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# FMTA September Newsletter



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Join us for our **September General Meeting** on  
**Wednesday, September 16 at 9:30am via Zoom.**

**We are excited to have Jerome Gilmer present on home  
sound and recording technology! Hope to see you there!**

**Link for meeting: [https://us02web.zoom.us/j/6188953294?  
pwd=ZIIPdEJYbTY2Yk42eFVabXJQNzdFdz09](https://us02web.zoom.us/j/6188953294?pwd=ZIIPdEJYbTY2Yk42eFVabXJQNzdFdz09)**

**Passcode (although should not be needed): 6188953294**

Please text Davina at #225-301-2058 if you have difficulty logging on to the meeting that day.

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**TAKE NOTE:**

Once our Board decides to return to In Person FMTA Meetings,  
our new location will be:  
Our Savior's Church @ 1975 S. Garrison St. Lakewood, CO 80227

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# ANNOUNCEMENTS

**Do you have an announcement for the monthly newsletter? Please email [davina.perret@gmail.com](mailto:davina.perret@gmail.com) by the first of the month to have it included in the next edition.**

## **Website Chair:**

The FMTA website has been updated for the 2020-21 Academic Year! There are several changes that have been made to the website. There is now a separate "student opportunities" page for all student-related activities. In addition, the FMTA calendar events each have a link connecting to the relevant events page! Finally, event chairs are encouraged to email recent event photos with written permission for posting pictures online from the students being photographed. Several of the pages on the website have been updated with recent photos over the summer. Questions about the website? Please contact Lorian Bartle at 720-353-2902 or [info@BartleGuitarStudio.com](mailto:info@BartleGuitarStudio.com)

## **Community Outreach Chair:**

Carrie Christensen and Davina Perret will be temporarily chairing in-person Winter Fundraising Concerts in December 2020. Lorian Bartle will resume in-person chairing of the event in 2021. Students and teachers who might be interested in submitting pre-recorded performances with an introduction of the piece for an FMTA online recital should contact Lorian Bartle at 720-353-2902 or [info@BartleGuitarStudio.com](mailto:info@BartleGuitarStudio.com)

## **Achievement Day:**

Hello FMTA membership and beyond!

We are bravely going forward with our Achievement Day plans for November 7 at CCU. We will be following the county health guideline for keeping everyone safe including; taking temperatures, requiring masks to be worn, limiting the number of people in the building at one time, extra cleaning, limiting students movements within the building and having a one way traffic flow. We are excited to offer an in person event for those students and teachers who are able to participate. Talk with your students and start preparing today! Please text/call or email April Larsen with any questions: [aprillarsenmusicstudio@gmail.com](mailto:aprillarsenmusicstudio@gmail.com) or 303-862-0860. Don't forget the due date for your online registration is October 7th!

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## **Winter Fundraising Concerts**

The FMTA Winter Fundraising Concerts will take place at the Our Saviors Corner of Hope church in Lakewood on Saturday, December 5th and 12th from 9 AM-7 PM.

Due to the COVID-19 pandemic, teachers will also have the option to submit recordings of their students performing in a pre-recorded recital. Here are the times reserved by FMTA teachers so far for the in-person event:

### Saturday, December 5th:

9-10 AM: April Larsen

10-10:30 Kathy Hammer

10:30-11 Carrie Christensen

11-11:30 Laura Rogers

11:30-1:30 Davina Perret / Kari Stjernholm

1:30-

2:30-3: Evelyn Billberg

3-4: Sue Brownson

### Saturday, December 12th

9:50-10 Kathryn Lewis

10-10:30 Diane Wieland

10:30-11 Elinore Quander

11-11:30 Gloria Apellaniz

11:30-

12:30-

1-2 pm Julianne Hardinger

If you are interested in signing up for a remaining time slot or participating in a pre-recorded online recital, please contact Davina Perret at [davina.perret@gmail.com](mailto:davina.perret@gmail.com) or #225-301-2058.

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## SONATINA FESTIVAL – March 6, 2021

The Sonatina Festival for next year is in a planning phase right now. Records and forms are being updated and prepared for next year. The Repertoire List has been reviewed with the help of four teachers, I would like to thank them very much for their time and contributions: Carrie Christensen, Teresa Hegyi, Laura Rogers and Helen Gleason. It is complete and ready to go onto the website July 1. If anyone has recommendations please get them to me as soon as possible so I can have your requests reviewed by the committee and added by the deadline.

We have added a number of new pieces, including new Sonatinas by Kevin Olson and Wynn-Anne Rossi. Please review the list very carefully this summer and be sure that you are selecting pieces that are on the list, and that you are planning to place your student in the correct class.

You will find this notice on the first page:

**NOTE: Listed resources are only suggestions, other publications may be used.**

**Many pieces are now available with digital download from sources like “sheetmusicplus”**

If you use digital downloads you must complete a “Copyright Disclaimer” form which is with the forms on the website. This is in conformance with Rule Number 8 of the Standing Rules. Evelyn Billberg, Sonatina Festival Chair

**PRP for 2020-21 School Year:** All are invited to join our PRP reading discussions which will be held on ZOOM. Arlyce Black will be leading once again this year. The book is "With Your Own Two Hands, Self-Discovery Through Music" by Seymour Bernstein. Please see dates and details below.

October 16, 2020 9:30-11:00 a.m. Friday.

Zoom Link: <https://us02web.zoom.us/j/6188953294?pwd=ZlIPdEJYbTY2Yk42eFVabXJQNzdFdz09>

February 19, 2021 9:30-11:00 a.m. Friday

Zoom Link: <https://us02web.zoom.us/j/6188953294?pwd=ZlIPdEJYbTY2Yk42eFVabXJQNzdFdz09>

Passcode (although should not be needed): 6188953294

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## **FESTIVAL FOR CREATIVE PIANISTS: June 4 - 13, 2021**

Help us celebrate our 20<sup>th</sup> anniversary!

The festival is open to all ages. No auditions are necessary!

### **MANY AWARDS**

- For repertory excellence, creativity and versatility (any style)

### **SPECIAL AWARDS**

- Original Composition

### **NEW AWARD CATEGORIES**

- Budding Pianist (up to age 12)
- Teen Pianist (age 13 to 19)
- Lifelong Learner (age 20+)

### **WORKWHOPS AND MASTERCLASSES**

- For Teachers and Students

### **CONTACT**

Evelyn Billberg, Program Director

[ev.billberg@gmail.com](mailto:ev.billberg@gmail.com)

303-629-9209

Sponsored by Abundant Silence

[www.abundantsilence.org/festival-homepage.html](http://www.abundantsilence.org/festival-homepage.html)

**“Kathleen turns 100”:** Kathleen Estes is a long-time member of FMTA and her 100<sup>th</sup> birthday is September 23<sup>rd</sup>. Many current members have never met Kathleen but it would be wonderful to shower her with cards for her birthday. No need to buy a special card or even wait until September to send it. When I (Kathy Hammer) visit her she always asks about news from FMTA and how teachers are managing with the COVID way of life. Margaret Wahl did bring her to an August meeting at my home maybe 5 years ago.

Kathleen’s mother was her first piano teacher and she studied opera in college. Then she taught 5<sup>th</sup> grade in the Denver school system. She still lives in her own home but



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has daily home-health care. She taught piano at least until she turned 90. She would be interested in hearing about your studio as she enjoys news from those who have similar interests. It will be fun to help Kathleen celebrate her 100<sup>th</sup> birthday as many of us don't have relatives or neighbors who can claim to be a centenarian.

Kathleen Estes, 2015 Applewood Dr., Lakewood, CO 80215

## **PRESIDENT'S CORNER**

Dear FMTA Members,

We had a wonderful meeting in August, and I was so happy to see so many of you on Zoom! Davina Perret gave an extremely useful presentation on resources for teaching online and/or in-person. The presentation was recorded and sent out in an email after our meeting. I encourage you to watch it if you didn't get a chance to be there.

Thank you, Davina!

This month we have the opportunity to hear from Jerome Gilmer about home studio recording. We are hoping the Jerome's presentation will help inform us since FMTA is considering buying recording equipment. One of the variables influencing if FMTA would buy equipment, is if enough members are interested in using it. Some of you may already have equipment or have other means for recording. Please consider if you would personally take advantage of FMTA's recording equipment if bought. School is back in session and hopefully your students are back into the practicing routine. I'm grateful that we will be doing Achievement Day in person and that April Larsen is up to the task to make it work with the guidelines and restrictions that we will follow. Thank you, April! Please plan to join us on Nov. 7 for Achievement Day. I wish you all the best as we continue to teach and bring the gift of music into our student's lives.

Kind Regards,  
Carrie Christensen

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# LEGAL FAQs FOR REOPENING MUSIC STUDIOS

T. Scott Gilligan  
MTNA Legal Counsel

With states either implementing or considering the reopening of businesses during the COVID-19 pandemic, MTNA members have a number of questions regarding the legal ramifications of reopening music studios and teaching lessons to students. Below, MTNA has provided answers to several of the legal questions that it has received:

1. *Is there an obligation to go back to in-person lessons?*

No. Each music studio will have to determine what procedures it is comfortable with going forward. There is no requirement to continue in-person lessons if it presents a safety or medical issue. Of course, if students had prepaid for in-person lessons that are no longer being offered, the music studio would have to refund the amount for the lessons that will no longer be provided.

2. *What is my liability if I reopen my music studio and one or more of my students are diagnosed with COVID-19?*

This is uncharted territory for the legal system and lawyers. Since we have only been dealing with the COVID-19 pandemic for a few months, there are no concrete conclusions that can be drawn about potential liabilities for businesses that reopen.

But, there are three major legal doctrines that would come into play in any lawsuit against a music studio owner who reopened his or her studio. The first would be the issue of causation. Considering that the incubation for COVID-19 is usually 5 to 7 days and that community spread of the virus is generally found in every city and town in the U.S., it will be nearly impossible for a student to be able to pinpoint that his or her exposure happened at the music studio. Absent some type of clear cut evidence, this would be problematic to pinpoint where any person was infected.

Secondly, in order to establish liability, the student would have to prove that the music studio was negligent. If a studio opened up in violation of any applicable stay-at-home order, negligence would not be difficult to show. But, if the music



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studio operated in compliance with state and local restrictions and orders, and if it followed current CDC and state health regulations, negligence would be very difficult to prove.

The third legal doctrine that would come into play is assumption of the risk. If a student sued a music studio for negligently exposing the student to COVID-19, the studio could defend by asserting that the student (or his or her parents) voluntarily and knowingly assumed the risk of exposure by allowing the student to come to the studio. Since everyone is well aware of the risks of COVID-19 infection, anyone who ventures out into a business environment is knowingly assuming the risk of exposure. Courts do not permit a plaintiff to recover for an injury or illness when the plaintiff was aware of the risk and voluntarily assumed it.

While, as noted above, there have been no court decisions regarding the liability of businesses that reopen during the pandemic, the fear of legal liability should not prevent a music studio from reopening. Of course, owners of music studios should implement the safety and health practices mandated or recommended by the CDC and state and local health departments to protect clients and staff, and reduce the risk of legal liability.

### *3. What steps can a music studio take to protect the safety of its staff and may the music studio bar persons from its facilities who do not follow safety requirements?*

There are numerous steps that music studios may employ to reduce the risk of COVID-19 exposure for students and parents coming to your studio. Below is a list of measures you can implement depending upon the exposure level in your community, your clientele, your studio setup, and your comfort level:

- Pre-Opening Welcome Back Letter. Music studios should send a pre-reopening letter to all students and parents informing of a reopening date and all infection control procedures that the music studio will be implementing. Emphasize that the procedures are mandatory and must be complied with as a precondition to entering the music studio and/or receiving lessons.
- Scheduling. Schedule lessons so that there is a gap between students to reduce the number of persons in the studio at any one time.

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- Waiting Room. A music studio may elect to eliminate its waiting room by having students remain in their cars until they are notified by cellphone or text that the teacher is ready to begin the lesson. If a waiting room is used, music studios should remove magazines, toys and other objects which may be difficult to disinfect.
  - Screening List. Music studios should instruct students not to come to the music studio if they have or have had in the past 14 days a cough, a fever, shortness of breath, difficulties breathing, flu-like symptoms, gastrointestinal upset, or experienced a loss of taste or smell. It may be beneficial to send to the student the day before his or her lesson a patient screening form which they would fill out indicating that they have had none of the above listed symptoms. To encourage students to be honest, the music studio may want to consider waiving any cancellation fees due to an illness.
  - Limit on Items. Music studios may want to restrict the items that students bring with them into the studio, such as limiting a student to a cellphone and wallet. It may be beneficial for students not to bring into the music studio books and other music instruction materials.
  - Hand Sanitizer. Music studios should place hand sanitizer stations at the entrance of the studio with specific instructions to use it prior to entering the studio and upon leaving the studio. Sanitizer stations could also be placed in instruction rooms.
  - Temperature. The music studio may want to take the temperature of students as they enter the music studio. Touchless forehead scanners are readily available online for less than \$100. If an elevated temperature is noted, the students should be instructed not to enter the music studio and to proceed home.
  - Payment. Music studios may want to require payment by credit cards over the telephone to avoid touching credit cards, checks or cash.
  - Masks. State orders may require the use of facemasks by both the student and studio employees. In addition, even though the state may not require it, a music studio can certainly adopt the policy requiring facemasks to be

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worn by students and employees. If masks are required, the students should be advised of that beforehand in the written welcome back letter. The music studio may also want to obtain a supply of disposable masks for students who forget to wear one.

- Sanitation. The music studio should establish a set schedule to sanitize all areas where persons have been during the time the music studio was opened. Obviously, those would include instruments, tables, chair arms, door knobs, light switches, hangers or anywhere else where people come in contact. Surfaces should be cleaned with detergent or soap and water prior to disinfecting them. To disinfect, use products that meet the EPA's criteria to use against COVID-19.

*4. How should a music studio handle refunds for prepaid lessons that were cancelled and students who no longer wish to continue lessons although there is a contract with the music studio?*

This will be a road that each music studio will have to navigate depending upon the wording of its contracts, its existing cancellation policies, the level of COVID-19 infection that exists in its community and the possible public relations fallout if it is perceived as being too heavy handed in the treatment of its students during a pandemic. MTNA recommends that if a member is uncertain how to proceed, it should involve its attorney in deciding the proper way to handle cancellations, refunds and terminated contracts.

Even if a music studio has a well-drafted contract that requires a student to pay for all cancelled lessons, in some cases the student may be able to escape liability under the doctrine of impossibility of performance. If a party to a contract is not able to perform because of an event beyond the party's reasonable control, it can avoid liability under the contract. So, even if students are required to pay for all or some portion of cancelled lessons, if they can show that it was impossible or illegal to attend the lessons because of the pandemic or government orders, they may be relieved of having to pay any cancellation fee under the contract.

*5. If the music studio has employees, could the employees sue the music studio owner if the employees are diagnosed with COVID-19?*

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Like the answer to Question 1 above, there would again be an issue of causation. Given the community spread of the coronavirus, it would be very difficult for an employee to prove that he or she caught the virus at the music studio.

In addition, employees cannot sue employers because they become sick or injured on the job unless they can show that the employer intentionally put the employee at risk or recklessly disregarded their safety. Instead, the government provides worker's compensation for employees who get sick or injured because of their employment. Workers compensation provides immunity against employee lawsuits alleging carelessness or negligence on the part of the employer that results in injury or illness to the employee.

6. *Where can I find the CDC recommendations?*

The CDC has issued guidelines to businesses that are considering reopening their operations. Those guidelines can be found at [www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html](http://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html). Also, specific CDC suggestions and recommendations regarding cleaning and disinfecting businesses can be found at [www.cdc.gov/coronavirus/2019-ncov/community/pdf/reopening\\_america\\_guidance.pdf](http://www.cdc.gov/coronavirus/2019-ncov/community/pdf/reopening_america_guidance.pdf).

Nearly every state will also have orders and/or guidelines regarding reopening. In many states, there are restrictions on the number of persons that can be in the business facility, spacing requirements, mandates on the wearing of face masks, and other measures that a business must take. Please review all such orders and guidance carefully to ensure compliance prior to reopening the music studio.

For questions contact MTNA at [mtnanet@mtna.org](mailto:mtnanet@mtna.org) or (888) 512-5278.

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