

# Orchestra Member Agreement and Release (OMAR) 2018-2019



## Attendance

### **Attendance**

The high level of musicianship required by MYS orchestras makes attendance a key factor in providing a complete, productive and worthwhile musical experience. Individual responsibility is critical to the ensemble's musical experience.

### **Absences**

Students are allowed a maximum of two (2) absences per concert cycle (trimester). There are no excused or unexcused absences. Avoid missing two rehearsals in a row. Vital information is given to students at each rehearsal. When a rehearsal is missed, particularly two in a row, it puts students at a disadvantage.

### **Exceeding the 2-absence limit**

Students with more than two (2) absences per trimester will not be allowed to play in the remaining rehearsals or perform in the concert. A third absence may be granted during a trimester **ONCE** during the season due to extenuating circumstances.

### **Tardiness**

Punctuality is a professional behavior and is expected of MYS students. Orchestras achieve high artistic standards when musicians are warmed up and ready to rehearse on time. Please be tuned, warmed up and ready to play at rehearsal start time. Tardiness or leaving rehearsal early counts as half an absence. Students who leave early must inform the attendance monitors at check-in. Tardiness or absence due to extreme weather conditions is judged on a case-by-case basis. Arrive at least 15 minutes before rehearsal and check in with the attendance monitor every Saturday. If you do not check in you will be marked absent. If you are not in your chair by the time rehearsal begins, you may be marked tardy.

### **Dress rehearsals**

Avoid missing dress rehearsals. Missing a dress rehearsal may affect the opportunity to play in the concert. Those in a leadership position (concertmaster, section leader), may lose their position if they miss dress rehearsal. Dress rehearsal details are e-mailed to MYS families at least three weeks prior to each dress rehearsal - plan on keeping the whole day clear of other commitments. As a courtesy to fellow musicians and the conductor, students are asked to report dress rehearsal absences to MYS by the fourth rehearsal of the trimester, if possible.

### **Concerts**

All concerts are mandatory. Students are not allowed to rehearse with the orchestra if they cannot play the concert. A student absent from a concert without prior permission may be asked to leave the program for the rest of the season.

### **Scheduling**

Record rehearsal and concert schedules on the family calendar so these dates are reserved prior to other planning. When possible, plan family vacations and weekend outings to avoid conflicts with rehearsals. Consider leaving for vacations after Saturday morning rehearsals. **The 2018-19 MYS Calendar is available on the MYS website at [www.mnyouthsymphonies.org/calendar](http://www.mnyouthsymphonies.org/calendar)**

### **Withdrawing from the program**

Students withdrawing from MYS for a trimester are responsible to notify the Operations Manager and return the music folder given to them by MYS. Please inform the conductor before withdrawing from an orchestra. Withdrawing from an orchestra any time after a trimester begins will result in reassignment of parts, re-seating of the section, loss of principal status and/or expulsion from the orchestra. Students who leave are responsible for paying full tuition for that trimester. Students will be allowed to return only if their position has not been filled and at the discretion of the conductor.

**When you sign this form you acknowledge that you have read, understand and agree to operate in accordance with the expectations and policies described in the Attendance section of the Orchestra Member Agreement and Release.**

Name of Student (please print) : \_\_\_\_\_

Student Signature: \_\_\_\_\_

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

## Student Code of Conduct

Minnesota Youth Symphonies (MYS) is nationally respected for both its artistic level and the dedication of students and parents to making great music. As members of MYS, it is expected that our musicians be on their best behavior during rehearsal and while at any function where they represent the orchestra. Our goal is to make sure we do our best to keep all our students safe, maintain a positive public image, and provide the proper learning environment. Participation in MYS is subject to the observance of the organization's rules and procedures as outlined below.

### **General Rules**

1. All members should behave respectfully and politely to all musicians, conductors, coaches, staff, parents, parent volunteers, and others associated with MYS.
2. Foul language will not be tolerated.
3. Give the conductor your full attention. Be courteous by not talking during rehearsal.
4. **Cell phones and other electronic devices are prohibited during MYS rehearsals and concerts, and will be confiscated if necessary. These devices should be turned off and kept in music cases or left with a parent during rehearsals and concerts.**
5. **Photography: Cameras are allowed at MYS concerts, but photos may only be taken after each orchestra has completed their entire performance, during the applause. Please note that MYS will have a professional photographer taking photos at at least one of the concerts, which will be made available to MYS families at no cost.**
6. No food, drink, or gum will be allowed in the rehearsal areas or stage.
7. We are guests of Highland Junior and Senior High School and we must respect the space. We must leave the school in the same condition as we found it. Students must pick up after themselves. Damage to or destruction of property is prohibited.
8. Abusing and/or not taking proper care of the MYS equipment or music will not be tolerated.
9. Bullying will not be tolerated. Unruly behavior can become dangerous and will not be tolerated.
10. All students must follow MYS policies with regard to punctuality, attendance, dress code, etc.

*This list is not exhaustive. MYS has the right to impose other reasonable behavior expectations, as it deems appropriate.*

### **Disciplinary Action**

If a student violates MYS's behavior expectations, MYS will take appropriate disciplinary action to ensure that the conduct is not repeated. The nature of the disciplinary action will be determined by MYS in MYS's sole discretion on a case-by-case basis taking into account factors such as the severity and nature of the conduct, the impact of the conduct, and the student's history with regard to behavior violations. Generally speaking, the disciplinary process may include the following:

1. One verbal warning to the student.
2. If the student continues the same behavior, they will be asked to sit out the next rehearsal and it will be counted as an absence. The parents will be notified of the offense.
3. The student will only be allowed back into the program when they ask to return, acknowledge their error and make the proper apologies to those involved.
4. The conductor has the right to refuse the student's re-entry into their orchestra.

*Notwithstanding anything herein to the contrary, disciplinary action may include dismissal from MYS without prior warning or adherence to these steps.*

### **Dismissal from MYS**

Offenses calling for immediate dismissal from MYS with no refund of tuition include, but are not limited to:

1. Possession of any weapon or dangerous object.
2. Physical or verbal assaults or any act or words that shows threat to harm or endanger the safety of others. *(No fighting or unruly behavior of any kind is permitted)*
3. Any threat to damage or destroy property, theft, or use of equipment belonging to MYS, Highland Junior or Senior High School without permission (at Highland Junior or Senior High School, at Orchestra Hall, your rehearsal retreat location, or any other location where MYS is gathered).
4. Possession or consumption of alcoholic beverages, tobacco, illegal drugs, or drugs obtained illegally.
5. Dishonesty.

### **Procedures for immediate dismissal from MYS**

1. The student/child will be removed from rehearsal or other MYS function and taken to the Operations Manager or Executive Director.
2. The MYS staff will call the student's parent or guardian and tell them the situation and ask them to come pick up the student.
3. The student will not be allowed to return to the MYS program and tuition will not be refunded.

**When you sign this form you acknowledge that you have read, understand and agree to operate in accordance with the expectations and policies described in the Code of Conduct section of the Orchestra Member Agreement and Release.**

Name of Student (please print) : \_\_\_\_\_

Student Signature: \_\_\_\_\_

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

**Appearance Release**

Person(s) consenting to performance/appearance release (student name(s)): \_\_\_\_\_

I hereby freely grant Minnesota Youth Symphonies and its affiliates, successors, assigns, licensees, employees and agents (collectively, "MYS") the right to film, video record, audio tape reproduce, photograph and/or use my appearance, name, likeness and image (collectively referred to as my "Appearances") or any part thereof, in connection with MYS' concerts and events, including without limitation, rehearsals, fund-raising activities, cd's, dvd's and via MYS' web sites (collectively the "Recordings"). I agree that the Recordings and my Appearances as embodied therein may be edited as desired and distributed, exhibited and used in whole, or in part, in any form, both as in audio visual or audio format, in any manner or media, now known or hereafter created, worldwide in perpetuity in the form of advertising, publicity, promotional fund-raising or educational materials, or any other purpose on behalf of MYS. I understand that I have no rights or claims to the Recordings or any other benefits derived therefrom. I agree that all Recordings shall remain the property of MYS, unless otherwise noted, and MYS shall have the right to assign and license the Recordings and the rights granted by me hereunder to other parties solely for the uses described herein.

I also consent to the use of my Appearances and biographical material about me in connection with the Recordings and the promotion of audio and other media projects based on the Recordings and the distribution of such materials; provided however, address, telephone numbers and e-mail addresses will be available for MYS member use only. **IMPORTANT NOTE TO PARENTS/GUARDIANS:** There are potential dangers associated with the online posting of information since global access to the Internet does not allow us to control who may access such information. These dangers have always existed; however, we want to celebrate your child and his/her work. The law requires that we ask for your permission to use information about your child. Accordingly, MYS will not intentionally or knowingly release any personally identifiable information without prior written consent from you as parent or guardian.

I confirm that I have the right to grant the permissions granted hereunder and that the rights I have granted will not conflict with or violate any commitment or understanding I have with any other person or entity. (If under 18, complete parental/guardian permission at bottom of form)

I hereby waive any right of inspection or approval of the use or uses of my Appearances to which MYS or MYS' assigns may disseminate. I hereby acknowledge that MYS will rely on this permission, and I hereby agree not to assert any claim of any nature whatsoever against anyone relating to the exercise of the permissions I have granted MYS hereunder. I expressly release and hold MYS harmless from any and all claims arising of the use of my Appearances in the Recordings.

I understand that nothing herein requires MYS to use my Appearances in or in connection with the Recordings or any project based upon the subject matter contained therein.

I represent and warrant that I have agreed to the terms of this Appearance Release in entire reliance upon my own judgment and/or the advice and opinions of my own attorney and advisor, and have not in any part relied upon the opinions of, or facts represented by MYS or MYS's representatives.

This agreement represents the entire understanding between me and MYS related to the subject matter hereof and may not be amended unless mutually agreed to by the parties in writing. This Appearance Release and all matters or issues collateral thereto, shall be governed by the laws of the State of Minnesota applicable to agreements performed entirely therein.

**When you sign this form you acknowledge that you have read, understand and agree to operate in accordance with the expectations and policies described in the Appearance Release section of the Orchestra Member Agreement and Release.**

(Please Print):  
Name of Student(s): \_\_\_\_\_

Address: \_\_\_\_\_ Signature(s) (if more than one student, include all signatures): \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

E-mail (s): \_\_\_\_\_ Date: \_\_\_\_\_

I am a parent (or guardian) of the minor who has signed this Orchestra Member Agreement and Release (OMAR), and consent and I confirm that I have read and understood this Orchestra Member Agreement and Release and hereby agree that I and the said minor will be bound by all the provisions contained herein. I have signed this Agreement on behalf of the minor and in reliance upon my own judgment or the advice of my attorneys or advisors, and not in reliance upon any representation or statement made by MYS or MYS's legal representatives.

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_