

# CODE OF ETHICS

## ARTICLE I BASIC RESPONSIBILITIES

**Section 1.** Each institution shall ensure that administrators, faculty members, and staff understand and abide by (a) the ethical and operational procedures and codes subscribed to by the institution, including the NASM Code of Ethics and Rules of Practice and Procedure, and (b) the laws and regulations applicable to the work of the institution as ratified, implemented, and adjudicated by federal, state, and local authorities.

**Section 2.** An institution's personnel shall not discredit other member institutions by disparaging the character, nature, quality, value, or scope of their courses of instruction or services; or by imputing to them dishonorable conduct, or by adversely reflecting on them in any other material respect.

## ARTICLE II STUDENT RECRUITMENT

**Section 1.** Recruitment policies and procedures shall demonstrate concern for the needs of students, the institution, and the national effort in the education and training of music professionals.

**Section 2.** It is ethical for an institution to utilize procedures and techniques to develop a student body with the highest possible qualifications. However, such procedures and techniques must be applied in a national framework of common practice as outlined in Articles II., III., and IV. of this Code to protect the interests of both students and institutions.

**Section 3.** Institutions shall meet NASM Standards regarding published materials and Web sites in fulfillment of their responsibility to provide accurate public information.

**Section 4.** Students are free to attend the institutions of their choice. However, at an appropriate point in time, a commitment in writing must be made between students and institutions. At such a point, administrators, faculty members, students, and all other parties involved must clearly state the nature of these commitments, the schedules for their implementation, and the conditions under which such commitments may be released by any or all of the parties.

## ARTICLE III FINANCIAL AID

### Section 1.

- A. For the purposes of this Code in its entirety, financial aid is an award made directly to the student *based at least in part on demonstrated talent*, this in addition to need-oriented aid based on generic national formulas. Financial aid relates to awards at the undergraduate and graduate levels, including teaching assistantships or fellowships.
- B. For the purposes of this Code in its entirety, the music executive is the chief academic officer of the music unit—for example, dean or director of the school of music, chair or head of the department of music, or a person specifically designated by the music executive to fulfill admission and transfer functions.

**Section 2.** Financial aid shall be awarded according to the criteria established by the member institution granting the award.

**Section 3.**

- A. The acceptance of financial aid or the signing of a declaration of intent to enter a given institution to begin a specific degree or program of study shall not be binding if signed before May 1 of the calendar year of matriculation at the undergraduate level, or before April 15 of the calendar year of matriculation at the graduate level.
- B. A student shall be notified of this policy when an institution makes an offer with a response deadline prior to May 1 for undergraduate-level programs and prior to April 15 for graduate-level programs.
- C. The institution must have a procedure for developing a written understanding with students, advising them that their acceptance of financial aid represents a mutual commitment: the institution agrees to hold a place for the student and provide certain financial assistance; the student agrees to occupy that place for a certain period of time. NASM recommends that the following text or its equivalent be utilized for this purpose:

In accepting this offer of financial aid from (Institution), I understand that there is a mutual commitment on the part of myself and the institution. Therefore, I agree that after May 1 of the calendar year of matriculation into an undergraduate-level program or after April 15 of the calendar year of matriculation into a graduate-level program, I will not consider any other offer of financial aid from an institutional member of the National Association of Schools of Music or any other institution for the purpose of enrolling in a music major program for the academic year \_\_\_–\_\_\_ except with the express written consent of the music executive of the above named institution.

- D. Institutions shall allow students to choose without penalty among offers of admission and financial aid until May 1 of the calendar year of matriculation for undergraduate-level programs and until April 15 of the calendar year of matriculation for graduate-level programs. Written declarations of intent become binding on these dates.

**Section 4.** If the student is to be offered admission after May 1 for undergraduate-level programs and after April 15 for graduate-level programs, and before August 1 of the year of matriculation with a financial aid award made directly to the student based at least in part on demonstrated talent, prior to making the offer, the offering institution shall determine from the student whether he or she has accepted an offer of admission with a talent-based financial award from another institution. If so, the offering institution may not offer admission with talent-based financial aid during the first term of enrollment until the music executive of the school the student previously agreed to attend has given permission for the student to withdraw from the commitments, obligations, and benefits of his or her financial award.

**Section 5.** Any offer of admission with a talent-based scholarship made after August 1 of the year of matriculation is considered a transfer under provisions of Article IV. of the Code of Ethics.

**ARTICLE IV  
TRANSFER STUDENTS**

**Section 1.** Institutional personnel shall not knowingly influence or encourage any student to leave another educational institution in which the student is enrolled, registered, or has submitted a tuition or matriculation deposit, especially by encouraging an individual to change schools with

an offer of financial aid. However, the date-certain provisions of Article III., Section 3. apply in conjunction with Article IV., Section 1. to students entering new degree programs for the first time.

**Section 2.** Institutions recognize that students are free to make inquiries about study at any institution at any time. However, if a student begins to make an application for transfer, the institution to which the student is applying must inform the student of its institutional obligations under Article IV. of the NASM Code of Ethics.

**Section 3.** A transferring student who has not completed a degree program may be considered eligible for financial aid during the first term of enrollment in the new institution only if the music executive of the school from which the student is transferring specifically indicates to the music executive of the prospective new institution that permission will be given for the student to withdraw from the commitments, obligations, and benefits of his or her financial award. These arrangements are formally transacted between the music executives of member institutions. Approval is to be sought *prior* to the offering of the financial award by the institution to which the student may transfer.

**Section 4.** The provisions of Section 3. apply only to currently enrolled students who are (1) majoring in music, (2) receiving merit-based financial aid, and (3) planning to continue study as a music major at the new institution in the next academic term. Students who have completed a degree program at any level, including community/junior-college students who have completed a two-year program of study, or whatever part of the parallel university curriculum is available at the two-year college attended, are exempt from the provisions of Section 3.

## ARTICLE V FACULTY APPOINTMENTS

**Section 1.** Article V. of the NASM Code of Ethics is intended to apply to the conduct of member institutions and their employees or agents who are involved in the negotiation of faculty employment agreements or appointments on behalf of their respective institutions. It is not intended to govern the activities of individual faculty members who may seek employment with other institutions. The purpose of the provision is to encourage communications between institutions so as to avoid, to the extent possible, last-minute disruptions in faculty coverage that could significantly impact an institution's ability to fulfill its artistic and academic obligations to its students.

**Section 2.** Inquiries about an individual's interest in and conversation concerning a new, full-time academic appointment are in order at any time of the year.

**Section 3.** However, after May 1, a written contract for an appointment to take effect in the next academic year will not be offered to a faculty candidate who is currently under contract with another college, school, or institute unless the administrative head (usually the music executive) of the offering college, school, or institute, has previously consulted with the administrative head of the college, school or institute that the individual will be leaving and, to the extent possible, determined that the date at which the appointment is to take effect or the manner in which duties will be shared is agreeable to the administrative head of the college, school, or institute that the individual will be leaving if the individual accepts the new appointment. This provision shall remain applicable to both institutions, even if the individual who is accepting a new appointment has already resigned from his or her former position, if such resignation takes place less than 30 days before the date that the contract is signed with the new institution.

**Section 4.** As an issue of courtesy and good practice, NASM strongly recommends that when it is not clear that negotiations will be completed prior to May 1, the administrative head of the

offering school advise the administrative head of the institution where the faculty member is currently employed that negotiations are underway.

#### **ARTICLE VI COMPLIANCE**

If the parties involved cannot resolve an alleged violation, a complaint following rules specified by NASM may be filed with the NASM Executive Director, who shall then institute the process outlined in the Procedures for Reviewing Complaints Directed Against Member Institutions of the National Association of Schools of Music (see Rules of Practice and Procedure, Article VII).

#### **ARTICLE VII AMENDMENTS**

The Code of Ethics may be amended by a two-thirds vote of the membership present and voting at any Annual Meeting, provided a written notice of the proposed amendment is sent to all institutional members at least two weeks before said meeting.