Moravian Music Festival update

Festival packets were mailed to everyone on our mailing list in November. If you didn't receive yours, please let us know, and we'll gladly send you another one! Registrations are flowing into our office, and we'd love to see YOURS soon!

It's a great problem to have ... too much newly-edited choral music for a single choral concert! We've made an adjustment in the concert schedule ... the Easter Cantata by Ernst Wilhelm Wolf (1735-1792) will have its very own evening, now, performed in its entirety on the Wednesday evening of Festival week, July 17. The Friday night choral concert will feature Moravian hymns, anthems, and instrumental music.

What did we "lose" by doing this? The Moravian Anthem Sing will now be held on Thursday morning rather than Wednesday evening. What do we gain? Time for a pre-concert lecture about the Wolf Easter Cantata, so you'll understand the musical and theological depth of what you're singing and listening to!

And we recently discovered, thanks to the wonderful research work of Dr. Tom Gordon, that movements of the Wolf cantata are still part of the repertoire of Moravians in Labrador!

(More Festival updates, page 2)

In This Issue...

Moravian Musical Events

You won't want to miss the variety of Moravian musical events coming up this spring, including these ...



The Unitas Chorale began rehearsals in January for their April 28 concert. Those of you in the Lehigh Valley area and driving-distances around, if you're reading this and wistfully wondering why you didn't already join, *please* call or email director Gwyn Michel (gwyn@moravianmusic.org, 610-866-3340) to see if you can still jump in and learn the music!



The Moramus Chorale is rehearsing for two concerts this spring: the Mathias Moravian concert, with the Salem College Chorale, on April 21 at the Salem Fine Arts Center. Moramus' second concert will be May 19 at Salemtowne Retirement Community. Winston-Salem and driving-distance folks, contact director Jayson Snipes if you'd like to join (jasnipes@mac.com).



The Rev. Dr. George L. Lloyd Memorial Concert will be held on Sunday, May 5, at 3:30 p.m. at United Moravian Church in New York City. The concert features bass Arthur Woodley, acclaimed for both his opera and concert performances. This 10th annual concert is part of United Moravian Church's 40th anniversary celebration. Watch for more information as the concert approaches – but get it on your calendar now!

Music Festival updates, continued from page 1

Scholarships In the Festival packet you received in the mail, you found information about the Kapp Scholarship for Young Adults. Since that mailing, however, we've received a gift to sponsor an additional scholarship, in memory of the Rev. Richard E. Michel. Like the Kapp Scholarship, the Michel Scholarship will cover the tuition, room, and board and assist with some travel costs of one first-time participant in a Moravian Music Festival from 18 through 25 years of age at the time of the Festival.

The Kapp Scholarship gives preference to applicants with a strong connection to the Raleigh Moravian Church (member or former member; child or grandchild of member, etc.) The Michel Scholarship gives preference to applicants with a similarly strong connection to the Moravian Church in Ohio.

Moravian Music Foundation staff members will select and notify the recipients of both scholarship. If no qualified candidate meets the stated preferences, then Foundation staff may choose any applicant who meets the age and first-time participant requirements.

Applications are still being received for both awards; you can download the application forms from the Festival website: http://www.moravianmusicfestival.org/registration-brochure-and-forms/. Or you can contact our office and we'll send them to you!

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Rev. Nola Reed Knouse, Ph. D. Director Gwyneth A. Michel Assistant Director Margaret Brady Office Manager Epiphany lovefeast, at St. George's Chapel (founded 1719), Harbison, Delaware, January 6, 2013, organized by former MMF board member Alex Helsabeck





Copyright Information

The document that follows on the next four pages has been adopted by the Northern and Southern Provincial Elders' Conferences. Please take the time to read and understand these guidelines, as following them not only is the right thing to do, but also could save your congregation and the Moravian Church from potentially very expensive legal actions!

Guidelines for Congregations and Agencies of the Moravian Church in America For the Use of Copyrighted Materials

Adopted by the Provincial Elders Conferences, Northern and Southern Provinces, December 2012

- 1. Moravian Church policy on the use of copyrighted materials
- 2. What is copyright?
- 3. What is "fair use"?
- 4. Videos, software, and the internet
- 5. Obtaining permission to use a copyrighted work
- 6. Copyright licenses
- 7. Other resources

1. Moravian Church Policy on the Use of Copyrighted Materials

Each person, congregation, board, and agency of the Moravian Church has a clear responsibility to adhere to the laws of our land. "We will be subject to the civil authorities as the powers ordained of God, in accordance with the admonitions of Scripture (Rom. 13:1) (I Peter 2:13-14) and will in nowise evade the taxes and other obligations which are lawfully required of us (Rom. 13:7)." (*Moravian Covenant for Christian Living*, section IV, "The Witness of a Christian Citizen", paragraph A, "Recognition of Civil Authority"). The Ten Commandants also declare, "Thou shalt not steal." (Ex. 20:15; Deut. 5:19)

The copyright laws of the United States and Canada protect musical compositions, written prayers, sermons, poems, hymn and song lyrics, liturgies, videos, web sites, and software. Our commitment to Christ calls us to respect the rights of others as well as the law of the land. Each Moravian congregation, board, and agency should ensure compliance with the following policies:

- a. Hymn and song texts and music, prayers, liturgies, and other worship materials shall not be copied, printed, posted on web sites, or projected without the copyright permissions and citations required by law.
- b. All worship materials in the public domain may be used, but careful investigation will first be made before any materials are considered to be in the public domain. If clear evidence of public domain status cannot be found, the materials will be treated as subject to copyright protection.
- c. Unauthorized photocopies, including choir music, will not be used. Warnings shall be posted at copy machines.
- d. Videos shall not be shown in our churches or other public places without the proper licenses.
- e. Text, videos, or pictures found on web sites shall not be copied, displayed, projected, or printed without permission.
- f. Computer software shall be used only in compliance with the license purchased. If the software is licensed for use on one computer, it shall be used on one computer only.
- g. It is the responsibility of each individual to comply with these guidelines and with the U.S. and Canadian Copyright laws. No one shall instruct another person to act in contradiction to these policies, and each employee or volunteer shall have the right and responsibility to refuse to act in contradiction to these policies or to the law as he/she understands it.

2. What Is Copyright?

Canadian copyright law is very similar to U.S. law. Please refer to the website referenced at the end of this document for specific references. Hereafter, when this document references U.S. Copyright Law, the reader should assume that Canadian Copyright Law also applies. The Copyright Act declares that "copyright" in an original work belongs to the creator of the work – whether the work is a visual creation, musical composition, arrangement or accompaniment of a piece of music, words to a hymn or sermon, video, web site, piece of software or other protected work. The creator of the work is the first owner of the copyright and may transfer that all or part of that ownership to others by assignment of licensing. The owner of a copyright holds five rights exclusively: the rights

- to reproduce the work
- to adapt the work
- to distribute the work or sell it
- to display it publicly
- to perform the work for the public

This means that anyone other than the creator (or the person or company to whom the creator has assigned or licensed the copyright) who wants to make copies of something, adapt it, sell it, display it, or perform it, has to have permission. Copyright includes such things as photocopies, printing the text in a bulletin, projecting it on a screen, including it on a CD or cassette for distribution to members or friends – anything other than its use in its original format in a "live" situation.

Years ago, the U. S. Copyright Act required a copyright notice to appear on all copies of published copyrighted works, plainly identifying the copyright's owner and the year the copyrighted material was created. Fortunately, many creators of copyrighted material continue to use copyright notices. However, since 1989 the U. S. Copyright Act has not required this notice in order for the material's creator to claim copyright protection of the material. As a result, the absence of a copyright notice does not mean the material is not copyrighted, and does not give you a right to use it freely. You must still determine the material's copyright status.

3. What is Fair Use?

You've heard of the concept of "Fair Use". This is based on a section of the U. S. Copyright Act and means generally that in very limited circumstances, one or more of the exclusive rights of a copyrighter owner can be exercised by someone other than the owner. The Copyright Act lists four factors that can be considered to determine whether something constitutes fair use: the purpose and character of the use, the nature of the copyrighted work, the amount of the work to be used, and the effect of the use on the potential market for it. However, these are not the only factors a court might consider, and in a particular case one factor might be deemed more important than the others. This means that you must treat the "fair use" concept with caution.

For example, although copying something for criticism or teaching on a one-time basis is sometimes considered fair use, most often copying for congregational use is outside the fair use limits. In addition, there is no "bright line" that tells you when your use is "fair use'. There is sometimes a misconception that "use of no more than ten percent of a copyrighted material is 'fair use'." However, that is not an accurate statement of the law; there is no such bright line.

4. Videos, Software, and the Internet

Purchasing or renting a video does not give the right to show it anywhere other than for your personal use, and generally only in your own home. That means generally that any other use would require permission from the owner of the copyright in the video; as a specific example, you need a license in order to show videos to your youth group!

Computer software is generally protected by Federal copyrights and licensing agreements. While some creators of software expressly allow use of the software by others, this is an exception, not the general rule.

Generally, software is accompanied by licensing information that states express restrictions on copying the software and on the number of computers on which it can legally be loaded and used. To load and use software on more systems than the license confers is a violation of U. S. copyright law and a kind of theft. (See Exodus 20:15) Read the license agreements carefully and do not try to cut corners by buying one copy and using it on another person's computer.

Materials on the internet are notoriously easy to copy: It is easy to download a file from a Web page — a posted graphic, original material, or even music files. However, copyright laws presently apply to anything that is posted on the Web, whether it carries a copyright notice or not. You should not presume that any material you find on the Web is free for the taking and for unrestricted use. Make sure that if you decide to use something you have found in cyberspace, you are as diligent about determining the material's copyright status as you would be if the material was found in a book or hymnal.

5. Obtaining Permission to Use a Copyrighted Work

Obtaining permission should not be difficult if you plan ahead. Don't wait until the last minute! Most often, obtaining permission requires making a written request or phone call (followed up by a confirming written communication, such as an e-mail) to the copyright owner with this information:

- What do you want to use?
- How and when will you use it? (one-time bulletin, permanent publication, recording; date of use and the type of event concert or worship service)
- How many copies do you plan to make?
- Do you plan to sell or lease any copies?
- What is the organization and contact person, with address, telephone and email?

After you have made a request, you will receive a written response indicating that you have the permission, or if permission is not granted, a reason why you may not use the work. There may be a fee to reproduce the work. The fee is usually based on the way you plan to use the work. The permission procedure is the same whether you want to use a hymn, a part of a liturgy, the text of a poem, a photograph, a work of art, an article from a book or a magazine, or a graphic you have found on the Internet. You will usually also receive a copyright permission line that you will be expected to print with the copied text, in a program or bulletin, or elsewhere.

Song books and hymnals provide copyright information either on the page of each hymn or in an acknowledgments section usually located at the back of the book. Contact information for copyright holders and administrators may also be included in the book. If no copyright is listed for the hymn, it may be in the public domain and, if it is, may be reprinted without additional permission. However, if the hymn was written after 1922, it's a very good idea to check with the Moravian Music Foundation or Interprovincial Board of Communication to be certain before you print the hymn.

Separate copyrights can be applied to the hymn tune, musical arrangement, text, or translation. In other words, each of those types of copyrightable works may be created separately and be subject to a different claim of copyright.

If you don't think you have time to apply for copyright permission, then don't use the copyrighted work. Choose something that is already in the public domain. In cases where a piece of music is out of print, permission must still be sought before making copies. A publisher may grant permission to make photocopies, but these should so indicate on the copy. All unauthorized photocopies should not be used.

6. Copyright Licenses

A copyright license enables a congregation to reproduce hymns, liturgies, or songs from specific copyright holders without having to request or pay for permission each time you reproduce them. Some licensing agencies also provide broad licenses covering the use of numerous copyrighted materials, and some of these agencies (such as those examples listed below) focus on church and worship-related

materials. Obtaining a license can save time and money if the congregation regularly reproduces congregational songs in worship folders or other media. Some licenses also grant permission to make audio recordings of hymns and songs that occur in worship.

However, licenses are not blanket permissions to reproduce whatever you wish at any time. Remember that each licensing agency generally holds the licensing rights for only a specific collection of copyrighted works, not all copyrighted works, and therefore that agency may not be able to give you a blanket license covering all copyrighted materials you wish to use. A license for use of copyrighted material should be in writing, as a precaution against

misunderstanding the scope of the license, and you must carefully review copyright licenses and understand the limitations of each one. Licenses may have reporting responsibilities to ensure that congregations remain within the parameters of the license and to determine compensation for composers and writers. If a congregation is to make good use of a license, they need to read the agreements carefully and consider what they really need and want to copy or use. The most widely used licensing agencies are these:

- Christian Copyright License International -- http://www.ccli.com
- OneLicense.net -- http://onelicense.net/
- LicenSing -- https://www.licensingonline.org/en-us
- Christian Video Licensing International http://www.clvi.com

7. Additional Resources for Copyright Information

Much of the information in this document comes from the Evangelical Lutheran Church in America and is used with permission:

http://www.elca.org/Growing-In-Faith/Worship/Learning-Center/Copyrights-and-Permissions.aspx

Other good resources include the following web sites ...

From the United Church of Christ:

http://www.ucc.org/music-arts/copyright-and-the-church.html

From the Presbyterian Church (USA):

http://www.presbyterianmission.org/copyright/

An important resource needed in both provincial offices and MMF offices:

http://store.churchlawtodaystore.com/esgutocolawf.html

A download that looks very interesting and helpful http://store.churchlawtodaystore.com/whchlenetokn1.ht ml

U.S. Copyright Office

http://www.copyright.gov/

From ASCAP:

http://www.ascap.com

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http://www/bmi.com

From SESAC:

http://www.sesac.com

Canadian Copyright Office

http://publications.gc.ca/site/eng/ccl/aboutCopyright.ht ml



Moravian Band at Great Kills Moravian Church, Staten Island: A work team from Winston-Salem traveling to Staten Island to help with cleanup from superstorm Sandy took not only tools, but instruments.

Front row: Pastor Maggie Wellert, Joey Transou, Walter Brothers, Anthony Ruocco, Karl Stimpson;

Back row, Steve Green, Tony Hicks

Volunteers to the Moravian Music Foundation in 2012

We have made every effort to ensure accurate and complete information in the following lists of volunteers and donors. Please do let us know if we have inadvertently omitted someone, spelled your name incorrectly, or otherwise missed the mark. Thank you!

Volunteers to MMF serve as *board members*, as *office assistants*, as *hosts and hostesses for events*, as *performers*, as *cooks and caterers*, as *library assistants*, as *researchers*, as *typists for programs* ... you get the idea! If you'd like to share your time and abilities with us (whatever they may be), please contact either office, and we'll find a "home" for you!

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Gifts to the Moravian Music Foundation may be designated for a specific project that interests you. Undesignated gifts are placed where most needed - in our annual operating fund and <u>all</u> gifts to the Moravian Music Foundation are tax-deductible. Many corporations will match gifts given to the Moravian Music Foundation, a 501(c)(3) nonprofit corporation – don't miss this chance to double your gift!

> In order to meet our budget we must count on the whole range of giving that is possible based on the various financial capacities of those who share our goals and mission. We are deeply appreciative of every gift, no matter the size; all of our donors are dear to our hearts! Thank you for sharing in our mission!

We received a number of gifts in January of 2013 that may have been intended for our 2012 Annual Fund. However, these gifts were postmarked after December 31, 2012, and will be included in the 2013 campaign.

Thank you very much!

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Moravian Music Calendar

Updated January 2013

Please let us know about your Moravian music-related event – concert, workshop, reading session, seminar, special celebration, commission, dedication, etc. – and we'll include it on the calendar in this *Newsletter* and on our web site! Send us your e-mail address for monthly updates, and check the web site – www.moravianmusic.org – for frequent updates!

February 1	Chamber Music in the Chapel, 7:30 p.m., Old Chapel, Central Moravian Church, Bethlehem, PA. Violinists Mary Ogletree and Rebecca Brown, cellist Debbie Davis, harpsichordist Rebecca Owens; music of the Baroque period. <i>Suggested donation</i> \$10.	April 11	Lunchtime Lecture, 12:15 p.m., Archie K. Davis Center, Winston-Salem, NC. "Winston-Salem: Centennial of a Merger." Richard Starbuck, lecturer. Free; bring your lunch if you like!	
		April 21	Moramus Chorale and Salem College Chorale, in the Mathias Moravian Concert, Salem College	
February 14	Lunchtime Lecture, 12:15 p.m., Archie K. Davis Center, Winston-Salem, NC. "The Oochgelogy Mission to the Cherokee." C. Daniel Crews, lecturer. Free; bring your lunch if you like!		Fine Arts Center, 4:00 p.m. Featuring Handel's <i>Te Deum</i> and Moravian anthems.	
		April 28	Unitas Chorale concert, 4:00 p.m., location TBD	
February 22-24 Moravian Music on the Mountain: a Moravian music weekend at Laurel Ridge Moravian Camp and Conference Center, Laurel Springs, NC. Opportunities for band, choir, and listeners.		May 5	Rev. Dr. George L. Lloyd Memorial Concert, 3:30 p.m., United Moravian Church, New York. Part of the United congregation's 40 th Anniversary celebration.	
	Contact Laurel Ridge336-359-2951; laurel_ridge @skybest.com; <u>www.laurelridge.org</u>	May 9	Lunchtime Lecture , 12:15 p.m., Archie K. Davis Center, Winston-Salem, NC. "The Day	
March 3	A Spring Organ Concert, Rebecca Owens, organist. 3:00 p.m. Come spend an enjoyable afternoon listening to favorite organ classics as well as imaginative and festive hymn arrangements on the King of the Instruments. Suggested donation \$10.		Zinzendorf Died." C. Daniel Crews and Nola Reed Knouse, lecturers. Free; bring your lunch if you like!	
		May 17-20	Unity Brass Band Festival , Bad Boll, Germany. Contact Br. Michael Salewski, <u>salewski@ebu.de</u> for more information.	
March 14	Lunchtime Lecture , 12:15 p.m., Archie K. Davis Center, Winston-Salem, NC. "Music of the Van Vleck Sisters." Nola Reed Knouse, lecturer. Free.	May 19	Moramus Chorale concert 3:00 p.m. Jayson Snipes, conductor; Raymond Ebert, organist. Salemtowne Retirement Community, Winston- Salem, NC. Free.	
		July 14-20	The $24^{\rm th}$ Moravian Music Festival, Bethlehem, PA	

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- Scholarships to the Moravian Music Festival for Young Adults (age 18-25) – p. 2
- Copyright policy for Moravian churches and agencies p. 3
- Calendar of Moravian musical events p. 15
- Thank you for all our generous donors in 2012! p. 8

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We have them! And when you make a donation to MMF or make a purchase, we'll gladly email you the ring tone of your choice! You can choose from these ... Worship (159A); Christian Hearts in Love United (167 A); Church, Rejoice (225 A); Join We All with One Accord (Gaudeamus pariter); Ye Who Called (56 A); Jesus Makes My Heart Rejoice (82 D); Hosanna (Gregor); Creation Hymn (Beethoven); Glory to God in the Highest (Gregor); Sing Hallelujah, Praise the Lord (159 D); Morning Star (Hagen); Sing O Ye Heavens (Peter); Covenant (185 A); Ten Thousand Times Ten Thousand (Eastham). We'll email you the file, but it's up to you to figure out how to get it to your phone – we can't provide that tech support! These are a real 'conversation starter' and are sure to make you smile when your phone rings!

