

## Official Rules

### “89.9 WDAV’s” Young Chamber Musicians Competition Powered by OrthoCarolina

"89.9 WDAV’s" Young Chamber Musicians Competition (the “Competition”) is an open call for chamber music ensembles comprised of young musicians to submit two classical music performances for judging by a panel comprised of experts. The Competition was created and is being run by Davidson College (“Davidson”) and its radio station WDAV (“WDAV”) with sponsorship by OrthoCarolina (“OrthoCarolina”).

The competition will take place from December 2016 to April 2017 and will be split into two distinct periods:

**Preliminary Round:** Review and judging of the video submissions shall be conducted entirely by a professional screening panel which will choose the two (2) best entries in each age category as finalists.

Submission Period: December 14<sup>th</sup>, 2016 – March 6<sup>th</sup>, 2017

Submissions Reviewed: March 7<sup>th</sup> – March 31<sup>st</sup>, 2017

Finalists Announced: April 1<sup>st</sup>, 2017

**Final Round:** Finalists will be invited to perform in front of a live audience at Davidson College’s Duke Family Performance Hall over the weekend of April 22<sup>nd</sup> – April 23<sup>rd</sup>, 2017. The Final Round of the Young Chamber Musicians Competition will be broadcast live on 89.9 WDAV – Classical Public Radio.

#### 1. **How to Participate:**

There is no charge to enter the competition.

All entries must be submitted via [YCMC.WDAV.org](http://YCMC.WDAV.org) between 12:00:00 AM, Eastern Daylight Time, on December 14<sup>th</sup>, 2016 and 11:59:59 PM, Eastern Daylight Time, on March 6<sup>th</sup>, 2017.

Each entry must designate a single contact person for purposes of notifying the entrant ensemble for any purpose, including but not limited to the fact that it has been selected as a finalist or winner. This individual is deemed to have the permission of the others in his or her ensemble to submit the entry on their behalf and for the prize to be divided equally among only those listed by entrant. This individual must have permission from all individuals that appear in the submission to use their names and likenesses in the submission and to grant the rights set forth herein. If requested by Davidson/WDAV, entrant must be able to provide such permissions in a form acceptable to Davidson/WDAV.

Entrants must select the proper age group according to the age of the oldest member in the ensemble as of April 23<sup>rd</sup>, 2017:

14-18 years old

19-25 years old

Entrants must submit two (2) separate classical music works of distinct styles and periods. Specifically, entrants cannot submit more than one work from each of the following periods:

1770 and earlier (Baroque and earlier)  
1770-1810 (Classical)  
1811-1900 (Romantic)  
1900-1950 (Modern)  
1950-present (Contemporary)

Both works must include performance of at least one full movement of the piece in question. They must be the same works the ensemble will perform if selected as a finalist to perform at a live concert in April 2017. The two works performed must be submitted as two separate videos. The filename of each submitted video must include the title of the work performed.

Questions regarding appropriate submission selections must be emailed to: [ycmc@wdav.org](mailto:ycmc@wdav.org) **BEFORE** submission with the subject line: "YCMC Repertoire Question." Davidson/WDAV will endeavor to respond to every question; however, you should not assume that silence in the face of a question is an indication that a proposed entry complies with the rules.

The camera angle of the video must be continuous; no editing of any kind is allowed.

There is no limit to the length of the works submitted. However, the judges are not obligated to view more than the first 5 minutes of each submission.

All ensembles chosen as finalists must submit the scores, each bearing the insignia of the publisher or copyright owners, for the pieces to be performed to Davidson/WDAV by 4/11/17.

## 2. **Eligibility:**

All entrants shall have reached their fourteenth (14th) birthday and shall not have reached their twenty-sixth (26<sup>th</sup>) birthday as of April 23<sup>rd</sup>, 2017. Entrants must be able to produce valid government identification or school identification or signed parental certification of age upon request.

An entrant will be disqualified and any prizes awarded will be forfeited if an entrant is found to be using an assumed name or alias or if the entrant is not yet fourteen (14) years of age or older than twenty-five (25) years of age.

If you have questions about the age requirement, contact [ycmc@wdav.org](mailto:ycmc@wdav.org) for an eligibility evaluation **BEFORE** submission with the subject line: "YCMC Eligibility Question." Davidson/WDAV will endeavor to respond to every question; however, you should not assume that silence in the face of a question is an indication that a proposed entrant is eligible. Determinations of any questions of eligibility are in the sole discretion of Davidson/WDAV and will be final.

3. **Ineligible Individuals and Ensembles:**

Violations of the following will lead to rejection of an entry and/or disqualification from eligibility for prizes and future participation.

With regard to individuals:

Persons who, on or after January 1<sup>st</sup>, 2016 were at any time an employee (including current interns), principal, officer, director, agent, or representative of Davidson College, WDAV, OrthoCarolina, or other YCMC sponsor, or are a family member of or living in the same household of those persons, are ineligible to participate in the Competition.

No individual can enter or compete as part of more than one ensemble. In the event that one individual enters or competes as part of more than one ensemble, all ensembles including that individual will be disqualified.

No professional musicians are allowed. For purposes of this competition, receipt of a modest stipend or honorarium for a single performance (i.e., a paid church musician or paid accompanist) does not make an individual a professional musician. A professional musician is an individual who:

Has signed with a record label;

Is represented under a talent contract with, including but not limited to a talent agent or manager;

Has a merchandising agreement; and

Has any contract or contractual relationship (including but not limited to guild or union memberships) which would:

Prevent Davidson College, WDAV, or OrthCarolina from using the Submission or otherwise conflict with the releases, licenses and/or permissions granted via these Official Rules or associated documents;

Prevent Davidson College, WDAV, or OrthoCarolina from using the submission worldwide in all media in perpetuity; and

Prevent the individual from otherwise participating in this Competition.

With regard to ensembles:

All entries must be the work of an instrumental ensemble consisting of at least two (2) but no more than eight (8) musicians;

All members of the ensemble must perform on both selected works;

Once the entry is submitted, changes in personnel are only allowed with the prior approval of WDAV/Davidson in its sole discretion.

With regard to instruments;

A configuration requiring multiple pianos is not allowed.

No electronic instruments are allowed;

With regard to content:

The submission must not contain material that violates or infringes another's rights, including but not limited intellectual property rights, or that constitutes copyright infringement, including copyrighted music. Davidson/WDAV urges all entrants to familiarize themselves with copyright law as it pertains to the public performance of music, at least to the point of understanding that performance of musical works you have not written yourself can create copyright infringement issues, raising the possibility that the ensemble could be disqualified and the further possibility of legal action by the copyright owner;

The submission must not contain material that is unlawful, in violation of or contrary to the laws or regulations in any jurisdiction where submission is created or will be published;

The submission must not contain material that is indecent, obscene, defamatory, slanderous or libelous;

The submission must not contain material that is inappropriate, with that determination resting in the sole discretion of Davidson/WDAV.

4. **Winner Selection:**

Judging will occur in two separate rounds using two panels of qualified judges. There may be overlap between the panel of judges used in the first round (the "screening panel") and that used in the second round (the "judging panel").

Preliminary Round:

The preliminary round of review and judging of the video submissions shall be conducted entirely by a screening panel consisting of experts which will review all submissions and will choose the two (2) best entries in each age group as finalists.

Final Round:

After confirmation of eligibility, Finalists will be invited to compete in an adjudicated round which will be held in the Duke Family Performance Hall on the campus of Davidson College over the weekend of April 22<sup>nd</sup> – April 23<sup>rd</sup>, 2017.

Finalists will be provided with shared hotel accommodations and ground transportation during the competition. Finalists are responsible for their own travel to and from Charlotte, NC. Finalists should plan to arrive in Charlotte no later than 11am on April 22<sup>nd</sup>, 2017. Each ensemble will be given equal time to rehearse in Duke Family Performance Hall on April 22<sup>nd</sup>. The adjudicated competition round will take place at 3pm on April 23<sup>rd</sup>, 2017.

The live performance is a requirement for finalists. Finalists who do not appear at the concert will forfeit their winnings and any titles.

The decision of the judges is final. Any protest in the conducting of the competition, the selection of the winners or the awarding of the prizes must be made immediately; the resolution of any protest shall be in the sole discretion of Will Keible, Director of Marketing and Corporate Support for radio station WDAV, whose decision shall be considered final.

Entries from Finalists and Winners will also be featured on WDAV and other Davidson College-controlled or related media and any other locations authorized by Davidson College, WDAV, and OrthoCarolina.

5. **Finalist and Winner Notification and Prize Claim:**

Finalists

Finalists will be notified via email to the account identified in the submission. Each member of a finalist ensemble must, within one week of being contacted by Davidson/WDAV:

Present his or her own positive, government or school-issued identification or parental certification of age at the time of claim

Complete and sign a WDAV-issued waiver, acknowledgment and release forms and

Complete and sign government-issued tax forms including, but not limited to, IRS Form W-9, if applicable.

These materials should be submitted to Will Keible at radio station WDAV via Email or first class mail or to the WDAV studio in person:

Physical Address:  
423 N. Main St.  
Davidson, NC 28036

Mailing Address:  
Box 8990  
Davidson, NC 28035

Phone: (877) 333-8990  
Email: [ycmc@wdav.org](mailto:ycmc@wdav.org)

The failure by any member of an ensemble to provide the required release and proof of identity will result in disqualification of the entire ensemble and replacement of that ensemble as a Finalist by the next highest scoring ensemble in that age group.

### Winners

Any prize awarded to a Finalist or Winner will be delivered only in equal shares to each member of the winning ensemble. In the event that a Finalist or Winner is a minor child who has not reached at least eighteen (18) years of age, these identification, signature and delivery requirements can be fulfilled by the presentation of the required identification and signing of the required forms by the Finalist's or Winner's parent or legal guardian. Acceptance of any prize shall constitute and signify the Finalist's or Winner's agreement and consent that Davidson, WDAV, and OrthoCarolina and its designees may use the Finalist's or Winner's name, city, state, likeness, photo, submission and/or prize information in connection with the Competition for promotional, advertising or other purposes, worldwide, in any and all media now known or hereafter devised, including the internet, without limitation and without further payment, notification, permission or other consideration, except where prohibited by law. Without limiting the generality of these Official Competition Rules, each Finalist or Winner shall irrevocably grant to Davidson, WDAV, and OrthoCarolina the non-exclusive license to use the submission as specified above.

## 6. Prizes:

Prizes will be allocated as follows among the selected Finalists:

### I. CASH

Senior Division, 19-25 years old

- First place \$4,000
- Second place \$2000

Junior Division, 14-18 years old

- First place \$2500
- Second place \$1500

### II. RECORDING SESSION

The First Place winner of the Senior Division receives the opportunity to record material of their choice in WDAV's professional recording studio, staffed with a sound engineer and producer. The recording session will take place over two consecutive days which are to be mutually agreed upon by the ensemble and WDAV. The recording studio and staff will be available between the hours of 9:00 AM EST and 7:00 PM EST on each day of the recording session. WDAV retains the right to use the resulting recordings, both raw and finished, for broadcast and streaming by WDAV and its partners. The ensemble retains rights to the resulting recordings. WDAV will deliver the raw and finished recordings to the ensemble in a digital format that is transferable. The studio recording session must be completed on or before April 1st, 2018.

Estimated Approximate Retail Value (ARV): \$2,500

### III. CONCERT

The First Place winner of the Senior Division will receive an invitation from Davidson College to perform a full concert in the 2017-2018 Davidson College Concert Series. The winning ensemble will receive a fee of \$2,000 for their performance, plus lodging accommodations provided by Davidson College. The ensemble and the Davidson College Concert Series will choose a date that is mutually agreeable to both parties. The ensemble must perform the concert in order to receive the \$2,000 payment and lodging.

Estimated Approximate Retail Value (ARV) of Performance Contract and Lodging:  
\$2,500

All Prizes must be accepted as awarded. Prizes are non-exchangeable and non-transferable. All costs of claiming the Prize must be borne by the Finalist or Winner.

- IV. **Technical Failures:** Davidson College, WDAV, and OrthoCarolina are not responsible for errors, problems or delays in switched, mobile or cellular telephone systems or on the Internet that may prevent entries from being submitted or Prizes from being claimed.
- V. **Participant Agreements:** By entering the competition, each entrant agrees to the rules established by the competition sponsors Davidson College, WDAV and OrthoCarolina.

By participating or attempting to participate in the Contest, each entrant grants Davidson, WDAV, and OrthoCarolina, their affiliates and assigns, permission to tweet, repost or otherwise reuse the submission and/or use his or her name, voice and/or likeness for promotional purposes in any medium of communications.

Submitting an entry constitutes the consent of entrant and the entire ensemble to give Davidson, WDAV, and OrthoCarolina, its sponsors and users a royalty-free, irrevocable, perpetual, non-exclusive license to use, reproduce, modify, publish, create derivative works from, and display such submissions in whole or in part, on a worldwide basis, and to incorporate it into other works, in any form, media or technology now known or later developed, including for promotional or marketing purposes. Entrant, if chosen as a Finalist or Winner, understands that

he or she will be required to sign a more extensive release of these rights. To the extent that this later release conflicts with this section of the rules, the rights granted to Davidson/WDAV in the later release shall be controlling.

The paragraph above specifically includes, but is not limited to the right to use, reproduce, modify, publish, create derivative works from, and display such submissions in whole or in part, on a worldwide basis, and to incorporate it into other works, in any form, media or technology now known or later developed, including for promotional or marketing purposes, the musical work being performed by the entrant. In granting this right, entrant declares that it has all required permissions, licenses or ownership of that musical work to allow it to both perform the work publicly and license the public performance of that work to others, including, specifically, Davidson, WDAV, and OrthoCarolina. Entrant understands that failure to obtain necessary permissions, licenses or ownership may result in: (1) disqualification from the Competition, (2) the possibility of legal action against the entrant by the copyright owner and (3) an obligation to indemnify Davidson, WDAV, and/or OrthoCarolina should one or more of these parties be subjected to legal action by a copyright owner.

Entrants accept and acknowledge that Davidson/WDAV shall not be obligated to use any performance and Davidson/WDAV in its sole discretion shall have the right to refrain from using the performance. Davidson/WDAV shall not incur any liability to the extent Davidson chooses to refrain from exercising any of its rights hereunder. Entrants will indemnify Davidson, WDAV, and OrthoCarolina, and any licensee of Davidson, WDAV, and OrthoCarolina, against all claims, damages, liabilities, and expenses (including reasonable attorney fees and legal expenses) arising out of any breach of these terms.

Entrant acknowledges that entries submitted may be searchable by online internet search engines and other devices and viewable by the public.

VI. **Release and Waiver**: In exchange for the right to participate in the Competition, each participant agrees to release and indemnify Davidson, WDAV, OrthoCarolina, and their officers, directors, agents, representatives, parent companies, subsidiaries, assigns, employees and investors from any and all claims, demands and/or causes of action of any nature or kind whatsoever, whether presently known or unknown, foreseen or unforeseen, that arise out of the participation in the Competition, including but not limited to copyright infringement based on the public performance of copyrighted musical works without the permission of the copyright owner. Davidson, WDAV, and OrthoCarolina are not responsible for any incorrect or inaccurate information, whether caused by the material, equipment or programming associated with or utilized in the competition and assumes no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft or destruction or unauthorized access to a phone line used in conjunction with a Competition.

Finalist and Winners should expect that they will be required to sign a separate Waiver, Acknowledgment and Release upon collection of a Prize.



- VII. **Choice of Law:** The laws of the state of North Carolina shall govern the Competition. This explicit choice of North Carolina law is made without regard to North Carolina rules governing conflicts of law.
- VIII. **Severability:** Should any of the Competition rules, or any part of those rules, as herein stated, become unenforceable either by operation of law or by order of a court or other tribunal with competent jurisdiction, all other terms and conditions shall remain in full force.
- IX. **Printed Rules and Winners Lists:** To obtain a printed complete set of rules or a list of “YCMC” winners, send a letter request and a stamped self-addressed envelope to:
- WDAV  
Box 8990  
Davidson, NC 28035  
Attn: Will Keible
- X. **Applicable Law/Void Where Prohibited by Law:** The Young Chamber Musicians Competition is subject to all Federal, State and local regulations and laws and are void where restricted or prohibited by law.
- XI. **Entrant’s Personal Information:** Information collected from entrant is subject to Davidson’s and WDAV’s Privacy Policy.
- XII. **General Conditions:** If any fraud, technical failures or any other factor impairs the integrity or proper functioning of the contest, as determined by Davidson/WDAV in its sole discretion, and if terminated, Davidson/WDAV may, in its sole discretion, determine the Finalists and Winners from among all non-suspect, eligible submissions received up to time of such action using Davidson’s and WDAV’s standard judging procedure. Davidson/WDAV, in its sole discretion, retains the right to disqualify any individual or ensemble it finds to be tampering with the submission process or the operation of the contest or to be acting in violation of the Official Competition Rules. Any attempt by any person to deliberately undermine the legitimate operation of the contest may be a violation of criminal and civil law, and should such an attempt be made, Davidson/WDAV reserves the right to seek damages and other remedies (including attorneys’ fees) from any such person to the fullest extent permitted by law. Davidson’s and WDAV’s failure to enforce any term of these Official Competition Rules shall not constitute a waiver of the provision.