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# FMTA October Newsletter

Join us for our

**October General Meeting on Wednesday, October 21st at 9:30am via **Zoom**.**

**We are excited to have Curtis Madigan from Sound Formation teach us how to teach rhythm better and more effectively! Hope to see you there!**

## About Our Program:

**Rhythm Pedagogy Techniques: A Groove Based Approach to Teaching Music** Learn how to efficiently and effectively solve rhythmic timing issues in your students' playing and in your own. Have more fun in your lessons by enhancing your students' musical feel.

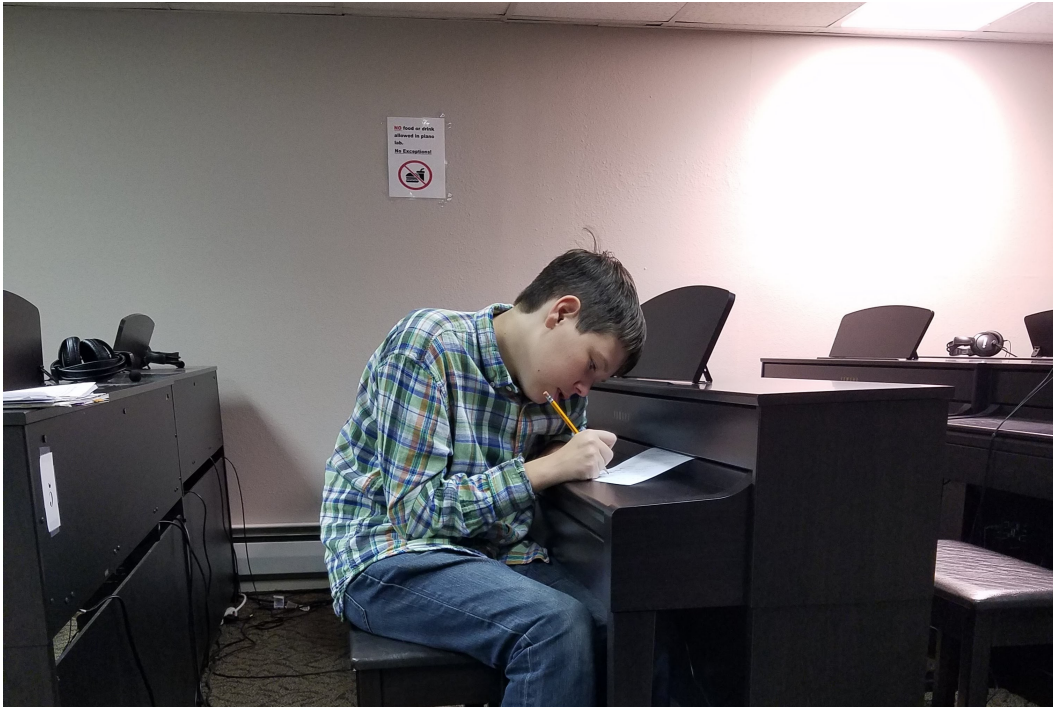
**Bio:** Curtis Madigan is the Founder and CEO of Sound Formation. He's a music education visionary that has created a groundbreaking theory of rhythm that has garnered support from countless experts in education and among professionals. He's the pioneer of the Sound Formation Method™. He's developed multiple after-school music programs that have run in over 100 schools across 8 states, and he's trained over 100 music teachers nationwide. He's a graduate in guitar performance and composition from Berklee College of Music.

P.S. We were hoping to meet in person this month. However, our presenter has decided to only present via Zoom for the 2020 year. We want to respect his decision, and we hope that this also allows many more members to dial in for this fun and informative program!

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

**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.



*Remember when our students did not have to wear masks??*

**Keep reading for important  
In-Person Events coming  
your way.....**

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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.

## **Achievement Day: Saturday, November 7th!!!!**

Link to Register: <https://www.fmtamusic.org/achievement-day/>

\*\*\*Registration ends October 7th!!!! Registration is ONLINE.

We are bravely going forward with our Achievement Day plans for November 7 at CCU. 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!

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. PLEASE SEE OUR WEBSITE FOR OUR COVID PROTOCOLS.

Please text/call or email April Larsen with any questions:

[aprillarsenmusicstudio@gmail.com](mailto:aprillarsenmusicstudio@gmail.com) or 303-862-0860.

**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?](https://us02web.zoom.us/j/6188953294?pwd=ZlIPdEJYbTY2Yk42eFVabXJONzdFdz09)

[pwd=ZlIPdEJYbTY2Yk42eFVabXJONzdFdz09](https://us02web.zoom.us/j/6188953294?pwd=ZlIPdEJYbTY2Yk42eFVabXJONzdFdz09)

**February 19, 2021 9:30-11:00 a.m. Friday (Same Zoom link)**

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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-Thomas H

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-Alyssa Elzinga

12:30-

1-2 pm Julianne Hardinger

2pm-

3pm-

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

**Colorado Christian University’s School of Music** is hosting a virtual masterclass with Dr. Elena Cholakova, the Director of Piano Studies at Emory University. This event will be held October 12th, Monday at 4:30 and there’s an open invitation to FMTA members to observe via Zoom. CCU piano students will be performing works by Mozart, Beethoven, and Chopin. The Zoom link is copied below and if you have any questions regarding the masterclass please contact Dr. Aaron Stampfl, Coordinator of Keyboard Studies at CCU ([astampfl@ccu.edu](mailto:astampfl@ccu.edu)<mailto:[astampfl@ccu.edu](mailto:astampfl@ccu.edu)>).

Zoom Link to Dr. Cholakova Masterclass at CCU

<https://ccu.zoom.us/j/96396971661?pwd=RGFxdllRSllJGenhsUDVMelhITW1Udz09>

Meeting ID: 963 9697 1661      Passcode: 852387

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## **Global Musical Bridges proudly presents the 3rd Annual Open Air Songbirds Youth Music Festival in Denver, CO.**

Are your students itching for a performance opportunity??? We have one for you!!!

Date: October 24, 2020, 3-6 PM.

Application Deadline: October 17th.

For more information please visit our website: <https://www.globalmusicalbridges.com/>

Social distancing mandates will be followed for this concert event!

### **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

### **REGISTRATION AVAILABLE OCTOBER 15, 2020**

#### **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+)

#### **WORKSHOPS 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)

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### **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, COVID-19 updates and safety precautions for FMTA activities will be added to the website throughout the year in response to the ever-changing pandemic situation. Questions about the website? Please contact Lorian Bartle at 720-353-2902 or [info@BartleGuitarStudio.com](mailto:info@BartleGuitarStudio.com)

### **Community Outreach Chair:**

Kari Stjernholm 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)

### **\*\*Golden, CO Teen Selected to Participate in International Music Institute:**

Lauren Hacke of Golden was one of 12 applicants selected to participate in the Alexander & Buono Academy's Summer Institute advanced level program. The focus of the institute is to work with piano students to perfect pieces they have already learned, preparing them to perform in concerts, competitions and other events. Conducted entirely online due to COVID-19 restrictions, the Summer Institute included daily private lessons and master classes, culminating in a recital performed Zoom on July 31. Hacke is a **Lakewood High School** Freshman and a student of piano instructor Leslie Noyes.

\***Kathleen Estes**, now a Centurian, would like to say a big THANK YOU for all those who sent birthday cards!

### **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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## A Note On Copyright Rules for Music Teachers:

### MTNA COPYRIGHT GUIDELINES FOR MUSIC TEACHERS

The following QAs are taken from a posting on MTNA.org. Click on “Learn” then ‘Copyright’ for the complete article.

Q. When students work on a duet, may a second part be copied for the second student.

A. No

Q. May I make a new arrangement of copyrighted musical work without violating the copyright?

A. No.

Q. May I copy sheet music if it does not have a copyright symbol on it?

A. No

Q. When I purchase a music book, I own it. May I copy pages of the book?

A. No

Q. I have heard that if a composition is on the internet, it is in the public domain. Is this true?

A. Read the section “Public Domain” in the MTNA article.

Q. Since I am a teacher and am using the music sheets for instructional purposes, isn't this use exempted from the copyright laws under the doctrine of “fair use”?

A. Only if the copy is to be used for commentary, criticism, news reporting, research and education. There are very restricted copying rights given to educators under the “fair use” doctrine.

Q. May I copy selected pages from several books and assemble my own collection for the private use of my students?

A. No.

**ABOUT Out of Print Music:** Ryan Greene, Director of Membership Development for MTNA writes, “Out of print does not equal out of copyright. The copyright holder still retains all rights whether or not a book is still in print. Copying an out of print book without permission



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of the copyright holder is illegal. The only exception would be if the publication is public domain.”

READ THE ENTIRE MTNA ARTICLE FOR MORE INFORMATION ABOUT POSTING MUSIC ON YOUTUBE, RECITALS IN STUDIOS, COPYING MUSIC FOR PAGE TURNS AND MUCH MORE.

Kathy Hammer, NCTM, RP

## PRESIDENT’S CORNER

Dear FMTA Members,

I hope this letter finds you all healthy and well. We have tried to shift our monthly meetings to in-person the past couple of months, but our presenters have indicated that they would prefer Zoom which we completely respect. Please join us for our FMTA meeting on October 21 at 9:30 a.m. via Zoom. I am personally looking forward to learning a new technique for teaching rhythm from Curtis Madigan of Sound Formation.

Jerome Gilmer provided us with extremely practical information about home studio recording equipment last month. He even gave us advice on the type of equipment that would be beneficial for FMTA, should we choose to purchase it. Once the board determines FMTA’s available budget, we can then vote on this matter.

Achievement Day registration is due on Oct. 7!! April Larsen is doing a fabulous job to make this fun-filled event happen while following COVID guidelines and restrictions at CCU. I am grateful that FMTA is still able to provide Achievement Day as an in-person event for our students.

I wish you all the best as you continue to provide the gift of music to your students during the pandemic.

Best 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.

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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 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.

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- Scheduling. Schedule lessons so that there is a gap between students to reduce the number of persons in the studio at any one time.
  - 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.

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- 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 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.

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

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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