The Music Student Bill of Rights

(Sample Site)

1. Students have the right to set physical and emotional boundaries with their instructors.
2. Students have the right to disagree with/say “no” to their applied instructor.
3. Students have the right to maintain a private life and to withhold personal information from their instructors.
4. Students have the right to establish reasonable measures for personal safety and accountability in one-on-one settings with instructors.
5. Students have the right to seek alternative or additional instruction without fear of retaliation.
6. Students have the right to set their own professional goals.
7. Students have the right to take on professional work outside of their academic responsibilities.
8. Students have the right to conclude work according to their contracted responsibilities/hours.
9. Students have the right to express their identities freely in musical contexts.
10. Students have the right to be educated on the importance of hearing protection and overuse injury prevention and care.
11. Students have the right to be represented in non-confidential discussions in faculty governance.
12. Students have the right to report misconduct without retaliation.

Introduction

The Music Student Bill of Rights (MSBR) is a statement of the rights that music students should be able to expect from their collegiate and postbaccalaureate music education. It is not an institutionally-binding policy, but instead an aspirational statement of rights that reflects the values of the College Music Society's Student Advisory Council.

The MSBR was created by members of the College Music Society's Committee for Academic Citizenship and Student Advisory Council to help students navigate a system of oft-unwritten rules and norms that have been standardized in post-secondary music programs. It is meant to increase students' awareness of their own academic rights and those of their classmates, while inviting instructors and administrators to advocate for their students and reflect on their own teaching practices.

The MSBR is not meant to be an imperative. Rather, it is designed to help students advocate for themselves and to help music institutions reevaluate long-standing practices made imperative by an increasing need to address student health and well-being in the music programs of today.

The MSBR is a living document managed by CMS' Student Advisory Council so it can continue to meet the needs of an ever-changing student body. If you have questions, ideas, or experiences that you would like to share, please submit your suggestions to [insert email or google form link].

1. Students have the right to set physical and emotional boundaries with their instructors.

The mentoring relationship between applied instructor and student is one of many unique aspects of tertiary music education. Given the significant amount of one-on-one time, the closeness of the teacher-student relationship, and the physiological nature of music performance, music students are more likely to have to negotiate or reconceptualize physical and emotional boundaries with their instructors.

While physical touch can be an essential part of private lessons, instructors should always ask before attempting to make physical contact with a student. Likewise, a student should always ask before touching an instructor. If a student is uncomfortable being touched, they may wish to communicate this to their instructor early on so they can plan alternative instruction techniques. Permission

should be asked for and granted on a case-by-case basis, and may be revoked at any time.

Strategies:

If your instructor asks you a question you're not comfortable answering, try responding in a way that enforces the boundary and redirects the conversation:

> *"I don't really want to talk about that. Can we focus on the music?"*
>
> *"I'm not comfortable answering that question. Could we get back to the piece?"*

If your instructor touches you without asking for your consent, respectfully stop them and tell them that you prefer that they ask before they attempt to make physical contact.

> *"In the future, please ask before touching me so I can communicate my boundaries to you."*

2. Students have the right to disagree with/say "no" to their applied instructor.

The power dynamics of studios are often so strong that it can feel as though an applied instructor has absolute control over a student's education. In *Pedagogy of the Oppressed,* Paolo Freire writes that "education must begin with the solution of the teacher-student contradiction, by reconciling the poles of the contradiction so that both are simultaneously teachers and students."[1] Whether regarding repertoire, performance opportunities, or career choices, the educational experience between private instructor and student should be co-constructed based on mutual goals, not dictated by the party in power. For such a relationship to flourish, a mutual trust and respect must be established between student and teacher, even when the two disagree. In Freire's words, "The students—no longer docile listeners—are now critical co-investigators in dialogue with the teacher. The teacher presents the material to the students for their consideration, and re-considers her earlier considerations as the students express their own."[2]

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[1] Paulo Freire, *Pedagogy of the Oppressed*, trans. Myra Bergman Ramos (New York: Continuum, 2005), 72.

[2] Freire, *Pedagogy of the Oppressed*, 81.

When students disagree with their instructors on matters of academic work, it is their responsibility to work with the instructor to find a suitable alternative assignment.

Strategies:

When you disagree with your instructor, express your opinion respectfully but firmly and try to arrive at a compromise.

> *"I'm really not comfortable with participating in the competition you suggested. Can we find an alternative option, such as an additional performance opportunity at school or in the community?"*
>
> *"I know I'm being trained in classical voice, but I don't think that a career in opera is the right fit for me. Can we talk through some alternative career paths that might inform my lessons?"*

3. Students have the right to maintain a private life and to withhold personal information from their instructors.

Teaching, learning, and mentorship often go beyond the walls of the studio, which allows instructors to support students in both their personal and professional endeavors. Sometimes, however, personal details shared in passing or as small talk become points of tension between students and teachers. For example, participation in multiple ensembles or pursuit of other interests outside of a student's primary instrument can be used as opportunities for instructors to exert influence/control over the student's life.

Freire argues that a humanist teacher's efforts "must be imbued with a profound trust in people and their creative power. To achieve this, they must be partners of the students in their relations with them."[3] While applied teachers often become sources of both professional and personal support for their students, the degree to which they influence a student's personal life should be determined by the student themselves, even if or when their personal behavior affects their performance in lessons. In other words, applied instructors must be able to cultivate the "profound trust in people" that Freire proposes, acting as a partner to the student rather than as an authority figure.

Strategies:

[3] Freire, *Pedagogy of the Oppressed*, 75.

If you're not comfortable answering a personal question posed by your instructor, use your answer to redirect the question back toward the matter at hand:

> *"I have all sorts of hobbies, but I always make sure I practice the required [x] hours per day."*
>
> *"This week was busier than most due to some personal concerns, but I'll try my best to make up for the practice hours I missed next week."*

4. Students have the right to establish reasonable measures for personal safety and accountability in one-on-one settings with instructors.

Music is one of the only subject areas in which students can expect to spend an hour or more alone with an instructor on a weekly basis. While this individualized attention can be incredibly valuable, it also presents opportunities for abuse to occur behind closed doors. With this in mind, students should have the right to establish reasonable measures for personal safety and accountability in one-on-one settings with instructors.

One of the easiest ways to implement this is for students to make private recordings of their lessons, not to be distributed or shared with anyone. By recording their lessons, students not only gain an invaluable piece of educational content they can refer to throughout the week, but they also maintain a level of protection against potential abuse behind closed doors. In cases where recording lessons is not an option, it may be appropriate to invite an additional individual to sit in on private lessons to increase a student's comfort level and discourage inappropriate behavior. In either case, the decision should be discussed between student and instructor and agreed upon prior to taking action.

These suggestions are informed by the concept of *sousveillance* as theorized by Mann, Nolan, and Wellman, who propose it as a countermeasure against traditional methods of surveillance: "One way to challenge and problematize both surveillance and acquiescence to it is to resituate these technologies of control on individuals, offering panoptic technologies to help them observe those in authority. […sousveillance] holds up the mirror and asks the question: 'Do you like what you see?'"[4] In the case of private lessons at the post-secondary level,

[4] Steve Mann, Jason Nolan, and Barry Wellman, "Sousveillance: Inventing and Using Wearable Computing Devices for Data Collection in Surveillance Environments," *Surveillance & Society* 1, no. 3 (June 2003): 332-333.

sousveillance via a chaperone or a recording device allows students to observe their teachers, holding them accountable for how they execute their authority in lessons.

Strategies:

Before arranging for a third party's presence or recording a lesson, have a conversation with your instructor about your options for introducing an accountability tool in your lessons.

> *"Would you mind if I made private recordings of our lessons for my reference? I promise never to share them publicly."*
>
> *"Would you mind if [so-and-so] observes my lessons each week? I feel more comfortable learning when a third party is present."*
>
> *"Would you mind if I either recorded my lessons or brought a colleague/classmate with me?"*

5. Students have the right to seek alternative or additional instruction without fear of retaliation.

Post-secondary music programs encourage change and growth as students develop their own identities as music professionals. With this in mind, students should be able to seek instruction beyond their home studio to best suit their educational needs. There are many reasons a student might seek alternative instruction, including teacher-student incompatibility, instructor abuse, or simply a desire to expand their musical horizons. Whatever the reason may be, music programs must be prepared to support students who seek a change in instructor, especially in cases where there is only one institutionally-affiliated instructor available. Working with students to find an appropriate way forward ensures continued institutional support and decreases the likelihood of a student transferring or dropping their music degree altogether.

The National Association of Teachers of Singing Code of Ethics states that "Members should respect a student's prerogative to obtain instruction from any teacher(s) of their choice, including concurrent study with another teacher(s). Transparency should be maintained among all parties."[5] We echo a similar

[5] "Code of Ethics," National Association of Teachers of Singing, approved by the NATS Board of Directors June 2018, https://www.nats.org/code-of-ethics.html.

sentiment here, extending such a responsibility to post-secondary music institutions and the programs they design.

Strategies:

If you would like to seek additional instruction from another teacher, try saying something like:

> *"A classmate has told me they really enjoy working with [other instructor]. Would it be okay if I took a lesson with them in addition to our usual instruction?"*

If you want to seek a permanent change of instructor, talk to a trusted mentor at your institution about your options. Keep in mind that larger institutional policies may play a role in such a process, and that even when policy allows a student to change instructors, doing so may generate interpersonal fallout that you as a student will need to navigate.

6. Students have the right to set their own professional goals.

Music schools are designed to prepare students for the professional world. However, what that professional world looks like can differ significantly from student to student. Teachers of all disciplines should keep in mind that a student's professional goals may differ from their own. Instead of trying to change students' mindsets to match a predefined mold, music programs should find ways to support students' individual professional goals, even (or perhaps especially) when doing so requires unconventional approaches.

Strategies:

If you find that your instructor does not understand your professional goals, try communicating them in clear and respectful terms:

> *"I enjoy working on orchestral etudes with you, but my main career goal at this point is to become a band director. Do you think we could work on some pedagogical strategies in my lessons too?"*

> *"Since I'm interested in working as an accompanist, would it be possible for us to work on reading open score or playing orchestral reductions?"*

7. Students have the right to take on professional work outside of their academic responsibilities.

With music students already juggling so many different activities, it can be tempting to discourage students from taking gigs outside of their academic roles. Some teachers see these gigs as distractions, worrying that the time commitment will pull students away from their studies. However, external gigs can and should be an important part of music education. They offer valuable professional development experiences for students and help them build a network of collaborators and employers that often outlast their time at a particular institution.

Strategies:

Try not to let external work interfere with your academic work. When an interruption in your schoolwork is unavoidable, give your instructor plenty of notice and try to find a way to make up the work ahead of time.

If your instructor expresses disapproval at your external work, respectfully explain your reasoning for taking the gig and reassert your intention to find balance between professional and academic commitments.

> *"I know that this gig seems unrelated to my work here at school, but I have made some important professional connections there and I want to follow through on the commitment I made to the ensemble. My schoolwork will always be a priority for me, and I promise to continue to make time to practice for my lessons."*
>
> *"I know that my work as a section leader can be vocally taxing, but my current financial situation doesn't allow me to take time off. Could we try to make a plan that would allow me to attend to both my academic and professional responsibilities?"*

8. Student workers have the right to conclude work according to their contracted responsibilities/hours.

It is crucial that students not be expected to work beyond the hours listed in their contracts. Such expectations reveal an underlying assumption that students' unpaid labor makes for "good experience" or that an unpaid gig is "great for exposure." Furthermore, students gain crucial experience by being required *not* to work beyond their contracted hours. We ask music students to cultivate so many

different skills. Should we not also ask them to learn how to manage their time, how to fight for fair wages, and how to cultivate a healthy work-life balance?

Strategies:

Set clear expectations with your supervisor about when you are and are not available for work-related tasks or communications.

> *"Unless it's an emergency, I am unavailable to respond to work emails on the weekends, but if you need to send me something after the work week is over, I'll get to it first thing Monday morning."*

If possible, try to predict situations in which you might be asked to work beyond your contract and address them before they become time-sensitive:

> *"The amount of work you've assigned me for this week will likely take me over the maximum working hours outlined in my contract. Could you help me prioritize my tasks and shift some of the work to a later date?"*

9. Students have the right to express their identities freely in musical contexts.

While identity expression should be supported in all contexts (musical or not), we include it within this bill to address situations in which personal expression comes into conflict with the norms of the discipline. For example, restrictive dress codes for concerts often leave little room for students to express their identities. Gendered concert dress codes (e.g. tuxedos and gowns) reinscribe outdated and harmful misunderstandings of gender which can foster deep feelings of gender dysphoria among transgender, nonbinary, genderfluid, and gender-expansive ensemble members.

Curricular requirements can also pose challenges to personal expression, particularly when repertoire or ensemble requirements do not consider particular musical traditions as "counting" toward a student's degree. For example, granting a student credit for being in an opera ensemble but not for playing a role in the theater department's musical pressures students to conform to classical ideals, rather than supporting their personal growth in whatever musical directions they are drawn toward. Similarly, requiring students to perform arias in a small subset of languages (e.g. English, French, Italian, German, Spanish) deprives students of opportunities to study lesser-known works. This can quickly become an issue of identity when a student wishes to perform songs in a language related to their heritage but is unable to gain credit for doing so.

Strategies:

If departmental policy prevents you from expressing your identity in performance, your first step should be to open a dialogue with your instructor and suggest an alternative.

> *"As a nonbinary student, I do not feel particularly comfortable in either the tuxedo or dress option you've provided for our upcoming choral concert. Would it be possible for us to work together to find a suitable alternative attire option that would allow me to feel more comfortable on stage?"*

On a more collective level, it may be appropriate to ask your department to reconsider or revise institutionalized policies that infringe on students' rights to express themselves.

> *"I've noticed that the African American Choral Ensemble does not currently count toward our ensemble requirements as music students. To me, this policy seems exclusionary of musical traditions outside the Western canon. Could we have a conversation about what it would take to change this policy?"*

10. Students have the right to be educated on the importance of hearing protection and overuse injury prevention and care.

As we learn more about the long-term effects of musical performance on hearing and physical health, education about how to be a musician while remaining in good physical health should be an institutional requirement, not an as-needed treatment plan. Students should be provided with ear plugs and encouraged to wear them in loud rehearsals. They should also receive training early in their degree about how to identify and prevent performance injuries. Finally, music programs should do whatever they can to support injured students in order to destigmatize injury and prevent students from overextending or "pushing through" injuries rather than seeking treatment immediately.

Strategies:

Ask your instructor to give you more guidance on how to recognize the early signs of a performance injury.

In the case of a suspected performance injury, see a medical professional right away and communicate openly with your instructor about your pain. Always comply with medical recommendations for injury prevention and recovery, even if they contradict your instructor's general advice.

11. Students have the right to be represented in non-confidential discussions in faculty governance.

While participation in faculty governance is relatively common for graduate programs, it is less common in schools that only offer undergraduate degrees in music. Student representation in such meetings should be extended to both graduate and undergraduate students, as different degree paths have different needs and priorities. Welcoming student representatives from both undergraduate and graduate populations increases communication between all parties and fosters a more inclusive environment for students.

Some matters discussed amongst faculty may be confidential–for example, discussing the academic progress of a particular student. In cases like these, it may not be appropriate for a student representative to be present for discussion.

Strategies:

Ask if a representative from a music student organization can attend at least a portion of faculty meetings and communicate any relevant information to the student body.

12. Students have the right to report misconduct without retaliation.

This right is not and should not be restricted to music students. However, we include it within this bill to emphasize the particular vulnerabilities of music students when it comes to anonymous reporting. While there is always a risk in reporting misconduct, that risk is substantially lower in a lecture class with 100 students compared to in individual private lessons or small ensembles. Music as a discipline has long valued passion, emotion, and feeling as essential parts of creating truly "beautiful" music. As a result, emotionally reactive or harmful behavior can become inappropriately normalized within the figure of the tortured artist, further entrenching the perceived permissibility of such behavior.

Strategies:

If you experience misconduct, talk to a trusted mentor or friend about your options for filing an official report. Remember that many faculty members are mandated reporters, meaning that they are required by law to report certain offenses they hear about directly to the university's Title IX office.

Talk to your institution's Title IX office or ombudsperson to learn more about what the reporting process looks like and how the institution might protect you in the meantime.