure the check request indicates the number of the photographer's master agreement with NMU; this same information should appear on the photographer's original invoice. The check will be prepared and sent directly to the photographer.

Nothing in these procedures is intended to prohibit the taking of photos by university employees or student employees in the performance of their duties. Photographs taken by such individuals are also university property and official university records. All negatives, slides, prints, digital images, or other photographic materials resulting from the use of university employees or students employees must be handled in the manner described above.