



Calling for Radical Change: A Fieldwide Conversation: An Invitation to Ethical and Equitable Partnership Chat January 12, 2021

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The performing arts field continues to weather a long, brutal chapter of disruption due to the national and international crises of COVID-19, racial reckoning, and political upheavals which dismantled many of our usual ways of doing business. This deconstruction surfaced significant inequities in the performing arts ecosystem. The inevitable rebuilding offers an opportunity to find more sustainable and fair ways of continuing the vital work of performing arts. This session is an invitation to reimagine and embrace professional relationships built upon ethical, equitable, and transparent practices. How can our work always take each party's interests and needs to heart? How can we better communicate the true costs and opportunities for all sides of an engagement: what do an artist, an agent, a manager, a producer, a presenter, an arts worker, an audience member and a community need in order to thrive? This session is an invitation to be part of the solution, so that as we come back, the field is better than ever - for all.

Speakers

- Sandy Garcia, Director of Booking, Pentacle
- Rika Iino, Founder/Producer, Sozo Artists
- Christopher K. Morgan, Executive Artistic Director, Dance Place
- Andre Perry, Executive Director, The Englert Theatre
- Michael Reed, Senior Director of Programs & Organizational Initiatives, Arizona State University Gammage
- Aaron Mattocks, Director of Programming, The Joyce Theater

Resources

Resources provided by panelists:

- [An Invitation to Build Equitable Partnership in the Performing Arts](#) by APAP

Resources provided by participants:

- [Creating New Futures Phase 1 document](#), co-authored by: Dani Fecko
- Classic FM article, [Coronavirus has changed classical music for good. Here are nine powerful examples](#). Originally published March 31, 2020 and updated April 2, 2020.



- Voice of OC article, [Coronavirus Conditions Make Us Rethink Classical Music for Decade Ahead](#) by Timothy Mangan. Originally published on May 8, 2020 and updated December 7, 2020.

Questions

- **Bill Bragin:** Question - I'm curious whether these working groups have looked at Duty of Care clauses at all? As we re-examined our agreements to account for virtual programming, what was a clause we never really looked at, became important as the artists were delivering from their own venues, or places we don't have any connection to.
- **Achinta McDaniel:** Question - What conversations has the panel had/is the panel having regarding centering specifically BIPOC ARTISTIS in regards to equitable partnership? Do some of the tough conversations include understanding the system has upheld problematic hierarchy which dictates who presenters/agents/manager value in these conversations, and that the BIPOC and intersectional artists must be centered in the approaches?
- **Todd Wetzel:** would agents/managers segment their commissions according to these stages?
- **Wiley Hausam:** This is such an interesting - and admittedly, challenging - subject. And important. Thank you all so much for your work on redesigning the nature and structure of our relationships! How have the large agencies responded to this new concept?
- **Robin Schatell:** Do you think presenting will change? Less 'in and out' events and more time with one artist?
- **Martin Wollesen:** Question - Has this group discussed Exclusivity Clauses, which in effect keep artists from performance possibilities?
 - **Cathy Pruzan:** Hi Marty - Yes we at DUSA have reviewed these clauses
 - **Margaret Lawrence:** When we do include an Exclusivity Clause, it always includes the statement that we understand the importance of fruitful touring, and are willing to make exceptions. (We just have to know, so we don't spend marketing dollars in markets where another venue is presenting the same artist)
 - **Bill Bragin:** @Margaret Lawrence Our exclusivity clauses specify all exclusivity is around "without prior written approval." The goal is not necessarily to shut down other opportunities, but not to be surprised by them. So it sparks a conversation regarding the implications of a nearby second play, without rendering it impossible.
 - **Achinta McDaniel:** @Martin Wollesen great point, Marty
 - **Karla Brom:** exclusivity came up in a panel on Saturday and it sounds like there is an awareness of flexible exclusivity clauses as we move into the next phase of live performance
 - **Krista Bradley:** Exclusivity clauses as a potential barrier to income generation ? That's an interesting issue.
 - **Cathy Pruzan:** Yes we want to make sure its clear one size does not fit all but we do encourage all our colleagues to work to more equitable practices
 - **Alisa Pearson:** Is the opposite of exclusivity shared support? akin to group commissioning/touring?



- **Daniel Roumain:** to SHARE is to love and UNDERSTAND
- **Kristopher McDowell:** Digital & Hybrid content can also be accessed with codes should there be exclusivity restrictions.
- **Krista Bradley:** How can funders work in equitable and ethical principles into grant award agreements?
 - **Sara Nash:** great questions @KristaBradley
- **Michael Alexander:** As we engage artists for virtual program, are artists putting in exclusivity clauses limited where presenters can promote?
 - **Emily Johnson:** good point @michael...i've been thinking about all these videos up 'in perpetuity' - or variations of...
- **Daniel Roumain:** more, artists can appear in a variety of ways and on different platforms
- **Bill Bragin:** The shift to engagement vs performance approach also diminishes importance of Exclusivity. If the classes and other engagement work is customized, then the exclusivity in the market takes on lesser weight in the total value of the agreement
- **Krista Bradley:** If a funded engagement has to be cancelled, How do we think about the "duty of care" for artists....for presenters
- **Todd Wetzel:** it may be unpopular to say this, but exclusivity terms obviously emerged as risk mitigators for the presenter--so perhaps we need to consider new presenter funding models as we also consider new compensation structures for artists. We all are supporting various kinds of costs to support the total ecology.
- **Jeanne Mam-Luft:** !!! Yes! Are the biggest and most traditional dance companies poised to survive, while POC-led, smaller orgs are more likely to be wiped out?!
- **Todd Wetzel:** Question - I'm asking this carefully, and need your help with the language: it seems that there is a continuum that the more "commercial" the engagement is, the less this openness to this type equity-mindedness may be present. Have you discussed this? This is a power issue...
 - **Amy Lam:** Agree with Todd. How is the commercial world responding to this? And classical music agencies?
- **Christine Jowers:** Question - where can we find the other information that you are referring to our supporting information?

Comments

- **Samantha Pollack:** Glad we're doing this session, and hope this, like other session topics, can continue the conversation past the conference
- **Chris Lorway:** Great to see this work be given a spotlight at the conference!
- **Laura Colby:** So PSYCHED to be here! THANK YOU to all who contributed labor to this work.
- **Allison Akootchook Warden:** all of our interactions are partnership based, long term based
- **Cathy Pruzan:** Yes we will keep this going for sure! Speaking on behalf of Dance USA



- **Jodi Kaplan:** Looking forward to today's conversation...and yes...agents experienced a complete loss and were squeezed between presenters and artists with no resources (being commission based). Thank you for addressing.
- **Todd Wetzel:** can't wait to read and digest the document shared in this event
- **Kristen Brogdon:** I'm so happy to see Christopher, Sandy, and Aaron here and excited that the dance field has taken a leadership role in this conversation. Greetings to all panelists and thank you!
- **Sophie Myrtil-McCourty:** Y'all are about to make HISTORY!! Go, go, go!!! :-)
- **Jodi Kaplan:** LOVE Aaron Mattocks! He has been communicative and open every step of the way during this challenging time. Truly appreciate Aaron's direct and honest positioning of the reality of what to expect as everything shifted and continues to shift. THANK YOU!
- **Caitlin Strokosch:** Wonderful conversation already! We don't have to choose between artists and institutions -- we can commit to humane practices together.
 - **Beatrice Thomas:** @caitlin Exactly! We have to start from a place of mutual care and benefit. NPN has done great work around this!
- **Michael Reed:** Brava Rika! You are à force in leading this APAP ethical practice group
- **Jodi Kaplan:** It is all about long term thinking...we went through this with 9/11 (at least I did with a huge tour from China through the USA that was cancelled by the Chinese government)...and continue to do biz with long term relationships/thinking. The only way to work.
- **Beatrice Thomas:** Adopt equitable language!
- **Beatrice Thomas:** Model transparency
- **Beatrice Thomas:** Consider alternatives
- **Todd Wetzel:** @Jack McLarnan and APAP is rockin' it on all of their panels this conference!
- **Jane Rabinovitz:** "We are writing policy"... Love that idea.
- **Alisa Pearson:** In the after-times, we need to find ways to keep bringing this kindness and thoughtfulness.
- **Shelley Quiala:** So true - the time and energy to name things all the way through and ensure they are understood and there is value attached to all of the contributions.
- **Kristopher McDowell:** #Transparency 🙏
- **Shannon Mayers:** University presenters - sometimes are "stuck" with the language that the college requires, without much flexibility...
 - **Lara Marsh:** @shannonmayers municipal presenters, too.
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 - **Achinta McDaniel:** @Lara Marsh I feel that. we start at USC Kaufman on a granular level with the faculty, Dean's cabinet, and of course the students MUST be centered as their demands are taken far more seriously. Town Halls, petitions, and bringing in the larger BEDI committee of the university
 - **Aisha Ahmad-Post:** @Shannon Mayers yes, how do you explain this to state or university counsel who have a duty to "protect" the financial interests of the larger institution?



- **Achinta McDaniel:** @Shannon Mayers this is a big issue, but bravery must prevail here, and doing the heavy work of approaching the provosts, presidents, admin must happen.
- **brooke smiley:** It's time for sustained, committed dialogue, with written documents signed by many in relationship to and working within Universities and PWI's. This summer with the American Indian and Indigenous Collective, we have worked together and are creating notable change in 20/21. Thanks for your honesty @Shannon
 - **Shannon Mayers:** @brooke, yes, absolutely. College and government institutions that say they are committed to RDEI+ need to review their procurement policies
- **Todd Wetzel:** Wanting to make sure agents/managers get to participate in the equitable treatment
- **Bill Bragin:** One struggle presenters who work with universities or government partners face is procurement policy which often dictates "no payment until services are rendered." We've had to fight hard internally to create an understanding that the granting of the right to market the artist, use of image, is already a service being rendered.
 - **Wiley Hausam:** Exactly Bill!
 - **Wiley Hausam:** This is even more true in state universities.
 - **Laurie Sefton:** Need to rename what "services" are.
 - **Elizabeth Roth:** Also state universities tend to be a bit more rigid with a phalanx of attorneys backing up their assertions
 - **Patti Liberatore:** @Bill Bragin, agreed. I've found some success in breaking the contract up and being able to give payment for services that have been rendered prior to the performance. Also, have taken out hard costs like travel, etc. that are incurred prior to the engagement and gotten payment for that in advance.
 - **Bill Bragin:** @Patti Liberatore Same here. The larger institutions have much more ability to bear the weight of travel costs. Artists shouldn't have to bankroll the presenters. We try to pay our flight costs in advance.
 - **Robin Schatell:** @Bill same for city agencies
 - **Hollis Ashby:** To add to Bill B.'s comment, there is plenty of precedent for universities and municipalities to make deposits or first payments for services, building and term contracts to name only a few. Embracing first payments for artists should not be a stretch.
 - **Margaret Lawrence:** @Hollis Ashby, agree. We are a large state school and have managed to shift to "Payment 1," etc.
 - **Aisha Ahmad-Post:** @Bill Bragin This is a helpful framework, Bill. Creating specific tasks: booking, planning for educational outreach, etc.
 - **Bill Bragin:** @Aisha Ahmad-Post Exactly. And we've found that all of those educational engagements - talks, masterclasses, community dinners, class visits - can continue even if the performance is delivered as a pre-existing video.
 - **Bryan Zellmer:** As a state university presenter, it is a nightmare to try and get our state procurement office to think about this equitably. As it is, they require us to use the



state's service purchase contract to attach to our engagement agreement, and this document really covers things that are apropos to construction contractors but have no relevance to performing artists. Change is important and necessary, but it's not only going to be difficult, but I am sure we'll lose on some of the points when it gets to the state level...just because we've already been fighting a lot of this for years, not just since the pandemic.

- **Rosa Navarrete:** naming that is important
- **Kristen Brogdon:** Multiple university and municipal presenters are involved in the DanceUSA working group!
- **Achinta McDaniel:** TWO PANDEMICS YES
- **Laurie Sefton:** Yes two pandemics
- **Jodi Kaplan:** As I said before...LOVE Aaron Mattocks! He has been communicative and open every step of the way during this challenging time. Truly appreciate Aaron's direct and honest positioning of the reality of what to expect as everything shifted and continues to shift. THANK YOU!
- **Laura Colby:** Linking back to the advocacy session before this one, it's about starting the conversation to ultimately effect change within our organizations who have traditionally leaned on "the answer is NO" with ZERO acknowledgement (and understanding) of the HARM these can't-change-this-clause clauses have on artists.
 - **Achinta McDaniel:** @Laura Colby absolutely
- **Cathy Pruzan:** Thank you Kristen for noting that about University Presenters such as yourself working with us all!
- **Lara Marsh:** @Achinta McDaniel looking for guidance on how to start that conversation, legal and purchasing departments have a lot of rigidity to overcome.
- **Caitlin Strokosch:** Yes, Aaron. "In what ways are you comfortable giving up power" and then go deeper into discomfort.....
- **Margaret Lawrence:** I'm glad to say we've managed to shift to "Payment One," etc., and have long been transparent about anticipated expenses, how much we can afford to subsidize each performance by, etc. Yet we can and will do more....and recognize the importance of this fantastic group of thinkers.
- **Karen Fischer:** Thanks, Aaron, for your comment about giving up power.
- **Linda Brumbach:** Krista, Lisa, APAP board and staff - you have all done a remarkable and epic job creating a truly impactful and relevant conference. THANK YOU!
- **Kalani Pe'a:** I'm Hawaiian and I am powerful. ;) I come from 25 generations of powerful Hawaiian ancestors and forefathers ;)
- **Sandra Garner:** It feels so productive and hopeful to be digging into these conversations in a field-wide way. Thank you, APAP!
- **Jerry Montoya:** Survival of PWI has been prioritized over dismantling white supremacy. As government funds are being used shouldn't PPP and SOS grants be tied to EDI transparency or our tax dollars are being used against us
 - **brooke smiley:** Brilliant @Jerry



- **Caitie Sherbo:** awareness, analysis, action
- **Michael Alexander:** WE have an added issue in California due to recent legislation and court rulings about who is an independent contractor and who is an employee. Performers could be considered employees. I am putting clauses into contracts that state that they have full control over when and where they rehearse, who they engage as designers etc. to clarify for campus lawyers and bureaucrats that they are not employees. The performance is just the delivery of a service that includes activities over which we have no control.
 - **Laurie Sefton:** Yes @Michael this is a nightmare for us in California.
 - **Bill Bragin:** @Michael Alexander So payments for all but last payment are to account for this rehearsal labor.
- **Krista Bradley:** Just want to acknowledge and thank the APAP Equitable and Ethical Partnership Working Group for the amazing work and especially the writers group who authored the document: Aaron Shackelford, Andre Perry, Anya Siglin, Chris Lorway, Dani Fecko, Emily Johnson, John Hassig, Kristopher McDowell, Laura Colby, Michael Reed, Michael Sakamoto, Michelle Ward, Mollie Mann, Rika Iino, Rob Robbins, Ronee Penoi, Shane Fernando
- **Andrew Wood:** As an international presenter we don't just have a contract, we also have a visa we have applied for as a petitioner on behalf of an artist. Visas maybe a pain, but once you have them they create an investment on both sides. We have been able to move contracts from 2020 to 2021 based on the very real fact that we have both already invested in the visa process.
- **Beatrice Thomas:** equity audit! Love it! someone in a former
- **Michael Alexander:** We make one payment at this time but recognize in the contract that it is covering all the work done to get the work onto the stage (or our share of covering that work).
- **Linsey Bostwick:** Yes, Aaron, it's vital that we all created and protect the ecosystem
- **Brandon Gryde:** I appreciate the hard work everyone is doing and the honesty of the panelists!
- **Jodi Kaplan:** Diversity! Yes. Diversity within Diversity...."big names" | "new names" | "emerging names" | "powerful names"
- **Sandra Garner:** It feels so productive and hopeful to be digging into these conversations in a field-wide forum. Thank you, APAP!
- **Sara Juli:** The generosity and transparency of this panel is inspiring and modeling future ways of moving the field forward.
- **Daniel Roumain:** Question - Rika Iino and SOZO ARTISTS are doing vital, urgent work. She's preaching the truth right now.
- **Brenda Wong Aoki:** THANK YOU thank you Aaron for centering artists. So very rare for those of us creating the work to be acknowledged.
 - **Amy Miller:** YES, Aaron! Acknowledging the process - not just the final product.
 - **Amy Lam:** Acknowledge - and RESPECT - all that and those contributing to the process.
- **Michael Alexander:** Rika, thank you for acknowledging the shoulders on which we stand.
 - **Kendra Barnes:** Exactly!! Important acknowledgement!
- **Kathleen Pletcher:** Thank you - all who are contributing to this profound work. Energized and grateful.
 - **Daniel Roumain:** ^^^^yes!



- **Alisa Pearson:** Yes, big orgs weather trouble best: We need general funding for individuals, so that they have breathing room that protects from exploitative contracts. Also: Thank you Rika and Christopher for the historical framing- inspiring.
- **Michael Alexander:** Universities are used to "progress payments" when they contract to have buildings constructed. Advances should be seen in the same way.
- **Bill Bragin:** There's so much in the "no deposit" "dull payment after completion" approach that implies a fundamental distrust of artists
 - **Margaret Lawrence:** @Bill Bragin I hope you meant "full payment." No payment is ever dull, haha!
 - **Achinta McDaniel:** absolutely Daniel, Bill.
 - **Bill Bragin:** *full payment
 - **Daniel Roumain:** ^^on-going, regular payment plans over time, is so much more needed by most artists I know
 - **Jodi Kaplan:** @Bill Bragin - to be real this is the complete shift in the field post Pandemic. A fear of deposits / first payments from presenters for bookings in the future.
- **Beatrice Thomas:** We all have important roles to play! We all need support to sustain our beloved field!
- **Cathy Pruzan:** funders are a very important part of our work
- **Beatrice Thomas:** I am so ready to dream the future with y'all!!!
- **Michael Reed:** Huge thank you to Krista and Rika for your great leadership and to this brilliant panel
- **Laura Colby:** If you are a university, one thing you could consider is hiring the artist (you are going to engage) as a salaried employee.
- **John Castonia:** That's the problem.....you should have started with the larger agencies and included the talent agency law and the popular acts not just dance.....ALL ACTS ARE THE SAME via a contract
- **Taylor Rambo:** There was an equitable funding conversation through the Atlanta Regional Commission in December which was exactly what you're talking about! Holding funders accountable with Black arts leaders in Atlanta... it fired me up!
- **Wiley Hausam:** Thanks Sandy for answering my question! And for pointing out that foundations may be able to help with this major change.
- **Kristopher McDowell:** Question - Thrive VS Survive
- **Alisa Pearson:** The word and concept of "Residencies" helps with this relationship work
- **Bill Bragin:** Also, we've been spending a lot of time talking to artists about alternative "deliverables" as a way to consider the agreement complete, as a way to avoid both Force Majeure, but also to avoid deferring payment a year or two into the future. People have bills to pay now.
- **Daniel Roumain:** AND if you can balance administrative work/roles within an artistic engagement, that's also ideal. Not all artists want/need this, but some do and it allows particularly BIPOC artists to have a deeper, long-term relationship to a space or place of audience or person



- **Michael Alexander:** We are working with our finance team to be sure that we have a check to hand to the artist at the end of the performance. Those on the road often need money to cover daily living costs.
- **Christine Jowers:** yes, there are benefits to slowing down!
 - **Alisa Pearson:** yes, slowness!
 - **Karla Brom:** YES. definitely benefits to slowing down
 - **Daniel Roumain:** Great point being made here
 - **Sophie Myrtil-McCourty:** Yes, to slowing down
 - **Jodi Kaplan:** @Christine Jowers - LEAD!!!
 - **Kristopher McDowell:** When we say MOVE FORWARD, it is essential that we ask questions about how it will be more equitable? Slowing down. Good advice, all around Andre.
 - **Beatrice Thomas:** yes please. Who's gotten sleep this conference?
 - **Daniel Roumain:** I have! Hahahha
 - **Aisha Ahmad-Post:** Yes, slow down so we don't burn out our whole field as soon as we go back to performances
 - **Daniel Roumain:** @Aisha Ahmad-Post copy that!
 - **Jen Maxcy:** Slowing down...so wise for thoughtful engagement 🙏
 - **Daniel Roumain:** ^^^^yes
 - **Theresa Remick:** Slowing down, yes! Capacity will be so different as live programming starts to come back. It's a great opportunity to right size our efforts and maximize impact.
 - **Hollis Ashby:** Slowing down...oh, yes, I remember that. That's the part where you breathe, right?
 - **Bill Bragin:** Slowing down and more extended engagements also reduces environmental impact of heavy traveling, and vastly improves quality of life for everyone involved. Deeper relationships between artists and their communities
 - **Heather Keller:** Yes, calming/slowing down our whole system this way we can build relationships in such a healthier way.
 - **Laura Karlin:** Part of slowing down for us has been reassuring our staff and artists that we will not pay them less for slowing down, for caring for themselves.
 - **Sara Nash:** rethinking productivity- what that looks like, why we value it, how it needs to change
 - **Laura Colby:** To the programmers out there, consider doing less (in your seasons) and paying the artists you present more. Maybe then, we might get closer to fees that actually approach a living wage to our touring artists...
 - **Robin Schatell:** @ Laura or longer engagements!
 - **Jodi Kaplan:** I think it is sadly going to take a FULL YEAR before I can even think about slowing down....We double upped on work for so many months! Cancelling, rescheduling, rescheduling, future bookings, etc. - And yes it is about long term relationships...



- **Laura Karlin:** Yes to slowing down, and also those in leadership roles need to reassure people that they won't be penalized for slowing down. How are we supporting those who take this advice?
- **Brandon Gryde:** In addition to all the wonderful panelists, I appreciate the collective wisdom shared in the chat.
- **Jill Dombrowski:** Yes contract walk throughs are a great idea, especially in changing contexts
- **Beatrice Thomas:** Also in the black community
- **Beatrice Thomas:** I have to actively work against distrust at times.
 - **Achinta McDaniel:** @Beatrice Thomas feel this so deeply
- **Linsey Bostwick:** Yes, Christopher, I love the idea of walking through the contract !
- **Jason Hodges:** The hard part of this conversation is this: It's not just about the system of artists and presenter contracts, it's contracts with our vendors and the systems that support us that are part of this too. Our venues, advertisers, ticket offices, etc. Artists and presenters are responsible to so many others outside just this contractual agreement.
 - **Beatrice Thomas:** @Jason Hodges How do we bring vendors et al... into this dialogue or into accountability
 - **Jason Hodges:** @Beatrice Thomas That's yet another million dollar question.
 - **Beatrice Thomas:** @Jason Hodges I think it is a strategic question that we could develop strategies for if we had a forum like this to generate from our BRILLIANT community on the chat.
- **Beatrice Thomas:** It's not in alignment with my values but it has been apart of my socialization
- **Cathy Barbash:** Porous-great description!
- **Caitlin Strokosch:** @christopher - thank you for raising that. It isn't enough to just make better contracts; we must repair the trust that has been broken and it is on us (presenters, funders, white folks) to do the work.
- **Beatrice Thomas:** There are things that BIPOC and Queer and Trans folx have to work out in our different communities and between each other.
- **Kyle Maude:** yes-would you sign your own contract? thank you Sandy
- **Megan Kline Crockett:** Wow, excellent panel. Thank you to all of you for your work and thoughtful consideration of all these issues.
- **Laura Colby:** Our contracts (and our budgets) are MORAL documents!
- **Elizabeth Roth:** And maybe rethink the onerous liability clauses that put economic pressure on artists
- **Laura Karlin:** When writing our contracts for our dancers, we reached out to them and asked, ""What do you need in a contract to feel honored/respected/protected?"
- **Cathy Edwards:** Thank you for this panel - so important - a lot of gratitude to all of you.
- **Amy Miller:** "People are institutions" - yes, Aaron!
- **Michael Alexander:** More importantly about contracts, they are rarely worth enough to warrant a court fight over unfulfilled obligations. We have to view them as understandings between colleagues so we can have a great experience for our audiences and other art recipients.



- **Bill Bragin:** That's been a big conversation I've had with institutional house counsels when building our forms. "If I were a manager, would I let my artist sign this?" If not, I can't send it out. (And some aspects, as part of a much larger bureaucracy, I don't win every battle.)
- **Amy Lam:** Behind every contract is real people's livelihood!
- **Sophie Myrtil-McCourty:** Wow!! Aaron, thank you!!
- **Walter Jaffe:** Sandy's point is so important. We do need to be equitable in our agreements, yet the financial challenges for all of us--presenters, agents, managers, artists-- is equally challenging. Very good conversation.
 - **Achinta McDaniel:** @Walter Jaffe equally?
- **Scott Stoner:** Important Timely Onward!
- **Gillian Jones:** This has been a hugely valuable panel, and conversation -- thank you all for your leadership!
- **Alison Loerke:** honest and important conversation, thank you Christopher and all panelists, and APAP for convening....
- **Kyoko Yoshida:** Really important effort, led and presented by great minds! We will be reaching out to engage!
- **Javier Stell-Fresquez:** institutions are made of people... When we think the machines/systems we create are people themselves things get increasingly dehumanized
- **K. Bradford:** Thank you for the big-hearted long-view big picture strategy and leadership!
- **Lila Hurwitz:** Thanks to all you humans for a fantastic conversation!
- **Margaret Lawrence:** Thank you panelists and APAP for bringing this timely discussion to the fore.
- **Kyoko Yoshida:** Really important efforts, led and presented by great minds! We will be reaching out to engage!
- **Karen Fischer:** An incredible, thoughtful panel. Thank you for all your work informing these changes in our field.
- **Richard Bryant:** Engage in these conversations.
- **K. Bradford:** Slow is accessibility, thank you for speaking to slow!
- **Martin Wollesen:** Curiosity, kindness and compassion will drive us forward
- **Janet Herman Barlow:** Because there are so many College and University presenter members who have to deal with the uphill battle of dealing with college administration as well as state rules and laws, it feels as if some of those upper administration and state legal experts need to be a part of the contract language change discussion at least. Same thing for municipal presenters. We will need their help and buy-in to affect changes for these types of documents. In most cases, the presenters can't even sign their artist contracts. It seems as if the table may need to have more seats at it.

Unedited Chat Transcript

- **Alicia Anstead:** SO great to see you Kendra!
- **Todd Wetzel:** thanks, Kendra!




- **Malakhi Eason:** this is great
- **Lila Hurwitz:** Hi all! Thanks for doing this.
- **Cathy Edwards:** So glad to be here! Krista Bradley and APAP team - staff and board - amazing conference. Thank you for your important work.
- **Kristopher McDowell:** 🍷
- **Laurie Sefton:** Hi Laurie Sefton from Los Angeles, choreographer and Artistic Director on the ancestral lands of the Chumash and Tongva
- **Laurie Sefton:** So excited to hear this conversation
- **Samantha Pollack:** Glad we're doing this session, and hope this, like other session topics, can continue the conversation past the conference
- **Chris Lorway:** Great to see this work be given a spotlight at the conference!
- **Allison Akootchook Warden:** love that!
- **Laurie Sefton:** Yay Dance USA!
- **Laura Colby:** So PSYCHED to be here! THANK YOU to all who contributed labor to this work.
- **Allison Akootchook Warden:** all of our interactions are partnership based, long term based
- **Cathy Pruzan:** Yes we will keep this going for sure! Speaking on behalf of Dance USA
- **Jodi Kaplan:** Looking forward to today's conversation...and yes...agents experienced a complete loss and were squeezed between presenters and artists with no resources (being commission based). Thank you for addressing.
- **Sara Nash:** looking forward to this too- glad to be able to be here.
- **Daniel Woofter:** Thrilled to learn from Christopher and the panel
- **Nathalie Matychak:** Sandy!!!
- **Samantha Pollack:** Aloha, Chris!
- **Achinta McDaniel:** @Kristopher McDowell Kristopher!
- **Jodi Kaplan:** Hello all! Yes to Dance Place!
- **Amy Miller:** What a rockstar panel!!
- **Achinta McDaniel:** Namaste all
- **Todd Wetzel:** can't wait to read and digest the document shared in this event
- **Karen Fischer:** Aloha from the islands of the Kanaka Maoli, the native peoples of these Hawaiian Islands
- **Kristen Brogdon:** I'm so happy to see Christopher, Sandy, and Aaron here and excited that the dance field has taken a leadership role in this conversation. Greetings to all panelists and thank you!
- **Allison Akootchook Warden:** Thank you, Christopher!
- **Laurie Sefton:** Thank you
- **Jane Rabinovitz:** Cheers to that Kristen!
- **Carla Peterson:** Hello from MANCC. Happy to be here in yet another critical and so important discussion. Thank you!!!
- **Cathy Pruzan:** Agreed with our panel Kristen!
- **Achinta McDaniel:** Christopher, thank you.



- **Todd Wetzel:** RIKA!! #visionaryleader
- **Sophie Myrtil-McCourty:** Y'all are about to make HISTORY!! Go, go, go!!! :-)
- **Richard Bryant:** Hello from Musco Center for the Arts at Chapman University in Orange County CA — ancestral lands of the Tongva and Kizh peoples.
- **Achinta McDaniel:** Sandy G!
- **Cathy Pruzan:** yay Sandy!
- **Sophie Myrtil-McCourty:** Sandyyyyyyyy!!!! :-))))
- **Amy Lam:** Sandy!!!
- **Shannon Mayers:** Thank you Sandy!
- **Leah Keith:** Fantastic panel!
- **Nathalie Matychak:** Sandy!
- **Sophie Myrtil-McCourty:** Y'all are about to make HISTORY!! Go, go, goooo!!!
- **Kyoko Yoshida:** CKM!
- **Tony Lopresti:** Brava, Sandy!
- **Miranda Wright:** Amazing group of panelists!
- **Jodi Kaplan:** LOVE Aaron Mattocks! He has been communicative and open every step of the way during this challenging time. Truly appreciate Aaron's direct and honest positioning of the reality of what to expect as everything shifted and continues to shift. THANK YOU!
- **Bill Bragin:** All star panel indeed.
- **Kyle Maude:** great panel! thank you APAP
- **Francine Sheffield:** Yay Sandy!
- **Caitlin Strokosch:** Wonderful conversation already! We don't have to choose between artists and institutions -- we can commit to humane practices together.
- **Kristin Marting:** Yes Caitlin!
- **Michael Reed:** Brava Rika! You are à force in leading this APAP ethical practice group
- **Achinta McDaniel:** yes Sandy
- **Krista Bradley:** The APAP Invitation to Build Equitable Partnerships in the Performing Arts Doc is can be found under the "Documents" section of the window to your left.
- **Krista Bradley:** You can all access it here:
<https://www.apap365.org/Portals/1/PDFs/2021/APAP%20Equitable%20Partnership%20DRAFT%201.12.21.pdf>
- **Bill Bragin:** so link works
<https://www.apap365.org/Portals/1/PDFs/2021/APAP%20Equitable%20Partnership%20DRAFT%201.12.21.pdf>
- **Krista Bradley:** Thanks, Bill !
- **Laura Colby:** Creating New Futures Phase 1 doc: <https://tinyurl.com/yc6e6jbs>
- **Bill Bragin:** Oh, this doesn't create live links.
- **Jodi Kaplan:** It is all about long term thinking...we went through this with 9/11 (at least I did with a huge tour from China through the USA that was cancelled by the Chinese



government)...and continue to do biz with long term relationships/thinking. The only way to work.

- **Hollis Ashby:** Clearly articulated, Sandy. Thank you.
- **Beatrice Thomas:** @caitlin Exactly! We have to start from a place of mutual care and benefit. NPN has done great work around this!
- **Cheri Opperman:** Great job Sandy!
- **Nathalie Matychak:** Sandy, dropping knowledge as always
- **Carla Peterson:** Thanks Sandy!!
- **Karen Fischer:** Thank you, Sandy!!
- **Hollis Ashby:** Nicely articulated, Sandy.
- **Wiley Hausam:** Yea Rika!
- **Sophie Myrtil-McCourt:** Thank you, Sandy!
- **Dawn Robinson-Patrick:** Welcome Rika!
- **Shane Fernando:** Yes, Sandy!
- **Sara Nash:** yes to evolving the ecosystem, Rika!
- **Beatrice Thomas:** Hey Rika! love your leadership!
- **Beatrice Thomas:** Sup Andre!
- **Laura Colby:** Co-authored by: Dani Fecko
- **Shane Fernando:** Andre Perry
- **Michelle Ward:** 
- **Shane Fernando:** Thank you for your leadership, Rika!
- **Beatrice Thomas:** Adopt equitable language!
- **Jeffrey Rebudal:** Hi Christopher!
- **Beatrice Thomas:** Model transparency
- **Beatrice Thomas:** Consider alternatives
- **Jeffrey Rebudal:** Aloha Christopher
- **Achinta McDaniel:** Rika thank you
- **Beatrice Thomas:** RIKA breaking it down! thank you
- **Kristopher McDowell:** Andre 😊
- **Jacob Yarrow:** Andre is such an inspiration!
- **Karen Fischer:** Thank you Rika!
- **Beatrice Thomas:** ANDREEEEEEEEE
- **Jack McLarnan:** Big fan of everyone on this panel. Terrific!
- **Shelley Quiala:** Christopher Morgan! So great to see you and hear from you.
- **Todd Wetzel:** @Jack McLarnan and APAP is rockin' it on all of their panels this conference!
- **Jane Rabinovitz:** "We are writing policy"... Love that idea.
- **Claudia Norman:** Rika and Sandy representing!! Gracias
- **Wiley Hausam:** This is such an interesting - and admittedly, challenging - subject. And important. Thank you all so much for your work on redesigning the nature and structure of our relationships! How have the large agencies responded to this new concept?



- **Bill Bragin:** Question - I'm curious whether these working groups have looked at Duty of Care clauses at all? As we re-examined our agreements to account for virtual programming, what was a clause we never really looked at, became important as the artists were delivering from their own venues, or places we don't have any connection to.
- **Achinta McDaniel:** Question - What conversations has the panel had/is the panel having regarding centering specifically BIPOC ARTISTIS in regards to equitable partnership? Do some of the tough conversations include understanding the system has upheld problematic hierarchy which dictates who presenters/agents/manager value in these conversations, and that the BIPOC and intersectional artists must be centered in the approaches?
- **Karen Fischer:** Yes, Andre!
- **Todd Wetzel:** would agents/managers segment their commissions according to these stages?
- **Alisa Pearson:** In the after-times, we need to find ways to keep bringing this kindness and thoughtfulness.
- **Shelley Quiala:** So true - the time and energy to name things all the way through and ensure they are understood and there is value attached to all of the contributions.
- **Kristopher McDowell:** #Transparency 🙏
- **Shannon Mayers:** University presenters - sometimes are "stuck" with the language that the college requires, without much flexibility...
- **Todd Wetzel:** Wanting to make sure agents/managers get to participate in the equitable treatment
- **Beatrice Thomas:** @Jack McLarnan samesies! these people are brilliant
- **Bill Bragin:** One struggle presenters who work with universities or government partners face is procurement policy which often dictates "no payment until services are rendered." We've had to fight hard internally to create an understanding that the granting of the right to market the artist, use of image, is already a service being rendered.
- **Lara Marsh:** @shannonmayers municipal presenters, too.
- **Wiley Hausam:** Exactly Bill!
- **Wiley Hausam:** This is even more true in state universities.
- **Lara Marsh:** @Shannon Mayers municipal presenters, too.
- **Laurie Sefton:** Need to rename what "services" are.
- **Aisha Ahmad-Post:** @Shannon Mayers yes, how do you explain this to state or university counsel who have a duty to "protect" the financial interests of the larger institution?
- **Emily Johnson:** Thank you for that question, Christopher
- **Robin Schatell:** Do you think presenting will change? Less 'in and out' events and more time with one artist?
- **Achinta McDaniel:** @Shannon Mayers this is a big issue, but bravery must prevail here, and doing the heavy work of approaching the provosts, presidents, admin must happen.
- **Elizabeth Roth:** Also state universities tend to be a bit more rigid with a phalanx of attorneys backing up their assertions
- **Sophie Myrtil-McCourty:** You got this, Aaron!!



- **Rosa Navarrete:** naming that is important
- **Achinta McDaniel:** Woot, Aaron!
- **Patti Liberatore:** @Bill Bragin, agreed. I've found some success in breaking the contract up and being able to give payment for services that have been rendered prior to the performance. Also, have taken out hard costs like travel, etc. that are incurred prior to the engagement and gotten payment for that in advance.
- **Heidi Fleming:** excellent discussion !
- **Kristen Brogdon:** Multiple university and municipal presenters are involved in the DanceUSA working group!
- **Amy Lam:** Aaron!!!
- **Robin Schatell:** @Bill same for city agencies
- **Achinta McDaniel:** TWO PANDEMICS YES
- **Laurie Sefton:** Yes two pandemics
- **Jodi Kaplan:** As I said before...LOVE Aaron Mattocks! He has been communicative and open every step of the way during this challenging time. Truly appreciate Aaron's direct and honest positioning of the reality of what to expect as everything shifted and continues to shift. THANK YOU!
- **Laura Colby:** Linking back to the advocacy session before this one, it's about starting the conversation to ultimately effect change within our organizations who have traditionally leaned on "the answer is NO" with ZERO acknowledgement (and understanding) of the HARM these can't-change-this-clause clauses have on artists.
- **Cathy Pruzan:** Thank you Kristen for noting that about University Presenters such as yourself working with us all!
- **Bill Bragin:** @Patti Liberatore Same here. The larger institutions have much more ability to bear the weight of travel costs. Artists shouldn't have to bankroll the presenters. We try to pay our flight costs in advance.
- **Lara Marsh:** @Achinta McDaniel looking for guidance on how to start that conversation, legal and purchasing departments have a lot of rigidity to overcome.
- **brooke smiley:** It's time for sustained, committed dialogue, with written documents signed by many in relationship to and working within Universities and PWI's. This summer with the American Indian and Indigenous Collective, we have worked together and are creating notable change in 20/21. Thanks for your honesty @Shannon
- **Achinta McDaniel:** @Laura Colby absolutely
- **Caitlin Strokosch:** Yes, Aaron. "In what ways are you comfortable giving up power" and then go deeper into discomfort.....
- **Achinta McDaniel:** @Lara Marsh I feel that. we start at USC Kaufman on a granular level with the faculty, Dean's cabinet, and of course the students MUST be centered as their demands are taken far more seriously. Town Halls, petitions, and bringing in the larger BEDI committee of the university
- **Margaret Lawrence:** I'm glad to say we've managed to shift to "Payment One," etc., and have long been transparent about anticipated expenses, how much we can afford to subsidize each



performance by, etc. Yet we can and will do more....and recognize the importance of this fantastic group of thinkers.

- **Karen Fischer:** Thanks, Aaron, for your comment about giving up power.
- **Linda Brumbach:** Krista, Lisa, APAP board and staff - you have all done a remarkable and epic job creating a truly impactful and relevant conference. THANK YOU!
- **Kalani Pe'a:** I'm Hawaiian and I am powerful. ;) I come from 25 generations of powerful Hawaiian ancestors and forefathers ;)
- **Hollis Ashby:** To add to Bill B.'s comment, there is plenty of precedent for universities and municipalities to make deposits or first payments for services, building and term contracts to name only a few. Embracing first payments for artists should not be a stretch.
- **Sandra Garner:** It feels so productive and hopeful to be digging into these conversations in a field-wide way. Thank you, APAP!
- **Aisha Ahmad-Post:** @Bill Bragin This is a helpful framework, Bill. Creating specific tasks: booking, planning for educational outreach, etc.
- **Bryan Zellmer:** As a state university presenter, it is a nightmare to try and get our state procurement office to think about this equitably. As it is, they require us to use the state's service purchase contract to attach to our engagement agreement, and this document really covers things that are apropos to construction contractors but have no relevance to performing artists. Change is important and necessary, but it's not only going to be difficult, but I am sure we'll lose on some of the points when it gets to the state level...just because we've already been fighting a lot of this for years, not just since the pandemic.
- **Shannon Mayers:** @brooke, yes, absolutely. College and government institutions that say they are committed to RDEI+ need to review their procurement policies
- **Laurie Sefton:** yes Aaron
- **Jerry Montoya:** Survival of PWI has been prioritized over dismantling white supremacy. As government funds are being used shouldn't PPP and SOS grants be tied to EDI transparency or our tax dollars are being used against us
- **Caitie Sherbo:** awareness, analysis, action
- **Michael Alexander:** WE have an added issue in California due to recent legislation and court rulings about who is an independent contractor and who is an employee. Performers could be considered employees. I am putting clauses into contracts that state that they have full control over when and where they rehearse, who they engage as designers etc. to clarify for campus lawyers and bureaucrats that they are not employees. The performance is just the delivery of a service that includes activities over which we have no control.
- **MA:** WE have an added issue in California due to recent legislation and court rulings about who is an independent contractor and who is an employee. Performers could be considered employees. I am putting clauses into contracts that state that they have full control over when and where they rehearse, who they engage as designers etc. to clarify for campus lawyers and bureaucrats that they are not employees. The performance is just the delivery of a service that includes activities over which we have no control.
- **brooke smiley:** Brilliant @Jerry



- **Laurie Sefton:** Yes @Michael this is a nightmare for us in California.
- **Bill Bragin:** @Aisha Ahmad-Post Exactly. And we've found that all of those educational engagements - talks, masterclasses, community dinners, class visits - can continue even if the performance is delivered as a pre-existing video.
- **Martin Wollesen:** Question - Has this group discussed Exclusivity Clauses, which in effect keep artists from performance possibilities?
- **Bill Bragin:** @Michael Alexander So payments for all but last payment are to account for this rehearsal labor.
- **Krista Bradley:** Just want to acknowledge and thank the APAP Equitable and Ethical Partnership Working Group for the amazing work and especially the writers group who authored the document: Aaron Shackelford, Andre Perry, Anya Siglin, Chris Lorway, Dani Fecko, Emily Johnson, John Hassig, Kristopher McDowell, Laura Colby, Michael Reed, Michael Sakamoto, Michelle Ward, Mollie Mann, Rika Iino, Rob Robbins, Ronee Penoi, Shane Fernando
- **Linsey Bostwick:** Such a great and useful panel. Thank you
- **Cathy Pruzan:** Hi Marty - Yes we at DUSA have reviewed these clauses
- **Margaret Lawrence:** When we do include an Exclusivity Clause, it always includes the statement that we understand the importance of fruitful touring, and are willing to make exceptions. (We just have to know, so we don't spend marketing dollars in markets where another venue is presenting the same artist)
- **Andrew Wood:** As an international presenter we don't just have a contract, we also have a visa we have applied for as a petitioner on behalf of an artist. Visas maybe a pain, but once you have them they create an investment on both sides. We have been able to move contacts from 2020 to 2021 based on the very real fact that we have both already invested in the visa process.
- **Achinta McDaniel:** @Martin Wollesen great point, Marty
- **Beatrice Thomas:** equity audit! Love it! someone in a former
- **Michael Alexander:** We make one payment at this time but recognize in the contract that it is covering all the work done to get the work onto the stage (or our share of covering that work).
- **Sophie Myrtil-McCourt:** Thank you, Aaron!
- **Vanessa Sanchez:** 🙌🙌🙌
- **Jeanne Mam-Luft:** !!! Yes! Are the biggest and most traditional dance companies poised to survive, while POC-led, smaller orgs are more likely to be wiped out?!
- **Linsey Bostwick:** Yes, Aaron, it's vital that we all created and protect the ecosystem
- **Vernon Scott:** Well said Aaron!
- **Brandon Gryde:** I appreciate the hard work everyone is doing and the honesty of the panelists!
- **Vanessa Sanchez:** Yes Aaron!!
- **Karen Fischer:** Thank you Aaron!
- **Shelley Quiala:** Well stated Christopher.
- **Emil Kang:** Thank you Aaron!
- **Vernon Scott:** Thanks you Aaron
- **Achinta McDaniel:** Thank you Christopher for taking my question.



- **Dawn Robinson-Patrick:** Thank you for making that choice Aaron.
- **Jodi Kaplan:** Diversity! Yes. Diversity within Diversity.... "big names" | "new names" | "emerging names" | "powerful names"
- **Sandra Garner:** It feels so productive and hopeful to be digging into these conversations in a field-wide forum. Thank you, APAP!
- **Michael Alexander:** @Bill Bragin. Forgot to single you out. Did you see my response?
- **Daniel Roumain:** Question - Love this panel
- **Bill Bragin:** @Margaret Lawrence Our exclusivity clauses specify all exclusivity is around "without prior written approval." The goal is not necessarily to shut down other opportunities, but not to be surprised by them. So it sparks a conversation regarding the implications of a nearby second play, without rendering it impossible.
- **Sara Juli:** The generosity and transparency of this panel is inspiring and modeling future ways of moving the field forward.
- **Daniel Roumain:** Question - Rika Iino and SOZO ARTISTS are doing vital, urgent work. She's preaching the truth right now.
- **Margaret Lawrence:** @Hollis Ashby, agree. We are a large state school and have managed to shift to "Payment 1," etc.
- **Sophie Myrtil-McCourt:** Well said, Rika!
- **Brenda Wong Aoki:** THANK YOU thank you Aaron for centering artists. So very rare for those of us creating the work to be acknowledged.
- **Daniel Roumain:** Question - Great question Achinta
- **Michael Alexander:** Rika, thank you for acknowledging the shoulders on which we stand.
- **Jodi Kaplan:** @Vernon Scott - always!
- **Achinta McDaniel:** @Daniel Roumain thank you <3
- **Kendra Barnes:** Exactly!! Important acknowledgement!
- **Kathleen Pletcher:** Thank you - all who are contributing to this profound work. Energized and grateful.
- **Daniel Roumain:** ^^^^yes!
- **Achinta McDaniel:** Rika, thank you
- **Christine Jowers:** Christopher I really admire your skill at moderating. Thank you for working on this so well. (your fan, Christine)
- **Achinta McDaniel:** yes Aaron the metaphor
- **Alisa Pearson:** Yes, big orgs weather trouble best: We need general funding for individuals, so that they have breathing room that protects from exploitative contracts. Also: Thank you Rika and Christopher for the historical framing- inspiring.
- **Beatrice Thomas:** YASSSSSSSS!
- **Elizabeth Roth:** THANK YOU
- **Amy Miller:** YES, Aaron! Acknowledging the process - not just the final product.
- **Leah Keith:** Thank you, Aaron. Yes.
- **Amy Lam:** Acknowledge - and RESPECT - all that and those contributing to the process.



- **Todd Wetzel:** Question - I'm asking this carefully, and need your help with the language: it seems that there is a continuum that the more "commercial" the engagement is, the less this openness to this type equity-mindedness may be present. Have you discussed this? This is a power issue...
- **Laurie Sefton:** Thank you Aaron!
- **Michael Alexander:** Universities are used to "progress payments" when they contract to have buildings constructed. Advances should be seen in the same way.
- **Bill Bragin:** There's so much in the "no deposit" "dull payment after completion" approach that implies a fundamental distrust of artists
- **Daniel Roumain:** ^^^on-going, regular payment plans over time, is so much more needed by most artists I know
- **Margaret Lawrence:** @Bill Bragin I hope you meant "full payment." No payment is ever dull, haha!
- **Achinta McDaniel:** absolutely Daniel, Bill.
- **Bill Bragin:** *full payment
- **Beatrice Thomas:** We all have important roles to play! We all need support to sustain our beloved field!
- **Jodi Kaplan:** @Bill Bragin - to be real this is the complete shift in the field post Pandemic. A fear of deposits / first payments from presenters for bookings in the future.
- **Cathy Pruzan:** funders are a very important part of our work
- **Beatrice Thomas:** I am so ready to dream the future with y'all!!!
- **Michael Reed:** Huge thank you to Krista and Rika for your great leadership and to this brilliant panel
- **Amy Lam:** Agree with Todd. How is the commercial world responding to this? And classical music agencies?
- **Laura Colby:** If you are a university, one thing you could consider is hiring the artist (you are going to engage) as a salaried employee.
- **John Castonia:** That's the problem.....you should have started with the larger agencies and included the talent agency law and the popular acts not just dance.....ALL ACTS ARE THE SAME via a contract
- **Taylor Rambo:** There was an equitable funding conversation through the Atlanta Regional Commission in December which was exactly what you're talking about! Holding funders accountable with Black arts leaders in Atlanta... it fired me up!
- **Wiley Hausam:** Thanks Sandy for answering my question! And for pointing out that foundations may be able to help with this major change.
- **Kristopher McDowell:** Question - Thrive VS Survive
- **Alisa Pearson:** The word and concept of "Residencies" helps with this relationship work
- **Nola Mariano:** My sound is cutting in and out??
- **Bill Bragin:** Also, we've been spending a lot of time talking to artists about alternative "deliverables" as a way to consider the agreement complete, as a way to avoid both Force



Majeure, but also to avoid deferring payment a year or two into the future. People have bills to pay now.

- **Daniel Roumain:** AND if you can balance administrative work/roles within an artistic engagement, that's also ideal. Not all artists want/need this, but some do and it allows particularly BIPOC artists to have a deeper, long-term relationship to a space or place of audience or person
- **Kristopher McDowell:** Thrive VS. Survive
- **Michael Alexander:** We are working with our finance team to be sure that we have a check to hand to the artist at the end of the performance. Those on the road often need money to cover daily living costs.
- **Taylor Rambo:** @Nola Mariano Try refreshing the page!
- **Daniel Roumain:** @Laura Colby oh yes Laura!
- **Karla Brom:** exclusivity came up in a panel on Saturday and it sounds like there is an awareness of flexible exclusivity clauses as we move into the next phase of live performance
- **Krista Bradley:** Exclusivity clauses as a potential barrier to income generation ? That's an interesting issue.
- **Cathy Pruzan:** Yes we want to make sure its clear one size does not fit all but we do encourage all our colleagues to work to more equitable practices
- **Alisa Pearson:** Is the opposite of exclusivity shared support? akin to group commissioning/touring?
- **Daniel Roumain:** to SHARE is to love and UNDERSTAND
- **Kristopher McDowell:** Digital & Hybrid content can also be accessed with codes should there be exclusivity restrictions.
- **Krista Bradley:** How can funders work in equitable and ethical principles into grant award agreements?
- **Michael Alexander:** As we engage artists for virtual program, are artists putting in exclusivity clauses limited where presenters can promote?
- **Daniel Roumain:** more, artists can appear in a variety of way and on different platforms
- **Daniel Roumain:** *ways
- **Sara Nash:** great questions @KristaBradley
- **Kristopher McDowell:** <https://www.classicfm.com/music-news/coronavirus/changed-classical-music/>
- **Emily Johnson:** good point @michael...i've been thinking about all these videos up 'in perpetuity' - or variations of...
- **Bill Bragin:** The shift to engagement vs performance approach also diminishes importance of Exclusivity. If the classes and other engagement work is customized, then the exclusivity in the market takes on lesser weight in the total value of the agreement
- **Kristopher McDowell:** <https://voiceofoc.org/2020/05/coronavirus-conditions-make-us-rethink-the-classical-music-scene-in-the-decade-ahead/>



- **Krista Bradley:** If a funded engagement has to be cancelled, How do we think about the "duty of care" for artists....for presenters
- **Christine Jowers:** yes, there are benefits to slowing down!
- **Alisa Pearson:** yes, slowness!
- **Karla Brom:** YES. definitely benefits to slowing down
- **Daniel Roumain:** Great point being made here
- **Sophie Myrtil-McCourty:** Yes, to slowing down
- **Jodi Kaplan:** @Christine Jowers - LEAD!!!
- **Ed Bourgeois:** Thank you, Andre
- **Kristopher McDowell:** When we say MOVE FORWARD, it is essential that we ask questions about how it will be more equitable? Slowing down. Good advice, all around Andre.
- **Beatrice Thomas:** yes please. Who's gotten sleep this conference?
- **Daniel Roumain:** I have! Hahahaha
- **Kendra Barnes:** Question - Great great question & reflection.
- **Brandon Gryde:** In addition to all the wonderful panelists, I appreciate the collective wisdom shared in the chat.
- **Aisha Ahmad-Post:** Yes, slow down so we don't burn out our whole field as soon as we go back to performances
- **Jen Maxcy:** Slowing down...so wise for thoughtful engagement 🙏
- **Daniel Roumain:** ^^^^yes
- **Theresa Remick:** Slowing down, yes! Capacity will be so different as live programming starts to come back. It's a great opportunity to right size our efforts and maximize impact.
- **Hollis Ashby:** Slowing down...oh, yes, I remember that. That's the part where you breathe, right?
- **Bill Bragin:** Slowing down and more extended engagements also reduces environmental impact of heavy traveling, and vastly improves quality of life for everyone involved. Deeper relationships between artists and their communities
- **Daniel Roumain:** @Aisha Ahmad-Post copy that!
- **Jill Dombrowski:** Yes contract walk throughs are a great idea, especially in changing contexts
- **Rosa Navarrete:** say it
- **Heather Keller:** Yes, calming/slowing down our whole system this way we can build relationships in such a healthier way.
- **Beatrice Thomas:** @Christopher Morgan SPEAK ON IT
- **Laura Karlin:** Part of slowing down for us has been reassuring our staff and artists that we will not pay them less for slowing down, for caring for themselves.
- **Sara Nash:** rethinking productivity- what that looks like, why we value it, how it needs to change
- **Laura Colby:** To the programmers out there, consider doing less (in your seasons) and paying the artists you present more. Maybe then, we might get closer to fees that actually approach a living wage to our touring artists...
- **Brian Halaas:** yes



- **Karen Fischer:** good point Christopher
- **brooke smiley:** Brilliant facilitation Christopher <3. Power:::
- **Brian Halaas:** !!!
- **Beatrice Thomas:** Also in the black community
- **Jodi Kaplan:** I think it is sadly going to take a FULL YEAR before I can even think about slowing down....We double upped on work for so many months! Cancelling, rescheduling, rescheduling, future bookings, etc. - And yes it is about long term relationships...
- **Robin Schatell:** @ Laura or longer engagements!
- **Beatrice Thomas:** I have to actively work against distrust at times.
- **Kathleen Pletcher:** Amazing conversation!
- **Linsey Bostwick:** Yes, Christopher, I love the idea of walking through the contract !
- **Laura Karlin:** Yes to slowing down, and also those in leadership roles need to reassure people that they won't be penalized for slowing down. How are we supporting those who take this advice?
- **Achinta McDaniel:** @Beatrice Thomas feel this so deeply
- **Jason Hodges:** The hard part of this conversation is this: It's not just about the system of artists and presenter contracts, it's contracts with our vendors and the systems that support us that are part of this too. Our venues, advertisers, ticket offices, etc. Artists and presenters are responsible to so many others outside just this contractual agreement.
- **Beatrice Thomas:** It's not in alignment with my values but it has been apart of my socialization
- **Cathy Barbash:** Porous-great description!
- **Caitlin Strokosch:** @christopher - thank you for raising that. It isn't enough to just make better contracts; we must repair the trust that has been broken and it is on us (presenters, funders, white folks) to do the work.
- **Anna Cross:** Thank you panelists, such a great conversation, so many great ideas!
- **Beatrice Thomas:** There are things that BIPOC and Queer and Trans folx have to work out in our different communities and between each other.
- **Rosa Navarrete:** that sounds wonderful
- **Kyle Maude:** yes-would you sign your own contract? thank you Sandy
- **Anna Cross:** Yes Sandy! So important!
- **Megan Kline Crockett:** Wow, excellent panel. Thank you to all of you for your work and thoughtful consideration of all these issues.
- **Christine Jowers:** Question - where can we find the other information that you are referring to our supporting information?
- **Sophie Myrtil-McCourtty:** Yes, thank you Sandy!
- **Todd Wetzel:** it may be unpopular to say this, but exclusivity terms obviously emerged as risk mitigators for the presenter--so perhaps we need to consider new presenter funding models as we also consider new compensation structures for artists. We all are supporting various kinds of costs to support the total ecology.
- **Laura Colby:** Our contracts (and our budgets) are MORAL documents!



- **Nathalie Matychak:** Yesssssss Sandy!
- **Beatrice Thomas:** @Jason Hodges How do we bring vendors et al... into this dialogue or into accountability
- **Shane Fernando:** Yes, Laura!
- **Richard Bryant:** Thank you all. Thoughtful and powerful.
- **Kimberly Marcotte:** well put, Sandy! thank you, panel!
- **Sara Nash:** so much gratitude for this panel and the chat! thank you!
- **Daniel Roumain:** Loved that Laura
- **Indira Goodwine:** We hear you Christopher!
- **Elizabeth Roth:** And maybe rethink the onerous liability clauses that put economic pressure on artists
- **Todd Wetzel:** gratitude to all!
- **Gail Boyd:** Such a great panel.
- **Cathy Pruzan:** Thank you Aaron!
- **Laura Karlin:** When writing our contracts for our dancers, we reached out to them and asked, ""What do you need in a contract to feel honored/respected/protected?"
- **Cathy Edwards:** Thank you for this panel - so important - a lot of gratitude to all of you.
- **Amy Miller:** "People are institutions" - yes, Aaron!
- **Jason Hodges:** @Beatrice Thomas That's yet another million dollar question.
- **Michael Alexander:** More importantly about contracts, they are rarely worth enough to warrant a court fight over unfulfilled obligations. We have to view them as understandings between colleagues so we can have a great experience for our audiences and other art recipients.
- **Vanessa Sanchez:** Yesssss!!
- **Daniel Roumain:** Amazing panel
- **Bill Bragin:** That's been a big conversation I've had with institutional house counsels when building our forms. "If I were a manager, would I let my artist sign this?" If not, I can't send it out. (And some aspects, as part of a much larger bureaucracy, I don't win every battle.)
- **Sophie Myrtil-McCourty:** Yes, Aaron!!!
- **Daniel Roumain:** THIS was a class.
- **Jessica Marino Mitcham:** *claps*
- **Shane Fernando:** Thank you, Krista and the incredible panel for this wonderful hour!
- **Ichun Yeh:** Yes Aaron
- **Loribeth Gregory-Beck:** Thank you!
- **Achinta McDaniel:** Gratitude, vitamin G thank you all
- **Laurie Sefton:** Yes Aaron!
- **Amy Lam:** Behind every contract is real people's livelihood!
- **Sophie Myrtil-McCourty:** Woww!! Aaron, thank you!!
- **Sandra Garner:** Yes, yes, yes!
- **Vernon Scott:** Well stated Aaron!
- **Rachel Cohen:** Bravo Aaron!



- **Walter Jaffe:** Sandy's point is so important. We do need to be equitable in our agreements, yet the financial challenges for all of us--presenters, agents, managers, artists-- is equally challenging. Very good conversation.
- **Joseph Copley:** Thank you Aaron!
- **Scott Stoner:** Important Timely Onward!
- **Gillian Jones:** This has been a hugely valuable panel, and conversation -- thank you all for your leadership!
- **Ken Waldman:** Thank you all so much for a long-needed discussion.
- **Laurie Sefton:** Yes Andre
- **Rosa Navarrete:** YES ANDRE
- **Emily Johnson:** Thank you, everyone. Gives me hope!!
- **Alison Loerke:** honest and important conversation, thank you Christopher and all panelists, and APAP for convening....
- **Kyoko Yoshida:** Really important effort, led and presented by great minds! We will be reaching out to engage!
- **Achinta McDaniel:** @Walter Jaffe equally?
- **Javier Stell-Fresquez:** institutions are made of people... When we think the machines/systems we create are people themselves things get increasingly dehumanized
- **Michael Alexander:** @Krista Bradley how do we save this chat?
- **Karla Brom:** yes please!
- **Laurie Sefton:** Thank you so much all!
- **K. Bradford:** Thank you for the big-hearted long-view big picture strategy and leadership!
- **Lila Hurwitz:** Thanks to all you humans for a fantastic conversation!
- **Jena Woodbury:** Great conversation. Thank you.
- **Beatrice Thomas:** @Jason Hodges I think it is a strategic question that we could develop strategies for if we had a forum like this to generate from our BRILLIANT community on the chat.
- **Margaret Lawrence:** Thank you panelists and APAP for bringing this timely discussion to the fore.
- **Kyoko Yoshida:** Really important efforts, led and presented by great minds! We will be reaching out to engage!
- **Caitlin Strokosch:** Amazing and human, y'all. Thank you so much!
- **Vanessa Sanchez:** Great panel. Thank you!!
- **Kyle Maude:** thank you for this!!
- **Karen Fischer:** An incredible, thoughtful panel. Thank you for all your work informing these changes in our field.
- **Daniel Roumain:** Love love LOVE
- **Colleen Jennings-Roggensack:** Thank you
- **Yvonne Montoya:** Thank you!!
- **Sophie Myrtil-McCourt:** Amazing panel, thank youuuuu!
- **Achinta McDaniel:** LOVE



- **Caroline Neyman:** Thank you!
- **Richard Bryant:** Engage in these conversations.
- **Chris Lorway:** Thanks everyone for all of this great work
- **Bobby Asher:** Thanks to all!
- **Gail Boyd:** I want to join in this work. (email address)
- **Bridgid Bergin:** Thank you!
- **K. Bradford:** Slow is accessibility, thank you for speaking to slow!
- **Adrienne Petrillo:** Thanks for the conversation.
- **Jeffrey Rebudal:** <applause>
- **Kristen Brogdon:** THANK YOU
- **Dana Kassel:** Thank you
- **Jessica Marino Mitcham:** Thank you!
- **Deirdre Valente:** count me in.
- **Rosa Navarrete:** Rosa Navarrete (email address)
- **Donna Salgado:** Thank you!!
- **Elizabeth Duffell:** great conversation, thank you all!
- **Megan Pagado Wells:** Thank you!
- **Brandon Gryde:** Thank you Christopher and team!
- **Manuel Prestamo:** Thank you very much....
- **Karen Kitchen:** Thank you!
- **Theresa Remick:** Thank you all for a wonderful discussion!
- **Patti Liberatore:** So good, thank you so much for all your work. It's very important!
- **Rachel Cohen:** THANK YOU ALL1
- **Wendy Rein:** Thank you Christopher and panelists!
- **Michael Orlove:** Incredibly thoughtful conversation--thank you all!
- **Emily Johnson:** Good job, Christopher!!!!
- **Kathleen Pletcher:** Amazing job, all!
- ******Email addresses have been scrubbed from this document. Please use the Membership Directory or Attendee Lists to contact participants.******
- **Kyle Maude:** interested: (email address)
- **Jodi Kaplan:** Jodi Kaplan www.BookingDance.com | www.VitaMASKa.com
- **Olga Levina:** Olga Levina / (email address) Love to be apart
- **Kathryn Maguet:** Merci all!
- **Margaret Lawrence:** @Michael the chat will be visible when you go back to re watch this event.
- **Bill Bragin:** Terrific conversation, thanks!
- **Achinta McDaniel:** achinta s. mcdaniel
- **Linsey Bostwick:** so good
- **Gail Boyd:** I want to join in this work. (email address)
- **Laurie Sefton:** Applause!!
- **Suzanne Callahan:** Please include me in the conversation. (email address)



- **Lynn Fisher:** Thank you, all!
- **Bill Bragin:** Terrific conversation, thanks!
- **Danielle Dybiec:** Thank you! (email address)
- **Shelley Quiala:** Thank you! Please include (email address)
- **Sara Juli:** (email address)
- **Rosa Navarrete:** Thank you!
- **Martin Wollesen:** Curiosity, kindness and compassion will drive us forward
- **Colleen Furukawa:** Thank you all!
- **Phyllis Rush:** I want to join in the work (email address)
- **Suzanne Callahan:** Please include me in the conversation. (email address)
- **Llysa Holland:** wow - thank you
- **Bridgid Bergin:** (email address)
- **Lauren Jelencovich:** this was wonderful!
- **Sabrina Hamilton:** Thank you so much!
- **Nola Mariano:** Nola Mariano interested in this conversation and a work
- **Amy Miller:** Absolutely fruitful. Thank you all for your wisdom and leadership!!
- **Llysa Holland:** wow - thank you
- **Jessica Marino Mitcham:** (email address) I would like to join this work, thank you!
- **Todd Wetzel:** yes, include me // Todd Wetzel
- **Indira Goodwine:** Thank you all for what was offered via the panel and in the chat!
- **Gillian Jones:** Interested in joining this work - (email address)
- **Robin Schatell:** thank you (email address)
- **Jessica Marino Mitcham:** (email address) I would like to join this work, thank you!
- **Aisha Ahmad-Post:** (email address)
- **Nicki Clarke:** Thank you. I would welcome participation in this topic
- **Allison West:** (email address)
- **Beatrice Thomas:** I am in love with this panel!!! Such brilliance!
- **Jean Cook:** (email address)
- **Brooke Horejsi:** (email address)
- **Allen Moon:** Thanks all! Honored and inspired to be a part of this field.
- **Theresa Yvonne:** Theresa Yvonne (email address)
- **Laurie Sefton:** Please include me in the conversation. (email address)
- **Felice Lesser:** (email address)
- **Achinta McDaniel:** (email address)
- **Olga Levina:** Thank you so much
- **Dawn Robinson-Patrick:** Amazing! (email address)
- **Sabrina Hamilton:** kofest.com
- **Beatrice Thomas:** I am in love with this panel!!! Such brilliance!
- **Christine Jowers:** One of the most informative and engaging panels.
- **Aimee Petrin:** Thank you, and I would like to support and join this work.



- **Todd Wetzel:** yes, include me // Todd Wetzel
- **Steven Schmidt:** (email address)
- **Renee Bodie:** Question - Renee Bodie, Soka Performing Arts Center- I would love to be a part of this.
- **Allison Bergman:** such great conversation
- **Lynn Fisher:** (email address)
- **Katy Myers:** Thank you APAP and everyone on the panel!
- **Amy Davidman:** I would love to be included - Amy Davidman (email address)
- **Aileen Rohwer:** Aileen Rohwer (email address)
- **Sharon Moore:** This was amazing. Thank you all!
- **Margaret Lawrence:** Krista, OUTSTANDING JOB with the conference this year! You are a treasure!
- **Jean Cook:** Jean Cook (email address)
- **Therese LaGamma:** Thank you for a great conference!
- **Daniel Roumain:** APAP does it again!
- **Michael Armintrout:** This was a great discussion. I'm all in to be included.
- **Katy Myers:** Katy Myers
- (email address)
- **Miwa Kaneko:** Thank you for the amazing panel! (email address)
- **Laura Karlin:** Laura: (email address)
- **brooke smiley:** Wow. Brilliant! Gratitude to All speakers for sharing your wisdom and heart, for being enriching and inclusive.
- **Todd Wetzel:** (email address)
- **Steven Schmidt:** (email address)
- **Timothy Wilson:** Well done Krista!!!
- **Manuel Prestamo:** Interested: (email address)
- **Katia Nilo Fernández:** include me ;) (email address)
- **Michael Orlove:** michael orlove (email address)
- **Michael Armintrout:** (email address)
- **Courtney Ozaki:** Courtney Ozaki, (email address)
- **Nicki Clarke:** Very Grateful for the sessions at the conference. Well done.
- **Therese LaGamma:** (email address)
- **Lila Hurwitz:** Lila Hurwitz / www.DoolittleandBird.com / (email address)
- **Sabrina Hamilton:** Wonderful session. Please keep me in this conversation: (email address)
- **Joseph Copley:** APAP for the win! Thank you for everything.
- **Jennifer Calienes:** fabulous!
- **brooke smiley:** (email address)
- **Samantha Pollack:** Thank YOU, Krista & APAP!
- **Lila Hurwitz:** Lila Hurwitz / www.DoolittleandBird.com /(email address)
- **K. Bradford:** k.bradford@invertigodance.org; Interested in joining the network, thank you!



- **Beatrice Thomas:** (email address)
- **John Castonia:** (email address)
- **Manuel Prestamo:** (email address)
- **Amy Miller:** (email address)
- **Sandra Garner:** Sandra Garner: info@linguafrancaarts.com - please keep me in this conversation!
- **Dave Pier:** Interested in join conversation. Dave.Pier (email address)
- **Samantha Pollack:** Thank YOU, Krista & APAP!
- **Hollis Ashby:** Excellent and productive discussion. Thank you.
- **Beth Morrison:** (email address)
- **Aimee Petrin:** again with name?!?!? Aimee Petrin ampetrin@portlandovations.org I want to support and join.
- **Donna Salgado:** (email address)
- **Liza Wade Green:** Thank you all! Would love to keep the conversation going: (email address)
- **Beatrice Thomas:** Question - OUT-F'ING-STANDING
- **Roderick Murray:** (email address)
- **Megan Pagado Wells:** (email address)
- **Leah Keith:** (email address)
- **Anna Cross:** Would love to stay engaged with this! (email address)
- **Lila Hurwitz:** Lila Hurwitz / www.DoolittleandBird.com / (email address)
- **Marcelo Avilés:** (email address)
- **Brenda Wong Aoki:** Please keep us informed First Voice (email address)
- **Wendy Rein:** Would love to keep the conversation going! (email address)
- **Lila Hurwitz:** Lila Hurwitz / www.DoolittleandBird.com /(email address)
- **Edward Schoelwer:** Thank you.
- **Cathy Pruzan:** please check into the Dance USA website soon for updates around the document
- **Christine Jowers:** thank you everyone for your diligence and care..
- **Beatrice Thomas:** Holy crap that was good.
- **Michelle Taylor:** Thank you! Great panel!
- **Janet Herman Barlow:** Because there are so many College and University presenter members who have to deal with the uphill battle of dealing with college administration as well as state rules and laws, it feels as if some of those upper administration and state legal experts need to be a part of the contract language change discussion at least. Same thing for municipal presenters. We will need their help and buy-in to affect changes for these types of documents. In most cases, the presenters can't even sign their artist contracts. It seems as if the table may need to have more seats at it.
- **Miwa Kaneko:** Thank you for the amazing panel! (email address)
- **Anne Biberman:** Thank you. Very interested in following
- **Lara Marsh:** Lara Marsh (email address) I want to be part of this conversation!
- **Colleen Jennings-Roggensack:** Bravo APAP



- **Margaret Lawrence:** Hooray for the APAP Team--each and every one of you is marvelous.
- **Sabrina Hamilton:** Thank you APAP team!
- **Francine Sheffield:** 🍪🍪🍪 Go APAP Family!
- **PennyMaria Jackson:** Thank you, all,
- **Cathy Barbash:** Stay foolish-where is your Donald Duck voice, lol?
- **Gail Boyd:** "Going Home" lovely.
- **Gail Boyd:** APAP you outdid yourselves.
- **Lynn Fisher:** Wonderful conference! Thanks to all and for all the work to make it happen!
- **Amanda Cooper:** (email address)