

MTVA board meeting
8/31/09 – 6:00 p.m.

Present: Valerie DeHoff, Michael Choate, Lia Holland, Jamila McWhirter, Melissa Collins, Jeanette MacCallum, Sandy Elliott, Beth Kolwyck, Brenda Williams

Discussion on Petition to allow home school students in NYC to participate in MTVA events

Advice sought from TMEA hierarchy leadership, TN Dept of Ed., and legal counsel:

- In Tennessee, each school district has the right to set policy for its district. Choosing home schooling means possibly giving up certain opportunities (i.e. if a district denies a home schooled student's participation in their program).
- MTVA has the right to set its own guidelines.
- There are home school associations, and MTVA has the right to accept or not accept students from an association or to accept or not accept individual home school students
- Community/Church choir participation conflict with school – (example – student who attends a school that doesn't participate in All-State, or who chooses not to sing in his/her school choir, so they join a community choir instead)
- Is joining a community/church choir a “way to get around” the system?
- Could a student in a community choir who also sings in his/her school choir audition on more than one voice part under more than one director?
- Liability issue – since there is no individual school liability issue, then the sponsoring director might be personally liable
 - attorney – “you/MTVA can be sued” (probably the association) – suggested we look into liability insurance for our organization – he found statute that will protect us (read by Valerie) As it pertains to home schooling, “Mom won't sue Mom” – she would sue whoever else she could (i.e. MTVA and/or sponsoring director)
 - Would schools like Belmont and Vanderbilt (Blair) accept full responsibility/liability for students in community choirs?
- The “non-school” wouldn't be paying the “school” fee
- Why isn't the student in a private school (i.e. Lipscomb) where participation in MTVA events is already accepted?

Community organization vs. school organization

Issue boils down to – can we/do we want to look at our current rules and make this change to accept home school students?

According to the petition - “current regulation does not prohibit it”- the argument is that it is allowed under our rules (not prohibited).

Is it a viable option for these students to audition in West or East Tennessee until we determine how we want our policy stated?

Our Constitution, and therefore our mission as currently worded, is not to serve every eager, talented person able to audition...it is to promote the choral art within school programs (elementary, middle, high and college level). The “Purposes and Objectives” refer to schools at least twice.

From Standing Rules: “The student must be enrolled in his/her school’s choral program.”

Maybe:

- An application process to allow community/youth choirs to apply to participate in MTVA?
- Need to define whether NYC (or other choir) is a school or community choir.
- recognize NYC (or other choir) as the student’s home school choir? Process for designation?

Motion (Jeanette) to deny this request and to immediately form a committee to fully review our standards for eligibility for students to participate in MTVA events.
2nd by Lia

Discussion -

- petition is too narrow (can’t allow students from one choir without allowing others)
- question was denied, and has been resubmitted with more information
- our handbook would need to be changed/updated in order to broaden the eligibility requirements
- this decision goes beyond the Board’s thinking alone and requires input by the general membership
- re-explanation of petition’s position: home school students draw from a number of resources (YMCA-PE, etc.); their experience in NYC is their choral experience.
- We would need to recognize NYC as a school – they can apply, but then we would open the door for other organizations
- Ron Meers says it’s up to MTVA, and the rest of TMEA leadership would agree
- We can’t do anything until we re-word the handbook; until we define “school”
- petition addressed “home school students in the NYC” – not necessarily “a” student – would not be fair to other choirs who might also want to participate if they knew it was available to them.

Yes – 8

No – 1

Additional comments:

FOLLOWING **PRECEDENCE**, THIS IS HOW THE BOARD HAS ALWAYS RULED ON THIS QUESTION (BY THE HANDBOOK). The timing of this request is such that we can't make this ruling now without opening the door for multiple directors to re-contact us because their request was denied.

To grant this request would be to discriminate against other like organizations that have not been made aware of the opportunity.

Might look into TSSAA – do they accept home-schooled teams or students?

Recommended Committee: Valerie DeHoff (ex officio), Michael Choate, Robert King, Lia Holland, Jamila McWhirter, Jeanette MacCallum, (Brenda Jewell, David Collins)

7:50 p.m. Motion to adjourn, 2nd, all agree