

AFFILIATED WITH MUSIC TEACHERS NATIONAL ASSOCIATION**OhioMTA Executive Committee**

Wilmington University

Thursday October 16, 2014, 10:00 – 11:30

Present: Annette Hoverman, Richard VanDyke, Suzanne Newcomb, Cheryl Staats, Andi McAlister, Brent Schloneger, Judy Bede, Sonya Szabo-Reynolds, Joy Morin, and Jerry Wong.

- I. Meeting was called to order at 10:30 A.M.
- II. Minutes from May 31, 2014 were approved via email August 11, 2014.
- III. Brent Schloneger, Treasurer, reported a deficit of -2,089.37 in summary of the fiscal year 2013-2014. Checking account balance \$93,292.70; Scholarship Fund \$39,692.00.
- IV. The following incoming Executive Committee Members were welcomed as guests: Sonya Reynolds, Joy Morin, and Jerry Wong.
- V. President: Richard Van Dyke
 - A. MTNA FTC Report: Richard summarized the FTC Settlement Statement, which can be found in detail below.

Dear Member:

As you may know, the Federal Trade Commission conducted an investigation concerning the provision in MTNA's Code of Ethics that stated: The teacher shall respect the integrity of other teachers' studios and shall not actively recruit students from another studio. The Federal Trade Commission alleges that this provision violates the Federal Trade Commission Act because it unnecessarily restricts members of MTNA from competing for students, thereby depriving students from the benefits of competition among music teachers.

To end the investigation expeditiously and to avoid disruption to its core functions, MTNA voluntarily agreed, without admitting any violation of the law, to the entry of a Consent Agreement and a Decision and Order by the Federal Trade Commission. As a result, MTNA has removed, and will not enforce, the above provision from its Code of Ethics. In general, the Federal Trade Commission has prohibited MTNA from engaging in certain activities that restrict members from soliciting students or other teaching work, including activities that restrict members from offering services directly to students who may be receiving similar services from other music teachers.

Some state and local music teacher associations that are affiliated with MTNA have codes of ethics or similar documents that contain provisions that restrict its members from: (a) advertising prices or other terms of teaching services, (b) competing on price-related terms, or (c) soliciting students or other teaching work. The Federal Trade Commission has prohibited MTNA from accepting or maintaining as an affiliate any association that has such a code of ethics or similar document that contains these prohibited restrictions.

In order to maintain their affiliation with MTNA, each state and local music teacher association must review its constitution and bylaws, code of ethics, operational policies, and membership requirements to determine if they contain any of these prohibited restrictions on members.

Examples of these prohibited restrictions would include the following:

- An association restricting a member from offering opportunities for study to gifted students in the form of free lessons or scholarships as inducements to study with a particular member.

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- An association restricting a member from engaging in advertising free scholarships or tuition.
- An association restricting a member from soliciting the pupil of another music teacher by inducements or other acts.
- An association restricting a member from enrolling a pupil of another teacher unless the pupil's financial obligations to the former teacher have been satisfied and relations with that teacher have been severed.
- An association restricting a member from charging fees that are lower than the average in the community.
- An association restricting how members accept tuition payments from pupils.
- An association imposing restrictions or requirements on members regarding make-up lessons or missed lessons.
- An association restricting a member from writing or publishing for public media or from reviewing or criticizing colleagues or colleagues' students for any purpose whatsoever.
- An association restricting a member from seeking a job opportunity unless notice has been given of an impending vacancy.

State and local music teacher associations that are affiliated with MTNA and which have any of these prohibited restrictions in their constitution and bylaws, codes of ethics, operational policies, membership requirements, or elsewhere will have the opportunity to remove them. If they do not certify to MTNA that they do not have any such restrictions prior to the deadline set forth in the Decision and Order, MTNA will have to disaffiliate from them until such time as they comply with the Decision and Order.

The Decision and Order does not prohibit MTNA or its affiliates from adopting and enforcing codes of ethics or similar documents that govern the conduct of its members with respect to representations that MTNA or its affiliates reasonably believe would be false or deceptive within the meaning of the Federal Trade Commission Act, or the conduct of judges during music competitions sponsored or held by MTNA or any affiliate.

The Decision and Order also requires that MTNA implement an antitrust compliance program. A copy of the Decision and Order is available on the Federal Trade Commission website at www.FTC.gov, and through the MTNA web site at http://www.mtna.org/media/74728/Decision_Order.pdf.

All questions should be directed to the Office of the Executive Director & CEO at 1-888-512- 5278 x 229 or dviltrakis@mtna.org.

B. Revised Code of Ethics**1. Commitment to Students**

- a) The teacher shall conduct the relationship with students and families in a professional manner.
- b) The teacher shall respect the personal integrity and privacy of students unless the law requires disclosure.
- c) The teacher shall clearly communicate the expectations of the studio.
- d) The teacher shall encourage, guide and develop the musical potential of each student.
- e) The teacher shall treat each student with dignity and respect, without discrimination of any kind.

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- f) The teacher shall respect the student's right to obtain instruction from the teacher of his or her choice.
- 2. Commitment to Colleagues
 - a) The teacher shall maintain a professional attitude and shall act with integrity with regard to colleagues in the profession.
 - b) The teacher shall respect the reputation of colleagues and shall refrain from making false or malicious statements about colleagues.
 - c) The teacher shall refrain from disclosing sensitive information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
 - d) The teacher shall participate in the student's change of teachers with as much communication as possible between parties, while being sensitive to the privacy rights of the student and families.
- 3. Commitment to Society
 - a) The teacher shall maintain the highest standard of professional conduct and personal integrity.
 - b) The teacher shall accurately represent his/her professional qualifications.
 - c) The teacher shall strive for continued growth in professional competencies.
 - d) The teacher is encouraged to be a resource in the community.
- C. All Ohio State Affiliates are in compliance with the FTC Settlement effective 8-28-2014.
- D. Schedule for compliance
 - a) Presented first at Executive Committee June 6, 2014
 - b) Present at Executive Committee Meeting annually at Fall Conference beginning with 2014
 - c) Present at Annual Board and General Business Meetings annually at the Fall Conference beginning with 2014
- E. National Conference
 - 1. Fellow Nominations for 2015 are Kate Young and Janice Cook.
 - 2. Next National Conference will be in Las Vegas, March 21-25, 2015
- F. Governance Structure (2014-2016) changes were approved. Richard will post the new Governance Structure in Drop Box, and make sure all board members receive the updated copies.
- G. Website Updates
 - 1. The following items will be posted on website:
 - a) Board meeting minutes for two years and then move to archive page.
 - b) Competition winners for three years
 - c) Past News
- H. New and Open Board Members
 - 1. Voice - Open
 - 2. Composer of the Year - Lucia Unrau
 - 3. College Faculty Forum – Open
- I. Newsletter/Advertising Options
 - 1. Originally started with bi-monthly: may need to bump to monthly
 - 2. Use current E-notes/Constant Contact/Website updates for communication.
 - 3. First annual newsletter sent this past August with positive feedback.
 - 4. Advertising
 - a) Need to revise fee schedule for website links. Andi will check with Jennifer Snow in California to see how they do their website E-notes and advertising.

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- VI. President-Elect: Andi McAlister
- A. Technology
 - 1. Committee was updated to include Richard, President-Elect, Membership, Treasurer, and Webmaster
 - 2. Currently using Constant Contact for E-notes
 - a) Looking to expand possibilities
 - B. Annual Newsletter sent in August, included all forms and applications for events. We will continue next year. Cost is about \$600.
 - C. Western District – Constitution and Bylaws were approved
 - D. IMTF – Krysti Shey – nothing to report
 - E. CFF – Open
 - F. Wellness –Gail Bereneson
 - G. Creation of a new board position for Publicity was approved. Andi and Richard are working on candidates to fill position.
- VII. VP-Conferences: Annette Hoverman, guest Sonya Szabo-Reynolds
- A. 2014 Conference – Western District at Wilmington College—attendance is at 109 as of today.
 - 1. Sonya Szabo-Reynolds, Chair, reported receiving about \$1700 from advertisers, including sponsorship of beverage stations, receptions and booklet.
 - 2. Composer of the Year – Ty Emerson
 - 3. Guest Artist – Louis Nagel
 - 4. Featured Presenter – Julie Jaffee Nagel
 - B. 2015 Conference – Central East District, November 12-14, 2015 at Sheraton Columbus at Capital Square
 - 1. Antonio Pompa-Baldi: Conference Artist
 - 2. Proposal Submission Deadline: November 30, 2014
 - 3. 2015 Composer of the Year: Austin Jaquith
 - C. Future Conferences
 - 1. Annette and Sonya are preparing documents to place in Drop box for the next committee, including a sample timeline, historical documents, and budget.
- VIII. VP-Membership: Christopher Fisher (absent), guest Joy Morin
- A. Certification
 - 1. New Certification Chair: Siok Lian Tan
 - 2. 5 newly certified teachers: Grace I.L Huang, Rachel Maurico Mills, Barbara Polomsky, Merewyn Brasington, and Philip Schey.
 - 3. Certified Teacher of the Year is Melissa Sengstack Robol
 - B. Membership Report: 602 members as of October 14, 2014
 - 1. 25 year members recognized at conference: 27
 - 2. 50 year members recognized at conference: 2
 - 3. Board approved the coverage of the cost of State Conference Awards Brunch for anniversary of 25 and 50 year members
 - 4. Suggestions on how to deliver E-notes/Newsletters was discussed to those without E-mail addresses.

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- C. Collegiate Chapter
 - 1. Clinton will not be attending the Collegiate Chapter Symposium. Since we normally allocate \$600 toward his attendance, the board voted to give \$100 to the winner of the Collegiate Poster Session Individual Submission to attend the Collegiate Chapter Symposium at SMU.

- IX. VP-Affiliated Districts: Suzanne Newcomb
 - A. District updates—Suzanne will be meeting with District Chairs tonight. They are all in compliance with the FTC ruling. Check the website for updates on current District Chairs.
- X. VP-Student Activities: Cheryl Staats, guest Jerry Wong
 - A. MTNA Competitions
 - 1. Site for 2015-2016 Competitions
 - a) OU is a possibility-Jerry Wong will follow up
 - 2. Past locations
 - a) 2009 Cleveland State
 - b) 2010 UC-CCM
 - c) 2011 BGSU
 - d) 2012 Oberlin
 - e) 2013 Kent State
 - f) 2014 Baldwin Wallace Conservatory for the Division Finals
 - g) 2014 Capital University (Columbus)
 - B. Buckeye Competitions:
 - 1. Site for 2015 Buckeye Competition: Malone University
 - 2. Chair for 2015: Michael Benson.
 - C. Performance Areas
 - 1. Strings: Eve Warner
 - 2. Orchestral Winds: Danielle Hundley
 - 3. Collaborative Music: Ya-Liang Chang
 - D. Music Development Program (formerly TAP)
 - 1. Medals awarded for Practical Scores 90+
 - 2. Teachers will request by sending the Performance Assessment Mark Sheet to the Certificate Chair, Sheila Vail, by designated dates (see website for dates)
 - 3. The Scholarship Program has been neglected over the last year. It will now continue, and we will receive Scholarship checks for 2012-13 (\$965) and 2013-14 (\$860).
- XI. Immediate Past President: Judy Bede
 - A. Judy prepared the Annual Reports for distribution at the board meeting.
 - B. Judy has received Job Descriptions for most of the Board and Executive Board positions, and will be putting them in Drop box.

Richard thanked the Out-Going Executive Committee Members for their service.

Meeting adjourned at 11:30 AM.

Respectfully Submitted,



Judy Bede, NCTM
Immediate Past President