

Creating New Futures:

Working Guidelines for Ethics & Equity in Presenting Dance & Performance

** This document does not represent the opinion of, nor is endorsed by, any single person or institution, but is rather a living document of an ongoing, mutating conversation taking place in our field.*

The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use [this form](#) to offer feedback and please join us at a conversation about the project, [REAL TALK!](#) on Thursday, May 14 at 6PM EDT/3PM PDT.

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ASPIRATIONAL FUTURE SECTIONS

Artists Bill of Rights, The Creation of an *Ethics Council*, Funder Perspectives, Academic Institution Perspectives (Colleges/Universities), Contracts (artist-artist), Funding Initiatives to Build an Equitable Future, Advocacy for Arts Workers/All Workers - Local, State, Federal

Statement of Purpose

“Not a one-shot conversation but a road collectively being built. Each stage can come with objectives, goals, with opportunities for targeted discourse, questions about the management and distribution of resources and anchored agendas for next steps.”

- Keila Cordova, Choreographer, Keila Cordova Dances on Facebook,
3/2020

* The compilers of this document wish to recognize from the start that we do not all share the same definitions for key words like mutual, ethical, equity, risk, justice. The conversations begin there.

WHO:

This document is an arts worker-driven effort speaking to the dance & performance field in what is called the United States.

In describing ourselves as arts workers, we consciously align ourselves with all workers. We are not exceptional.

The arts workers that we are addressing directly in this document are the individuals working within the dance and performance field, including but not limited to and in no particular order: dancers, performers, artistic directors, choreographers, lighting designers, tech teams, technical directors, production managers, executive directors, programmers, stage managers, sound engineers, performing arts videographers, box office staff, funding directors, funding programmers, facility staff, sound artists, composers, set designers, prop makers, dance photographers, teachers, costume designers, producers, dramaturgs, managers, curators, marketing teams, publicists, administrative teams, artist representatives, agents, bookkeepers. We all work in the dance & performance field, and this document is meant as a service for us all.

The current compilers of this document are arts workers living in different locations of what is called the U.S. and all working within the dance & performance field in a variety of roles. We are writers but also fieldworkers, sourcing accounts beyond our own. We initiated this document, and our intention is to hand it off to another set of compilers. We know that we will need many perspectives beyond our own to complete this document. Our collective mission is to put this document forward as a service to the field to engage discussion. We don't all agree on every aspect of this document. Our goal is to encourage questions, push-back and celebration and for the document to continue changing to meet the needs of the dance & performance field.

By dance & performance field we mean the non-profit spaces, organizations and people that produce dance & performance, work with dance & performing artists, or are themselves dance & performing artists. More specifically, this research centers dance & performance work being presented by non-profit

spaces which often, but not always, fall into a category of "experimental." We are intentionally not using the word "contemporary," although we acknowledge that "experimental" also brings with it a host of issues. We understand defining words to be slippery and problematic, inclusive of some and exclusive of others. We intend to be generous in our scope. By all this we mean that our research does not represent the commercial dance or performance field. Although, these guidelines could (and hopefully will) be adapted across the performing arts as a whole.

In this document, we highlight ***dance*** because, although this current group and the people we've been currently talking to come from different backgrounds and varied aesthetics, dance is our shared focus and what we know best. Our conversations/interviews have focused on an expansive definition of dance. And since this is a document that attempts conversations on equity, we must acknowledge that dance is often (not always!) last on the list in the performing arts in regards to funding, programming, collective consciousness. As one of our artist contributors said so poignantly,

"Dance is anti-capitalist in its essence because it's anti-materialist."

Centering ***dance*** is important.

WHAT:

Creating New Futures: Working Guidelines for Ethics & Equity in Presenting Dance & Performance is a "living document" that attempts to frame principles and guidelines for conversations within the dance & performance field to shape our futures in light of the extraordinary chaos and disruption caused by COVID-19. The document addresses concerns regarding cancellations and what future work, funding, survival might look like. More pressingly, it looks beyond the present moment to address long standing inequities, deficiencies, and power imbalances in the field, which directly reflect the structures of the broader culture. The document is, ultimately, a call for radical action. We feel that acknowledging and understanding the concerns of all arts workers with transparency and respect puts us all on a better footing towards conversations to reinvent working structures within and beyond the dance & performance field.

This living document is 1) a house for testimonials so that we can hear the voices of individuals, 2) a handbook for transparent conversations including putting forward principles for equity in our relations and 3) a tool for change, for radical reinvention of the field and how we work together.

We acknowledge that this document is insufficient. And so, we intend for it to be in process, to be in continual conversation with the field. It is our intention that the current compilers of this document cycle off to include more voices and to ensure that this document is envisioned by as many different communities as possible within the dance & performance field.

WHY:

Because our systems were never working, and we all knew it. They are unsustainable, and we know it. They are inequitable, and we know it. They rely on a scarcity mentality and on the precarious labor of freelance artists working with no safety net. COVID-19 has only revealed what is TRUE. It is time for radical change, to dismantle structures that we have inherited in

our field from colonialism/ slavery/ capitalism/ neoliberalism and to rebuild.

Because this dismantling extends beyond our field into the broader culture, this work needs to be done collectively by the entire field. This is not the work of artists alone. It is the work of institutions, theaters, funders, libraries, schools, colleges, art centers, universities, residency centers, studios. We must lead together to work and act towards equity and shared risk in our field. This is and must be a mutual effort to radically reimagine our ecosystems.

"...we need to change local, state, and federal policies to make sure that creative workers are better protected, better supported, and able to succeed as the creative backbone of this country."

- Clay Lord, Strategic Impact at Americans for the Arts in [95% of US Artists Have Lost Income Due to Pandemic, Survey Says](#), *HyperAllergic*, 4/24/2020

Phase 2

We end our opening with our desires for the next phase.

We wanted to get to a common reference page, a "social compact" that we could all sign, a manifesto!, a one-pager that described what it means to work equitably. That proved difficult to get to. There are some sections in this document that start to get there. But what we found was that to get to principles, we had to excavate, we had to ask questions, we had to do our research. This document, in what we call Phase 1, is precisely that: an excavation. Even as an excavation it is not complete. This document is weighted towards the voices of artists. We have only just begun to hear from presenters/programmers. And we must hear from funders. This is how we can get to a "social compact." There is much work to be done.

In the Table of Contents we list aspirational sections that we (as a group) think are necessary to contribute to this document. As an example, we have not addressed adequately how artists can create ethical agreements between one another. This is an important piece. We wish to highlight two of the aspirations as critical: An [Artists Bill of Rights](#) and the formation of an [ethics council](#). We imagine this council to be a paid, rotating group of artworkers, a lawyer, a mediator, labor rights organizers and +. This council, with guiding ethics in place, could help in difficult situations. Artists so often go through these situations alone while organizations have entire teams in place. We think it is critical to have a named and trusted entity to support individual artists seeking advice, mediation and in the worst case scenarios, legal counsel.

Solidarity Statement

“When it comes to the work of decolonization and indigenization, everything about an institution must change – from structure, governance, and leadership to ethos, values, and worldview. The shift of consciousness and action that is needed in the world–recognizing, acknowledging, centering, respecting, and understanding Indigenous knowledge, art, making, culture, leadership, and sovereignty – becomes reality. This is what is needed to build equity...

...There is some hesitation on our part in not wanting to misstep, offend, or do the wrong thing, but we can't let a fear of mistakes or discomfort preclude us from trying and doing the hard work. We have a lot of progress to make in this area, and the path is not clear.”

- Emily Johnson, Roya Amirsoleymani, and Erin Boberg Doughton, [Instigating Institutional Change Towards Decolonization](#), HowlRound, 4/13/2020

The “Creating New Futures” working group is committed to working together in solidarity, advancing our shared interests, and modeling less competition and more resource sharing. We aim to create a more equitable and inclusive dance & performance ecosystem together, in which everyone can thrive.

For us, these are the necessary ingredients of the dance & performance field we wish to create:

Collaboration: Dance & performance is a collaborative effort and we recognize the importance of everyone's contributions, regardless of their positional power. We call on those with positional and institutional power to listen and respond to the wants and needs of those with less.

Transparency and Accountability: We ask ourselves and those we engage with to practice transparency, and to hold ourselves accountable when we make mistakes or our actions have harmful impacts. We name and celebrate positive impacts.

Reciprocity: We highlight the importance of building long-term reciprocal relationships, especially between predominantly settler-run organizations and communities of color.

Anti-Oppression Lens: We see systemic oppression as well as individual oppression and work to dismantle them.

Acknowledging the Need for Reparations:

We recognize that we all are living and working on stolen land, and acknowledge, honor and work toward relation and reparation with Indigenous people, ancestors, their continued sovereignty, and cultures past, present, and future

We acknowledge that this country known as the United States was built on the forced labor of enslaved Africans and their ancestors and the need for reparations in our field and in our country.

In Harmony with the Environment: We work to refuse extractive efforts and minimize harmful impacts on the environment and other beings.

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Transparency Statement

"Historically, pandemics have forced humans to break with the past and imagine their world anew. This one is no different. It is a portal, a gateway between one world and the next.

We can choose to walk through it, dragging the carcasses of our prejudice and hatred, our avarice, our data banks and dead ideas, our dead rivers and smoky skies behind us. Or we can walk through lightly, with little luggage, ready to imagine another world. And ready to fight for it."

- Arundhati Roy, [*The pandemic is a portal*](#), *The Financial Times*, 4/3/2020

To be transparent, it is necessary to share a brief history of how the compilers of Phase 1 of this document came together to create it, and how we got to what we are calling Phase 1 of this document.

It began in the comments section of a March 31, 2020 [Facebook post](#) by artist Emily Johnson in response to presenter cancellation emails:

"I am BEGGING presenters and organizers to STOP sending cancellation/postponement emails that do not include a written acknowledgment of lost/postponed funds. We need this information and letters FROM YOU to apply to the emergency grants and unemployment some of us are now depending on. It is demoralizing to have to write back to you, gently remind you of the financial crisis and ask for the information you could have supplied to help ease the process. I know we are all in a state of sorrow. Let's not add more work for artists or an unnecessary back and forth. Let's let the back and forth be about love and care and new ideas of how to research, make and share our work."

That post and its comments are too long to share in full here (72 comments and 42 shares at the time of this writing) but embedded within it is how artists Yanira Castro, Emily Johnson, jumatatu m. poe, Karen Sherman, and Amy Smith agreed to attempt to compile artist concerns scattered over social media platforms and form a "'paper' like a social compact." It began with a Google Doc compiled by jumatatu of various artists' statements jumatatu had read on social media.

In reading those artists' concerns, Yanira felt it was necessary to also hear from and compile the concerns of presenters and programmers. She sent out 25 emails to presenters and programmers that she, jumatatu, Karen, and Emily had relationships with to attempt to capture their concerns. One of these programmers, also an artist, was Michael Sakamoto at the UMASS Fine Arts Center. He responded that he was interested in "a set of general agreement/contractual guidelines shared by presenters, artists, and agents. This way, we can walk into gigs and projects altogether with our eyes open on all sides. For me, it's not just a matter of cancellations, but even deeper, how we enter into sharing risk to begin with. I was wondering last night, for example, if we could get a working group of artists, agents, and presenters

to meet weekly to work on this. Made up of trustworthy folks who are able to think past their particular priorities." Yanira jumped on Michael's idea of a "working group" and suggested joining forces.

From there, as presenters responded to the email to share their concerns, Yanira invited three to join the working group to compile the presenter concerns based on geographic differences, diversity of institutional structures, and perceived alignment within their responses: Sarah Greenbaum at Dance Place, Brian Rogers at The Chocolate Factory, and Tara Aisha Willis at the Museum of Contemporary Art Chicago.

Lastly, it became clear that big thinking would need to be buttressed by pragmatic documents. We wanted to look at our agreements and contracts, both presenter/artist contracts and artist/artist contracts. What should these look like post-COVID-19? How can we ensure that these contracts would share risk equitably in the future?

Yanira was on a Zoom call with artists represented by Elsie Management (who has represented Yanira's work since 2004). In the call, Laura Colby, Elsie's founder and President, referred to Elsie's three-paragraph force majeure clause as a tool to protect the artist. Through her position on the board of the Association of Performing Arts Professionals (APAP), Laura was aware of an effort underway organized by classical music managers to re-write contracts that would better protect touring classical music and its agent manager representatives. Yanira reached out and invited Laura to consider writing the Contract & Force Majeure (past and future) section for this document.

This is how this ad hoc group came together. Many of us do not know one another or do not know one another well. But we have a common purpose: to work together for the future of our field. Because of the urgency of the situation and the desire to positively impact the future for freelance artists, we acted quickly to get this document out to ensure we would be working in a conversation of solidarity, with accountability to our communities. That we would not be writing in a vacuum.

In our zoom gatherings and in our collecting and in our many conversations as we wrote this document, it quickly became clear that what we were all working towards and speaking about was the need for systemic change in the field. And that this change REQUIRES policy change in our local, state and federal governments. Our conversations quickly turned to universal basic income, single payer healthcare, subsidized child care, and the need to address "thrivable wages."

This sparked new, yet un-compiled sections: An Artists Bill of Rights, Funder Perspectives, Academic Institution Perspectives, Funding Initiatives to Build an Equitable Future, and Advocacy for Artists Workers/All Workers - Local, State, Federal. These are aspirational sections and necessary to move forward the fight towards justice and equity. We hope these questions are engaged in Phase 2. But in talking about change/ reinvention/ dismantling/ rebuilding/ burning it down, questions about our accountability as compilers piled on. What could we truly offer beyond conversation?

Laura Colby: "Reinventing is an awfully big word. To me, reinventing this live performing arts world of ours (specifically in the US) would include dismantling our current (essentially non-existent) funding framework;

providing all artists with a universal wage, housing; healthcare & a pension; eliminating paid ticketing; and putting the artists in charge of ALL curation and programming. That to me is 'reinvention' of the current 'system'."

Karen Sherman: "I'm personally in favor of more disruptive language overall but I can get behind *re-invent*. What we are talking about is closer to a *renovation*. Maybe it's an *overhaul*."

The desire to act quickly, however useful and admirable, did mean that as a working group we have not had the opportunity to develop trust from experience. adrienne maree brown lists as number 6 in her core principles in her book *Emergent Strategy*, "Move at the speed of trust."

We moved at the speed of perceived need. And we are learning to trust one another. Or as brown reminds us in her 5th principle, "Trust the People (If you trust the people, they become trustworthy)."

The last piece of how this group came together and was able to complete Phase 1 of this work, is the financial and moral support that we received from the National Performance Network (NPN) and The MAP Fund to create this document. This project was already underway when it came to the separate attention of Moira Brennan at MAP and Stanlyn Brevé at NPN. NPN was looking at ways to encourage open conversations between presenters about transparency around resource sharing. The MAP Fund wanted to understand how to support artists outside of the emergency of the moment.

Seeing that this project might align with those intentions, they each reached out to the working group. They felt that the work of the compilers should be financially supported and together offered to support the writing of Phase 1. We have provided a spreadsheet in the Appendix to account for this support.

The compilers of this document have worked independently, with no input from either funder. Nevertheless, there is a lot of privilege embedded in this group, and the connections that brought the group together (even in an "ad hoc" manner) speak to that privilege. We felt relatively safe in sending emails to a group of presenters we had individual relationships with and knew that they would likely be read and responded to. Because it was personal connections that seeded this first round of communication, that group of presenters is representative of a certain "type" of venue (non-profit, artist-focused, "adventurous"). And we got the ear of funders because our work has been supported by these funders and we are in conversation with them. We recognize this privilege, the responsibility that comes with it, and how it makes it even more urgent that this platform begin to include other voices not so easily heard by funders and programmers. That said, we know that those privileges can be fleeting, that they don't insulate us, and as the visible faces of this project, we could find our own futures in this field made vulnerable.

We will be disseminating our first draft on May 7, 2020 to the public for feedback. And we will be holding our first guided conversation, REAL TALK! on May 14, 2020. Instead of having the compilers speak to the document at this talk, we have invited others to read the document and speak to it: What are their questions? Where do they see blindspots? What are the possibilities and what ideas resonate? We welcome the onslaught

of feedback. We need it. At [REAL TALK!](#), we will be present and listening and responsive to any questions. We hope this talk will be the start of others coming on board for Phase 2.

We are working diligently to address the financial needs for Phase 2 as we want to ensure that those who take on this work are as supported, if not more supported, than we were. This is absolutely critical to this project: **labor must be compensated not only applauded.** To this end, the Phase 1 group is reaching out to organizations and funders for continued support for Phase 2.

In closing, while we began this document as a conversation within the dance & performance field to address ethical cancellations, it quickly and with great urgency reminded us that to create definitive change we must align with other workers.

"If we can harness this cross-sector, then we stand a shot at a longer-term recovery that is not about artists, but about labor rights."

- Deanna Haggag of United States Artists in [Nearly Two-Thirds of Artists in the United States Have Lost Their Livelihoods as a Result of the Coronavirus, a New Survey Says](#), *artnet news*, 4/24/2020

Ultimately, this document is to be taken up by others, to be challenged, added to, edited. It is one that will change necessarily as the pandemic progresses, as we reopen our theaters, as we deal with the recession/depression looming before us.

This document cannot answer questions definitively, but it can point urgently to potentials and it can put forward a set of principles for how we can negotiate and relate to one another, with all the knowledge currently being gained in the pandemic.

CREDITS & ACKNOWLEDGMENTS

This document has its inspirational origins from:

- 1) A [letter to presenters on Facebook](#) crafted by artists jumatatu m. poe and Maríya Wethers re: COVID-19 cancellations that addresses the issues of “respecting labor, compensating people for time already invested in a project, and figuring out alternative ways of engaging.” * quote from artist Edisa Weeks, replying to the post.
- 2) An Open Letter on Change.org, [Fair treatment of freelance artists during the COVID-19 crisis](#), by Dr. Guy Cools “to the international arts community and the different local funding bodies and governments to spread the financial burden more evenly and to protect those who are in the most vulnerable position, that is the freelance artists.”
- 3) Amirtha Kidambi’s [Public Letter of Concern by Working Artists for Ethical Cancellations](#) on Google Drive signed by multiple artists.
- 4) Dakota Camacho’s Facebook Post, [a letter in response to a cancellation email](#) from a college.
- 5) Emily Johnson’s Facebook Post, providing [a sample letter for presenters](#) to use that acknowledges lost/postponed funds that artists can then use to apply to emergency grants and for unemployment.
- 6) Miguel Gutierrez’s [Instagram Post](#), Real Talk!
- 7) Springboard for the Arts’ [Principles for Ethical Cancellation](#)
- 8) Open letter on Documentations.art, [COVID-19 Museums, galleries, art fairs, art centers, universities, theaters, festivals... Cancel everything, pay everyone!](#)
- 9) [W.A.G.E.](#)’s published [Guidelines for the Postponement or Cancellation of Work](#)

Author/Compilers of Document:

Yanira Castro (Opening Statements); jumatatu m. poe, Karen Sherman (Artist Testimonials); Sarah Greenbaum, Brian Rogers, Tara Aisha Willis (Programmer Perspectives); Michael Sakamoto, Amy Smith (Principles for Artist/Presenter Relations); Emily Johnson (Alternatives to Cancellation); Laura Colby, Amy Smith (Contracts & Force Majeure)

Contributors to Document (in alpha order by first name):

Aaron Landsman, Allana Olson, Ananya Chatterjea, Anonymous, Anonymous, Anonymous, Anthony Hudson, Arielle Julia Brown, Ashley Ferro-Murray (EMPAC), Ashwini Ramaswamy, Brendan McCall, Brian Rogers (The Chocolate Factory Theater), Craig Peterson (Abrons Arts Center), Crystal Wei (Mount Tremper Arts), Dakota Camacho, Darrell Jones, Dylan Robinson, Emily Gastineau, Emily Johnson; Erin Boberg Doughton (PICA), Esther Baker Tarpaga, George Lugg, Jaamil Olawale Kosoko, Janet Clancy, Janet Wong (New York Live Arts), Jennifer Kidwell, Joanna Furnans, Joe Levasseur, Jon Harper, Jonathan González, Julian Darden, Katie Deutsch, Kristin Van Loon, Laurie Uprichard (Contemporary Arts Center, New Orleans), Lionel Popkin, Lori Jones (Quick Center for the Arts, Fairfield University), Mary Kathryn Nagle, María Wethers, Melanie George, Miguel Gutierrez, Millicent Johnnie, Ni'Ja Whitson, Nikolai McKenzie, Olive Bieringa, Rachel Cook (On the Boards), randy reyes, Raven Chacon, Roderick Murray, Rulan Tangen, Sarah Greenbaum, (Dance Place), Saúl Ulerio, Shanel Edwards, Sharon Fantl (Redfern Arts Center), Sharon Mansur, Shoshana Currier (Bates Dance Festival), Spirit McIntyre, Tanis Parenteau, Tanya Marquardt, Tara Aisha Willis (Museum of Contemporary Art Chicago); Terry Hempfling, Theodore Kerr, Tria Blu Wakpa, Ty Defoe, Vince Johnson, Wendell Gray, William Knapp

* Pending Contributions: Anna Gallagher-Ross and Ron Berry (Fusebox Festival); Carla Peterson (Maggie Allesee National Center for Choreography); Jennifer Calienes (Center for the Arts at Wesleyan University)

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This list is by no means exhaustive. There are many conversations that have shaped this document and the thinking of all the writers involved. We acknowledge the numerous individuals not mentioned above who wrote in comment sections on social media and who worked alongside artists to draft these statements. We are all in each other's debt.

The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use [this form](#) to offer feedback

INTRODUCTION

"What kind of future do you propose?"

I think there's no way we can go back to business as usual. I think that would be a huge misfortune, to return to normality, whatever that could mean or whatever that meant. I think we have to be radical, we have to be strategic, we have to be strong and enduring, we have to be organized, and we have to support each other in the grass roots, because we see that our government does not have the capacity to do it and isn't interested in doing it. We are the ones we have been waiting for, in the great words of June Jordan."

- Jaamil Olawale Kosoko in conversation with Siobhan Burke, [The New York Times](#), 4/15/2020

This is being written at a time of extreme need and upheaval as COVID-19 has created circumstances none of us could have foreseen. In doing so, it has exposed and put into sharp relief the inequities and the insufficiency of systems previously put into place. This is true for all workers in what is called the United States, but particularly for the "gig worker." Many of us, in the dance & performance field, knew the systems upholding the dance & performance ecology were unsustainable, propped up by freelance artists with little or no safety net. COVID-19 revealed how much the system's survival depended on inequities in labor practices as many performance workers lost all their work for the spring and summer and beyond almost overnight and with little recourse.

Our systems fell back on what we know how to do: build emergency artist funds, create crowdsourcing programs. Some organizations stood up and paid their artist staff full salaries through May and paid their contracts in full to artists whose shows were cancelled through the current season. Other artists lucky enough to have touring gigs had to request that programmers ignore their Force Majeure clauses and figure out together another way, a way to share risk. But these efforts do not sustain the whole field or even individuals within the field as the pandemic and its shelter-in-place conditions continue. What next?

This document began in the fall-out of all this as artists, angry and frustrated by the system, went on social media.

"Real talk. All my remaining spring gigs and one summer gig are cancelled (postponed). More pending. I'm not alone. In NONE of the cancellation emails does anyone mention a partial payment of the fee or acknowledge the commitment and the economic implication of losing the income. These are challenging times for everyone, but I want to remind all the presenters, universities, summer dance festivals, etc (I'm speaking for many here)... THIS IS MY FULL TIME JOB. I don't do this on the side. I am not independently wealthy. I HAVE NO SALARY OTHER

THAN THE ONE I STITCH TOGETHER FROM THESE GIGS (and the intermittent, hope-I-get-it grant).”

- Miguel Gutierrez's [Instagram Post](#), 3/21/2020

Other artists wrote sample letters on behalf of presenters, so that they could apply to emergency grants, collect unemployment and apply for small business loans, and sent them out on social media to support fellow artists caught in the same cycle.

What was largely missing in this public online conversation were the voices of the programmers. What were their fears? Their concerns? What were they coping with? It was necessary to find out in order to begin a broader, difficult, public, transparent conversation about our futures together and to equitably share risk. Because we are in a symbiotic dance, no?

This document began as an attempt to start transparent conversations in order to form principles and guidelines for how to act in this environment, how to ethically share risk. We began by gathering testimonials from arts workers - dancers, choreographers, tech and production artists, design artists, sound artists, presenters, programmers, artist representatives, arts administrators, etc. Real talk! These testimonies are incomplete. We need to hear from more. We need to include more. Just to name a few: We need to hear from larger institutions, artists living in rural geographies, organizations and artists in the South, POC led organizations, undocumented artists, facility staff.

This is a start.

The testimonials quickly led us into recognizing that while this document could serve as a handbook for listening, it is ultimately a call for change. The changes needed are many but they center this: **Honor all commitments to labor**. We would be remiss if we did not state that this requires advocacy at the local, state and federal level. Phase 2 of this document hopes to get to that extremely necessary piece. But as the old saying goes, “Change starts at home.” Home is our theaters, our studios, our desks, our collaborations.

This document asks us to pay attention to mutual needs, acknowledge mutual sacrifice, while recognizing that the hurt does not fall on all of us equally. How do we repair and weave our working relationships so that we bolster arts workers, communities and organizations? We must create a more sustainable, just and equitable ecosystem. One that will have us better prepared to work together through very uncertain futures in solidarity.

This is a start.

*[The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use **this form** to offer feedback](#)*



Jonathan Allen
'Interruption 203', paint, plastic on video screen, 58 x 34 inches
Borough Hall subway station, April 17, 2020
@jonathanallenstudio
www.jonathanallen.org

ARTIST TESTIMONIALS

Compiled by jumatatu m. poe and Karen Sherman

FIELD STORIES compiled by jumatatu m. poe

i feel a duty to offer some of my own words to introduce this. that feels responsible, and a mutual display of generosity alongside the shared thoughts, proposals, charges, jokes, tears, dreams of the artists that i interviewed. thank you – to those artists – for sharing with me, and now for sharing with you – who is reading. like the larger document itself, my conversations with these sibling artists over the last couple weeks of April 2020 began in relation to the effects of COVID-19 on their personal and professional lives. quickly, the conversations, and the excerpts below, exposed this latest pandemic's noisy thrashing about, afloat a slow boiled sea of other pandemics: patriarchy, white supremacy, colonialism and its bleed over into neoliberalism...

on my part, this document has been a hesitantly approached labor of duty, love, and frustration. i am invigorated by the swift action that my co-writers and i have taken – our collective sense of duty... and frenzy. i am aware of my own struggles to trust a group composed largely of folks that i am still very much getting to know, with respective values that i cannot yet clearly articulate, with different respective twists on the common words we share to describe ourselves and our priorities...

what do you mean when you say mutual? are you talking about the same thing i'm talking about? are you sure you understand where i'm coming from when i say risk? what's the balance that you're proposing when you say share?

it feels like we are all charging our way through our skepticism, knowing that this document is going to leave plenty to be desired, and trying to fill it with as much integrity as we can, trying to have it speak to as many of our folks as we can. now – and often – i remember the prodding of a long-time collaborator, Samantha Speis, to *default to trust*. i'm trying, Sam...

and i'm trying, especially, because i feel the honor and responsibility of the trust that the folks i have interviewed have given to me. again – to those artists – *thank you*. the folks that i reached out to for interviews were largely QTBIPOC artist community. for so many reasons, in the intersection of so many pandemics, it makes sense for us to be skeptical about this document. it makes sense for us to be wary of what is coming onto page by way of a collection of artists and managers and presenters who have a considerable amount of navigation capital moving through a dance and performing arts field which has long histories of exclusion and/or tokenization of so many of us... a dance and performing arts field whose systems of awarding and ordaining and validating often amount to reiteration of those various pandemics that threaten the health of us all, and especially the ones whom those pandemics are designed to marginalize... there are too many folks that this document will not yet be in service of, and it *should* be. in the next phase of this document, i look forward to how we can pass this labor into new hands, ones that can craft story in ways that ours have not yet. i look forward to how this Phase I group of us can innovate ways to move around the fickle, fleeting reputational capital that we have access to in order to feed the labor of a next Phase who may not have that same access.

COVID-19's destructive arrival, and the necessitation of new construction in its wake(/death), has reminded me of why i have long loved conditional phrases. creativity invites an exploration of what is not yet, what is not real... what has deep consideration for the actual state of affairs, and desires to propose adjustments, revisions, tangents, possibilities.

well, if i change these colors, mine could complement yours... if you were to shift a few meters that way, i would be able to support you... if they were to share more water, the whole garden should grow..

ensuring the conditions for healthy imagination to happen is how we can realize what is *not* yet. we need healthy imaginations to counter this current pandemic, and all the slow-boiled ones on which COVID floats atop.

the excerpts below, from the accounts of the artists i interviewed, show clearly how artists are inseparable from the communities that have made them, the communities that sustain them. they evidence how physical, social, emotional, and economic health are essential at creating conditions for healthy imagination to thrive. and we need healthy imaginations to find our way from here.

the structuring of the excerpts below is not objective... i have chosen to emphasize particular themes that feel important for me to highlight. each artist interviewed has also collaborated on getting their chosen excerpts to feel honest to what they think should be emphasized here. the folks that i have interviewed are vulnerable in their sharing. for some, i imagine that attaching their names to their testimonies yields power. for others, confidentiality is a necessary tool to prevent punishment for the level of honesty shared here. for those desiring confidentiality, i have marked an 'X' in place of where their name would be. interviewees are largely from and/or based in the mid-atlantic region of what is called the US, but also are from and/or based in geographies throughout and beyond this imposed national border. unless they were insistent on directly quoting others for their interviews, i have preferred to prioritize the stories of interviewees themselves, and have also edited most proper nouns out of the stories for that same reasoning.

the color is a tool to organize one voice at a time.

- jumatatu m. poe

having to rethink how care is realized via distance is important. – *Ni'Ja Whitson*

our field revolves around people being together, i don't know if we'll get this back for 2 years. – X

I know how to be a loner; but, still missing being in relationship to the world physically. i'm feeling the absence of being in the wind, seeing the water, feeling the sun... not being able to do that right now is really hard.
– *Wendell Gray II*

we had been doing this show in california up until march 9th, which is wild to me. – *Jennifer Kidwell*

both of my parents are essential workers. both are scared to go to work each day. – *Dakota Camacho*

it's been very intentional to be single recently... quit all the noise and just exist... now there's that magnet force field, right? when it first feels safe, i'm gonna rub my whole body down the length of someone else's body... i get off on, *what are all the ways to touch? that first touch?* it's not even just about me, it's just so connected to what we do. i think that human beings need to come together, like we have to come together physically. and part of the reason of what we do is giving a frame of reference for that coming together... the thing i think will take the longest is for us to be able to do that without a layer of suspicion and wariness...

usually, i wanna make stuff that makes you leave feeling sick... now, i'm like, what's the durational puppy pile piece that we're all gonna need? what's the action that's gonna allow us to reckon with the part of our humanity that we won't be able to access, or we can't access right now.
– *Jennifer Kidwell*

there is this weird container that tethers us all right now... the intimacy and danger of one another...
i'm in florida, staying with my mother; i don't feel safe going back to nyc.
but, i'm still paying the mortgage on my apartment.
i've been doing all the shopping so my 83-year-old mom doesn't need to go to the grocery store. – *Miguel Gutierrez*

i enjoy being alone, but being home without the option to leave is overwhelming. – X

i feel busier now than i felt before the pandemic, and for sure more mentally busy.
i wake up and right away i'm working on the computer, versus before, where much of that time was spent commuting...
if i'm not directly working on the computer, i'm mentally planning. – *Saúl Ulerio*

beyond the financial impact, this situation has been impacting my mental health on some days, but my Spirit is strong on most, and I trust my ancestors, my guides, my loved ones praying for me and that we will ultimately get through this. i continue to dive deeper into my creative process through writing and platicas and am trusting that, as an artist, i have tools to navigate precarity... but it is hard to do what i do and not to be able to meet in person. — *randy reyes*

i can still write poems, i can still dance and can teach dance virtually; but i can't go to the club to dance, and i can't take class with people around me, and those are interruptions; i'm afraid to go outside which is a creative interruption. i don't have the energy to monetize my creativity. — *Shanel Edwards*

living in a neighborhood in which i can walk around in plenty of nature while in quarantine has saved me in this moment. a daily virtual prayer meeting with Black womxn in my church community has helped me, though sometimes the sorrow is too much. — *X*

i'm having biweekly meetings with my folks from the bay, but also many of them have had to leave in order to afford to live. — *randy reyes*

i am based in manhattan, but am currently with my mother and sister in florida, where my mother lives. i got stuck down here while visiting her. i had to buy a computer down here in order to keep up with the demands of working virtually, and install wifi at my mother's apartment. i'm taking refuge with my family. — *Saúl Ulerio*

i've been helping to navigate the different resources that are coming up (state, federal, city, institutional, mutual aid)... how to find them, navigate them... i've been archiving resources in addition to the sharing i have been doing. people feel more comfortable when folks are *talking to them* about the resources versus just sharing a link. — *Ni'Ja Whitson*

i'm in a very new artistic relationship with an artist; in this project, i feel able to really show up; this project is, let's say, feminine; i'm able to give, and receive, and feel heard, and really be held; being honored in a full way, honored in my transgender identity, gender non-conforming identity, Black identity, as well as my spiritual identity; *oh, i'm worthy...* i'm being seen as worthy, and i can still make decisions about my giving.

the second project, let's say *definitely* masculine, has been a project that i've collaborated with for years; i'm honored in certain ways, seen in certain ways, but, like, you know, patriarchy; i show up as fully as i'm able, and there's probably also a drawer of myself that i don't even open in that process... an edited version of me... i'm pretty certain that this project will not happen in any capacity this year because of all the cancellations... i'm like, *oh, is this in response to what i'm setting in motion for myself?* – Spirit McIntyre

i feel like I was a sacrificial lamb on some of the larger projects in which I worked to address and deal with content directly confronting systemic oppression. there has to be someone in the room who can speak intellectually on those systems, and then they are usually the first folks to go because they are too controversial or a *trouble maker*. Dr. Na'im Akbar mentions, *Such rejection of strong African-American leadership is as conditioned in us as is our fear and hatred of a burning cross.*

I've accepted compensation for many buyouts but credit after dismissal is never adequate for the creative work that I have put in. – *Millicent Johnnie*

my family depends on me very mildly financially... very mildly...
i have a friend who is currently sick, and i would go and take care of house things for them once in a while.
– *Shanel Edwards*

my older brother and i contribute some money monthly to help with our parents and our younger brother. all three are living with various disabilities, and all three are living together. dad receives some ss, and brother receives some ssi. – X

at the start of quarantine, we lost half of our business at the studio that i run... i had to cut hours for admin folks... some had only been working minimally... but other folks who had been working more are a few hundred dollars away from their monthly mark now. hopefully folks are making use of various resources to make ends meet.
i have encouraged folks to go after unemployment... a city fund has started recently and released some money; anything that i find, i share.
most folks work with me as 1099 contractors.
– *Vince Johnson*

i invited people into home my home who needed places to stay during quarantine. it has been a pleasure, but also a stress.
first it was my friend and her 3-year-old. she currently does uber and instacart for money. she then found out that

her boyfriend was being released from jail in relationship to COVID, and he also came to stay with us.

i had to initiate contact with our landlord after quarantine began. she took a third of the rent off for april. we have not tried to renegotiate differently, because technically we are breaking the rules of the lease by offering temporary housing to roommates who would have otherwise been homeless. - X

one project that i was a performer in is really trying to get the artists paid for cancelled shows... another sent an initial email saying that the artists would need to pay back a \$2000 deposit... the organizers were able to advocate for us to keep that deposit, and we are still waiting to hear if the gig will be cancelled.
- Dakota Camacho

i do admin work at a dance studio as a contractor. i've been assured that i will continue to be paid in my position as liaison to the artist residents, but much of how we can financially support the artists depends on the box office.
- X

working with this choreographer was great. she was very communicative, very transparent about set agreements, really responsive around payments... deeply intentional, Black queer collective working together.

i worked with another for 2 years. i love the way she gathers community. she is very direct with agreements, and always on time with information and payments. i know that the agreements will be solid and that i don't even have to think or worry about it. the work has been really enriching for me. - Shanel Edwards

check-in processes are important to my creative processes when I am leading a project... establishing mutual accountability, collaboration, active listening and shared power. for me, this is the norm if the project has a smaller budget and i have more control or influence on the cultural behavior of a room; but, i have also brought this into larger settings, like when working for a larger commercial production company where check-in processes were requested after observing my process. - Millicent Johnnie

i'm part of a WhatsApp group of womxn-identified folks, we all met in undergrad, so we have known one another for like 24 years... our annual reunion is cancelled this year because of COVID... it's not codified, but there's value-sharing, showing up for one another, a profound level of sight and care. resource sharing, listening, and patience... just some folks who went to school together and fell in love with each other... i fantasize about one of us running for office... and then i fantasize about us just being the cabinet... if we were running this shit, with a baseline of fucking sense...

and the ability to be like *i'm wrong. help!* this is a grandiose statement, but if we had just a little bit of that in this world, people wouldn't be injecting themselves with fucking bleach and disinfectant. — *Jennifer Kidwell*

I always work from a contract or "agreement". The language can differ; if it's a homie hookup, we will still just have an email or text exchange with a clear agreement, but the language can be easy. you know I come from the part of louisiana where your word is your word. if people can't trust you, that's a wrap! — *Millicent Johnnie*

i have another show that is being reimaged digitally, but i'm not sure for when. it's been hard to rehearse that. through all these changes, it's been hard for my collaborator and i to find reason and motivation with life tugging at the cords. they had several upcoming jobs cancelled, and the choreographer they work with had no intentions of providing any cancellation pay or relief money. — *X*

i've had such a great career my collaborations with one company were a blending of voice, text, dialogue, acting, dancing... the way they build work is Africana in spirit, often created in a circle; there is often no one person leading the group per se, the responsibility is shared... we work into late hours just getting lost in it...

i worked on a devised theater, site responsive work that always started with a check-in process, and then listening to the land; asking what is our relationship to the land?

in working with another project, we gave ourselves permission not to know, and there was great freedom in that. there was no choice but to trust the vulnerability in the room. — *Millicent Johnnie*

pre-COVID, i was giving insurmountable amounts of energy to people: creative, emotional, physical... doing the most... this was a way of caring for others. a few days before quarantine, i looked at my planner and said to myself, *I can't do this. I can't get through this anymore.* since COVID, my capacity to give is very small... trying to think about stepping into a place of giving when i feel capable... — *Shanel Edwards*

i'm a writer, a writer of all things
musician
reiki practitioner

facilitator
healer
sound healer
actor
mover
director/producer
- S

working as a dramaturg, i am seen as expendable, and people don't have a good handle on what my work has been. i am ineligible to apply for a lot of the relief funds directed toward artists, because i'm not recognized as an artist, or as essential in relationship to these funds. - X

i am a performer, choreographer, service provider, and i do theater production. i work with an arts service organization and theater full-time, normally doing tech work. most of my income is from my full-time employment, with 25 - 35% from freelancing. - *Saúl Ulerio*

as a performer, i have moved fluidly between situations with audiences of 5 to 5000. i am very much a traveler. as a choreographer and director, i am more booked for larger scale projects these days. usually work that i feel more tied to is not attached to an agency or an institution... it typically has a smaller budget; however, I find more freedom to speak to things that deeply puzzle me. - *Millicent Johnnie*

on the severity of scale that is the current unemployment rate, and effects of this crisis across class and racial lines, my questions lie in how the sector of culture will re-imagine alongside other adjacent sectors in the working class through place-based solidarity... moving the conversation of the necessary cultural re-imagining beyond the frame of institutions and the professionalized artists that interacts with those networks and audiences. - *Jonathan González*

it's important to acknowledge in all of this how gigs create more gigs... how is this a part of the conversation? the momentum of one thing to provide opportunities for others is interrupted now.

i was thinking about this one international project that got cancelled as kind of a *breakout* project; it had huge career potential for me. - *Dakota Camacho*

i'm not sure that i intend to apply for pandemic unemployment assistance; i feel like the right answer is yes, but it's getting myself there; the way of the artist

can feel so, like, *you've chosen that... you've made your bed, now lie in it...*
even signing up for mutual aid stuff, it's like, Spirit,
you don't have to wait until you're destitute in the
street...
also large companies are not being forced into destitution,
and they're getting bailed out...
without art, what would people be doing during this
pandemic? — *Spirit McIntyre*

it's not in my nature to go after government or
foundational opportunities to support my work...
i don't trust loans.
i don't like applying for grants to receive something... i
feel like i'm becoming a part of a vision / system that is
outside of my work... i tend to be suspicious of those
sources, and don't want to be beholden to those things.
— *Vince Johnson*

there's a weird pressure right now around, *how quickly can
you adjust?*
the amount of applications flooding in right now
necessitates more therapy! haven't been able to make moves
on things like unemployment, because it's so much, so fast.
— *Dakota Camacho*

i've been at my current house since august 1st, when i
bought it...
i'm not currently paying my mortgage... a friend of mine in
ny state said that there were places offering help, and i
felt like i very much qualified...
without having to jump through major hoops, i am not paying
mortgage for three months... there is a chance that i may owe
a lump sum at the end of that, but i intend to advocate for
myself...
i don't know if i'm delusional, but i'm just like, *i'm not
giving you money right now. that's insane.*
— *Jennifer Kidwell*

i was talking to an artist friend who lost about \$20,000 of
work, and he was like *dammit, i missed the window to send
out the paperwork to this arts institution to finalize our
deposit agreement.* i think this is so incorrect... artists
should never have to say that they *missed* keeping an arts
institution from taking advantage of them. why do artists
have to do the additional work of drafting documents to
make sure an arts institution that wants to work with them
doesn't take advantage of them? — *Spirit McIntyre*

the pandemic has revealed everything; i learned i've
already been working in alignment with my values, making
sure there's transparency and equity in my hiring and
payment practices... all of my values around money are
revealing themselves, and the way i've needed to be non-
negotiable with my values. — *Ni'Ja Whitson*

in the theater world, institutions are always crying poor...
– Jennifer Kidwell

i received payment on one project with an institution. it was cancelled and they asked me to return my fee. another institution reached out to me for a cancelled gig to ask what percentage of work i had already done. i imagine this was so they could offer me only a percentage of what they owed me. – X

with my full-time job at the service organization, i am fielding intake emergency funding applications from arts & entertainment people in crisis right now. i am determining eligibility, and processing the applications. most applications are from members of performer unions. standards to establish professionalism for actors are proof of income of \$6500/year or over; for dancers unattached to a union, it is \$2000/year. – Saúl Ulerio

i was supposed to perform in a show in April. we had a residency scheduled right before everything was cancelled, and *had just* received the logistics details – payment, travel, per diem, etc – the week before it would have been. then, they were both cancelled. the show will probably be postponed, but we won't be paid anything right now for either of them. we had a meeting with the choreographer to go over options with unemployment since we are paid as employees. – Wendell Gray II

for full-time artists, i've worked at rates of \$10/hr for rehearsals, \$600-\$700 for performance weeks, all paid in cash at the end of each session, and benefits offered in bodywork sessions; for an artist who is also a professor, i've worked at rates of \$15- \$17/hr for in-city rehearsals, \$1200/week for out-of-town rehearsals and performance weeks, and separate per diem, all paid at the end of the month in bank transfers... and sometimes we get bonuses; i'm always paid as a contractor. – X

my relationship with our landlord is good right now. our written lease is month-to-month; we had a verbal agreement on an annual lease, but she then texted to let us know it would go back to month-to-month. she hasn't been maintaining the property well. we are always forthright with our landlord about if work changes have occurred and whether it will have any effect on us being able to make our rent on time. – X

i had just gotten a raise... for my part-time job at a private foundation. i, my co-workers and my supervisor lobbied to increase our hourly rate and increase – really stabilize – our part-time hours. my salary shifted from \$12,000 to \$55,000. i have not needed to pursue unemployment or forgivable loans during this period so far... – X

i really kind of see helplessness and frustration with technology, or anxiety about the processes of putting an application in, or the initial getting the ball rolling, or having the right connections, or having the correct community/network, or knowing the right terminology for the best results for what i want to do... all of those things seem to hinder my economic autonomy, now, but also in general. makes me question why i'm putting forth the effort.
but, i also see colleagues of mine who are thriving... i want to do my version of that... it's super tiring to tie your wealth and value to your productivity... i'm working with an instrument that i can't put down - my body... - X

my focus right now feels more anti-capitalism, as opposed to applying to anything, searching for relief funds, figuring out all the stimulus options... i want to do things i enjoy, like decorating my home.
two nights ago though, i did taxes, paid a credit card bill, consolidated student loans, organized a common room in my house that i share with three others...

it's a clusterfuck of language and legal or structural processes as i try to figure out how to deal with this situation. - *Shanel Edwards*

it's challenging for me to enter a project where the money is not right in relationship to the scope of the project; when there is so much that goes toward production, but not enough spent on the development of ideas, and ability to fully realize those ideas. things become problematic more quickly in those scenarios. - *Millicent Johnnie*

there was one festival that came immediately to the table with a cancellation fee offer, possibility of rescheduling, a video call to go over everything versus just an email, and then a follow-up email... had the planning progressed to the point where subcontractors were hired, i have faith they would have been well taken care of. - *Ni'Ja Whitson*

one theater company i work with said, *since we know we want to move forward with this piece, how about we offer you this fee?*
they were trying to fill a hole they knew had been left by COVID...
another was advocating with the venue for us to get paid, and we ended up being paid half of what we would have been paid without the pandemic (for two gigs); we found out

about the cancellation within a month of when the performances would have been... one was less than a week away...

with one large institution i was supposed to work with for the second half of this year, i had no expectation of them to reach out to me to find out how i was doing and what i needed. – *Jennifer Kidwell*

i've had cancellations pretty much all the way through august; music shows, dance festivals... the next thing that is supposed to happen is a teaching festival in august.

– *Miguel Gutierrez*

yesterday, i spoke to an artist that i collaborate with, and mainly it's his work – he is the person that gets the contracts. so, it was them telling him the work was cancelled, and then he called to tell me. it was like, you know how when somebody wants to break up with you? it felt like that in the text... there was no thought out conversation, it was like, *oh they delivered this news to you, and now you are delivering it to me...* he didn't expect any follow up from me about money... his solo projects had been cancelled as well as our group work, and he was communicating all of that to me... there's a bit of fatalism in the way that he deals with things. meaning, they cancelled and that's the end of the conversation for him, so that's the end of the conversation for us.

with the other project i mentioned, i was scheduled to be there in may, and i don't think that will happen... but now it feels like we are trying to establish something for june. it feels like for that, they've secured the money for this thing already, and they are rearranging the details. i have my contract, i know what we are working on. it feels like a delay, not a denial. she is keeping me informed, even if there is not much to tell, she tells me that.. it feels like a different type of tenacity... we are supposed to be premiering this work later this year, in the fall. the institution said to her that since they lost so much money this year, they are going to present a more palatable, marketable artist in the season instead, to make their money back.

some things are postponed, which to me feels like cancelled. i mean, you don't know what's gonna happen in 2021, you didn't know what was gonna happen in 2020. whatever the case, i need you to pay me. – *Spirit McIntyre*

i have lost somewhere between \$9,000 - \$15,000 since the onset of the pandemic. 9-10 engagements in negotiation were cancelled.

i had some work i was doing in prisons with my sister cancelled... which means people behind bars are having less access to cultural and creative programming...

a company i perform for lost all of their remaining gigs for the rest of the year...

i'm working on a music project with other indigenous artists... we want to develop traditional chant movement and cultural resources for the project and i was planning to invest the income i was expecting into the development of this new project. – *Dakota Camacho*

i've been talking to presenters who have been inclined to cancel about the currency of web presence, and innovating the available resources and relationships to create a continuity with what was already being developed before the cancellation. the way that some institutions have approached me has shown a kind of cowardice in the face of our current situation. – *Ni'Ja Whitson*

i had been originally scheduled to return to the Bay Area to premiere a new work – which has now been postponed... in addition to this work, i would have been teaching some workshops and would have been performing in other artists' processes in the Bay Area so i probably have lost anywhere between \$2k-\$3k, which is like 1-2 months in the Bay Area depending on where you live and whether or not you find stable housing / an affordable rent rate that works for you. many of the folks that I am connected to in the Bay, we talk about needing our own home and space within this geography, about starting land-based projects outside of the city network and framework, to be able to sustain and create a more affordable and holistic way of being.

– *randy reyes*

i received my final paycheck today from what was my full-time job, and have no foreseeable stable income moving forward. – X

i had a series of three shows coming up of my work as a choreographer... then it was reduced to 1 show because of the pandemic... the night after the show, the city went on lockdown.

a good amount of folks still came out to the one show. and our pay was not dependent on box office, so we will still receive our full amount.

i would love for there to be some series of cancelled shows after all this is over. – *Wendell Gray II*

with all these cancellations, one event can be dependent upon another, and can make negotiations precarious... one institution that cancelled would not offer any funds for the loss of income, but the first installment of the fee had already been paid, and with that i was able to pay the artist fees for the artists working with me... because this was an engagement organized in partnership with another engagement, and that partnership ended this year, i don't think rescheduling will be possible.

cancellation fees for subcontracted folks has been achieved through a combination of sources: cancellation fees offered by the institution (if any), available grant monies, sharing resources

that are available via various government institutions,
foundations, and mutual aid, looking at my own relative financial
stability in my university position within a matrix of
relationships of privilege...

– *Ni'Ja Whitson*

i had a series of rehearsals that were scheduled for
performances for the beginning of next year. the rehearsals
were cancelled, but we – all the dancers – were paid. – X

i have had 4 COVID-related cancellations so far, and one is
playing by ear until july.
for one, i have already been compensated and i plan to help
them get the work on its feet for their 2021 season since
their entire 2020 season has been cancelled.
for another, we were in conversation regarding securing a
slot in their season but that invitation has now been
reduced to a reading.

the institution for the july event wrote me recently to
check whether i was still interested in working with them
or not – everyone is playing it by ear, it seems.

– *Millicent Johnnie*

one university offered to pay half now, and half at the
point of the rescheduled event; one festival offered a
cancellation fee for the event for both me and my
assistant...

in other instances, i have subsidized cancellation fees
through my income from working at a university in order to
pay cancellation fees to my collaborators, making up for
what institutions will not meet.

currently, there is no cancellation clause in my
contracts...

it is a hugely significant thing to propose cancellation
for me, for my Black & Brown collaborators. – *Ni'Ja Whitson*

cancelled... nope, that's not all i need you to say to me... in
a text or email message... what all has been cancelled?
that's not how this works. that's not how it *should* work.

– *Spirit McIntyre*

i got paid for a contract that got cancelled in march; a
university paid me all of my money, too, for a semester-
long creative process that i was choreographing for that
got cut short.

and then, i was also teaching a saturday dance class that
got cancelled and then came back virtually... \$145 every two
weeks in order to do virtual classes...

a choreographer i was performing for paid half as a deposit
for a performance that is now postponed. – *Shanel Edwards*

i had a show scheduled to perform in april; it was
cancelled and the choreographer i was working with did not
mention money. none of the collaborators – 5 dancers and a
couple designers and production people – asked about money.

we assumed they would not be able to cover all of that for
us. the theater is currently talking about postponing for
fall 2021. – X

most everyone that is offering partial payment is offering
it as an advance for postponed events, not as a
cancellation fee. but, one of the places i was supposed to
teach at this summer – in paris – cancelled *but* also
offered me half the fee. and it's not a *down payment* on
next year's festival. so they are the only ones that did it
right from the get go. sometimes those frenchies really get
their labor relations right.

i have been offering my affected collaborators the same,
partial payment now, partial payment then, or that we could
receive the whole fee at the time of the postponement.
– *Miguel Gutierrez*

i also work with a ballet company, teaching for them in
schools throughout the city. our spring contract had not
yet been signed, and the program was cancelled due to
COVID. i had been budgeting for the income from there. – X

photography has been an area that feels really hard to
focus on right now... i was doing a lot of filmmaking stuff,
and now that can't happen... conducting race/gender trainings
virtually doesn't feel right, which is an interruption... my
curation of gatherings and house parties is interrupted...
– *Shanel Edwards*

i'm seeking more professional and personal environments in
which there is all around mutual accountability. – X

i needed to cancel a residency at a university that i was
leading with other artists for development of a play i was
writing and producing. it had just gotten some grant
funding as well. i paid my collaborators for the residency
– well, most folks... some collaborators said that they did
not want the check – and i was thinking about an agreement
to have folks postpone their work until another time, using
that money as an advance. but ultimately i decided that i
didn't really know whether that was ethical. i've been
gently figuring out fundraising for a rescheduling of this
residency for when i am able to pay people again.
– *Arielle Julia Brown*

i feel like my heart is doing pretty well... i think the work
of grieving as a life practice keeps you warmed up, lubed
up. in that way, my heart feels solid, like things have
been readying me for this moment.

the difference between how I support folks now and how I did it last year was about a lack of understanding my worthiness, and that was it, because i can observe the same things now that i could observe last year. however, i recognize my worthiness, and i *am* worthy, so i can see that i am worthy *and* there is need. And I can give accordingly, in the past i would give, give, give so much in the hopes that one would see me as worthy *because* of the giving.
– Spirit McIntyre

i've been renting right with a friend of a friend in the southern part of california. i am planning to be here until the beginning of june, because it was too expensive to stay in the bay and i do not yet know where i'll be heading after here... there is something important right now for me about being in environmental landscapes and not in a city landscape.. this expansive landscape has been able to reenergize my dreaming and visioning and i'm here for this, wanting more of this, and want this for my community and loved ones too. in general, i am noticing that new landscapes allow different parts of me to express themselves and it is beautiful to be in observance of this process and unfolding.

i had been planning to be complete an artist residency in portugal til early july, where the cost of living in lisbon is 2/3 times cheaper than the bay, and where i could stretch income i had received from grants i had been awarded before COVID-19 even further. deciding to move back to the bay has meant tapping into and exhausting the majority of these funds / savings more quickly.
– *randy reyes*

now i feel much like i felt at the beginning, like this is an invitation to slow down, and fortunately i'm able to do that right now. i also feel clearer about my boundaries, and i'm not often clear about them. i feel like i'm in a place where i can give with intention. – *Jennifer Kidwell*

i feel like i'm in the post-hope camp at the moment.
– *Dakota Camacho*

people with highest emotional intelligence have asked me, *what do you need right now?* and i don't know... i had lots of work, and was trying to pace it out well. and now all i have is time.

i used to date people who would call me a workaholic, and i didn't know how to deal with that... and they wouldn't have said that to me if i were a man... i love my work. so much of how i identify is through my work. – X

i'm having a hard time dealing with how to understand healing and rest in relationship to this moment; as much as i try to fight against it, my productivity feels somewhat tied to my success and self worth...

it hurts that the thing i've been dreaming of doing for so long has such a fragility that is evidenced in this particular moment...
i'm trying to strategize, trying to innovate...
– *Wendell Gray II*

i still have stability with my full-time job, but some of my freelancer friends without salary are totally unstable right now; i've been offering to help out, for example, with grocery money and things.
at the same time, i have more time to check up on people i care about; some people, too, that i have not talked to in a long time. – *Saúl Ulerio*

i feel a healing that's being offered at this time... i live with my family since a couple years ago and this has been a time to spend much more time with them.

i feel housing security due to the tech job that my sister's partner has, and they own the house we live in. without my sister's partner's support, i would not be able to focus the majority of my time on my art.
– *Dakota Camacho*

in negotiating for my work, i had been moving toward being more confrontational – with respect to pay and resources, but also around the care politic of my practice... money is one part of that, but not enough; one thing this is revealing is the way that we gather around care...
– *Ni'Ja Whitson*

my parents are both in their 80s, and they live several states away from me. the combination of all these things all at once – job loss, fear of the pandemic, fear for my 80-something parents who live several states away, the decimation of our field... i've been feeling like i need to purge, but i can't get it out. – *X*

i'm in a funky headspace related to the possibility to focus and/or create right now. i have to shift lesson plans for my dance classes that have gone virtual since quarantine. i am not very comfortable navigating the technology for this. i'm nervous about what performance essence is lost through the screen in this way of transmission. – *X*

my focus right now is family, finances, that intersection between the two, trying to check in with my friends, focusing on my joy, and still trying to build a residency project for Black artists that i started out self funding and now have some institutional funding for the next five years. – *X*

focus is just starting to come back up... maybe not yet at all, actually.

i'm really thinking about receiving right now, and being able to receive in a space of sustainment... i don't want to feel *guilty* about receiving. — *Shanel Edwards*

the sensation of escaping through confinement has been useful for me. but, even beyond COVID-19, i don't generally feel at peace. — X

i'm currently renting a place, living on my own... last month, i contacted the landlord in relationship to rent. i used a mutual aid resource about how to talk to landlords about rent. i came up with a figure that i could affordably pay for rent, and the part i'm not paying could go to my car insurance...

i asked if we could agree upon this amount until all this was over, and she said *let's do this for april and may*. i'm gonna ask her for june as well.

if i hadn't brought it up, i doubt that she would have; very few people have that level of accountability. it leaves it to the individual with the least power, in a place of duress, to figure this out. power shouldn't work that way; negotiating with someone and you're not on an even playing field...

i have debt, you know, Fannie Mae or whoever she is... there might still be some old utility debt from when i didn't know any better.

i don't even have a credit card... we have this relationship to debt where it's like, it's okay to be in debt...

everyone is operating on this model, the airlines, hospitals, banks, everyone... — *Spirit McIntyre*

i have student loan debt, credit card debt, and medical debt...

last year, i made about \$12,300 according to my 2019 tax return...

i have health insurance with my dad until i turn 26 next year. — *Shanel Edwards*

i don't have a will... i'm thinking about what would be done with my apartment... i'm thinking about archives of my work, about who i would want to have that... it came up when my dad died, this notion of mortality... thinking about whether i would want to survive on intubation... — *Miguel Gutierrez*

i got a message from my union that i could dip into my retirement fund, but that's not really a thing... i have some

savings from a fellowship i got, and i am hoping that i do not have to deplete them very much, knock on wood..
- Jennifer Kidwell

a lot of good things were supposed to happen for me and my career this year, and they're all gone because of the pandemic. and i don't know if i'm going to get them back.
- X

can i even fundraise right now? is that ethical?
- Dakota Camacho

as a musician, i also get a lot of pickup jobs that come as they come...
i don't even know how much of that there isn't right now, because it isn't until it is...
i have lost at least \$5000 between March and June; it's definitely more than that now, i just haven't calculated, and then the calls and things that i *would* be getting, that i can't know, i can't even imagine. - Spirit McIntyre

i've woken up and had coffee in the same place for two months and that feels so long...
most of the time that i have lived in this house, i've always had a suitcase on the first floor... i would always just, like, semi-unpack, and pack for whatever climate i was going to..

i also have student loan debt. i was supposed to pay them and i didn't, but more because i was just in shock and it was not high on my priority list... and i was amazed that they were calling me, asking *are you experiencing hardship*. i was like, *YES! How dare you reach out to me with that right now?!* - Jennifer Kidwell

i have some money saved from a theater project i did this fall and i receive a small stipend every two weeks for my graduate assistantship.
my spouse is from brazil, and is in this country as an immigrant working for very little pay.
we rent from friends who have offered some flexibility around rent.

i had to shut down one production because two of the actors were experiencing flu-like symptoms. i've had two relatives pass and have had my own severe health issues since the start of quarantine, including diagnosis of endometriosis. they suspected i would need a hysterectomy.

right now i'm focused on securing a salaried position with health benefits for fall 2020. i have some goals to begin a production company after i graduate as well. i'd like to release a few films i have in the vault. i am also looking into designing an app with some creative partners. i'd like to secure funding to help develop my theater projects. i'd like to become more involved with online programming of

performance and video artwork, and also panels and presentations like the UN's SDG platform. i've been nominated a second time for a national artists' fellowship, so hopefully that comes through. just trying to keep my spirits lifted, stay healthy with my eye on the prize!

this is my third interview related to COVID finances since quarantine began. – *Millicent Johnnie*

i've applied for 3-5 different disaster relief funds and have been steadily receiving support (thank goddesses) and am also re-allocating grant money that was supposed to go towards my projects/artistic development, but the funds are now being used to deal with making sure i have food to eat and a roof over my head. it is a time to both ensure i am not moving in the directing of business as usual, and that i am still working and working hard and doing my best to rest to ensure i keep moving my vision forward, incrementally. – *randy reyes*

i'm trying to be like water.
i'm imagining a future that was not on the playing field ever before.
i'm heeding the importance of being adaptable in this moment...
i gotta stay positive, i gotta stay creative; if i don't, all the work that i and others have done over the past 4 years just goes down the drain...
through the dance studio that i run, i would need to return about \$20,000 of summer camp revenue if we don't come up with a suitable idea for offerings in relationship to the social/physical shifts that are necessary.
we have moved lots of class offerings online virtually, and so far families have really jumped on board for that shift.
i'm not proposing getting rid of brick and mortar, i love the value of that connection; but i'm also becoming less beholden to it...
other folks in the community are feeling antsy about it...
many people come here for interpersonal community.
the studio has become a battery project for my work, and a significant space for hip-hop folks to come and commune and engage socially, publicly... – *Vince Johnson*

my father, who passed away in january 2017, i'm sure that he has put something aside, i'm sure there is something, but that hasn't been given to me from my mom yet.
– *Spirit McIntyre*

i've been scared of debt, scared of loans... my parents' house has been refinanced more times than I can count...
predatory lending... – *X*

having plants that are thriving, cooking for myself – i try to cook on tour, it's just harder... i'm being invited to live my life in a way that feels really good right now by and large... going on bike rides just to ride...

i am choosing to frame this experience for myself in that way...
if i had other circumstances, i wouldn't be able to.
i'm lucky as fuck.
i don't know how long this kind of immediate fortune will last... i get pangs of worry about it... - *Jennifer Kidwell*

feels like the stretch of a rubber band, and then the immediate contraction of it...
i'm not in immediate crisis, but if i wait and don't ask for support, then i'll be in crisis.

i don't want to think about the fact that I have to pay to live.
i don't know when i'll have a job again for the year, that's frightening. - *Shanel Edwards*

i would love to have a 1/2 or 3/4 time position in the future, with benefits, so that i'm not relying exclusively on one institution for my livelihood.
my sustainable income was from my full-time job, and freelance money was extra that was going into savings.
i am not immediately financially distressed in the ways that some of my friends have lost everything. when the pandemic hit, i had to pull from my retirement fund, and incur some credit debt... - X

i have health insurance through medicaid.
i applied to some relief funds; got some money...
i haven't been motivated to try to teach online; haven't thought too hard yet about how to make profit.
i have some money saved up maybe not to be stressed until june.
landlords expect our rent in full, but there is some flexibility about when we can submit it. - *Wendell Gray II*

i am inspired by my friends who are committed to their children going to college debt free. currently, i owe the government in student loans the same amount it costs to purchase a nice home in louisiana. i'm 40 now, and i would like to be able to have something to pass on to my kids if i have them, so they don't have to start from zero.
- *Millicent Johnnie*

at my full-time job, first we were told there would be no layoffs. at a later meeting, we were told there would be no layoffs *right now*. when the pandemic hit, i panicked about my job a bit, worrying that i needed to gain new skills quickly. my job was pivoted, for me to do interdepartmental work, to justify the continuation of my salary.
- *Saúl Ulerio*

beyond income, my security net right now is insurance money from a totaled car that will come in soon, and money from an institution that is paying me for work i completed

recently. in total, it's about \$10,000. i picked up about \$4000 of credit card debt when this whole thing started.

my relationship with my landlord is fine. my rent is paid. my year lease is up and i am supposed to move to a month-to-month lease, but am hesitant to sign that paperwork so soon in this moment. i don't want the landlord to attempt to put me out at the top of next month. - X

i have a friend, currently paying \$1,000 per month for rent, whose landlord, in response to him asking if he could pay a discounted rent throughout COVID said
oh i hear rent has been going up in this neighborhood to around \$1300...

YOU HEARD THE NEIGHBORHOOD WAS GENTRIFYING AND YOU WANT TO TALK TO ME ABOUT HOW YOU CAN GET IN ON IT?!?!
- Spirit McIntyre

i wish my mom had fought harder for me not to take out loans for college.
my debt is all from consolidated federal school loans.
if i don't make something major happen soon, i'm going to be in debt for the rest of my life. - Millicent Johnnie

how can i not have scarcity close my chest up?
- Spirit McIntyre

there's socialism for the rich in america.
i don't have access to that. my small business doesn't have access to that. - Vince Johnson

what is useful about the spotlight on institutions right now is that it has people really paying attention to their behavior. - Ni'Ja Whitson

what market re-orientations, at local levels and through solidarity economies, will allow artists+residents+institutions to engage in building the kinds of sustainable initiatives that permit entry for our sector and our community's skills in working class and disenfranchised sectors towards that next paradigm of value?
that work might look radically different than it has, encompassing new demands of administrators and art on and off stage... - Jonathan González

harder than the COVID pandemic has been dealing with some neighbor relationships, the pandemic of Black people being traumatized under white violence. - Spirit McIntyre

by institutions, i am sought as a resource all the time for anti-racism training without them initially making clear any commitment to monetary compensation.

i suspect folks feel like i'm going to be *the good Black...* institutions get shocked when i come in with my breadth of information, that i was raised by an organizer.

it's so new for so many of these folks, and they haven't exercised muscles around how to understand the work that goes into organizing and unpacking systemic oppression.
– *Millicent Johnnie*

i want to make sure that dance artists can see themselves in solidarity with other gig workers and lower income folks.
we are not outside of the world, or exceptional... we are in direct relation to culture
i'm thinking about modern dance pioneers who were involved in communist organizing, who were phd's, who were sociologists...
what if this is something that is speaking to every section of culture...

dance... how is it all related to everything else?
– *Miguel Gutierrez*

if this conversation is centering legality around contracts and things, what is the expanse of voices that are left out of that conversation, because the legal system hasn't had our backs or interests, for so many reasons – lack of access, trust... – *Dakota Camacho*

anti-racist values tend to decrease the larger the budget is, the more focused on profit and production.
i tend to believe in a karmic justice system, that value will be bestowed if it is put in

once more money gets involved, larger scope, the further from exemplary standards we get – *Millicent Johnnie*

academia is not inherently designed to treat people well...in many institutions care is undervalued, as are artists. it requires extra labor, risk, and pushing back against white supremacist institutional structure to make sure invited artists are treated well.

my company apprenticeship practice includes requiring that when a local tech team is entirely white, a commissioning partner adds funds to the budget to hire a BIPOC apprentice. – *Ni'Ja Whitson*

everything that i have, i've hustled for. i have always been seen as a *least likely*
i have built my entire life around the things that i do; i don't want to know who i am without that. – X

i keep asking myself *how productive do i have to be right now?* - X

i am an educational snob. part of me has really absorbed old civil rights respectability: look like them, dress like them, in order to be respected by them... but the other part of me has Stokely Carmichael's *black power speech* in the back of my mind where he talks about *walking down a dream street talking about sitting next to white people does not begin to solve the problem*. that is - shifting our expectations of white people and understanding a large failure to where we are now is due to white folk's incapacity to deal with their own issues and problems in their own communities.

i also know that things and certain spaces will be easier for me to navigate with an institution attached to my name. i'm not proud of that but I recognize until we really start to build anti-racist institutions, this approach will be part of the journey.

i felt like i needed to have access to all of that information from academic institutions in order to know the most effective way to get my work done and placed *out there*.

the whole time i've been in school, though, i've been fighting - in many ways, just to be here.
- *Millicent Johnnie*

i also feel mostly safe and welcome in a dance studio where i teach, that has become like a dance home. the focus is urban movement. i do wish there was a way to address things that make me uncomfortable without it being controversial. i know womxn who have not felt safe there, and i do not feel like i can talk directly to the owner about this. - X

presenting art in the US is oppressive... i was introduced to a paradigm by Dr. Amma Y. Ghartey-Tagoe Kootin that really changed the way i'm thinking about being a Black performer in the united states - a proposal of the auction block as one of the first performance stages for Africans in america where it serves as *a platform from which an auctioneer sells*. Dr. Ghartey-Tagoe Kootin encourages an intraafricana lens for Black artists, in order to counter the systemic oppression inside of you, and to counter the systemic oppression that you are inside of.
- *Millicent Johnnie*

thinking about the recent death of Denise Valentine and how Black cultural workers are having to figure out this moment right now... when someone's livelihood is based entirely in contract income, how are institutions and foundations, then, connected to and responsible for these folks' death, responsible for their lack of support in living and dying?
- X

it was a huge risk taking that contract, saying yes to choreograph for a creative process at a university... i think my risk is in saying yes to things... sometimes this is even in relationship with my potential to be good, to be seen as good, to be seen as worthy of being paid.

in many ways, doing things with the expectation of money has much more relationship to my conception of risk. i long for capitalism to be destroyed so that i can be in a place of risk-taking without needing to think about all the associations with risk in relation to capital and development of capital.

i had a weird guilt thing about taking the contract at the university, because they paid so much, and i've never had money... i grew up poor, very housing insecure, with periods of homelessness, periods of interruption of utilities in the house. the university paid a lot of money, because they have a lot of money.

i don't wanna have power over anyone, and i feel like having money as a Black queer trans person, it's like wow, *i have money, and other people are struggling...*
— Shanel Edwards

it's hard to make money when you have no money. i grew up between acadiana and new orleans, and my family for the most part was economically poor. i always knew that i had survival tools — we had a deep connection to the land, the skills to grow and raise everything: our own food, plants, herbs; my grandfather, uncle and cousins were hunters; we raised geese, chickens, hogs, ducks... you name it. for me, these were the tools to develop deep connections to community. also growing up poor, the idea of taking risk was never a new phenomenon. the stakes were always higher for us to succeed. — *Millicent Johnnie*

i don't know if it's about... maybe about the psycho-emotional loss of this time... that is... i'm pretty glib and naive... but a lot of this stuff, it's like, *that's paper...* these systems... if we don't regard them with such awe and fear, we'll know that we can create new ones... we know that we can change how we live, what we do. in that reckoning, where is the space for how we do this psycho-emotional healing? so that we don't give that short shrift, because of bureaucracy, or because of a lack of data. — *Jennifer Kidwell*

the level of anti-oppression work that needs to be done to experience the ideal is *really* something...

like to be able to provide hazard pay to Black trans folx that you're working with; i haven't yet experienced that because we live in a system of oppression which makes it outrageous for someone to actually name the deep extent of their needs or experience negotiating with folx who have already thought about it for them.

i trust that it's possible, and i'm excited to work even more with Black and Brown TGNC folx to experience exemplary values more and more. — *Spirit McIntyre*

can we pose large provocations of permeability by institutions to become community centers, and not cultural centers housed in aesthetic regimes which displace the local through gentrification? can artists be employed to do this? can the community be employed? what is the on and off stage work that could be supported to get there?
— *Jonathan González*

COVID-19 is its own being and we are just at the beginning of understanding our relationship to them and the truth is that there is no going back to any kind of normal, but of using the tools at our disposal to move forward and carve out alternative futures and systems and structures. it won't come without sacrifice and intention and community, but it definitely begins with us doing the inner and deep shadow work. — *randy reyes*

in the wake of this, many of these organizations will have power shifts, and many organizations will fall away... it will be necessary to look at what we might lose. Black artists have always had to figure out how much we are or aren't considered as subjects within this system of capital, without the assumption of its ready availability.
— *Ni'Ja Whitson*

this kind of energy around relief in relationship to COVID should also be directed toward reparations, in relationship to Black folx, in relationship to indigenous folx.
— *Shanel Edwards*

i know that it is possible to work with other artists AND hit the wall and be like, *okay we hit a wall, what did we learn?* what is our editing process in our living plan? i have worked with artists and led artists where, it's like, we have a decent plan and it's like, are we able to edit together, are we being accountable to our ability or inability to edit, so that we can make this project itself not just decent, but amazing. — *Spirit McIntyre*

because my assumption is that there isn't a lot, and because our relationships are mitigated by paper, i am not often looking to those mitigated relationships for people who will advocate for me. — *Jennifer Kidwell*

i'm working with an artist right now who had a residency with a series of performances attached to it, and the residency center had to cancel; but they were like *this money ain't cancelled*; the institution had that money set aside and cared about the artists enough, and they were able to pay all of us. — *Spirit McIntyre*

we should have as many people as possible at the table in order to keep visioning many many drafts of how this can happen. — *Jonathan González*

i wrote a post on instagram calling out inequities in the field and the fact that my income from my gigs is my livelihood. in communications i got from presenters about cancellations even after having read that post, no one mentioned anything about money until i raised the subject myself... with one festival, i got a cancellation notice from the director, with all other festival participants cc'ed as well. i replied immediately to ask about payment, with everyone cc'd... there should be transparency so that dance artists don't need to lead the conversations or have to be vulnerable if they do lead them. — *Miguel Gutierrez*

i live with 4 other people, including the owner of the house, which has no mortgage on it. we pay rent and it goes back to the house, to the maintenance of it. if we get into a situation where we can't pay, or can't pay the whole amount, we are likely able to figure it out amongst us. — *Shanel Edwards*

trying to understand what is my current ability to tithe, with my current financial situation, and in relationship to the pandemic and the uncertainty of future project planning. i had been giving \$30 a week to my church, which employs a lot of Black queer folx, so it made me comfortable to do that. — *X*

i have had great experiences in a dance company of Black men where i feel connection with an idea of brotherhood, and also feel safe psychologically, socially, morally... i'm allowed to be my ideal self and authentic self. — *X*

i'm so curious as to how this is all going to flow back, how we're going to repair, how we're going to continue to organize. it's on us. — *Spirit McIntyre*

there could be more innovation around how we can be involved right now as artists... what kind of difference

would it make in people's lives if their break room was turned into an art station? art projects in a hospital waiting room? what if we were to just teach a song to various people to sing at different sections of the grocery store? – *Dakota Camacho*

how do i make what is needed right now for my community, and not be dependent upon aid? if i were to wait for aid, we wouldn't make it to next month. – *Vince Johnson*

so much of the relief response has been coming from foundations... what if all that energy was put into a national strike? – *Miguel Gutierrez*

i'm feeling satisfaction working right now in service of other artists. – *Saúl Ulerio*

my housemate and i have been in the habit of hosting folx who need a place to stay, every now and then, temporarily.
– *X*

a theater artist (writer/creator/performer/instigator/magician) i was working with reached out to me and asked if i need anything and if i have time, and whether i was in need of a gig, and i was able to take part in a shared money resource; he was able to leverage his job to create work for other folx his show was one of the things that was cancelled for me he had a gig helping to develop content for a potential app, and since COVID, he realized he could turn it into something that a group could do together... we had developed a skill set in working together on another project, and the skillset was able to transfer over into this other thing that was originally disconnected. – *Jennifer Kidwell*

how can the skills of cultural production be adapted towards works of social cohesion? what creative imaginings across sectors of culture (artists/communities) and policy (institutions) can dream entrance into localizing community wealth, green initiatives, sustainable economies on alternative fiscal and material aims, and housing justice which the mutual aid structures of current have revealed we have needed for so long? what would that procedure of making and being supported to make these kinds of rooted works which call for an end to the international progressivism of tour-able works and market circulation that continue to extract from local communities and emit toxins with our self-aggrandizing desires? and does our system of foundation support allow for us to even get to that kind of conversation? – *Jonathan González*

particular support efforts are meaningless if artists are not acting in solidarity right now... it is true we are unequally impacted because the arts and artists, particularly artists of the global majority (BIPOC), are often devalued by capitalism. but, it is obnoxious to

imagine that somehow we have more of a *right* to relief as
artists than other workers do.

EVERYBODY is CREATIVE and should have equal access to their
creativity and creative expressions. everyone should be
highly valued for their unique creative contributions to
our world. in indigenous worldviews, arts are integrated
into every aspect of society, and essential to health and
well-being. how might we re-imagine the arts in this moment
so we might reclaim the arts from capitalism and
imperialism?

it's been interesting to watch entitlement enacted in
relation to artist relief, while essential workers still
don't have liveable wages, nor hazard pay, and the
government is talking about cutting farm workers' wages to
save the economy... how are we using our work to advocate for
our fellow workers? How can we be in class solidarity with
everyone on the frontlines of international racialized
class warfare? – *Dakota Camacho*

i've been teaching for 5 years with a community center that
does after school art classes. a couple years ago, they
began to offer student participants internships, to give
them a little money for participating in the afterschool
programs. after that, they initiated a program to hire the
students part-time as employees, to give job training.

the students there are dealing with a variety of traumas.
community-related. family-related. environmental racism
related. police harassment and/or violence related. – *X*

another project is scheduled to happen in august... i'm
still in regular conversation with collaborators and
funders around this, seeing where folx are, where we will
end up...

i trust that the funder would allow the grant money to
pivot toward use for human need in this moment, if
necessary. – *X*

i believe that artists do need a bill of rights, one that they've
touched and agreed upon; one that arts institutions are aware of,
respect and know about. so that they're not the first artist
deemed to be *difficult* [knowledgeable about their rights]...the
next one is just as *difficult* as i am. – *Spirit McIntyre*

*The compilers are dependent upon your feedback about how this
document can better address the needs and desires of all sibling
arts professionals. Please use **this form** to offer feedback*

Scene Change compiled by Karen Sherman

As the working group began this project, I felt it was important to hear from those whose financial and artistic livelihoods are tied to other people's work; the dancers, designers, technical directors, production managers, and technicians whose lives hinge on the negotiations between lead artists and presenters but who have no say in those negotiations. They make up the bulk of the field but generally remain without a voice.

I asked the people I spoke with to suggest others for me to talk to so that I could keep moving farther afield along a range of connections, geographies, aesthetics, practices, career stages, racial, ethnic, gender, and sexual identities. Some are freelancers, some are salaried, some are independent artists, some are company dancers, but most are a mix of all these. Still, there are a lot of gaps and I hope Phase 2 will keep expanding the circles. The quotes here are pulled from concentrated, in-depth conversations with nearly two dozen people. I worked with each person to clarify or edit their quotes as they saw fit. Additional insights, comments, and quotes came from emails, texts, and conversations with other colleagues who spoke with me informally as I wrote this draft and who encouraged me to share their perspectives. The denotes a change of speaker.

I offered everyone anonymity. Not everyone felt they needed it or needed it on every topic but applying it across-the-board in my write-up offered the most protections. It sheltered the most vulnerable and lifted the burden from those who feel they're always the ones having to speak out. The voices here don't speak for everyone by any means but the act of speaking helps turn the wheel for others. At least I hope. I'm grateful for the candor, bravery, and trust people showed in this process.

At times, this attempt to hold and relay people's fears and concerns felt impossible to me. I kept thinking I was doing this "wrong" even though none of us knew how it was supposed to go. Not knowing how something is supposed to go can be the exciting part for artists who make something from nothing. But as you'll read in these accounts, it's also an immense source of dysfunction and agony in the field - we don't know what's going on at X organization, we don't know how much we're supposed to get paid, we don't know what protections to ask for, we don't know how to do right by each other... I wasn't always sure the best way to honor and pull these conversations together because they spoke to so many issues. The group I interviewed has nearly 500 years of collective experience in this field. 500 years. And theirs are only a fraction of the accounts, concerns, perspectives, and stories out there. I've only minimally touched on dance outside of institutions and a lot of people work outside of that system - exclusively or occasionally. There's much to talk about there and I hope others will examine that in more depth in Phase 2. Honestly, this write-up barely scratches the surface.

As common concerns and themes emerged, I tried to group them together as I wrote. There is a lot of overlap between topics - capitalism, class, colonialism, and racism are tangled together in a hard knot, of course - and the categories are insufficient, imperfect, maybe even arbitrary and unnecessary. It's just a starting place. My own writing here is an attempt to tie together these accounts along with insights I've gained from years of conversations on these same topics, both informally with friends and

intentionally for research on past projects of my own that dealt with issues of power and transparency in the dance world and beyond.

We've all known all along that things weren't working - not just artists but presenters, funders, administrators, crew... We were feeling it, living it, talking about it with those we trusted most. The pandemic just pressed the foot harder to the neck until finally, both snapped. I'm a cynic by nature. But the entire field is so broken right now, its future so in question, its ground so leveled, that I actually believe it might be possible to do things differently going forward.

To do that, we have to be honest about what wasn't working before all this. That includes ways we were complicit, confused, afraid, or willing to gain from others' losses. Everyone who is speaking in this entire document has made themselves vulnerable and exposed themselves to risk by doing so. It's scary to do this. But we can't unrun it anymore or hope someone else will do the work. Besides, we know how to make something new from nothing.

Listening to these accounts, what's become clearer than ever is that we've all been running on instability and fear:

Dancers are afraid of choreographers,
choreographers are afraid of presenters,
presenters are afraid of funders,
funders are afraid of donors,
and everyone, even the crew,
is afraid of the crew.

Reputation and Relationship Insecurity

The artist-presenter relationship is typically abusive. In abusive relationships, if someone asks, you have to say Yes. You cannot say No.

Many artists feel at the mercy of presenters even when the relationships are good. But they sometimes find themselves in situations they feel especially uncomfortable with - entering into negotiations with presenters who have bad reputations (racist, exploitative, rageful, cheap, cagey); agreeing to cuts in fees or resources even when they suspect the presenter is redirecting them to a more expensive or "demanding" artist; enduring erratic or opaque communication; being asked to do all the heavy-lifting on outreach; being used to fill a quota or check a box with regards to race, ethnicity, gender, or sexual identity; tolerating sexual harassment or fetishization.

I've definitely seen sexuality get used as a transaction. Presenters paying more attention to artists who fit their personal desire model. Queer women sometimes joke that we have a harder time getting booked because there are virtually no queer women presenters, which means there's no one to sublimate their desire to sleep with us by booking us.

A longstanding complaint is that presenters don't return emails or phone calls. Most choreographers say they'd rather hear "no" than nothing. They recognize that presenters are busy and inundated with emails, requests, and

pitches but feel that's part of what they're paid to do whereas artists are expending a significant amount of energy and unpaid labor trying to get a response at all. Trying to figure out when to pursue a response, when to back off, and when to give up is depleting.

I have so little patience with the idea that presenters get so inundated with emails and that's why they never respond. It's indefensible. Then people say, "Just keep emailing them" - how gross is that? How is that even helpful? If they get too many emails why would you want to be the one to inundate them?

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The way Obama had his staff choose 10 letters a day from average Americans for him to read and respond to - presenters should have to reply to at least one artist a day that they don't have an existing presentation agreement with. Or seek out three new artists a day to learn about. Or reach out to an artist that they previously had a relationship with, etc. I mean, if Obama could find the time...

The ghosting feels like a power move and an unnecessary one in a system where presenters already hold an enormous power advantage. That strikes many as ironic given that without artists, presenters don't have jobs.

I appreciate the exchanges that are most honest. That say, "I loved the piece" or "I hated the piece and I'll never present it." We don't have much money or cultural clout - we just have each other. The disrespect is most demoralizing. The not returning of emails. Especially when people I have relationships with ghost. I get that everyone's busy but.... Part of the job is interacting in an ethical way. Without artists there's nothing to present.

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Presenters need workshops on how to say no - I understand that they are overwhelmed and can't respond to everyone in a timely fashion, but most tend to approach their work from a position of power. They forget they're in a service-oriented position, that there are human beings at the other end of their responses, and that they wouldn't have their job of curation if lots of artists weren't making work.

The dance world does not stand outside of systemic societal problems. Beginning with the initial correspondence and going all the way through the final performance and payment, societal misogyny and the fact that white, cisgender men have dominated curatorial circles for so long, means that artists who are perceived by the presenter to be women have to worry about being seen as "difficult" if they make even basic requests or don't "play nice." Pushback to these requests can feel like the presenter thinks the artwork/artist is less valued and this is further compounded if the artist is also BIPOC, queer, not cisgendered or directly questions a white supremacist, colonialist, or patriarchal way of working.

As an artist you make the choice: I'm flexible and easy to book or I'm the ambitious one who's going to top you with challenges.

Some presenters like to be challenged but only in certain ways and assessing what's creatively or logistically titillating without being scary to presenters is tricky. Artists have to gauge whether flipping the power dynamics will help or hurt them, then thread the needle.

If I say [that], that will piss them off but get them really interested.

Choreographers of historically marginalized identities have to master code-switching that varies from presenter-to-presenter. They have to read the room and in most cases, literally speak the English spoken by white, college-educated people that dominates grantmaking and curation. Of course, this assumes an artist is even in a conversation with a presenter to begin with, which is not a situation most artists find themselves in.

In my city, there are so few venues left that there's not as much of a power dynamic to deal with as much.

From the choreographer's point of view, larger institutions with layers of administrative support sometimes play a smoke and mirrors game to deliver pushback. Administrators are dispatched to negotiate fees, say no, pick apart the rider, or haggle over resources. It's hard to know when the problem is a personality clash or when the administrator is being forced to play 'bad cop' or something else entirely. The ways artists are kept in the dark about the internal workings of an organization make it hard to know how to work toward common goals.

From our "outside" perspective we can't see where/who is causing the obstruction within the institution - and maybe "the dirty work" gets shifted around and placed on administrators.

A lot of dancers feel dance itself has socialized them to internalize conflict and make calculated decisions about when to openly confront a situation with a choreographer. Speaking up jeopardizes their livelihood as well as their artistic opportunities within a project. Dancers suffer an extraordinary range of injustices from sexual exploitation and coercion to incredibly nuanced debasements - passive retributions such as being cut from sections after disagreements or being asked to dance harder on injuries. Usually, these were not conscious acts of vengeance on the part of the choreographer but a kind of sideways response to stress - dissatisfactions that got worked out through indirect action rather than by talking things out. There's rarely an intermediary - a company manager or stage manager or union steward to help with this. It takes a long time for dancers to find projects where the working relationships, artistic investigations, and ethics resonate with their own.

After fighting tooth and nail through school, missing semesters because of money but eventually graduating with honors, after competing to be seen and deemed worthy at summer programs and auditions attended by much more privileged people from elite schools, only to be trod underfoot it seems, taking dance jobs and non-dance jobs that wore me to the bone without appropriate recompense, I'm tired.

A sense of futility is baked into the system for a lot of dancers who told me they felt they'd "signed up for this" or "knew the deal going in." They sometimes said it with a cheery toughness or stoic adaptability, but their belief that they somehow deserved their mistreatment brought the patriarchy that drives dance culture into stark relief.

As the visual art world has been programming more performance, dancers often find themselves working with artists and institutions who still, many years into this fascination with dance, have no idea how to handle the art form or its laborers. Museums that failed in exercising care around dance in years past have not learned to extend oversight to artists who present performance work under their auspices using outside dancers-for-hire. Most visual artists have nowhere near the level of people management skills that dancemakers have. Where choreographers have been trying to protect dancers during recent cancellations, some performers who have lost work in visual art settings have had to fend for themselves. But in dance, the actual body, the artist, and the artwork are inseparable. That doesn't change when it moves into a museum.

I worked on a performance by a visual artist at a museum. She was shocked at how impoverished the performing arts world is. How "poorly" they treated her. She even got a "worse" hotel. Visual art spaces are using performers to prove they're not mausoleums. If you're going to put dancers' bodies in space you need a dramaturg and other dance experts to talk about how to make the space and the contracts safe, and to create a context for work that is respectful to the work and the art form.

Designers sometimes feel apart from the systems that determine whether they'll have a job and what it'll look like, even when they feel inspired and empowered by the artmaking, the collaboration, the relationships.

In terms of agency, power, leverage, voice, honestly, I feel horrible. I've been doing this forever. I'm never brought into the conversation. I felt very unempowered in general before [COVID-19]. I feel empowered by having the support and love of great artists I work with but... Experience is not valued.

Technical production culture allows more tolerance of open interpersonal discord - giving each other shit, being surly, complaining - but freelancers still have to maintain just the right kind of good relationships to keep getting booked.

Sometimes whoever yells the loudest is the person you listen to. You hire the people you like to have around. If you like the loud person, the loud person gets the work.

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People can stop hiring me at any point. I don't get fired; I get removed from a call list. If I seem pushy, difficult, or like a money-grabber because I've asked why my check is late, I might not get more work from a venue.

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The whole field is built on and sustained by good will and relationships. So with any kind of problem there's a lot of making

do and trying not to say the wrong thing, which perpetuates inequality. Any small efforts to correct that results in people patting themselves on the back.

The upshot is that the entire structure is shaky, fear-addled, and permeated with uncertainty.

Everyone is expendable. In every job. Even presenters and funders.

Who Has the Money?

Since direct federal funding to individual artists was revoked in the mid-1990s, the pressure has grown on artists to raise their own money through foundation grants. The growth of project support and fellowship opportunities is notable and necessary - crucial, even - but it's created an arrangement where artists need to come to presenters with money in order to get booked. At least one presenter has told me that if it weren't for NEFA's National Dance Project (NDP), which offers [presentation subsidies with its artist grants](#), they wouldn't present any dance at all - they wouldn't be able to afford it. Artists also seek out other grants or use fellowships (if they can get them) to offset presentation expenses. The economics demand presenters take advantage of whatever extra financial help they can get, whether from the artist's fundraising or from sharing the financial load of commissions, visas, travel, etc. with other venues, so they're largely all presenting the same artists. Artists who do not successfully score these grants struggle to get presented even if they've built relationships with presenters. Which is already hard to do.

As funding got separated from venues and into granting organizations and then into the artists who got whichever grant, it separated us from what we used to know. People were part of one system that things would grow from. Now it's one person presents you and this one doesn't, this organization funds you, this one doesn't. It doesn't feel all part of this one, greater field. X presenter won't even go see Y artist's work because she knows she'll never present it so she won't even go see it.

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For my current project I went down the road with long conversations with so many presenters. It looked like it was going to be a long tour and then everyone bailed over the course of last year. There were various excuses - money, themes in the work, etc. Maybe the work I'm making isn't what people want. I'd experienced rejections before but never with such calamitous totality. The only time backing out didn't happen for me was when I had NDP or other grants. I was half-price. Half of those presenters had bailed on prior projects but once I had money they wanted to do it. What are the long-term career implications for people under this dynamic?

Artists who have access to family money or other private funds find presentation and development opportunities open up for them, as do

international artists whose tours are heavily subsidized by their home countries.

Presenters like having European people from countries who can pay their own way. But some of those countries aren't seeing the benefit - why go to NYC when you can go to Avignon where the pay is better? Sure, if you go to NYC you build relationships. Or maybe the work isn't big enough to go to Avignon. But it's applying free market economy thinking to something that isn't a product. It's not like a new iPhone. Art should have a special place in society, especially when it's not popular, clear, or finished.

For those outside of the major dance hubs, especially New York City/Lenapehoking, geographic location makes everything harder. Other cities might be more affordable or have better funding, but for artists who want to tour or get their work seen outside of their immediate communities (and not everyone does) there are so many more obstacles. The people who can help make other gigs happen for you are not paying attention to your city - even when they live in it.

A common complaint from dancemakers across the country known as the United States, is that medium-to-large venues neglect local artists. It's felt that institutions that present national/international artists and organizations whose centerpiece programming is a festival rarely program local artists except in "tokenizing" ways or when they need an "engagement activity." Artists note that those presenters rarely show up at local shows at smaller spaces throughout the year. A lot of artists don't care about working in those larger venues but others are eager for the administrative, marketing, and tech support, the new audiences, the more forgiving floors, the dressing rooms...simply having some help or the chance to push themselves in their work. There is resentment around this due to the scarcity of opportunities but it could be lessened if artists knew where they fit in the ecosystem.

The opacity is problematic. If we know who is in charge and what the money is and - if I understood the ecosystem, that X venue only presents local artists one or twice a year but wants to help them be connected to national and international artists, then I would know where I fit in and what to expect. Then I wouldn't have to feel bitter. Then I would know that their mission doesn't serve me. But when they're pretending they're interested through these other gestures, it's confusing.

Cobbling together a tour or a series of gigs or residencies, whether it's assisted by existing networks that enable that (e.g., National Performance Network, National Dance Project, a festival circuit, partner venues in a single region), or created totally ad hoc is critical for some dancemakers, not just because it allows them to get their work out there or connect to people but because tour fees often subsidize rehearsal fees. Dancers sometimes rehearse for very little money knowing (presuming?) they'll get paid more on tour. Even then, their fees are usually under where they should be. They save their per diem (if they get any) rather than spending it on meals in order to subsidize the fee. Crackers and sardines for dinner in the hotel room (if they get a hotel room).

Touring is absolutely financially necessary. I want to give opportunities to the dancers and for the world to see dancers. It's necessary to my mission, and energetically and financially. I love touring. But not as a one-night gig. I want engagement with community and longstanding relationships with audiences.

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Touring is an incentive financially and otherwise for collaborators. It pays on the back end. It's never enough to support the work. Dancers might be getting paid \$15/hr to rehearse, which is pathetic, but \$1000 on the road pays for the accumulated knowledge. I value touring because it's idea-sharing. Our current touring model doesn't necessarily highlight that. It's "Can you sell out the theater or not?"

Artists who are parents struggle mightily under this system. There's project development money in residencies and performance money in touring but both require dislocation. If travel is too expensive or the logistics too complicated, you have less access to everything, including the touring money which can back-fund your projects.

Dancers rarely receive contracts with firm amounts well in advance. Or at all. Sometimes they're promised one number but the contract says something else. Some have even been paid less than the contract stated and didn't feel they could ask for the contracted amount because they were afraid of damaging relationships with the choreographers. This is an especially hard call for dancers in cities where performance opportunities are fewer and there aren't as many choreographers who are making work in the first place.

It's hard to figure out how to calculate pay in relationship to time. There are rehearsal hours but what about their commute or ways they have to take care of themselves to show up in good health, mentally, physically? Is there a way to support them financially outside of studio hours? And with sound, scenic, or lighting...how do I quantify the hours they're putting into that? How do I pay them in relationship to the way I'm paying the dancers? Should someone get paid more than someone else? What factors go into determining equity?

Competition and Recognition

The ways in which validation is given become part of a metric of success. A string of successes. One person pushes you forward and then a whole series of people follow. Once you're anointed, others will take the risk on you. Within this is often a push to dilute, to corrupt the notion of access. I can create access to my work without washing away the complication within it. I do not buy into the notion that audiences are seeking simply to be entertained. Yet this simplistic notion of access (often wrapped in virtuosity for its own sake) is often pushed through as a validating factor, as what makes you "likeable" or your work "saleable." Competition in capitalism is such a hard thing.

Some of the measures of "success" - residencies, awards, fellowships, grants, commissions, bookings - are not even available to or wanted by everyone. But

the weight they're given makes you feel like a failure for not getting them even if you don't want them. Getting them can feel equally conflicting.

I received an award that's viewed as a way for someone making work to have resources and get some velocity to their work. It was lovely but it felt dissatisfying. There is a flowchart of things you need to do to keep that kind of velocity going but velocity is not always sustainable. To jump into a place that didn't have an end place but a constant ongoingness...why would I do that? I started to feel like I was being ungrateful for the opportunity and the generosity of a path that was being created for me that I didn't want to go down. I felt resentful of the people who were trying to help me go down that path. It was just about the fit. There's a value system that's pre-established. "Everyone should want this."

Competition, and attendant feelings of resentment, disappointment, guilt, is so embedded in the system that even in the face of collapse during COVID-19, it remains one of the few structures still standing.

Those emergency grants...I had to rush to compete to get them and then I got a message saying, "Sorry, due to overwhelming demand we are closing this now." So, you're saying that we need to scramble over each others' bodies for \$250? \$1000? And then you yank it away just as quick? I understand we need those grants - although do we? Is there another way to combine these little pop-up things? Putting those multiple little grants out reinforces the scarcity and makes us double-down on it and fight each other. It creates toxic competition. That has been disheartening.

It's on the artist to find ways around and through all this and many do but it requires ongoing discipline.

I need to practice being genuinely grateful when someone else gets funded. Their doing their work will come around and let me do mine. I don't want to be jealous. The advocacy work I'm doing now is related to that. Abundance is related to scarcity and it's often us, the artists, creating the abundance. Artists create our own opportunities and source our own resources. But this can shift the trickle-down to trickle-up.

It doesn't take long as a dancemaker to understand that "success" is fickle, fleeting, and fashion-based. The sense is that you make a good show or get the grant that makes people pay attention and then you have a couple pretty good years. But that evaporates in an instant. Suddenly no one's interested and you're not sure if you did something wrong or if your work is terrible or... Some dancemakers try to read the trends of what's being presented and maybe even try to make work that speaks to it. Others stick to what they do and hope things will come back around someday. Sometimes it does. Then the cycle repeats. Knowing that helps prepare you and lessens the impact but the pressure of the hustle remains.

I'm not quitting but I'm old. I felt more like a cool kid when I was getting more national gigs and stuff like that. I always felt very excited and appreciative every time I performed out of town. Or when someone else did the publicity for my show. But I'm also excited when I do it on my own. I feel compelled to be continuous. Some of the shows that felt the most like a full expression were mostly homegrown. A DIY

venue has felt as good as a venue with more cachet at times. There was a grind when things were more abundant and there were more opportunities. Or the way how much support you get for the thing you're making in a year means you have to start dreaming up the next thing and schmoozing and fundraising for that. It's easier to talk to presenters when you haven't spent what is coming up, when you're not at the end of what's already been supported. But you're supposed to schmooze before you're done with the existing show.

Established artists in their 60s compete for the same grants and gigs as choreographers in their 20s. With every new show, you start from zero. It's not a bad thing that older artists have to on some level argue their "relevancy". But what are we hoping to achieve by making it so hard, so Sisyphean to ever find stability in this career? When the best you can hope for is to survive long enough to become a "legacy artist" but even that doesn't offer sustained support? Dance is one of the few fields where your longevity and experience are used against you. And it's not just the usual ageism at play. The eroticization of dancers and dance by audiences, programmers, and the general public is already such a massive energy to mediate. That its commodification is so tied to age adds an extra layer of complication for older dancemakers (not to mention that in some parts of the dance world you start becoming "older" in your 30s).

In late-stage capitalism there's a push for the new - novelty creates demand. It's not, "I need this" it's "I need a NEW one." With funders, you're supposed to be new, new, new AND quality, quality, quality AND tried and true. It's impossible to have it all ways. When you're mid-career, you're not legacy but you're not new. Unfortunately that's most of everyone's career - the space between new and legacy. It puts artists in a terrible conundrum - and the presenters, too.

Even designers, production managers and technicians who contract out for specific projects encounter issues of competition and hierarchy.

I wish there was more conversation between designers about what they're being paid and what's fair. I don't know how much to ask for beyond an hourly wage. Am I lowballing? Older designers don't want to talk about it much. I think they're worried I'll take their job.

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The persistent poverty mentality means nobody wants to share resources or tips or networks.

Financial Insecurity

The reality that artists have to raise nearly all of the money themselves is complicated by funding cycles and how deadlines roll out over the course of a year or several years, which means artists start projects well before they know how much they can pay someone. In fact, they usually need to start the project before applying for a grant so they have numbers to propose, work samples to submit, collaborators to name, and some kind of proof that they're capable of doing what they say they're going to do. To complicate matters, some grants explicitly state that work on the project cannot start before a

certain date. Technically, this means artists are being asked to apply for a grant with committed collaborators who haven't been paid anything yet, and under the terms of the grant (which they haven't even gotten), they aren't allowed to start working until they find out if they got the grant. Which they probably won't, given the odds. They write these grants unpaid. Failing to get the grant must be accounted for - you need to apply the year before you're truly ready to apply, just in case you don't get it the first time so you can try again the next round. (Writing it the second time is also unpaid.)

This means people initiate projects not knowing if they'll have \$1000 or \$10,000 or \$100,000 but need to ask people to work with them for an as-yet-unconfirmed fee. Because the funding cycles take so long, the time between signing on to someone's project as their collaborator and knowing what your confirmed fee will be can take years. This doesn't even include the murkiness around touring, when the choreographer has to go back and negotiate fees with every single presenter.

I've seen some sketchiness from choreographers around money. What's the responsibility of the presenter in terms of their relationship with the dancers or subcontractors. Do they have a responsibility? I think so. Why shouldn't they directly say, "While dancers are under our roof they get paid \$20/hr." Should the dancers know ahead of time what the organization is offering and then see what their boss chooses to do? What would be the downfall? To lay that out transparently - the choreographer telling performers that one venue or residency's fees are subsidizing the other (one pays low, the other doesn't, so it averages). It brings things to light and lets people know how it all works. It gives you the backstory on a venue when you show up as a performer.

Since so many choreographers spend years dancing for others before they start focusing more on their own work, this kind of transparency would help them start their careers already knowing how things work (or don't) and make them better able to do right by the people who dance with them.

The only people who ever know with relative certainty how much they're getting paid are the venue stagehands who are paid by the hour.

One of the early decisions I made was to not be a lighting designer. You could not survive on that. As a technician, you got paid for every second you were there. So I learned that being a technician has value because you are paid by the hour. As a lighting designer you get a fee meant to include all your effort, which is an unknown amount. I don't think dancers get paid by the hour in a commensurate way, like technicians. Younger kids went to college and accrued debt but have skills to run a lightboard by the hour to get paid. There's no guarantee like that for dancers or designers. For those people, every unplanned-for second you're there, your fee goes down. There's value placed on personality and work ethic but it's not honored in the same way.

Most dance venues have only the bare minimum of full-time technical staff. Everyone else is freelance, overhire crew. They are the lifeblood of the

entire industry and venues would not be able to function without them. But they're gig workers and afforded few protections.

My personal crusade for freelancers has always been classification: employees versus independent contractors. The people who make the laws can't write anything that fits with our industry. It's hard to fill out taxes; it's not normal to have 20-25 employers and it's not normal to be an independent contractor with no control over your wage. 1099 technicians who can now access unemployment through the CARES Act is unprecedented. I'm glad that we got that but it's only a small part of rights that ALL workers should have but that contractors and misclassified workers don't have access to. There is a lot of misinformation about laws, classification, and rights. The draw for people to technical entertainment jobs is getting to work with your hands, be physical, work as part of a group, problem solve... not process the paperwork and secure ourselves against the liabilities. It's dangerous work. A lot of workers will argue for things that are not in their best interest because they don't know better. Certain rights should be a given for every worker.

Some venues pay freelancers via W2 in order to provide some semblance of Worker's Comp but this is largely to protect the venue from an injury-related lawsuit. Freelancers generally know the hourly rate at any given venue but some venues are vague about overtime or whether a call cancelled at the last-minute is still paid. At smaller venues, there may be no set ending time; you show up at 9am and don't know when you'll leave. You may not get regular breaks. Almost every venue has broken or outdated equipment. There is always pressure to work in unsafe conditions.

Union houses offer more protections and better pay. For various reasons, some union houses are more attractive than others to those higher up on the call list who have typically been in the business the longest. Because the union has been so slow to diversify, the top of the list skews overwhelmingly white, cisgender male, straight, and older. Many union houses have short turnarounds (one-night shows with a day-of load-in) so there's no time to build relationships; freelance crews are there for paycheck, not the art. Full-time house crews are better positioned to exhibit care for the process but most feel they left the art they really cared about behind when they made the decision to move from smaller theaters to larger halls.

This dance, weird performance art world is small. There is a glass ceiling. There's nowhere to go. You have to leave this world to do anything bigger. So there is some competition in the freelance production world. Most people do leave and go to the commercial world. Had I had children I probably would have left. I stay because I like the work. I do some special events. The money was good but it drove me nuts. It wasn't hard work but it was too much standing around, not enough challenges. It was all top to bottom. As one union guy put it, "We're not here for outcomes, we're here for incomes."

Capitalism and Class

Dance is anti-capitalist in its essence because it's anti-materialist.

In these first couple of months since COVID-19 began shutting down this country known as the U.S., we've seen a surreal version of a Bernie Sanders presidency under the Trump administration: "stimulus" checks, unemployment insurance for freelancers, free COVID-19 testing and treatment. All the things we've been told are impossible or unfeasible or too costly or that there's "no capacity" for changing have been felled with a feather - airline cancellation fees, data caps, late fees, paywalls, utility cut-offs, evictions. Suddenly, easily, we've moved people experiencing homelessness into hotels and thinned-out our prisons. But capitalism dominates in the performing arts, too.

There's no dignity. No "we're all in this together." Does it make sense that a few donors are controlling the entire aesthetic? The boom or bust thing, all or nothing. You get \$50k from Creative Capital or you get zero. I don't know if the solution is about project funding or about basic universal income.

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The most glaring thing that this situation has put before me is just how vulnerable we all are to forces much greater than ourselves. The fact that there are no failsafes, or at least more avenues of sustainable assistance considering how much "wealth" there is in this country, for people carving out their own way in the arts, is telling of how little the machine that we all participate in cares for its moving parts. You'd think that a nation propped up on ideals of making one's own way on one's own terms wouldn't think twice about supporting artists doing just that. But, it's art and artists that bring too much friction for establishments to handle.

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I've been talking lately with a lot of visual artists. They were all saying that no one is going to buy art now. But in dance we're all working on spec. I told them that I've never sold art but I've raised hundreds of thousands of dollars to make art. This is a chance to change even the basic social safety net. To be in it with people who are as precarious as we are or more. Universal income would be amazing. Or actual healthcare. If we had those things, how would it have changed the reaction of "oh, the presenter didn't give me that fee for that cancelled gig"?

The economic class distinctions of even 30 years ago no longer exist. To the degree there is a middle-class, it's typically only a few weeks of joblessness away from poverty. Dance is always talking about how poor it is. There is never enough money and we're all used to living in a scarcity mentality. But many people in the field grew up middle class or above. Some have family backup if they need it, though most told me they rarely relied on that. Still, they're relatively better off than many other people and the step down in security is more psychologically difficult than actually dire, at least pre-COVID-19. The dance world has gotten better at having conversations about inclusion but those often fail to address class. For some, this makes claims of "I'm so broke" in the dance world feel hollow.

I often feel I'm the only one in the room who grew up poor. I've had imposter syndrome around it. I wanted to fit in more to the middle class artist class. I've wanted to figure out how to blend in better to get jobs and be taken seriously. My sense of empowerment around

contract negotiations has been hampered by imposter syndrome. There's a disempowerment inside of that that I'm trying to shift. It's helping that the national discourse is changing around this but those of us who are poor or working class are in rooms all the time with people who never think there could be someone who grew up poor in the room.

Colonialism and Racism

Not-talking-about-money and white supremacy are necessary partners.

The financial structures stem from a system that is built on colonization and racism. Black, Brown, and Indigenous arts workers grapple with this constantly.

We get set up for failure. I see the difference in labor, the heightening of racial and cultural difference in simplistic ways, as if that can deliver bite-size pieces of diversity that set us up to fail. I love doing engagement work. But it's about pushing difference - how are presenters being partners, how are they creating the terrain? So often they just throw you to the dogs. What are you doing to make audiences less hostile to the politics in my work?

White arts workers who want to be part of changing the system are sometimes flummoxed by the most effective ways to do so and with confronting their racism and privileges.

My own internalized racism and where I stand in that system has meant I don't have a strong history of relationships with people of color so I don't know as many POC dancers who'd be interested in my work and maybe they're also not interested because my work is steeped in the history of white western practice. With my last show, I wanted to have a racially diverse and mostly queer cast. I decided I needed to explicitly ask for that in the casting call because I realized I shouldn't assume that everyone would feel welcome. So I said "queers and POC are welcomed/encouraged to attend." It's complicated to request bodies that look a certain way. It doesn't feel good to do it or to not do it."

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As a white person I struggle to do things the right way in regards to racial equity. My desire and intention are genuine. Fighting through the socialization, unconscious bias, white privilege and unexamined racism I harbor feels necessary and like a relief but hard to do well. I worry that my sincere efforts to diversify my work will be seen as just trying to head off criticism. One of the other fucked-up things is that even as someone inside the dance system with a lot of privilege because of my whiteness, it's not even that great for me. It definitely benefits me more because I'm white, but the system is so deficient and punishing at its core that even the people who have it best don't have it so good.

Changing these systems means you have to be actively included and face-to-face with people, which again means you've had the privilege to arrive at that opportunity. Not everyone gets that chance or is made welcome. You often can't even build the relationships if you can't afford to travel, bring people to you, or if you don't speak the language of grants and presenters.

The legibility of my work has been hard for white presenters and/or presenters working with mainstream aesthetics to read. My work is located in a culturally-specific practice but it is also contemporary and experimental. Traditional people have rejected me and that's okay. I wish I had the right to make stages smaller like some artists do. I would love to do that. You would be able to see the detail of my work. But I don't think I'd get a single booking. Venues extend those privileges to "conceptual" dance artists. Artists who have cachet. BIPOC artists who are working in styles that are experimental in non-European ways haven't been super successful in getting tours so when they do the audiences are not quite ready. Presenters haven't done work of breaking stereotypes in their communities.

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It's an old boys' network and not satisfactory. It's all about who's in whose company. You get one presenter who boosts you to others or with whom you end up in certain social situations. At the same time, I sympathize with presenters and how hard it is for them to cultivate audiences. People don't fly to [my city] to see shows. No one travels to come see work. What about getting each other to see our work? Other artists?

Respectability politics are rampant. White people are the last to know they're doing it but BIPOC arts workers have been dealing with this all their lives, and for better or for worse, are practiced in navigating it.

When I was first starting, I would work anywhere and I encountered a lot more racism than I do now. A lot of my advance work is via email and it's assumed I'm a white person. Now I'm more established and my name is out there more so I get less of that. But I'm still one of the few POCs in my field in town so I have to sift through calls and see if I'm a checkbox or if I'm wanted there because of my skill and style. Some places boast about their diversity track record. I can't work in that situation. Now I feel I'm more able to pass on those opportunities.

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Every place I work where I'm the first Indigenous artist should spur a stream of other Indigenous artists being presented. I don't want to just be a box that got checked. I want to be building a network of colleagues who can lift one another up. I know I need to do that and I rely on others to do it for me. I really do believe it can be done. I get tested on it a lot. It doesn't always feel good. I don't always feel support from colleagues or that I'm doing enough but I really do believe it can be done.

The production world is also grappling with the specific ways its entrenched whiteness plays out.

As a technician, I've gotten a lot fewer specific calls for that [diversity hire] kind of stuff. Technicians are just another body in the room, which is good and bad. I'm usually the only POC technician in the room but that's changing now. I've witnessed racism on crews but the younger generation entering the field has less of that for sure. I've heard it all outside of theater so it takes a lot to get to me but I get especially ticked off when white women try to prove they're more politically correct than me.

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My biggest fear is of the lack of diversity in the theater world when we hit rock bottom. Many people will have to leave the industry and I'm afraid they'll all be BIPOC. We suck at inclusion in [my city] and especially in the technical production field. We've been making strides forward, dealing with our demons, but I'm worried that all those people will leave and not come back or have the resources to be in the room to have their point of view heard. Everything will be shrunk down to the bare minimum and if you don't have privilege, you will not be able to weather the storm. That's the shittiest thing ever. The white cis people who currently fill show calls at theaters that won't survive [the economic losses of the pandemic] -- we'll have to let them go. But because everyone is so freelancey and individual we don't know who's going to fall. It's more likely the newer people will end up leaving on their own because they have less investment, identity, cachet, and money built up. But the newer generation are the most diverse! It has to be universally decided that it will be inclusive going forward.

There are ways to use an institution's stated desires around inclusion and equity to hold their feet to the fire.

The power of shame can be used effectively. When we can point to the goals you stated as an institution or university from the top down in terms of equity and then show you "this is the actual situation. Is that what you want?" We can give evidence to it. That's an anchor to hold onto. In art, it's more of a philosophy of "we should do this" and "I believe in this" and "I have an artist talking about this" but there's not a way to point and say - even if it's in the mission statement - that it feels aspirational. What starts to register as discomfort starts to feel like training. If I go to the gym and lift weights, I get sore. Part of training and strengthening is breaking down the muscle. The discomfort I'm feeling - if I call it strengthening there's a push for me to do it. I know I will see and feel the benefit of it. It's visual too; I can see the results of it. When all the people at an institution who have been let go from their jobs are Black, we can see those results. It's not abstract or aspirational - it's grounded and evidence-based.

And sometimes it's just a waiting game.

It's an old boys' club. But they're old; they'll be gone soon.

Working Together

Experimental performance and dance are not lucrative gigs for production workers. Many people move on to regional theaters, union gigs, music tours...the things that pay. As a result, technicians who truly appreciate and understand dance are rare. There aren't enough gigs to support and cultivate them as contributors to the field. That often leaves a venue staffed with crew for whom dance isn't their first choice - they're rock 'n roll guys or theater nerds. Dancemakers walk into that environment, already saddled with the vulnerability that comes from showing work, and read the room as indifferent at best, hostile at worst. This is abetted by the fact that racism, misogyny, homophobia, and transphobia among production people can be very real.

Still, most technicians care as deeply about their work as the artists do but are summarily dismissed by artists as lazy and insensitive. Much technical production happens outside of the artist's view; when artists think crews are standing around being lazy it's usually that crews have nothing to do because they already did it all. Very few technicians want a show to go poorly or look bad. They know it reflects on them. But they also truly believe in theater. They believe in the process. They do the work because they love to solve problems and create something from nothing.

The designer part of me agrees that everything we do as technicians is Art. The technician side of me strives for goals and perfection. I believe in bettering myself to learn more things, to be more active in the community. Whatever the show is is a small community. For however long it's up, everyone is striving for the same goals. All of the people who work on it breathe life into it and make it what it is. It's collaborative and communal. That makes me never want to settle for less. We're working together to create this bigger picture.

Much of what determines how a day or a project is going to go is the culture of the organization or institution. Their values and blind spots permeate interactions and this can go well or poorly, depending.

I feel respected, valued, and treated well but artists and presenters don't understand what I do. Sometimes it makes me crazy. People micromanage and want to know every single thing you're doing because they don't understand what's happening. Every venue culture is different so you have to approach each one differently. I have a well of experience to draw on that I can't quantify but that shouldn't be necessary.

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As a freelancer, sometimes I walk in and everyone stops and is like, "Who is this?" I'm like, "Oh god, is this what it's going to be like for the next week?" But other places, the house technicians welcome me in, introduce themselves, invite me to lunch. You read the energy shift when you walk in. Does everyone go slightly reserved or are people welcoming with open arms? That's built-in to the culture of the venue or company.

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The people I've been dancing with for a long time, they're my family. I house their information the same as I do for my late parents. That feels important for my continued mental health - doing the research, whatever it means, wherever it happens. It's alive. There's no predetermined way to keep the aliveness of the career going.

Contracts, Agreements, Good Faith

Touring is going to be even harder now. In a world with global warming and pandemics such as this, is force majeure a valid clause? Should "Act of God" be stricken from the contract? Maybe artists need to say they must be paid upfront a month before they show up? What does that mean about funding?

Before we can rewrite these contracts going forward we have to look at what they've been. Act of God and force majeure clauses seem like relics of an era we no longer live in but really, they've always been meant to uphold the security of the power class - those who can afford lawyers to write, argue, and litigate the clauses. Most contracts leave enough of an escape hatch for whoever is paying out the money to essentially void the contract if the situation starts to turn against their favor.

The contract says it can be revoked anytime for any reason anyway. It's basically a contract that says "this is not a contract."

Confidence in negotiating contracts tends to be higher in cisgender white men or those who grew up in middle to upper-middle class backgrounds. Others felt they'd had no preparation for dealing with the business side of dance.

I went to college for a dance degree. I didn't learn about contracts or tax preparation or any of that. I had a scholarship so I had no debt but I was not prepared for the business side.

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Transparency is a big fucking issue. Because I don't even know all the variations on the ways these contracts are laid out and how they're different from one to another I can't even speak to how I can be a better partner in it. I don't even know what the templates and examples are. What I know I know through my friends about their negotiations with presenters and how they have felt. That there's generally stress and headaches.

Most of us are just operating on good faith. Dancers, designers, and technicians all work well before formal contracts are in place. Usually an email is standing in for a Letter of Agreement. Most people said they actually prefer it this way, that lawyer-written contracts feel inhumane. For designers, producers, freelance technicians, and production managers, negotiations tend to be different with every artist. There's no set formula for fees or timelines. Some prioritize relationships and will even turn down jobs if the artist or organization is difficult or makes them feel their expertise isn't trusted.

Our real agreement is over email. If we each take care of our shit and are getting along it's all good. It's a handshake, a letter of intent.

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Some people can't pay me for what they contracted. I choose to be flexible because if paying me a certain amount means a dancer can't go on the tour, that has a larger impact on the work so I can take less. My own contract has an "any changes to this contract need to be renegotiated" kind of clause. But it's all based on good will. I can't be too rigid because I'd never work but it's a slippery slope of having to be understanding.

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My best experiences have been equitably collaborative. As a technician, I'm part of the company but not part of the company. The best is when my creative input is valued, when someone says, "We need this thing and it wants to have this sort of feeling and functionality. Go have at it." Or when someone's a square shooter, "There's no money, here's what we can offer you."

Several people said they just listened to their gut. The more established they've become in their careers, the more they trust their instincts and believe in following the good energies and walking away from the bad ones.

It's important to give consideration of the nature of the work and the most effective way to have people interface or engage with it. For me, that hasn't been the proscenium or production-oriented things where they have to work backwards [from a public performance or showing]. Instead of "Oh, there's no show. What will we do instead?" say, "Okay, what's the work? Let's form something around that. What's the best way to facilitate? Let's create a structure to..." It makes for a different kind of work. It might disrupt their usual workflow. It might leave out parts of the production crew or the publicist. A presenter might say, "I have all these people I need to give something to do." But "I'm here if you need me" are beautiful words.

Recent Cancellations

Overall, the people I spoke with were sympathetic about the impossible choices presenters and lead artists had to make around COVID-19. Very few people thought things had been handled poorly given the circumstances, and they recognized that even those with more power were facing uncertain futures. But some felt there was a lack of creative response; that venues caved to status quo responses and that extraordinary times call for extraordinary solutions.

Cancellations were dangerous because this is when you need us most. The marketing and development departments were still going but with the cancellations, organizations cut out the meat of what it is they do.

Right now, we're watching hospital workers act with great innovation on the fly to save patients. They're jury-rigging ventilators, trying new medication

combinations, turning storage closets into negative pressure rooms, and so on. This is the time for the dance world to be coming up with new possibilities. Instead we went into crisis mode. Organizations varied in articulating the terms.

Virtual presentations - no one has yet articulated virtual remuneration. But that's a separate project. Is it an interview, streaming a performance? How much does it pay? Dancers don't have any additional burden for that component but the choreographer and producer do. There's never any money there so it's personal burden sharing. Why should any of us do this for free? Aren't we creative enough to find more money?

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We were booked for a festival and got postponed until next year. The presenting team we were working with is so lovely. They've been exemplary from day one. Energetic and hands-on about publicity way early, which actually screwed them because of pre-sales. But they've been totally transparent. We'd gotten a nice little commission. They'd prepaid 50%; the other half plus part of ticket sales was supposed to be paid at the show. They said, "Keep what we gave you already. For next year we'll rewrite the grant for the same amount plus we'll give you this year's final half." There were some other funds - not enough to pay all the mainstage artists their remaining 50% but they asked how we felt about giving it to the non-mainstage artists? Like, let's be a community about it and decide together.

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[When we cancelled our scheduled artists] we decided to pay out all the artist fees and expressed commitment to doing the work in the future but also to following their process. The performances are an important part of it but the development period is too - the process is as important as the production, if not more so.

As venues try to figure out how to rebook cancelled shows into future seasons, people are wondering how they're supposed to accommodate rebookings into their already-planned lives. Their future gigs haven't yet cancelled so they aren't sure if they can rebook a cancelled show for the same time. Who decides which gig to prioritize? Will it all come down to money and which gigs have the most fees remaining to be paid out?

Everyone needs to get all of the fees they were promised because venues should have had them in the bank.

While this is probably true for shows that were scheduled to open within 2-3 months of the March 2020 COVID-19 cancellations, organizations vary in terms of solvency, the role box office income plays in their budgets, and other factors. But because there's so little transparency around operating and programmatic budgets, artists have no idea what's really going on. The ways they are already destabilized in the relationship make them wonder if presenters are withholding information around money. (Of course, as it's been noted earlier, artists also withhold information about their own budgets and fail to be transparent with their collaborators.)

Not paying during cancellations - people should be getting money upfront. If you are even in negotiations you should get a retainer or some kind of money in advance. Let's assume a presenter or university is interested and knows they want you. Not just testing the waters. As soon as the artist is affirmative, they could do a 25% payment right away to hold negotiations and lock it in. Halfway you get another 25%. You get the rest at the engagement. If it doesn't happen, you don't have to repay it because you've already done the work. It's supporting you as an artist in life who can then show up for that project. Every day we make choices about staying in some part-time shitty job so we can do our work when we get the opportunity.

The story is much shorter for technicians.

Technicians are the end of the food chain. Everyone went straight to unemployment immediately. Because they're paid by the hour, unless you were in an organization that had you on salary, no one even assumed anyone would pay you for a gig you weren't able to do. There are always slow times. So we turn to our own savings, family, or the government. Then food pantries. And then not paying rent. That's the chain for freelance stagehands. We're in direct connection with our friends, trying to take care of each other. There's no net for us.

Personal Principles

This project was originally looking at guiding principles for going forward. It occurred to me that most of us have rarely articulated those for ourselves. So I asked.

When I'm making work I think a lot about reciprocity. I want what I'm doing and the exchanges to be reciprocal. Equity. But I don't know what it is! None of us have ever seen it and no one knows what it is. It's vague. It's an expanded notion of kinship. That extends beyond human-to-human. It's our relationship to every thing, being, element.

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It's really important to keep working on progressive values. Actionable things, things we actually do. Because we have been open-minded people we have a bucket of things we believe and want to make happen. Because we have too many there's nothing actionable. The other side has white supremacy, denying gay rights, etc... Caring and listening are not actionable items. How do we take them and get work done on them? What is actionable?

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Pay equity because everyone's contribution affects the way the work looks. Work happens outside of active work. It happens when you're watching something else. There's no way to shut that off - even when we think we're not working on a project we kind of are. Commitment to constantly checking in on equitable pay. To let people show up as themselves. To honor different people's needs, to ask opinions, value their input rather than squash those moments in rehearsal where people offer input or riff on material. Being open to what people are bringing into the room rather than shaping my own idea.

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Experimentation, collaboration, and critical discourse. These are values that we articulated in my organization's leadership transition, but I really believe in those. Collaborating means decentering authority and power. Centering experimentation in an organizational structure means asking what is the work, rather than the work having to fit itself into the pre-existing structures. The artist is at the center, work is at the center. That means listening to and following artists because they will make the structures. The structures come from the work. Also, I read a piece by Vu Le arguing that this 5% endowment rule...that number is too low. Foundations should double, triple their spending. There are resources; they are just tied up in endowments and the stock market.

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Educate, connect and empower. The more I look at it, the more I think connecting is a big deal. That's what I want to accomplish: more people in a room, willing to be vulnerable with each other, building relationships. Organizing. Pushing big ideas. It doesn't have to look like it did before. What do we want to take with us and what do we want to leave behind? How do we make people comfortable maneuvering those changes? We need to build trust and community.

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Understanding how we can be set up for success by shifting the notion and conditions of success themselves. We have to bring justice forward. Set it up right from the beginning. What do we want when we are producing dance? We go into it saying we're going to lose money on this from the very beginning - that's not the right way to start. We need a systemic change. What might be gained in terms of relationships? Creating different knowledges/truth-statements? Starting with the elections. We have pushed forward hate in order to understand power. Now we're stuck there. Dance people are not immune from hatred and prejudice. Or from needing to get ahead in a market that is fiercely competitive. We need an anti-capitalist model for funding dance. Shift the frame and culture of the field. What if success wasn't tied to particular metrics? Some artists are like "I don't care I can do whatever I like" and others don't or can't do that. There needs to be accountability to the field. Work with the best of intentions.

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Justice. Economic justice. There are larger structural inequities none of us can change but acknowledging them could make them shift. Dignity runs both ways. Can we not make it that you're only as good as your last project? Can there be a larger scope?

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Be accountable. Show up. If I'm asking people for 24 hrs cancellation notice, I should give them 24 hrs notice in return. To do my best work. To not be bitchy. To stand up for things but not be bitchy over petty power structure stuff. Feed myself and drink water so I do not get bitchy. Communicate clearly. Including about expectations and contracts - "what is this job exactly." To be clear about I'm going to do xyz and you're going to take full responsibility for it. This is the schedule, these are the times, if things change, I will try to

accommodate. Fees. If you're going to pay me \$1500 that's what you're paying me, not \$1000 after the show is over.

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Knowing that my art form (as a technician or a designer) and having me in the room is benefitting the overall work. No one likes it when there's someone in the room who doesn't want to be there. And you don't want to be that person going home from work hating your life for two weeks. You also don't want to be the person that makes someone else not want to come back to work the next day. I strive to help the work grow within my skills and stay open to other people.

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I'm guided by the wealth of small things and by the time and care others have put into teaching me. That's a principle - the things people have done to teach me, not just what I have taught myself. Also, allowing things to emerge; trusting that the answer is there somewhere. I don't place it at the forefront of my intellectuality. I don't know or even have to know where it needs to go, I just need to let it emerge.

The Future

Right now, visual artists are setting up ad hoc studios in their houses. Theater artists are doing table readings over Zoom. But dancemakers have fewer options because we typically work so intimately with others. Many of us have made dances in our kitchens over the years; many even work this way primarily. But a lot of dancemakers rely on outside studio space, even when working alone, and those are subject to too many risks right now. And even if we had more options, what is the world we will be returning to?

I'm afraid the work is going to atrophy. How do we even reschedule a show if we can't rehearse it?

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I'm afraid of living this way for the rest of my life. Covid being yearly or constant. Pizzagate people. This stuff just brings them closer to the edge. I worry about the arts community. Very young people just getting out of school. I look at them and think, I've had an amazing career. I've gone all over the world working with crazy amazing people. If it all shut down, I would know that my career was something beyond my wildest dreams. For young people now though, the people who can give them those experiences don't have careers anymore. I worry about kids who don't have access to the internet and can't see things - art and performance and ideas - that inspire them when they're shut inside. I worry about the future of the arts in NYC, especially. As rents took off and it became so unlivable, it started to become that only rich people could make art.

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I wonder about the habit of going to shows. I fear that will atrophy. Are people really going to be sick of TV or will they be in a new habit. Will there be an audience? What grows back? What about putting strangers in a room? I've taught a regular class for many, many years. It's always been an open class so there's always random new people

among the people who've been coming every week for years. There was so much trust that we could be physically intimate with strangers. When will that ever happen again. Dance classes if they ever come back...will you have an immunity card? I've cultivated a dance career where I dance with strangers every week. I have my group of people that I trust but it's so important to keep being with new people in dance. That is essential. But what now? I might do a show in my backyard later this year but can I invite strangers or is it a shitty thing to exclude them?

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A lot of organizations probably won't be able to reopen. That will impact those people and be a loss for history and culture. New places can be built but that's a heavy lift during coronavirus, economic collapse, and the Trump administration. Flagship institutions people care about will likely survive but what about the smaller institutions?

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Theater companies will fall. A lot of the middle-size ones will hurt the worst. Smaller organizations are more nimble, larger ones are more "essential." But if we lose those middle tier theaters you cannot survive as a freelance technician or designer.

Of those larger institutions that survive, there is a greater responsibility to be truly more forward thinking - forward embodying.

Some of the big organizations sit back and wait to see what everyone else is doing. They do this with programming - who are the hot artists, who got funding they can use - but also with decolonizing or making genuine progress on equity. They wait for other organizations to do it first, usually smaller ones that are more financially vulnerable so that they take all the risk or fail in public, then the big organizations duck into their slipstream and ride the draft. They try to gauge just the right moment. They can't wait too long or they look shamed into doing it. Being in the middle of the pack where they call just the right amount of attention to themselves lets them change enough to appease their peers and the artists but not alienate older, white donors. A lot of those smaller organizations won't be around anymore to do this for them but the pressures from the masses are going to be greater. So bigger institutions are going to have to lead now, to step up and get right quick. And visibly.

There was a lot of discussion about being more local, which makes sense during what looks to be a long period where travel is difficult and dangerous. This may also allow presenters to pay more attention to their local scenes. If they're not able to easily travel to festivals and shows around the world (if there even are festivals and shows over the next few years), perhaps they can sink into their immediate communities in more meaningful ways.

I wanted to make work in my own context, not one I was trying to fit into. The European art economy is based on touring and I saw how burned out that makes people, plus people were starting to object to the pollution. Now, people won't be able to travel so much anyway. Now, it

seems like there could be a turn back towards a local focus. [My city] is not on the national/international radar so much. Not actively. I hope that can change – that’s the landscape I want to be part of, a broader conversation in the field. Maybe there’s a greater connectivity now but the role of travel and venues...that’s already been eroding for a long time so it doesn’t feel so different now. Maybe it’ll get worse. My biggest concern is how to keep making things happen. Some slowing down is good. Some cities already have a culture of artists taking initiative to do things no matter what, like in your living room.

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I hope there is a sustainable way forward. How do we create a concept of artists having value in American society? Now that so much art is online, are we going to learn that being an artist in NYC doesn’t matter because there’s such a huge groundswell of art online? Can all of us who support the arts repopulate the other 49 states. If art online is a promising format, maybe people will say, “I can move to Nebraska and make a life as an artist there. And create a groundswell there.” NY is not worth it; you can do this anywhere. That’s a good thing. I think it would make things better for people. By your 50s you’re locked into a lifestyle you’ve been living since your 20s.

But this is also really hard in a lot of places. Maybe everywhere. Beloved restaurants may never reopen but new ones will take their place, bankrolled by people who haven’t accrued massive debt during the shutdowns – there’s always someone waiting in the wings. But the same truth doesn’t hold in the performance world. Minneapolis/Mni Sota Makoce has seen about five venues close or lose their physical space in the last few years alone and no one has stepped in to replace them. This is true all over.

We don’t have venues that invest in people and build relationships. There’s only really one for curation and support. Everything else here is a rental. Or self-produced. I wish there was more curation to complement the self-produced. There is no funding for Artistic Directors anymore. They all just have Executive or Managing Directors.

As for what the alternatives are and what the relationships might look like:

I’m part of a small, artist-run performance organization. We have a collaborative leadership model. There are precursors for it but it’s unusual. There’s been a lot of work figuring out what that structure is for making decisions and getting work done. But curatorially, I think about: how would I want to be approached as an artist? We think about people and then just start conversations with them. We tell them that we’re interested in your practice and you as an artist. We can keep a conversation going over many years – maybe this is the year you do this opportunity, or maybe we stay in touch. We are just starting to test out this model, but we are thinking about how our values will play out longer-term.

.....

People told my organization, “We want leadership, people we trust out in front forging a path towards a new thing. This is the opportunity to define what that is and if you don’t do it someone else will.” I’m not sure what that is right now except equity. We say trickle down is bad but we’re still set up that way. We need to change that structure but

it needs to be considered and not rushed. But on the other hand if we wait too long we'll have missed the opportunity to say something.

.....

What if we realign the way in which cultural workers are paid so it's more like an ongoing fellowship structure or an academic professor structure? We are experts in our field. Is there a way in which you're an artist and you're paid as that? Not \$50 for this panel, \$10 for that rehearsal. Where you're on salary like presenters are. Rather than putting more admin on artists, how do we look at the specialties of our field and create a structure where we have more time to spend on our specialties? As a whole our society would need to recognize and value art. Maybe this is a time for that cultural, values-related shift.

.....

This virus is cyclical. This is not the first time we'll go under quarantine. Fall and spring will bring the virus back. This is going to be a really complicated, constantly shifting landscape. Maybe we make shows that have shorter processes with presenters who are willing to go with, "Hey, what are you doing next week?" The timeframe may need to be way shorter. Or way longer.

.....

I've often felt the gatekeepers who want you there to take part in artistic experiences are sheltering transparency around logistics or money. Protectionism may now be endangered.

.....

I have a decolonisation clause in my rider. It can be transformative. It can also cause shitty reactions. What if all artists added this to their riders? Not just Indigenous or Black or Brown artists, who are always the ones who have to lead on things like that? How that decolonisation works is different for each venue and they will have to figure out on their own what that is in their organization and communities but if it's in the rider it needs to be addressed.

.....

At this point in my life I have a commitment to keeping the arts going. Otherwise, as a technician the only work left for me really sucks, just big-money corporate celebrations of wealth. It's just about people throwing money away. In the arts, it's people communicating.

.....

I can see some institutions taking this time to grind backwards, to unthread some progress we've actually made. All the tools of colonialism and patriarchy are at the core in all our institutions. I don't want us to lose sight of everything we've managed to achieve so far.

[The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use **this form** to offer feedback](#)

Programmer Perspectives

Compiled by Sarah Greenbaum, Brian Rogers and Tara Aisha Willis

Introduction

The dynamic of creating, developing, producing, presenting, and touring dance and performance works is often characterized through the relationship between a lead artist and an individual presenter, programmer, or curator working at an organization with the resources to contribute to some phase(s) of a project's lifespan. Under the new terms of our current time, some very old aspects of our field are being unearthed and accentuated to the point that they can't be ignored; as the testimonies in this Programmer Perspectives section only begin to demonstrate, that archetypal artist-presenter dynamic is heavy with endless external variables, imbalances of power, limitations of resource and infrastructure, interpersonal and emotional relationships, among other things.

Initially, the following questions were sent to presenting leaders around the country known as the United States. These questions were assembled by project facilitator Yanira Castro. The list of presenters was assembled by Yanira along with Emily, Karen and jumatatu; some came from suggestions by presenters after receiving the prompt:

What are your concerns as an organization? For the immediate and then near and farther out future? Regarding funding? Staffing? Longevity? What fears and needs are you addressing with cancellations? What are you trying to sustain? What are the mechanisms in place for you to do that, which ones are no longer in place for you to do that and what do you wish for?

Yanira invited three colleagues to join the working group to compile the presenter concerns based on geographic differences, diversity of institutional structures and perceived alignment from their responses: Sarah Greenbaum at Dance Place, Brian Rogers at The Chocolate Factory and Tara Aisha Willis at the Museum of Contemporary Art Chicago. This small working group synthesized the responses received. We did not reach out to additional programmers/curators, and acknowledge that the range of programmers whose perspectives are assembled here is small and lacks breadth geographically and in terms of organizational size. Importantly, the responses overwhelmingly represent perspectives from white people and/or white-founded institutions.

Through discussion we arrived at the title Programmer Perspectives for this section, rather than Programmer Concerns: these pages are certainly full of concerns, but they are also full of unresolved, ongoing experiences. So much of what goes on behind the scenes within an institution is arguably and historically far too invisible to the artists working directly with it. And so, some comments collected here are simply expressions of paralysis, sadness, frustration, and uncertainty. The first of the three sections reflects those experiences of grief and paralysis, felt both personally and institutionally, in the face of this new world order and shifting trajectory. On the one hand, that paralysis is a reaction to abrupt, shattering change. It also represents just how entrenched we are in assumptions about what business-as-usual should or could look like. When those assumptions no longer hold water, we are shaken. Sharing these experiences is vital to creating better communication between all parties, despite the very real and very uneven power dynamics built into our current ecosystem. And so, the second and third sections focus on transparency and accountability, respectively. There have always been multiple truths that do not fully align in our field—our respective needs are mutually dependent, but rarely on equal footing. Now, those inconsistencies are all forcefully exposed at once. As this

project continues to grow and evolve, it will be essential to broaden the range of programmer perspectives represented here.

While the perspectives below do not encompass every nuance or facet of the larger field, they do arise from various types of institutions, from individuals who are at minimum responsible for programming decisions and at maximum artistic and/or executive directorship of entire institutions. Those varied positions in the field create varied relationships to transparency. For many, it is no problem to share detailed, personal perspectives. For others, in a time of shrinking budgets and job insecurity, it is a bold act to share experiences anonymously and without institutional details. At the same time, the presenters acting most egregiously around respecting contracts, negotiating cancellation fees, and clear communication with artists are largely not represented in this document. At times it seems that the voices that are forthcoming around these issues may be providing cover to those who are not. This contribution process thus far is fairly self-selecting, limited both by the professional networks of the group and by the willingness of those presenters to participate in this act of transparency and openness. By and large, the contributions come from individuals doing their best to do right by artists within complicated and distinct contexts.

How do we lead in a time of such uncertainty? Many artists turn to programmers to grab the reins from our positions of power; many programmers look to artists to define creative directions for the field. At the same time, the rulebook has gone out the window. That inequitable and inefficient infrastructure was at least familiar, but no longer holds up under the pressure. How many of us adapted and reworked our art-making, our curatorial practice, our administrative ethics to fit that old world order? How do we lead together now? The tools we are accustomed to using for our work may feel largely useless now, but perhaps they just need time, loving labor, and creative thinking to become tools that can still gather people together for performances in and after an emergency like COVID-19. It is important that we acknowledge that some of the presenter perspectives shared below have been approved by institutions before being shared publicly. Nevertheless, we hope these perspectives can provide a foundation for future directions that look quite different.

Grief and Institutional Paralysis

(AKA artists are angry / presenters are in mourning): arts workers - especially those with years of experience behind them - have developed skills and muscle memories with which to navigate the chaotic dynamics and constantly shifting landscapes of a perpetually under-resourced community. But it's difficult to make carefully considered decisions, and adapt to new realities, if those realities are as yet impossible to see and understand.

Artists are angry / presenters are in mourning

"I don't have fears as much as I have stages of grief that I feel like I'm moving through with each artist. Some of these works we have been making together for the last two years, and we were so close to sharing them with an audience and I was so thrilled to be able to share them and have the experience of being inside each piece that I am deeply sad for that to be lost." -Rachel Cook

"Since this crisis began I find myself working around the clock, and yet I don't feel like I am able to help anybody. I just don't know yet HOW to help." -Craig Peterson

"As we are scrambling to raise funds for future programs, we are also in the mode of securing our own oxygen masks while helping others. Fixing the plane while we're flying it. Our jobs and salaries are not a sure thing. We don't have a cash reserve, endowment or any earned income on the horizon and had to cancel our Spring gala which is our largest annual fundraiser. We have not yet received PPP, or any other relief funds. Furloughs, layoffs, and other kinds of downsizing are definitely on the table. How lean can we get in terms of staff and overhead and still support our mission?" -Erin Boberg

How do we return?

"Patrons being too scared to come back to theaters and presenters having no real way to guarantee their safety." -Shoni Currier

"I'm concerned about understanding how the needs of artists and audiences have changed/ will change. I am curious about the shifts I, and my organization, will need to make to be responsive to these changing needs. Specifically, I wonder how comfortable people will feel about public gathering, even after it is deemed safe." -Sarah Greenbaum

"After it is deemed safe to reopen, concern that an artist may take an opportunity for financial reasons at the risk of their health."
-Crystal Wei

"Those of us who worked in New York recall the closings after 9/11 and after Hurricane Sandy; they were far more short-lived and contained. And the major difference is that gathering, being together with others in closed spaces, was not dangerous. We may have been anxious on the subway or at the airport in the fall of 2001, but just being in proximity to others wasn't an issue--in fact, it was comforting."
-Laurie Uprichard

"What will live gathering be like, do people need to wear masks, have a COVID free certificate, have their temperature taken upon entering the building, 20% capacity? Presenters within each city need to get together to come up with a coordinated plan and messaging so everyone can feel safe and confident." -Janet Wong

Transparency

The need for increased transparency among artists, institutions, funders and the public is abundantly clear.

Frank and honest conversations among all stakeholders - especially related to financial priorities - is lacking now, and must radically improve if artists and organizations hope to work together from a place of shared responsibility and mutual respect. Clearly, presenting organizations (even those with limited resources) possess more leverage most of the time, and should therefore take the lead. It is important to note, however, that institutions are not created equally; and organizational responses to the COVID-19 crisis have varied widely in terms of ethics, transparency, and accountability. Smaller organizations, with (generally speaking) deeper ties to particular artistic communities, have done a better job. It is worth noting that smaller organizations also tend to be among the most vulnerable to drastic shifts in the economy.

When we talk about transparency, we are talking (among other things, but chiefly) about money. And money is a tricky subject in the best of times. Here, as in all things, institutions are not created equally. Certain organizations boast endowments and cash reserves sufficient to weather almost any storm; others have two weeks of payroll in the bank at any given time, if they're lucky. Across the board, non-profit arts administrators are often woefully underpaid for the quantity of work on their plates, and within a single institution there may be many levels of compensation, benefits, and job stability. From the outside, these disparities between and within institutions are not (always) readily apparent. When the intersections of race, gender, and class, among others, are taken into account, and at a time when furloughs, cuts to salaries and hours, decreasing staff altogether, and (especially for smaller institutions) permanent closures are already well underway, these imbalances are exacerbated.

Key to this discussion is a shared understanding, on all levels, of the particular conditions, challenges, and financial realities faced by each specific artist and arts organization.

Organizational Precarity

"Fear of having to lay off my one employee right at the moment that I was working on getting her a raise and a title change. I'm worried about being furloughed for a few months and not being able to work on the festival, leaving me rushed and behind when I come back, as well as missing fundraising opportunities during that time. And frankly, at this point, as part of a much larger institution, I'm just worried I'm going to lose my job entirely." —Shoni Carrier

"We are not cash rich and the structures of presenting organizations are not designed to turn our labor into cash relief. Further, my relationship to funders is hierarchical - I am not a collaborator with funders in a way that I can quickly mobilize/institute cash funds for individual artists. This, on top of the fact that I am worried about how I can keep my staff employed. Do I furlough? Do I do it now so that they can get access to funds from the stimulus bill? Do I hang on as long as I can?" —Craig Peterson

"We know many of our colleges will be facing severe deficits, if they are not already, and we don't know yet how that will impact our programming budgets. Many of us won't know what our budgets ultimately are until the summer. In the meantime, we all anticipate budget cuts, sponsorship reductions, rental and ticket revenue shortages- and those in the mix who are independent NPOs are of course especially vulnerable to waves of cancellations." —Sharon Fantl

"Concern that presenting organizations will not survive financially long enough to reopen. Many only had 2-3 months in the bank."
—Crystal Wei

"We have committed to keeping all of our full time staff through the end of this fiscal year but we are not sure what will happen after that." —Janet Wong

Working within a university, museum or "parent" organization

"Not all presenters are in the position to honor fees to artists for cancelled performances, 'kill fees' - in many university settings legal departments or system level will not allow payment for services not rendered," leaving presenters "feeling their hands are tied."

-Sharon Fantl

"Being an arts organization that lives within a larger institution is simultaneously stabilizing and unsettling. We can rely on the general stability of the university, but are waiting on news and plans at the institute level that will determine so much for us and for the artists who work with us. The focus of the institute can't and won't be based around us and our needs, so we translate up and down the chain to advocate for an understanding that artists matter. Some things that hang in the balance: support for projects we have already committed to, the building and staff infrastructure to support them, and the university commitment to support future planning. It's terrifying, but it isn't just us and it isn't anything new - intensified precarity."

-Ashley Ferro-Murray

"In institutions like museums that are grappling with a ton of concerns at once - exhibitions, programming, collection and building maintenance, a large staff payroll, etc. - the uncertainty of budgeting under an indefinite stay-at-home order, with the revenue losses that come with keeping our audiences and artists safe, there's a constant juggle between long term sustainability and short term solutions. At some point, all these institutions have to make hard choices about prioritization: of artist negotiations, totally reworked programming, meeting staff payroll, basic operational upkeep, and future solvency. Meanwhile, the old goal posts for all that have to be reworked. It's a question of how we make those decisions; based on what sense of ethics and compassion." -Tara Aisha Willis

Finances

"Concern that artists are not being given the agency to make decisions. It is a partnership. Decisions should be mutual." -Crystal Wei

"Since things are shifting so quickly, and nobody really knows what timeline we're working under, being in touch with artists about their needs and ours has been and continues to be essential."

-Sarah Greenbaum

"If it was in our budget for this fiscal year, we theoretically already have the funding (minus any earned income potential) though we, like many orgs are, shall we say, optimistic with our budgets and some funding we hoped for this year did not end up coming in. So we are in a tight cash flow position which will be very familiar to most small orgs and artists and next year's budget is a big question mark."

-Erin Boberg

"The biggest mechanism that isn't in place yet is a way for curators, arts administrators, and arts workers to feel comfortable really openly talking about money. And I mean really talk OPENLY about money! We need to be able to say things to each other about how we manage the money and what kind of decisions we are making about the money, as well as

ideas about how we are going to raise money/leverage financial resources together." –Rachel Cook

Accountability

Transparency and accountability go hand in hand. One cannot exist without the other. If the dance and performance sector wishes to survive, its participating artists, institutions, funding organizations, and the public must be willing to be accountable to each other and themselves. And crucially, stakeholders (artists, institutions, funders - everyone) must be willing to target their critiques specifically; grievances that are directed toward the individuals or institutions that need to receive them, rather than "presenters" in general, or the field at large, (or, incongruously, the smaller organizations that are generally more willing to listen, learn and respond in real time) will better illustrate the truth(s) of the matter. This (perhaps) reflects a general institutional resistance to critique, paired with a willingness to stand back and passively resist change; and a (rational) fear of negative career implications for those who choose to speak up.

Disparity between large and small presenting organizations

"Looking around at the landscape, this crisistime is revealing the ways that larger, more visible institutions - understood to be leaders in the field - are less likely to take the first stand on certain things, or are more likely to move at a pace that's hard to reconcile with the urgency of what's required of arts organizations in this moment." –Tara Aisha Willis

"Big organizations are very different from small organizations (obviously), and small organizations are different from each other, in terms of general stability, reliance on earned income, ability to find/allocate new resources in the short term; and the conversation re cancellations/postponements should happen with these very particular conditions in mind - which demands total frankness and transparency from both parties, on an individual basis. Independent artists rarely (if ever) have much leverage here; their precarity is assumed, because it's true. Their cards are already on the table. Presenting organizations don't return the favor often enough, for reasons I'll never understand. And in some cases it's intractable. I've been hearing stories from performance programmers at big institutions that essentially say 'I want to do the right thing but the folks upstairs won't let me.' Those of us who choose to be forthcoming, now, are providing cover to the ones who don't." –Brian Rogers

"I'm concerned for the part of the field that is trying to advocate for better practices, more transparency, more accountability, more inclusion, that if those entities--that stand for values that I personally care about and believe in--don't survive this pandemic then what is the field after that? I don't mean to sound pessimistic, but I really don't understand how these larger entities are still receiving funding and press." –Rachel Cook

Compensating artists

"There's a ton of concrete additional administrative and creative work that independent artists have to do to extend their timelines toward

postponed dates, rework projects for the virtual space, go through cancellation negotiations, apply for newly created emergency funds, etc., usually without much infrastructure. We have had to look over our existing processes for negotiating with artists and rethink them: there's just no precedent for this." –Tara Aisha Willis

"Are there ways to scale the impact of a cancellation - less a 'kill fee' and more - these are the services rendered at this moments of time and therefore the fee is paid based on those time stamps (so taking a deposit and being more intentional about what that deposit pays for - it's not just final product / performance)." –Lori N. Jones

"Will this be a moment to restructure our economy so that the artist, the gig worker, the hospitality workers surviving on tips are valued and compensated at a reasonable scale or will the markets, as they stand, continue to turn their backs?" –Laurie Uprichard

Equity and sustainability

"What are presenters trying to sustain? At base level, we all require some kind of economic stability to function and live up to our values and stated commitments. But we are also trying to sustain the community we have built over time- we know cancelled engagements calls our ability to bring the community together for a performance or exchange into question." –Sharon Fantl

"I'm concerned about how I can work in collaboration with others and within my organization to leverage this moment of change to disrupt the systems/ structures that have historically needed disrupting, specifically relating to dismantling racism and sexism." –Sarah Greenbaum

"If we are not serving our mission, we are ethically and legally corrupt. Ethical bankruptcy could be worse than financial bankruptcy." –Erin Boberg

Possible outline for phase 2

Moving Forward

- Collect additional testimonials from a range of US based presenters
- Address structural issues for programmers / curators that existed before covid-19 and have been / will be exacerbated by it, including structural & institutional racism, pay inequity, burnout, etc
- How to lead in a situation of uncertainty- can't count on infrastructure
 - When there's no infrastructure to rely on, how do we readjust our systems to create new and better/ equitable infrastructure
 - How would artists create the infrastructure
 - How many artists have adapted their methods to fit the flawed infrastructure that existed
- [Desire to] Create a list of guidelines coming out of this/ principals for coming to conversation between presenter and lead touring artist

Note: Please reference [Appendix items E-K](#) as examples of the kind of transparency or conversations we hope to approach through this work.

*[The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use **this form** to offer feedback](#)*

A Working Set of Principles and Guidelines for the Dance and Performing Arts Field

Compiled by Michael Sakamoto & Amy Smith

BACKGROUND

Most full-time, working performing artists have no safeguards, i.e. little to no reserve savings or other income, and often no health insurance. Part-time working artists have a range of financial circumstances, some are living on the edge of solvency as above, some having full-time employment in academia, arts/non-profit organizations, or other non-arts related positions. The gender and race inequities in our society are mirrored in our field. Well-documented income and wealth gaps were perpetuated by the pre-pandemic non-profit arts ecosystem, which was built by and for upper middle class/wealthy white artists, and often tokenized artists of color, artists with disabilities, queer artists, and others who received funding, employment and engagements in these institutions. In spite of strong calls to address racial inequities in arts funding by Grantmakers in the Arts and others, funding inequities have actually gotten worse, not better in recent years [NOTE: [Helicon Collab "Not Just Money"](#) shows this well].

The middle class of artists was successfully hollowed out by decades of neoliberal capitalism, leaving large institutions, often predominantly white/settler run, often with endowments and wealthy board members at one end and individual artists and small companies, often with no reserves and negative net worth (from student loans and other borrowing) at the other end. Upward class mobility is rare in our society and in our field.

The dance and performance ecosystem is small compared to other performing arts such as music and theater. And it is very interconnected in terms of dollars flowing around our ecosystem (A festival pays my dance company a performance fee, I use that to pay dancers, one of my dancers buys a ticket to see their friend's dance performance at that festival). When one part of the ecosystem suffers financially (or collapses), it will affect all the other parts. And we had been dealing with financial scarcity even before the pandemic. Touring subsidies dried up after the 2008 financial crisis, reducing what had previously been an important source of contributed income for presenters and earned income for artists and small companies. Government funding and foundations have prioritized and rewarded large organizations over individual artists, which has meant even more financial precarity for individual performing artists and small companies in this time of crisis.

Because large institutions have access to legal advice and robust administrative infrastructures, letters of agreement and contracts are often created by them and do not share the risk evenly. There has been a range of responses--many ethical and thoughtful cancellations, but also many examples of well-resourced artists and organizations pushing the financial burden down to those who can least afford to shoulder that burden. Transparency has been in scarce supply and power dynamics exacerbated.

Thus, the below principles and guidelines, based on the experiences compiled in this document, provide a starting place or a set of tools for institutions and artists to measure their goals against as we rework the old systems.

PRINCIPLES

"Acknowledge the dynamics, then keep growing. Have an understanding on the front end of the race, class, gender, ability, geographic and other power dynamics that exist between you. And also remember that these are constructs. Be in the complexity of living inside these constructs while evolving beyond them through relationship."

- adrienne maree brown, *Emergent Strategy*, Principles for Liberated Relationships

We must work against the messages of neoliberal capitalism that encourage competition and hierarchy and engage instead in **resource sharing, power sharing and decolonizing of wealth**.

What we need right now, therefore, is real community. A community that works together toward shared goals and **collective liberation**.

We must engage in open, honest, and active dialogue with each other. This requires practicing **radical honesty, transparency and accountability**.

Our primary goal is to **share financial and reputational risk equitably**. We must build new structures so that the next crisis will not re-exacerbate pre-pandemic inequities.

This document asks us to **pay attention to mutual needs**, acknowledging mutual sacrifice, while recognizing that the harm and risk does not fall on all of us equally.

Push into familiar ways - and develop new ones - of being there for one another. Throughout our communities we are used to artistic collaboration, weight-sharing, instantaneous non-verbal communication and other skills that have metaphoric and literal value as we create **healthier relationships** together.

Our world is **interdependent**, and none of us accomplish anything alone. We achieve our thriving alongside the subversive work of accomplices, and in the context of the natural world.

We have an unprecedented opportunity to build **worker solidarity and collective action**. All arts workers deserve a living wage, health care, and freedom from exploitation (unpaid internships, wage theft, mischaracterization, intellectual property theft, cultural appropriation etc.).

GUIDELINES

Overview

We imagine a shared set of functional protocols -- new industry standards, if you will -- that artists, agents, presenters, funders, and collaborators/subcontractors can mutually reference.

These would be legally non-binding, but if widely acknowledged as best practice, they could help orient artist/programmer relations, booking negotiations, practical expectations, payment plans, engagement parameters, virtual content, etc., and increase transparency and ethical behavior on all sides, from initial discussions through final presentation. Violations of principles and guidelines would also, therefore, become more transparent, thus obligating all parties to behave more ethically.

The goal is to get as many artists, agents, presenters, and funders as possible to commit to endorse these protocols, thereby publicly obligating them to equitable and just practices.

Funding and Booking Commitments

Starting from the negotiation stage, artists and presenters must mutually acknowledge the shared financial risk and investment of labor entailed in booking commitments. Contract details should spread the financial risk and burden equitably among artists, agents, and presenters. Each party shall formally acknowledge in signed agreements their necessary and specific expenses associated with the contracted engagement.

All verbal and written communications prior to signed documents are legally non-binding, good faith agreements. All parties are free to continue discussions for other potential bookings on the same dates, and must do so transparently. Any party expecting firm commitment from another must therefore move to a signed document outlining expectations.

Organizations with either the means or institutional security to commit to the engagements they made should do so, and the level of such commitments must be made clear in deal memos and contracts. This should include some guaranteed payment amount and/or rescheduling guarantee, regardless of eventual cancellation/force majeure event or not.

Lead artists with the means or resource security to commit to fair compensation for collaborators and subcontractors should do so, and the level of such commitments should be made clear in signed agreements. This should include either some guaranteed payment amount, non-monetary compensation, and/or rescheduling guarantee, regardless of eventual cancellation/force majeure event or not.

Public and private funders should commit to payments to artists and presenters, including in cases of forced cancellation or force majeure, if the artists or presenter grantee was prepared and able to fulfill their commitment at the time of cancellation.

Deal memos and contracts should specifically and unambiguously state the level of each party's financial and scheduling commitments from signing through performance, such as with deposits, incurred expenses, and final payments.

Once a deal memo or contract has been signed, partners must honor these agreements in good faith. Unilateral cancellations (e.g. those rooted in "cancel at will" clauses) without compensation and outside of force majeure are discouraged, and language to this effect in signed documents is discouraged.

Any expenses that rely on mutual commitment must be shared fairly and equitably among, and by agreement of, all parties when possible. Examples include but may not be limited to travel expenses, visa fees, collaborator/vendor fees necessary for a specific tour and/or venue, etc.

A future date hold or confirmed date has *inherent value*. Some level of advance compensation should be included in all agreements. Such a standard is fair and reasonable, as the artist will then be unable to accept other offers for those dates, thus possibly displacing other offers.

Intentions or commitments for rescheduling cancelled and postponed engagements should be made by written agreement. Upon rescheduling, the renegotiation should consider fairly that touring, production, or presenting budgets and logistics may have necessarily changed.

Artist/Programmer Relations

Artists and presenters should make best efforts to create a safe, nurturing, and productive space for the creative work as intended. Artists should consider the local, "on the ground" conditions and socio-cultural context into which their work is entering, and presenters should consider and create a safe and generative space for the socio-cultural, racial, political, gender, and other identity-based factors underlying an artist's work. Both parties should therefore assist each other appropriately in tailoring the overall engagement and its detailed elements.

All parties should place value on relationship building, care, reciprocity, deeper engagements with the local community, the "ancillary" events related to the mission of the work itself.

Crisis/Cancellation

Outside of force majeure, unilateral cancellations by any party should be disallowed except under extraordinary, documented, and provable circumstances. Examples of possible exceptions include extreme financial hardship wherein a party's living conditions or existence would be threatened. Such exceptions should be fairly negotiated and clearly articulated in contracts ahead of time.

Presenters and host organizations that do not primarily depend on earned income for a contracted engagement to remain financially viable should make all best efforts to pay artists in direct proportion to the amount of completed work or contractual commitment, including either guarantees, deposits, or full payments, even in the event of cancellation or force majeure. Signed agreements should stipulate the exact conditions and timing under which such obligations would be triggered and met.

Presenters and host organizations that depend on earned income for a contracted engagement to remain financially viable must make all best efforts to pay artists for at least a portion of the amount of completed work or contractual commitment, such as for already incurred expenses, guarantees, deposits, or full payments, even in the event of cancellation or force majeure. Signed agreements should stipulate the exact conditions and timing under which such obligations would be triggered and met.

Funders, both public and private, must make all efforts to allow artists and presenters to postpone funded events or projects, such as through extended grant periods or other provisions. In the case of cancelled presentations that cannot be rescheduled, funders must allow artists and presenters to retain a reasonable portion of their funding to cover necessary eligible expenses.

Artists, presenters, and funders should prioritize transparency. For all parties, and within reason, internal policies that directly impact the livelihood of workers should be made public (e.g. furlough or layoff policies). Within reason, presenters should update audiences about programming changes and support for artists. They should also consider publicizing layoffs and furlough of workers, any measures to support their staff, and any reduction in the compensation of their highest paid employees. Within reason, artists should make public their best efforts to fulfill contractual obligations, including expenses and activities necessary to commit to and complete a project or presentation. To the extent possible, funders should articulate criteria for any processes of determining continuation or halting of funding in the case of cancellation, postponement, or rescheduling of funded projects, artists, or organizations. *(NOTE: NEFA's recent COVID-related notices are a good example of such follow through.)*

Pledges of support from private foundations along with relief aid from the federal government should be distributed in ways that do not replicate existing unequal divisions of wealth among cultural institutions, but should instead be made with an awareness of the greater vulnerability to closure of non-endowed and public institutions, and in particular small-scale, local and community-based cultural organizations. Relief funding for institutions should be contingent on fair labor practices including the rehiring and equitable compensation of staff negotiated in good faith with unions and/or individuals.

Virtual/Digital/Online

In the post-COVID-19 era, contractual agreements should include where possible virtual/digital, analog/traditional, or other forms of creative output in lieu of, alongside, or integrated with traditional performing arts presentation modes.

Artists and presenters should collaborate and agree on virtual presentation elements that engage with themes, ideas, and experiences present within the intended in-situ work, but presented in virtual formats. Signed agreements should reflect potentially alternative compensation that is appropriate for forms of labor specific to virtual creative work.

Artists and presenters are encouraged to develop virtual-specific performance models to minimize work stoppage and/or cancellation or postponement of a contracted engagement. This maximizes the chance of both artists and presenters to continue publicizing an engagement and earning income in the interim.

Presenters are urged to feature artists virtually or digitally when engagements are cancelled or postponed.

Related Efforts are referenced in [Exhibit A](#) of the Appendix.

*[The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use **this form** to offer feedback](#)*

Alternatives to Cancellations

Compiled by Emily Johnson

I am lucky. For this document I am working on the section pertaining to futurity -- as in - our individual and collective futures. As in: possibility. As in: what can be better? As in: what already is?

When the maelstrom of cancellations came pouring into our inboxes (reflecting, I haven't heard from an artist who received a cancellation via phone call). Perhaps that happened - the phone call, the voice. It seems more *humane*. It certainly was not my experience. This is not to question the *humaneness* of any individual. But it is to question the *humaneness* of this performing arts field.

That such personal news, with such far-reaching consequences for individuals could be delivered via the impersonal mechanism of email seems akin to having a diagnosis delivered via app, or breakup delivered via text. We look upon these kinds of communications with disdain, but they became accepted, prevalent, and horribly common during the earliest days of this COVID 19 pandemic.

I want to stress the 'earliest days' of that last sentence.

My cancellations and postponements began with two on March 11th. Then they came in a flood. I have a list of the sixteen cancellations in my notebook and listed everything, from the large commission we had worked on for over a year to the performances or speaking engagements I had chosen to participate in for free or small honoraria. This kind of choice is freedom for artists privileged enough to make their living through making art. It is our freedom and it is our power. We can decide - sometimes - where we want our energy and our work to be - where we think it could be helpful or necessary, healing or resonant, or just good.

Two out of sixteen gigs for the coming year and a half did not cancel or postpone. These are projects with other Indigenous lead artists. I note this is not a coincidence. The swift barrage of cancellations is a mark of colonialism and capitalism. Much of the planned work across this field had already been budgeted for. Not all, but much. We all understand loss of revenue and strict accounts. But if we ever thought the performance art field lived outside capital gains and related extractive industries of oil, gas, fracking, logging (and who really thought that?), it was made clearly and swiftly it did not.

WE are complicit. Blood money is blood money. It's where our funding, commissions, and fees come from. We work on stolen land. We continue to benefit from the forced removal of Indigenous Nations and people. We continue to live and prosper off the forced labor of enslaved Africans. Our institutions are built on burial sites, incarcerate our ancestors in drawers and basements, profit off racist stereotypes and settler bound mythologies of fear, bewilderment, desire, and conquest. This pandemic has revealed the horror and massive inequity of all of our systems - including our performing arts field.

"Other countries have been presenting amazingly thoughtful and fully comprehensive funding relief packages to artists, arts organizations, and so much of the creative sector, meanwhile in the US the wealthiest museums have been cutting staff, laying off entire education departments, larger performance organizations have been not paying fees for cancelled engagements.

The amount of inequity within the field and unethical behavior right now is horrifying. I'm concerned for the part of the field that is trying to advocate for better practices, more transparency, more accountability, more inclusion, that if those entities--that stand for values that I personally care about and believe in--don't survive this pandemic then what is the field after that? I don't mean to sound pessimistic, but I really don't understand how these larger entities are still receiving funding and press - about their layoffs or how much money they are losing - while the smaller institutions who are genuinely trying to hang onto as many staff as they can and trying to cover all artist fees aren't written about." - Rachel Cook, On the Boards; Seattle, Washington; Duwamish lands

Leanne Betasamosake Simpson, in writing about expansive dispossession in *As We Have Always Done*, says, "So Indigenous bodies have to work very hard first to be alive and second to exist as *Indigenous peoples*." She goes on to say, "'Fixing' the 'social ills' without addressing the politics of land and body dispossession serves only to reinforce settler colonialism, because it doesn't stop the system that causes the harm in the first place while also creating the opportunity for neoliberalism to benevolently provide just enough ill-conceived programming and 'funding' to keep us in a constant state of crisis, which inevitably they market as our fault." Leanne is speaking of a very particular system of ongoing settler colonialism and the way in which it purposefully creates inequity and injustice to thrive. She is speaking of the lives and health of Indigenous people. I do not conflate her work with the struggles of the performing arts field. I do understand the root of our systems.

Colonialism and capitalism forced the systems under which, thus far, we have decided to operate. Colonialism and capitalism feed on inequity and inappropriate apportioning of power. Colonialism and capitalism extract without regard to impact other than financial. Cancellation emails were well written and concise and in most cases kind, but most did not acknowledge the precarity of health, healthcare, housing, fees, partial fees, weeks to years of preparatory unpaid work; did not inquire over ideas artists might have for continuance of making or different forms of presentation or engagement; and did not include acknowledgement for how the email might land and what it might mean to the receiver. These are the emails that infuriated and broke the hearts of many. We THOUGHT we had been in a process of relationship, of continuance, of possibility. We THOUGHT we had been in shared risk. We THOUGHT we were trusted to make. We THOUGHT we had some protection via contracts or conversation. We THOUGHT we had some leverage, some power via our ideas, our bodies, our histories. We did not.

George Lugg, an independent producer based on Gabrielino/Tongva and Fernandeano Tataviam Band of Mission Indians land in Los Angeles noted, "In our sector, the timing of contracts has always lagged. Public announcements and planning happen based on verbal agreements, or emails and intentions, but with lots of details to sort out, the final contract can be on hold for some time. Additionally, payment schedules don't reflect the labor investment on behalf of artists and companies that precedes presentation. We need a multi-stage process, with the labor of each phase respected and valued in monetary terms - planning, promotion, presentation (perhaps more? - milestones that are completed and compensated along the way to final presentation."

When the maelstrom of cancellations came pouring in many artists screamed out-loud - or the kin to that - on Facebook, Instagram, Twitter.

When the maelstrom of cancellations came pouring in, many artists and our presenting partners were grieving loss. Of work, idea, partnership, flurry, messy making, precise timing. For the loss of audience, and participant and thought making. For the loss of relevance perhaps or fear of it. For the loss of worth. For the loss of finances.

"I don't have fears as much as I have stages of grief that I feel like I'm moving through with each artist. Some of these works we have been making together for the last two years, and we were so close to sharing them with an audience and I was so thrilled to be able to share them and have the experience of being inside each piece that I am deeply sad for that to be lost. Even if we will be postponing them and one day they will happen I know they will be different now." - Rachel Cook, On the Boards; Seattle, Washington; Duwamish lands

I knew I couldn't pay the fifty artists I had planned on collaborating with, mostly Indigenous and other artists and scholars of color. I knew I couldn't pay rent starting June. I knew I was lucky. I had two months' rent saved. Rulan Tangen, artistic director of Dancing Earth who makes home in both Yelamu - Ramaytush Ohlone land and Ogaa Pogeh - Tewa land wrote that her company income ceased with thirteen spring engagements cancelled. With children, parents, Elders, and sick relatives between them, many of the dancers had to move swiftly; three toward full time farming and three toward the front lines of medical office, grocery store, and shopping/delivery service.

"Overall I'd like to see presenters be in partnership with artists in doing really good budgets *together* for funders. For instance, can we make funders more aware of the fact that artists use commissioning and touring money to pay for healthcare? Can we lobby as a field for single-payer? I know it can seem abstract but I have always felt that until we make it very clear that the crisis of the social safety net and infrastructure has a direct impact on artists (and audiences), as it does on all independent workers, we will not make progress.

I wish funders could lead everything with: what do you need? We understand everything is changing or may change. I would love to see an end to project grants, honestly. All of it is general support." - Aaron Landsman, playwright, New York City; Lenapehoking

Support for single-payer universal healthcare, UBI - universal basic income - and subsidized child care are all part of the ongoing conversations amongst the working group of this document and influence the scope and shape of these pages.

When the maelstrom came, and we were in a pandemic, together but separate, I was reading "M Archive, After the End of the World" by Alexis Pauline Gumbs and this is how it begins:

divide by the deaths you had to metabolize yesterday. divide by the shot echoes in your dreams. divide by the sleep you didn't get thinking you had to hustle harder. divide by the water you didn't drink either.

multiply by every pore touched, every memory made skin again, every word of love and the lips that share them. multiply by the sound of children. The sound that never stops. exponent of the will of the ancestors which will be dreamt. but not slept through. all things are not equal. wake up.

I thought it was dangerous, frankly. The abrupt cancellations. It sent me into a grief, a tailspin, a worry, a resignation, and a knowledge that I could not ever, in the entirety of my life, make up financially or creatively - what had been lost. Every artist I knew was experiencing this. And this is when the danger occurred to me. It is dangerous to swing the attention of artists, makers, healers, knowers, see-ers, do-ers. Artists are experts at process. Artists are experts at figuring. We need artists and nurses and essential workers because health and delivery of health and healing and art that guides us through is the only way to emerge. My colleague Karyn Recollet, a Cree futurist and professor of gender studies at University of Toronto and I conceive of the emergence as coming from within this quarantine, and we recognize the need to create, as adrienne marie brown says, an emergent geography from 'within the heartbreak,' - an articulation of Mylan Tootoosis. We cannot skip the heartbreak of this time. We cannot skip the process. We cannot cancel.

Ninety-five percent of artists and artworkers in the US have lost income due to the coronavirus pandemic and nearly two-thirds have become unemployed altogether. This is from a [study](#) organised by Americans for the Arts in conjunction with Artist Relief and published via Artnet News on April 24, 2020.

Craig Peterson, director of Abrons Arts Center on the Lower East Side of New York City on Mannahatta in Lenapehoking said he learned from this that, "our economy was already broken (now shattered.) That, like artists, arts organizations work under untenable pressure that is unsustainable even in the best of times. How can I keep my staff employed? Do I furlough? Do I do it now so that they can get \$\$ from the stimulus bill? Do I hang on as long as I can?"

Craig was able to redeploy some Abrons Arts Center employees to other parts of Henry Street Settlement - to answer hotlines, deliver Meals on Wheels, work in shelters and other social service areas of the organisation - and he says he feels lucky to be able to have that option. He notes, "coming back from this is a much longer road for arts organizations than other types of nonprofits." And he worries, too, about the elderly and young people from the Lower East Side community who Abrons Arts Center normally employs, people working extra jobs to support their families, "I feel extremely worried about these people in similar ways to my concerns about artists."

"I'm trying to remain hopeful, but I am also trying to use this as an eye-opening experience that has the ability to show where the cracks in the infrastructure really are and to see if we can talk more openly about them. I have yet to see a national funding entity step up and offer relief funding packages specifically to arts organizations who have operating budgets between 1 million and up to 1.6 million and make a strong case for the need for arts and culture to exist in other places besides NYC & LA. This operating budget range is the most vulnerable, they are too big to contract quickly and not quite big enough to really weather the financial storm

without some drastic pieces being lost. Additionally, the ones that rely on earned revenue as more than 10% of their operating costs are going to struggle longer to recover, which is ironic because so much of the non-profit board rhetoric from a few years ago was all about trying to find earned revenue streams." - Rachel Cook, On the Boards; Seattle, Washington; Duwamish lands

The hope of this document is to provide some ethical frameworks moving forward. To process what went wrong in the performing arts field of what is called the United States in March and April of 2020. The hope of this section, *Alternatives to Cancellation*, is to offer some insight into decision making around choice and possibility; examples of good relationship and trust; examples of continuance and futurity and how finding alternatives to cancellation is decolonisation and can resonate with health and vitality. There are always ways to do better. When dance artist and adjunct professor at St. Mary's University, Sharon Mansur and I were talking about the clustering of cancellations and ensuing damage she jokingly said, "I think we need a second take."

"What do the cancellations signal? What kind of care can be taken? Cancellations are not setting people up for success now OR in the future...The conversation of the last three months IS the project now. How are you now? How do you see the future? What does your community need now? We can be in the work and let right now shape the work." - Sharon Mansur, dance artist; Winona, Minnesota; Keoxa, Mni Sota Makoce

I am struck, in speaking about alternatives with artists and presenting partners from across the geography of what is called the United States, with new inspiration. I am looking for examples of what is working right now and recognize that artists and presenting partners can be in the center of these possibilities. The process of listening has been itself healing, uplifting, and reaffirms what I know: we need one another. And also, "all things are not equal. / wake up"

"Sometimes I imagine this crisis as a flood, and as the water rises, it is our responsibility as people who understand and care for certain parts of culture to save what we can and continue to take care of it so that it can evolve and thrive in the new times. We cannot just stop and start up again in a few months or a few years. There is no pause button. We have to protect and feed everyone we care about now so that we will be there for each other later." - Erin Boberg Doughton, PICA; Portland, Oregon; Multnomah, Wasco, Cowlitz, Kathlamet, Clackamas, Bands of Chinook, Tualatin Kalapuya, and Molalla traditional village sites

The interviews and conversations for this writing were free flowing, guided by the following questions and expansions from them. I was in conversation or email exchange with Aaron Landsman, Rulan Tangen, George Lugg, Anthony Hudson, Raven Chacon, Tria Blu Wakpa, Tanis Parenteau, Sharon Mansur, Esther Baker Tarpaga, Tanya Marquardt, Olive Bieringa, Ty Defoe, Erin Boberg Doughton, Jennifer Calienes, Ali Rosa Salas, Dominic Johnson, Jaamil Olawale Kosoko, Mary Kathryn Nagle, Dylan Robinson Rachel Cook, Theodore Kerr, Craig Peterson and others. Thank you all for your time and consideration toward our collective futures. I have gleaned a narrative from these conversations and cite specific examples and quotes from you.

· What have been / are options BEYOND and EXCLUDING cancellation?

· Are there examples of ways you have found to work with artists/institutions/organizations that are about how you/we want to work RIGHT NOW?

· Do you have ideas for researching, making and sharing work that haven't been considered because of the fairly quick cancellations/postponements?

· Do you have any specific examples or ideas that honor projects, contracts (and/or discussions about work in the pre-contract phase)?

Choice and possibility, Ways to Rethink / Work / Make / Share

"It's a reset for a lot of people right now. Have we been preparing ourselves for a reset of sorts? Is this how we're supposed to grow? Reset might seem like a bleak outcome but maybe it's the most optimistic. Is there going to be an alignment with others regarding ideas of the future or just a repurposing of optimism?" -Raven Chacon, composer and performance maker; Albuquerque, New Mexico; land with ties to Tiwa, Keresan, and the Genizaro of New Mexico

Aaron Landsman, a playwright based in Lenapehoking, NYC wrote, "I think of what I do as a practice rather than a series of shows, and I wish/hope funders and presenters can see that more clearly and not try to make everything about gigs and seasons."

Multidisciplinary artist and performer Anthony Hudson / Carla Rossi, based in Portland, Oregon; Multnomah, Wasco, Cowlitz, Kathlamet, Clackamas, Bands of Chinook, Tualatin Kalapuya, and Molalla traditional village sites - is taking this time as a challenge and call to pause and actively practice a break, something they haven't been able to do in years because "wow, capitalism."

Tria Blu Wakpa, Assistant Professor at UCLA in the Department of World Arts and Cultures/Dance on Gabrielino/Tongva and Fernandeano Tataviam Band of Mission Indians land said, "I had five presentations - mostly by Indigenous womxn and womxn of color artists - scheduled in my classes this quarter. I am moving forward with all of them. Shortly after the online transition happened, I reached out to my co-sponsors and requested flexibility for the funds I had received to bring another scholar and allot the monies to honoraria for artists."

Dance maker and Body-Mind Centering(r) practitioner/teacher and program director, Olive Bieringa, who currently lives in Oslo, Norway; Sami homelands and previously lived in Minneapolis, MN; Mni Sota Makoce says, "I find myself working slower, finding more partners, working with artists locally, developing larger containers that merge workshop, rehearsals, lectures and performance as ongoing process. These evolve from a deeply engaged practice in improvisation, a deeply felt somatic engagement with the world and other beings, a care and love for my collaborators and myself, and acknowledging the complexity, effort and time it takes to accept the ongoing shifting conditions, the fear, and uncertainty. After all we are living in a time of crisis, both social and environmental, and we need to practice embodied knowing. We can't

rely on old models. Everything is shifting. We must hone our skills as improvisers to meet the shifting conditions, and trust we have the resources in our bodies to negotiate, survive and thrive."

"So much has been focused on the crisis of cancellations," said George Lugg. "But what is the next step, as we rebuild? Can we get robust commissions out to artists in the fall. When many venues will not be hosting public events and gatherings, can we activate those resources, and give artists cash to support themselves, performers and collaborators working in (presumably empty) theaters and spaces? Can we support a season of creative process that also serves as a bridge for the field, creatively and financially?"

Tanya Marquardt, a Brooklyn/Lenapehoking based writer and performer is in a **pre-contract** research and development phase with foldA (festival of live digital art). Together, they shifted to a remote residency format whilst foldA is in continuance for their festival via digital platforms. Tanya said that in the first conversation with foldA staff, they communicated, "whatever you present now is ok. Be present with where you're at and if you can show us HOW you are present, then, bonus." Tanya said this offered a huge sense of relief and also flexibility for them to recontextualize the project and collaborative process. foldA is paying Tanya full pre COVID fees including per diem plus an additional sum because in the original residency budget, foldA was incurring a studio rental expense that is now inapplicable. foldA re-contextualized this expense, it has been turned into an artist space / home-office / internet subsidy for artists' ongoing development of work. With these additional funds, Tanya hired another artist they had wanted to work with and paid everyone the original contract amount plus extra for their space / home / internet subsidy.

Tria Blu Wakpa, in addition to reorienting funds to artists and honoring commitments, is reconsidering impacts. She noted the example of our past reliance on continual flying to attend conferences, performances, meetings with select groups of people. She wants to consider virtual meetings as a way to practice IF we were committed to an earth centered way of working. She notes that previous travel allocated funds can now be used to prioritize paying artists - for online engagements now and when the time comes, for artists, scholars, activists to travel to her campus for maximum exposure and benefits for students and travelling artists. Tria works with communities of people who are incarcerated and students online and thinks community engaged work online can at times be accessible in ways that expensive travel and the related time constraints are not. "There's politics to everything we do. Whether we jump on that plane or not. Everything we do has politics and consequences."

Playwright and lawyer, Mary Kathryn Nagle said, "This is what force majeure is designed for. We envisioned this." So, in envisioning beyond the now she continued, "What are other options when catastrophic events happen to ensure risk is shared? If we want institutions on the hook to pay artists, we also have to figure out what that mechanism is. We need to create a mechanism so artists don't fall through the cracks - just like nurses and other essential workers - we need artists. We need to re-envision arts as essential to the health of culture. It would take a lot of organizing and lobbying, but there COULD be a federal law passed that notes this work is essential - that says when X happens, the federal government still needs to pay X amount of

resources to arts institutions. Or it could be direct federal relief to artists - beyond freelance worker unemployment."

Choreographer and site responsive dance maker Esther Baker Tarpaga spoke to me from Philadelphia in Lenapehoking. She is thinking of the value of open space, spaces that are protected from development and safe to be in, free from chemicals. She is thinking of how space and dancemaking can be in alignment with social and climate justice work specifically in relation with the next generation; that advocacy work like this document and other forms of transmitting information is essential. How focusing on accessibility and sharing space with people who need access to outdoor space in other ways - people who need parks to live in, for example, is crucial. She is thinking through spaces of inclusivity and asking permission of a space. She is working with two organizations; BAAD (Bronx Academy of Arts and Dance) is paying artists to do workshops in online formats that are both new initiatives and replacements for in-person workshops that were cancelled. She is working with them on facilitating some walk experiences online. Kelly Strayhorn Theater is continuing discussion about the MAP funded project they were committed to partnering with her on. They are hopeful it will happen in the future. Kelly Strayhorn has given a portion of the fee to pay the artists and will also host a Zoom event with Propelled Animals Collective in May. With this project she is trying to figure out how to continue to pay a collaborator in Burkina Faso who relies completely on income from being an artist. She and her partner are raising funds to send to artists in Burkina Faso and sending letters of support to the ministry there. She noted that Zoom and the internet are not easily accessible to her collaborator - both financially and in regard to equipment. The closing of borders has been an additional worry because collaborators are in places that are currently politically unstable. She has felt support from BAAD and Kelly Strayhorn, which helps her be hopeful for the future.

Poet and performance artist Jaamil Olawale Kosoko reimaged his work Chameleon (The Living Installments), which was to premiere at New York Live Arts on Mannhatta in April 2020 as a daylong virtual experience, "a global gesture in listening," (New York Times, April 15, 2020) with partners EMPAC, Wexner, and New York Live Arts paying fees, providing the technical lift required, and offering a marketing platform. Jaamil and I spoke just six days after his online offering, first discussing the nature of choreographic thought. A futurist, he described an idea to place the skill-set of dancemakers ('moving') against the current need ('stillness'), imagining a choreographic intervention /integration plan when thinking about coming out of quarantine and shelter in place. When discussing his current performance piece, "The nature of this work was always to be transformative and to think alongside the community it was to be embedded within. When this (cancellations/quarantines) happened, I had to listen and let the work guide me. When we think about 'restaging' for digital realms it's presenting a lot of questions and I know it's going to ask the field to catch up to new media practices." When I asked what he thought about possible resonances extant from his performance, "It kind of feels like I pushed something into a void. It's very foreign for a person who has worked in deep proximity with audiences. It's a much different way to position the work. It's hard to imagine what success feels like - it's not on previous terms."

The Industry, an experimental opera company based on Tongva land, in Los Angeles had to cancel half of the performances of their new opera, Sweet Land. But according to Raven Chacon, one of the co-composer of the opera, the company committed to paying all performers through the originally planned

run. He said this was, "very admirable. They are at great risk for doing this, but it is necessary for all the artists and musicians who committed to the project. Sweet Land is now streaming for a fee to try to subsidize a small portion of the losses."

At the time of writing this, Fusebox Festival in Austin, Texas - which is land of the Apache, Alabama-Coushatta Tribe of Texas, Kickapoo Tribe of Texas, Ysleta del sur Pueblo, Lipan Apache Tribe, Texas Band of Yaqui Indians, and the Coahuitlecan, Caddo, Comanche, Kiowa, Wichita, Chickasaw, and Waco Nations - has transformed their annual live festival to a virtual one with three days of programming. People have created virtual watch parties on Facebook in attempts to attend scheduled events together. From Fusebox, "In this moment it feels important to offer a creative response...We're imagining an experience that is able to be responsive to our current moment, that honors the incredible work of our 2020 artists, that can reach our audiences wherever they are, and that explores what liveness can mean online."

Abrons Arts Center put all past content/videos online and, in doing so, provided links to the artists' Paypal and booking contact information. They highlight different artists each week and make the effort to promote the idea of supporting artists directly. Abrons Arts Center has also paid all of their commissions. For artists whose shows were postponed they paid 'postponement fees' that are almost equal to their remaining artist fee. They will, when presenting the artist down the line, pay the agreed upon artist fees (**on top of this postponement fee**). Abrons Arts Center also extended their residency time into next year when they reopen. They put up a resource page (as many organisations have done), continue to pay all teaching artist contracts even when they aren't able to teach (due to school or after-school closures). They have implemented online teaching in order to continue to provide education and continue to provide employment to teaching-artists. They have generated a relief fund for artists in the neighborhood and (thanks in part to early conversations with jumata tu poe) aggressively promoted to presenters and residency providers to find a way to pay postponement fees.

Choreographer Eiko Otake and Wesleyan University Center for the Arts created a Virtual Studio with a relationship to time that is not about streaming live performance and not archive either. From Eiko, on Wesleyan CFA's website, "When I perform in theaters, I can assume that the audience members want to be there and they are relatively healthy and willing. But that is not so when I take an initiative and reach people directly by sending videos when they are confined at home...The pandemic has grown too fast and close to us. This week is radically different from the last week. Much has happened between yesterday and today. So I decided I will create a virtual space where I can share my work for those who want to see, when they want to see. I will be available to receive your visit now or later. Please generously offer your eyes, minds, and voices when you can and feel like it. I have always worked toward performance dates when I can physically be with my audience members. The web does not replace the beautiful tension of live performance, but I will share what I can in this format for the time being. My intention is that the contents I create will not merely remain virtual but will become components of future installations and performances."

"Artists and orgs both need support in the immediate and long term and should be working together to adapt in the present and plan for a future of continuous adaptation...In the immediate, PICA has honored all existing

agreements as much as possible in direct conversation with the artists, whether they were contracted or not, paid artists fees for cancelled residencies and exhibitions, and are planning to follow through with upcoming commissions...we are striving to follow the artist's lead and have found many we are in conversation with prefer to postpone to a time when they can do their work live as planned rather than attempt a virtual or otherwise limited version.

We are also researching more small scale, local, low-contact, outdoor and site-specific work. More virtual work and collaborations across boundaries. More work with Indigenous artists, especially those in our own community (a path we were already on, but seems even more important to continue.) More work in non-theatrical formats like audio theatre, installation, projection, drive-in movies, VR. More tactile, participatory and experiential work. We are talking with artists, colleagues and audiences about what kind of experiences we are craving, what may be possible, what we can imagine ourselves doing in 6, 12, 18 months from now. Thinking about connecting with the audience where they are, at home, at the store, on a walk in the neighborhood. Trying ways of using our space for residencies, studios, maker space, a site for mutual aid efforts, and possibly temporary shelter."

- Erin Boberg Doughton, PICA

On The Boards is another organization committed to paying artists and working through the now together. From director Rachel Cook, "I have been trying to offer postponements instead of cancellations. Most artists want to think about a future date that we can invite a live audience into our space. One artist that we have been working with for two years has decided to pivot and try some IG live instead... If I'm trying to sustain anything it is the idea that art, artists, and the organizations that were created to support the creative work all HAVE VALUE and need to be part of our society, whether part of that society is trapped indoors or whether that society is stuck in a hospital fighting for their lives. I believe we each are creative, thinking beings and have the ability to learn from artists, see things from the artists point of view and that with constant exposure to art we can learn about history, culture, identity, and many other societal issues of our time. I hope we can rebuild an arts ecosystem that we want to create and that builds new networks of creative practices."

Many artists are working both inside and outside the virtual realm and artists and presenters are considering this time in many ways. Raven Chacon queried at a rush to new forms, "Indigenous artists, we can consider and have a time to visit, reevaluate, learn old songs, old works. Folx (Elders) who know these songs are going to pass if they get this virus in the next few months. And here we are talking about making new work. It's a very weird nightmare. Are we being called to immediately pay attention? In what forms?"

David Plett and Gisлина Patterson of Treaty 1 territory, in the homeland of the Metis Nation (Winnipeg) WeQuitTheater makes the needed point that assembly has been a privilege for some and an obstacle for others for a very long time. They write, in an article called *The Forgotten Art of Disassembly*, published April 18, 2020, "It may be a very long time before large scale public assembly in the name of theatre is safe to attend or responsible to organize and our approach to assembly may be permanently altered. But theatre's dependence on physical proximity, its demand for a silent, still audience, its disregard for the physical, emotional, and financial needs of its artists, and the rigidity of its training has shut out all but a small,

exclusive group of both artists and patrons. Exclusivity can be confused for virtuosity. If we believe theatre is vital, transformative, and necessary, we should make sure everyone who wants to can do it, and everyone who wants to can see it. This will never be possible as long as we consider physical assembly an essential part of what makes theatre what it is. For those of us who can afford to stop making work and consume other media, maybe the artistic medium we most need to be exploring right now is the internet. Maybe learning how theatre can function online is an opportunity to make our community, practices, and performances more accessible; but if we are going to learn how to do this, we are going to have to learn from the artists who have always been making work online: artists with disabilities, sex workers, people working in small towns, teenagers, people without BFAs, any artists who aren't safe or welcome in expensive, exclusive theatre spaces for any reason."

Karyn Recollet and I held our monthly Kinstillatory Mapping in Light and Dark Matter on April 9, 2020 with the invitation to, "Light a candle, sit with us, gather from across our distances - let us be tender with one another. Let us, in this moment, extend a technology of care through flame that is outside of the digital space / time- where we hold space for one another and all of our relatives who are not in the zoom room. Let's do this together and know we are together and take a little break from our screens. Let this gathering step toward an emergence that activates our kinstillatory* (Recollet) relationships now. In other words, this is not a place-holder for potential 'in the future' fire gatherings - it is the fire gathering of now."

Anthony Hudson wrote, "I think venues and presenters that are willing to support postponement with payment advances rather than shifting engagements to virtual or livestreams (where, in my opinion, we're just distracting ourselves and trying to revive or keep alive a mode of making / presenting that this whole mess has proven was unsustainable to begin with) is ideal, so that artists have a guaranteed engagement on the horizon and some income to work with."

Dance artist Sharon Mansur, based in Winona / Keoxa in Mni Sota Makoce, said of her process with collaborators, "We are living the future in our work in a way. Daily trying to understand where we are and living our future. The projects are infused with vulnerability."

Both of Sharon Mansur's current projects are receiving continued support from presenting and funding partners. The Winona Fine Arts Commission has postponed deadlines and is flexible with future dates and iteration of her project. They paid her on their previously agreed on schedule. With so many unknowns, she feels "open-ended and relaxed" because there is no pressure, there is trust. Her other project was meant to be showcased in September in a shared evening of solos performed by McKnight Dance Fellows. About the process now, Mary Ellen Childs, Program Director for McKnight Fellowships for Dancers and Choreographers at the McKnight Foundation told her the "priority is that she has a good experience." They are in communication as the McKnight Foundation weighs postponing the fall event and asking for artists' input. Sharon is also in touch with Sherrie Fernandez-Williams, Program Officer at the Minnesota State Arts Board. MSAB's timeline extension and project revision options are available as needed, and the grant payment will be awarded on schedule. Sharon said she is feeling care from all funders / presenters and like she is getting to know her staff contacts in a deeper way

because the agenda is different during this pandemic. They had a good rapport before, but in this time, the trust and communication is heightened. Mary Ellen Childs offered to help reach out to her collaborators with news. This administrative support was valuable in a time of upheaval. Sharon will be able to pay her collaborators and project assistants on their previous schedule and noted it felt tremendous to let them know they could count on payment, "it spreads calm." Her primary artist collaborators are in Minneapolis/Mni Sota Makoce; New York City/Lenapehoking, an epicenter of the virus; and Beirut, Lebanon, where there is currently both pandemic and revolution.

In a follow up email Sharon noted, "After we got off the phone, two aspects struck me as potentially notable. All three of the arts administrative funding staff contacts are also working artists. Not that they alone determine their entity's policies, but I wonder if that underlies some of the trust and empathy within the communication..."

Sharon Mansur also let me know about the Page Series at St.Mary's University in Winona / Keoxa, whose Managing Director is Theresa Remick. The Driftless Dance Festival was planned for the end of March 2020, the first dance festival in a town with numerous festivals of theatre and music. Instead of canceling, Remick shifted a residency online and is planning a local dance showcase for a later time. This feels important to Sharon. Being in a smaller community, not as many dance events happen. "It's important to keep dance in the consciousness of the community. In the flow and psyche of the community." She also noted it's a way to maintain engagement with the artists, community partners and audiences that the presenter had invested time and energy with to get behind the festival.

Artists and presenting organisations are making their work present in forms beyond performance. Many artists and organizations are working at a pace that is new to them: slower and less visible. Four artists responded with enthusiasm toward this query and document but for many essential reasons including direct actions with community and Elder care needs, were at capacity for the time being.

New York City/Lenapehoking based actor and producer Tanis Parenteau is leading several online gatherings in partnership with American Indian Community House - multi week engagements centered on community building and connectedness through fitness classes, an Elders Talking Circle, and a Storytelling circle featuring artists and Elders and space for questions, conversation, and relationship.

Rulan Tangen said Dancing Earth, "pivoted towards online classes and performance platforms - jumping in with courage and distinctive cultural perspectives to an already saturated market to serve our communities with movement and healing practices at this time of crisis - and to give some of the artists a once a week chance to be an artist again." While the company needs income, classes have intentionally been offered at no charge in order to support community members who are under-resourced. Rulan says, "It has generated connection and wellness, with participants stretching through an invisible shimmering delicate web from Peru to Canada to Aotearoa ..."

Brooklyn/Lenapehoking based Invisible Dog's director Lucien Zayan sends weekly emails (full of love and light) that highlight the direct, poetic, and resourceful actions of OTHER art centers, organizations, artists, curators,

and cultural leaders; creating relations across space and offering care and attention through focus on food, art, language, social justice, and health.

OnassisUSA created a new program called ENTER, a space to challenge artists to make now, in their particular isolations. A commission, a new thought, and stated in the description is that, "importantly - the work must seek out engagement. This should not be a repurposing of existing work, nor should it feel like the inferior cousin of a live show. It must stand on its own, and thrive." As records and responses to the now, offered in ways artists see fit, the only rule is that commissioned artists cannot break social distancing or quarantine guidelines in the making or sharing of the work. Full disclaimer, I was commissioned to create a work for Enter.

Bunnell Street Arts Gallery in Homer, Alaska - named Tuggegt by the Dena'ina people and a borderland of the Dena'ina and Sugpiaq people - hosts *Inspiration in Isolation* each week; a Zoom discussion hosted by Bunnell's curator Asia Freeman between two artists with Alaskan connections. Featuring mostly women and Indigenous artists, the conversations center process, kinships and relationality between the present moment and making art.

Stó:lō scholar Dylan Robinson, in an online meeting about gathering said he "hopes the stakes of gathering will change." As those of us in this field speak of and work toward needed systems change, how do we make certain - even in our efforts to support quickly, to make now, to reset, to listen, to share - that we do not revert, in however small of a way - to practices 'from before' - practices that we as a field were already well aware were prejudiced, inequitable, unjust - and to put it bluntly, apathetic to social justice, transformation, decolonisation, equity, and diversity? As Roya Amirsoleymani, and Erin Boberg Doughton of PICA and I discuss in the introduction to *Instigating Institutional Change Towards Decolonization...*"The work and efforts of our cultural organizations in these times of urgency and emergency must consider, center, and continue toward decolonization and indigenization rather than forsake these shifts in consciousness, awareness, and action for the sake of a 'return to normalcy'."

Relationship and Trust toward Continuance and Future

In our conversation, Tria Blu Wakpa relayed a story to me about her grandfather saying that if you're going to make a list about everything that is wrong, you have to make a list about everything that is right.

These stories from artists and presenting partners about ways of working now define trust and relationality. They center process. They have shared risk. They are vulnerable and know they might fail. They have hope.

"I think looking at what failure would look like is an important tool. As we're planning many possible futures with artists we need to be asking each other all of the 'what ifs.' What if we need to postpone or cancel again? What if there are continued or new restrictions on travel or gathering? What if someone gets sick? We should make these contingency plans together and not rely on boilerplate clauses in contracts.

Honesty and transparency are key to all of these conversations and will be even more important as we move forward. We hope to make a plan A, B (and maybe C!) with each artist about what future plans may look like, assuming an unpredictable future. We don't want to make any future commitments that we

can't follow through on so want to make sure the funding is secure for projects that may need to be cancelled or postponed. I imagine these future plans may look more like commissions and development funds that are less tied to a final project, box office revenue, etc.

So much of the past way of working was based on a capitalist marketplace model that did not ever really fit the work we are doing anyway. So in a way, we are starting with Plan C - the one we know we can do under any conditions, with the option to move on to plan B or A if and when conditions improve. Right now Plan C may be all we can realistically plan for."

- Erin Boberg Doughton, PICA

"Now is the time to build a coalition of funders together, from the larger foundations, to the smaller funding entities, to entities that fund artists, to local-state regions that work collaboratively to fully understand how devastating this is for a sector that was already underfunded and undervalued. It is still shocking to me for the amount of tourism and economic impact the arts sector contributes that individual artists are required on relief funding applications to address how their work contributes to the civic impact, how has the question not been answered yet by our field?"

I hope in the rebuild the mechanisms for having open, transparent conversations about our field and how we do business will become more normalized. Additionally, I hope the partnerships and collaborations happen more and more between different arts organizations, artists, cultural works and various disciplinary boundaries get further broken down. I hope we figure out how to help one another more and that we all need each other to survive, instead of always being in competition with one another or criticizing one another so frequently. I want to build mechanisms for artists to sustain their creative practice, as well as cultural arts workers and curators to have a healthy arts organization / institutional structure that they can do their best creative work inside of and transform society." - Rachel Cook, On the Boards

NYC/Lenapehoking based Artist and activist Theodore Kerr posted on Facebook: "The early crisis days are over and the awareness that we are in a long emergency is starting to settle into our bones and brains. Before we lose the feeling of these / those early days, I really urge people (especially those working in collectives, small orgs, and within community groups who responded / are responding to COVID -19) to document four things:

1. What did you do?
2. Why did you do it?
3. What would you do differently?
4. What is needed now?

It reminds me of the ongoing ways in which we need to stand in systems-change together. With curiosity, reflection, honesty, action. Indigenous, Black and Brown and Disability Justice and Health Justice individuals and artists are leaders in change and equity. We need to look at our alignments and solidarities. I have a decolonisation clause in my rider (see Appendix C). Why don't I have an accessibility one? In solidarity moving forward, all artists could ensure both.

The additional questions I will leave for us at the moment come from *How Change Happens* by Duncan Green:

- What kind of change is involved (individual attitudes, social norms, law and policies, access to resources)?
- What precedents are there that we can learn from (positive deviance, history, current political and social tides)?
- Power analysis: who are the stakeholders and what kind of power is involved (look again – who have we forgotten?)
- What kind of approach makes sense for this change (traditional project, advocacy, multiple parallel experiments, fast feedback and rapid response)?
- What strategies are we going to try (delivering services, building the broader, enabling environment, demonstration projects, convening and brokering, supporting local grassroots organizations, advocacy)?
- Learning and course correction: how will we learn about the impact of our actions or changes in context (e.g critical junctures)? Schedule regular time outs to take stock and adapt accordingly.

Resources :

Simpson, Leanne Betasamosake. *As We Have Always Done. Indigenous Freedom Through Radical Resistance*. University of Minnesota, 2017.

Dafoe, Taylor. "Nearly Two-Thirds of Artists in the United States Have Lost Their Livelihoods as a Result of the Coronavirus, a New Survey Says" ArtWorld, April 24, 2020 [link](#)

Burke, Siobhan. "This Artist Proposes a Community Space 'to Dream, to Imagine'". New York Times, April 15, 2020

We Quit Theater. The Forgotten Art of Disassembly. April 18, 2020 [link](#)

Amirsoleymani, Roya; Erin Boberg Doughton; Emily Johnson. "Instigating Institutional Change Towards Decolonization." HowlRound Theatre Commons, April 13, 2020 [link](#)

foldA: <https://www.folda.ca/>

Fusebox Festival 2020: <https://schedule.fuseboxfestival.com/artists-2020>

Driftless Dance Festival: <https://pagetheatre.org/events/driftless-dance-festival/>

Wesleyan CFA Virtual Studio: <https://www.eikootake.org/what-is-virtual-studio>

[The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use **this form** to offer feedback](#)

Contracts & Force Majeure

Compiled by Laura Colby & Amy Smith

FRAMEWORK compiled by Laura Colby

I feel I must frame this section by first saying it has been my experience that the presentation of live performance events in what is called the United States is something that occurs because of a group of incredibly passionate, dedicated people. These people include: the artist, their representation (if they have it), and the presenter. (Please allow me to acknowledge the aforementioned world of arts workers: [page 3 Statement of Purpose](#)). These roles of artist, representation, and presenter in the field are interdependent. In the US, we have the system and network of the live performing arts field that we know because of how these three roles intersect and work together. Yes, performances can (and do) happen without one or the other of these roles - but the efforts of this trio of roles has served as the backbone and framework of our industry for decades.

For the artist who is not using representation or support of some kind (be that a personal manager, an agent manager, an artist representative, a booking agent, a publicist, or lawyer, for example), the artist is executing the work of management - inevitably without paying themselves for this administrative time. We must recognize the h o u r s of administrative support "behind" the performative aspect of an engagement. For the unrepresented artist, this unpaid time contributes to their already fragile financial state. (According to the NEA's 2019 "Artists and other Cultural Workers, a Statistical Report," choreographers are among the lowest paid artists). It is critical that artists pay themselves for their administrative time - alongside their artistic fees for development, creation, and performance time.

In the spirit of equity, we must recognize the disparity of income in our field. Of the three roles mentioned above, it is typically the presenter (presumably an employee of an organization) that has the full-time, salaried job with some semblance of benefits. Considering the different forms representation can come in, annual income for the management roles can range considerably: some work strictly on commission; others are guaranteed a salary by their employer based on an annual minimum sales with a potential bonus (based on sales); some are paid by the hour or with a flat fee for a defined project/time. According to the NEA's 2019 publication ("Artists and other Cultural Workers, a Statistical Report") presenters and managers are the second-highest paid in the field of the arts (which for this NEA report included architects, who came in as the highest paid).

Alongside annual income, we must consider job stability. With the US's move into the "gig economy," less and less workers have the kind of job security most Baby Boomers thought they would have. The hierarchy of power that does exist - with the presenter as gate-keeper with the ability to commission and engage the artist - also reflects the reality of job security. It is unlikely that a presenter will lose any part of their annual income in the face of a cancelled contract - when the artist (and most likely their representation) will. It is unlikely the presenter will lose its job when they suffer a physical injury. However, in the case of the artist, they most likely will. When was the last time a presenter was asked to reduce their salary in order to make a fee associated with an engagement "work" - ? (As someone trying to negotiate living wages in touring fees for artists, I am asked repeatedly to reduce quoted fees). It is always the artist who suffers the most financially.

CONTRACTS & CANCELLING

I am writing about contracting and force majeure from the perspective of an artist representative with 25 years of negotiating contracts - all which included force majeure clauses - on behalf of my artist clients for teaching, commissioning, and performance engagements. When I began this work, I learned what force majeure was - but it was only after negotiating numerous force majeure incidents did I really begin to *understand* the implications of force majeure. One lesson I learned was to ensure that the artists I represented really understood the impact of force majeure. To that end, I added this clause in my representation agreements:

The Artist/Company acknowledges and is prepared for force majeure-based cancellations, understanding that all parties lose and that in most cases, the Artist/Company will not receive any payment toward expenses. Both parties recognize this inherent risk in the undertaking of touring.

[About the "both parties" part in that last sentence: if the engagement does not take place, the person in the role of artist representative does not earn any income either.]

For our conversation about force majeure, we must look at the difference between "regular" cancelling and force majeure. "Regular" cancelling is written into a contract as a means to ensure delivery of services - with the expectation that both parties (artist & presenter) have agreed to specific terms. Terms can be broken down into: fee for services, payment schedule, definition of services, and dates of services will be executed. The contract represents in a single document that both parties have reserved specific dates for specific services - and should either party cancel, there will be financial consequences. Consequences for the presenter can be a guaranteed paid fee to the artist based on the date of the cancellation. Here is one industry example:

b. Presenter acknowledges that the Company has refused offers for other performances in order to enter into this Agreement and that the Company has incurred substantial out of pocket expenses in connection herewith and, therefore, agrees that, in an Event of Default, any and all sums payable to the Company as compensation under this Agreement be immediately due and payable as follows:

Cancellation within 6 months of Performance: Artist receives 50% of the fee in the amount of \$XX,000.00 (XX Thousand US Dollars),

Cancellation within 3 months of Performance: Artist receives 75% of the fee in the amount of \$XX,000.00 (XX Thousand Five Hundred US Dollars),

Cancellation within 1 month of Performance: Artist receives 100% of the fee in the amount of \$XX,000.00 (XX Thousand US Dollars),

The presenter cannot cancel "just because." Here is a sample clause defining several common excuses to cancel:

Presenter's cancellation or rescheduling of the performance(s) or other services of the Company due to Presenter's fiscal insolvency, poor ticket sales, or scheduling problems, or for any other reason, shall not be deemed a

force majeure event and Presenter shall not have the right to terminate this Agreement without liability on the part of Presenter.

In the case where there was no defined cancellation payment schedule incorporated into the contract, and a presenter decides to cancel, best practice will have the presenter negotiate a "kill fee" to "buy-out" the artist from their agreement. This kill fee will be scaled based on the date of cancellation and engagement date. If the artist must cancel on the presenter, and not for a force majeure reason (this is typically because they receive a better offer for another job for the already agreed-to date), best practice would have the artist buy-out the presenter with some kind of kill fee.

The reason a "regular" cancellation is preferred to invoking force majeure is because the artist can - ostensibly - walk away with some money. With force majeure, all bets are off - meaning all of the contract terms are now waived/superseded by the force majeure incident. The presenter doesn't have to present the artist, the artist does not have to perform, and no-one owes the other party anything (unless the force majeure clause declares otherwise).

RISK

In a sense, we are all gambling. We are making agreements one, sometimes two years in advance based on projected budgets. We are reserving dates and guaranteeing content. We are counting on bodies remaining healthy, on planes flying, on that sponsor sponsoring, that funder funding, and on universities passing budgets to pay for their performing arts centers. We are counting on the unions not going on strike, on those visas coming through, and on audiences buying tickets. That's a whole lot of variables that could go south - we are gambling.

Just as there are no guarantees in this business (for example, that an artist will have a career they can count on), there is no way to guarantee a risk-free touring environment. (In my experience, if you are looking for guarantees, you are in the wrong business). It is prudent for all parties to be prepared for losses due to events that are utterly out of our control. It is essential that all parties understand that the business of the live performing arts is inherently risky.

To help mitigate risk, you can purchase insurance coverage. At a minimum, all touring artists, companies, and their representation should carry General Liability coverage. (This will cover you if/when that shoe goes flying off a dancer's foot, blinding someone in the first row).

If you are touring in the US, it is imperative that you tour with medical insurance. (If you do not have health insurance, a great option is to purchase spot "travel" insurance when you buy your airfare or book a rental car). If you are a US-based dancer touring overseas, it would be especially prudent to purchase evacuation insurance - a lesson Spalding Gray taught us in his final monologue. If you can afford it, consider purchasing cancellation insurance. And of course, with COVID-19 upon us, insurance coverage is changing as I type these words... (We have learned the hard way that most "disruption" insurance will not cover you in the face of a pandemic).

FORCE MAJEURE

To summarize what my entertainment lawyer taught me: force majeure sucks. Everyone loses. The venue doesn't get to present the show - and therefore loses all box office revenue. The artist doesn't get to perform - and therefore does not get paid. The "trick" is ensuring that all parties share an equal burden in the loss.

I was ok with the idea of sharing at "equal loss" levels in the face of force majeure until this current crisis arrived. My new perspective is that no matter what, the artist is always going to feel the impact of loss of any scale more than any venue (this goes for a venue that is a little community-based theater or The Kennedy Center).

If you are in this field long enough, you are going to encounter a force majeure scenario. My first force majeure event was a 1-inch snow storm in Raleigh, NC that cancelled a NYC-based dance company's performance. To someone from the New York/Lenapehoking region, an inch of snow is "whatever." However, in Raleigh, an inch of snow creates incredibly dangerous circumstances where everyone is told to stay home, effectively shutting down the city. In this circumstance, the company had arrived before the storm. They returned to NYC as soon as the Raleigh/Durham airport reopened.

To show how force majeure can range in its impact, I will provide a few industry examples.

The 2010 eruptions of the Eyjafjallajökull volcano in Iceland grounded all flights over the Atlantic ocean for 6 days. For one Denmark-based dance company (and its US-based representation) this meant losing a 4-venue US tour that had taken 3 years to secure. The gross income on that tour was supposed to be \$125k. No payments were made and the venues returned all tickets sold.

Who gets to call the force majeure? That all depends on how/where /when in the course of the engagement (or prior to the engagement) it happens. When a world music company showed up at the Rialto Theater in Atlanta to load-in the day of their show only to discover a "microburst" the night before had dropped a 2,000 pound industrial air conditioner through the Rialto's roof depositing it center stage, the company called its manager to ask if they'd be performing that night. Um, no. Even though the company was there, on site, ready to perform, the venue invoked force majeure and cancelled that night's show. The company was completely taken off guard - it wasn't their fault a weather incident ripped the theater's roof off! Why should they be "penalized" for something that was out of their control? True - and the venue had no control over that microburst either. The roof repair was not something that could be quickly accomplished - therefore the venue invoked force majeure.

Sometimes the parties do not agree on a force majeure. When the freight of an outdoor spectacle company from the UK got stuck in customs forcing the cancellation of the first week of a two-week engagement, the city-based festival presenting the show demanded half its fee returned. In this case, it was the agent who invoked force majeure - from the position that customs not clearing the freight was not their fault. At the agent's request, the venue had its elected representative speak to customs (because they can, whereas a "regular" citizen cannot) to request the release of the freight (to no

avail). The agent had done everything in their power to provide all of the necessary paperwork, carnets, etc. The freight arrived on schedule and should have been released on time - the agent had not been negligent in their duties (as the venue insisted). The venue completely disagreed with the agent - their position was that it was the agent's fault the freight got stuck in customs. That this was not a force majeure. This all happened with the company already on site. The company offered to perform street-style improvisations, without their equipment or costumes. The festival declined.

A 4-week tour with 8 venues of 2 "star vehicle" dancers was interrupted less than one week before the tour when one of the dancers blew their knee out. Two of the remaining venues agreed to present a solo show with the non-injured dancer. The rest of the venues declined this offer - and invoked force majeure, cancelling their dates.

Other recent force majeure incidents include 9/11; hurricane Katrina; hurricane Sandy; and SARS. Force majeure can also include cancelled flights; a denied visa; a strike; rioting; illness; death; injury; lost luggage; and yes, freight that gets stuck in customs: all are events that are out of our control.

FORCE MAJEURE NEGOTIATION

Each force majeure requires negotiation based on its particulars. In the case of the dance company in Raleigh's one-inch of snow, this engagement was rescheduled with performances held 6 months later. For the company, this meant they ended up purchasing two sets of airfares for one engagement. How was the loss of this force majeure "equally shared" here? The venue had to reallocate staff time, spend their marketing & publicity budgets twice, refund tickets, etc. Had the venue called to say they thought the company should stay in NYC and not travel to Raleigh (because they saw a force majeure incoming with the storm en route) - then there might have been the possibility to reschedule those airfares. (This gets back to the timing of a force majeure).

The Atlanta gig for the world music company was never rescheduled - primarily because this was an internationally-based company that required routed (contiguous) dates for their US tours. Both parties agreed to accept their losses and move on.

With the volcano and the Denmark-based dance company, had the volcano started erupting 2 weeks later, the company would have then been stuck in the States, not able to return home. In that case, whose force majeure would that have been? (Again - timing).

With the outdoor spectacle company, this conflict ended up between the agent's and the city's lawyers. In the end, the city "allowed" for the force majeure and accepted the company's offer to return \$6,000 to the presenter in hotel expenses for the first week.

In the case of the two "star" dancers, the manager was acting as a producer. They assumed all financial responsibility for the tour - and were paying the artists from the contracted fees they collected (as opposed to the fee being paid to the artists with the artists then paying the manager a percentage). With gross revenue in the "mid six-figures," the manager had purchased

cancellation insurance for this tour. (A veteran arts worker with over 35 years of experience in the field, this was the first time they had purchased cancellation insurance). The cost of the insurance - back in 2016 - was \$8,000 - with a "one engagement" deductible. In this case, that was the contracted fee for the first cancelled engagement of the tour - which had a fee of \$60,000. The insurance settlement covered all of the contracted fees of the cancelled engagements (less the deductible). Each party (the manager, the artists & the staff/crew) agreed that all tour expenses (travel, freight, per diem, extra hotels, artist fees, visas, etc.) were paid first. Then, they shared in the loss caused by the deductible. The end result was that each party received a proportionate share of what they were projected to earn.

With today's circumstances, I have heard of venues receiving the argument that the COVID-19 shutdowns are not a force majeure incident. Artists (or their representation) make such arguments in order to claim the regular cancellation clause in a contract (above). What complicates matters in this moment is the fact that we are a nation of 50 states - and that NY and CA may have shut-downs while GA is "reopening" on Monday (as I sit here typing). So a band in GA could ostensibly argue to the CA-based venue it has a contract with to perform next week: *it's not my force majeure - it's not my fault that you (the CA venue) won't present us. We're open for business, we're ready to perform - this is your problem.* But of course safety and minimizing the spread of the virus should be our shared, paramount concern. This points back to my premise that we are interdependent. What good does it do to point fingers like that? That venue in CA has no choice - they literally cannot present that band. Giving over to the reality of our shared circumstances and then moving on to other options is the more collegial choice.

What is unprecedented about our current circumstances is that we are not talking about a 24 hour weather condition, or a week of labor strikes. We are looking into a void right now that extends through August, 2020 and will in all likelihood extend through December, 2020 - if not through to June, 2021. This force majeure is not momentary - right now, it appears as forever in our view.

FORCE MAJEURE CONTRACT SAMPLE TEXTS:

Below please find some examples of force majeure language taken from various engagement contracts.

A NOTE: Please be advised that contract language should not be cut and pasted into documents with the idea that they will work just because they are now included in the doc. It is the contract in its entirety that makes it valid in the eyes of a judge/court. Cutting & pasting clauses from here and there is not necessarily going to create a document that will hold up in court! It is vital that artists use documents that are complete and enforceable. (And this points back to the reality of access and affordability. Surely artist-centric service organizations can provide such templates?)

1: Elsie Management's engagement contract force majeure clause

NOTE: I have highlighted what I consider to be the most important elements.

a. In the event that the performance of any of the covenants, duties, or obligations of this Agreement on the part of the Company or Presenter shall be prevented, interrupted, delayed or suspended by any force majeure event, as defined herein, either party may terminate this Agreement without any liability on either party for any damages arising from such termination, provided, however, that Presenter shall pay to the Company all out-of-pocket expenses incurred as of the date of the force majeure event (including the cost of any non-refundable portion of travel or hotel arrangements). If, as a result of any force majeure event, the Company is able to perform only a portion of the performance(s), then the Engagement Fee shall be reduced on a pro-rata basis. Termination for a force majeure event shall not be deemed a breach of the Agreement.

b. In the event of the cancellation of the performance(s) for a force majeure event, neither Presenter nor the Company shall be under any obligation to present the performance(s) at a different time, except that Presenter shall use its best efforts to re-engage the Company within a twenty-four month period on the same terms and conditions set forth herein, subject to the Company's availability. In the event that the Company consists of persons other than a featured performer(s) and such person(s) cannot perform for any reason, the Company shall have the option to use its reasonable efforts to furnish a substitute of the same artistic quality for such person(s), which Presenter agrees to accept, or to perform without such person(s), in which event the Company shall not be liable for such failure of any such person(s) to perform and such person(s)'s unavailability shall not be treated as a force majeure event on the part of the Company. The Company will be the sole judge of the artistic quality of such substitutes.

c. "Force Majeure" shall mean severely inclement weather; illness, death or incapacitation of a key member of the Company (as determined by the Company in its sole judgment) or death or life threatening illness of an immediate family member of a key member of the Company; any present or future statute, laws, ordinance, regulation, order, judgment or decree; act of God; earthquake; flood; fire; epidemic; accident; explosion; casualty; lockout, boycott, strike, or labor controversy (including, but not limited to, threat of lockout, boycott or strike); riot, civil disturbance, war or armed conflict (whether or not there has been an official declaration of war or official statement as to the existence of a state of war), invasion, occupation, intervention of military forces, act of public enemy, embargo, or act or threat of terrorism; delay of a common carrier; disruption of air traffic; any inability without fault on Presenter's part to obtain sufficient material, labor, transportation, power or other essential commodity required in the conduct of its business or services; or any other similar or dissimilar cause or causes outside the reasonable control of a party hereto. Notwithstanding the foregoing, Presenter's cancellation or rescheduling of the performance(s) or other services of the Company due to Presenter's fiscal insolvency, poor ticket sales, or scheduling problems, or for any other reason, shall not be deemed a force majeure event and Presenter shall not have the right to terminate this Agreement without liability on the part of Presenter.

2: NYC children's theater programmer:

NOTE: I am not naming venues - I have changed venues/organizations to "ORG."

NOTE: I have highlighted what I consider to be problematic:

TERMINATION. It is hereby acknowledged that the ORG shall have no obligations hereunder, and shall, upon written notice to the Company, have the right to terminate this Agreement at any time whatsoever, with no liability whatsoever to the Company, in the event that:

A. The Company shall fail to observe any material term or condition of this Agreement or shall fail to hold any performance of the Engagement scheduled to be performed hereunder, except if such failure to hold any performance is due to an event of force majeure (as defined below), or the Company shall fail to pay any sum required to be paid when same shall be due; in which case the Company shall, upon such termination, **repay to the ORG all amounts previously paid to the Company** by the ORG under this Agreement as liquidated damages in compensation for the ORG's damages and loss of revenue resulting from the termination and not as a penalty;

B. The Theater is destroyed, damaged or otherwise rendered unfit for occupancy, or the presentation of the Engagement at the Theater shall be prevented, interrupted or otherwise interfered with by the public authorities or by any event of force majeure (as defined below);

C. As used herein, an "event of force majeure" shall be defined as: any Act of God, war, fire, strike, lock-out or other labor controversy (including, without limitation, the picketing of the Theater by representatives of any labor union having or claiming to have jurisdiction over Theater's employees), riot, civil disturbance, act of public enemy, law, enactment, rule, restraint, order or act of any governmental instrumentality or military authority, failure, delay or reduction in transportation facilities or water, electricity or other public utilities, or other cause similar in nature to the events enumerated above not reasonably within the ORG's control or which the ORG could not by reasonable diligence have avoided, the result of which is that the normal business operations of the ORG and/or the Theater become commercially impracticable in the ORG's sole discretion.

Nothing about having to reschedule!

Nothing about out-of-pocket (advance) expenses

3: NYC-based dance venue:

27. Force Majeure and Liquidated Damages If:

(a) Presentee shall fail to observe any material term, condition or covenant of this agreement or shall fail to hold any performance of the Engagement scheduled to be performed hereunder, or Presentee shall fail to pay any sum required to be paid when the same shall be due, or

(b) the Theater is destroyed, damaged or otherwise rendered unfit for occupancy, or

(c) any performance shall be prevented, interrupted or interfered with by the public authorities or by any strike, labor dispute, war, public emergency or calamity, terrorism, breakdown of mechanical or electrical equipment, or other cause beyond the control of Presenter, Presenter shall, notwithstanding anything to the contrary contained in this agreement, have the right, at its option, without any liability of Presenter to Presentee, to

(i) terminate this agreement and Presenter's obligations hereunder, either in its entirety or with respect to the portion of the Engagement affected, and/or

(ii) close the Theater. Under the circumstances set forth in clause (a), (b) and (c) of this Paragraph 27, Presentee shall repay to Presenter all amounts previously paid to Presentee by Presenter under this agreement (in the case of clause (a), as liquidated damages in compensation for Presenter's damages and loss of revenue resulting from the termination and not as a penalty), and Presenter shall have no further Liability to Presentee, including, without limitation, any liability to Presentee pursuant to Paragraph 6 hereof.

Considering this is a major dance venue, there is no reference to physical INJURY in this force majeure clause.

Nothing about having to reschedule!

Nothing about out-of-pocket (advance) expenses

4: major US theater programme:

6. TERMINATION EVENTS

a. Force Majeure.

If the performance of any obligations of either party is delayed or interrupted or prevented by reason of an event out of the control of either party, such as fire, flood, war, terrorist act, public disaster, strikes or labor difficulties, governmental enactment, regulation or order, or any cause beyond either party's control, such party shall not be liable to the other therefore, and all parties hereto will be relieved of their obligations hereunder with respect to the services so prevented. In the case of cancellation due to Force Majeure, Artist will return to ORG all deposits and payments applicable to cancelled performance(s) within five (5) business days of cancellation.

b. Cancellation and Postponement.

If any party believes that a situation exists which may directly or indirectly expose artists, staff, or members of the audience to unusual danger or death, disease or injury or to any outbreak of violence or civil strife of any kind, or civil or criminal proceedings, said party may halt the performance. In that event Artist and ORG shall confer and agree upon a

remedy or, if unable to agree, cancel said performance(s). In the event of such a cancellation Artist agrees to return all deposits and payments applicable to cancelled performance(s) within five (5) business days of cancellation, but this clause does not restrict any party from seeking additional relief. In the event of cancellation due to Artist's default, Artist agrees to return all deposits and payments applicable to cancelled performance(s) within five (5) business days of cancellation, but this clause does not restrict any party from seeking additional relief.

Nothing about having to reschedule!

Nothing about out-of-pocket (advance) expenses

AGREEMENT OF TERMS

As mentioned above, a contract represents in a document that both parties have reserved specific dates for specific services for a specific fee. This is the "agreement of terms": date, services & fee. Once you have reached an agreement of terms, you have a "contract." You do not have to have a duly signed written paper document to have an agreement of terms - or contract. An agreement of terms can be as simple as this: *Yes, I will perform on Th, May 14, 2020 at Joe's Pub for a fee of \$500.* This agreement of terms can be confirmed verbally, via text, an email, or yes, in a duly signed document. Should you have a dispute about having reached an agreement of terms, you may have to prove it actually happened. Having your agreement in some written form is going to be far more solid "proof" than a story recounting that time two parties agreed to terms verbally. Therefore, it is best to protect yourself by getting your terms agreed to in writing!

Once I reach an agreement of terms for an engagement, I use a legally binding 2-page deal memo to summarize these terms. I issue this with the technical rider and any other riders that we need the venue to sign off on. If there is anything out-of-the-ordinary a company might need (white marley; specific kind of tap floor; 20,000 lumens) I am sure to mention those needs as early as possible. The duly signed deal memo commits both parties to the stated terms. The contract - a longer document - is then issued as soon as possible, preferably signed off on 6 months in advance (but often not signed off on until literally the week of the engagement). It can take a long time for organizations to process contracts - thus the importance of the deal memo. Often, no payments will be made until/unless a contract is signed.

EVERYTHING IS NEGOTIABLE

The best negotiating skill I have learned is to have the ability to walk away from an offer/contract/negotiation. Now of course that means you must be willing to live with the outcome: you might just lose that engagement - and another artist or company will *absolutely* agree to the lousy offer/circumstances/clauses. (When are we going to have solidarity for minimum work standards?) But once you are able to walk away - and mean it - you will recognize profoundly your value.

When negotiating on behalf of artists/companies, it is my job to know how far I can go - when I can confidently state: this is a deal breaker. I cannot agree to this clause and will not be able to sign off on it. I will not say such a thing to a presenter until I know 100% that my artist wants me to say this - and is ready to lose the engagement. It has been my experience that

whenever I have found myself in such moments, the presenter will work really hard to get that clause re-written, or find a work-around, or come up with a solution in order to get the contract signed.

I referenced the basic framework of contracts above. However, there are countless details that will be/are often included. Keeping in mind that everything is negotiable, are you ready for the following questions/requirements?:

Hotel rooms, airfares, per diem & ground transportation.

ALWAYS clarify who is paying for what when you are negotiating your fees and engagement circumstances. Most US venues just want to pay you a fee - and have you pay for everything out of that. Some will provide (and pay for) your housing. You must take great care when quoting fees to have utter clarity, for example: the fee will be \$12,000 plus housing (4 doubles, 3 singles, 4 nights), plus all local ground transportation. (Company will pay for airfares & per diem from the paid fee).

US artists who travel regularly overseas will often receive offers structured like this: paid fee of \$5,000 plus: 7 nights housing, 7 days per diem, 1 roundtrip airfare (NYC > London), all local ground, all taxes and visas expenses paid by venue. NEVER ASSUME something is going to be included or paid for! Always ask.

Hotel rooms.

The presenting venue is going to expect you will all share rooms. Know your room count needs from the point of negotiation.

We do not pay deposits.

Most universities cannot make any payments "until services are provided." Some have payment terms 14 or 30 days once services have been completed. One way to get around this is to submit your advance expense receipts. In any case, NEVER ASSUME you will be paid a deposit! If deposits are necessary for you, ask at the point of negotiation of fee. Or even better, ask once you start talking about your fee. (And be prepared to receive an out-of-state check that is going to take 10-14 days to clear).

We don't pick-up or drop-off at the airport.

Do not assume that your presenting organization is going to pick you up or drop you off at the airport or train station. Many will not. When you discover the airport is an hour away from the venue, you are going to wish you calculated the cost of this transportation into the fee you quoted.

The hotel is 45 minutes from the venue - by car.

Make sure your contract includes a clause specifying that your hotel is within walking distance of your hotel - and then define what walking distance is to you/your company. Require that that presenting organization provide ground transportation to/from the within-walking-distance hotel in the case of inclement weather. If you are responsible for booking your own hotel, ask

the presenter if they have a list of "partner" hotels they work regularly with that can provide a discount.

City, county, and states taxes will be deducted from your payment.

Be sure to ask your presenter if any taxes will be withheld automatically. If so, ask if there is a way to get them reduced or waived? If not, you can always file a tax return in February of the next year to get those withheld taxes returned to you. (But are you ready to have the state of California withhold 6% from your payment?)

You must carry \$5 Million General Liability coverage

Yes, absolutely OUTRAGEOUS! UNTENABLE! BEYOND COST PROHIBITIVE! And regularly required by certain NYC venues - and regularly negotiated "down" to \$2 Million coverage.

You must carry Workers Compensation coverage for all of your personnel (dancers & tech).

Yes, you are opening up a small business because that prestigious NYC venue you've always wanted to be presented by requires that you carry Workers Compensation coverage.

The venue can cancel the contract at will (meaning without cause, for any reason).

Um, NO. Just NO.

Are you ready to walk away? Mean it.

SOME FUTURES SOLUTIONS

CONTRACTS

One solution I have heard suggested to get around the organizations who cannot/will not pay any advances is to use two contracts for what we now consider one engagement. The first contract would represent the period the artist is creating, rehearsing, and developing the work in advance of the engagement. There would be a set fee for this period, to be paid on a specific date (presumably weeks or months in advance of the actual performance date). The second contract would be for the actual on-site engagement dates and would be the fee associated with the schedule of performances (and presumably paid on the date of the engagement).

FORCE MAJEURE

One colleague has started asking presenting organizations to sign off on a "timed" force majeure clause. This clause would have specific expenses paid for in the case of force majeure, based on the timing of the force majeure

incident and where it happens on the advance timeline leading into the actual engagement. This timed segments could include:

- The company is at home rehearsing.
 - 8 weeks out
 - 6 weeks out
 - 4 weeks out
 - 2 weeks out
- The company is at the airport, leaving for the engagement.
- The company has arrived at the venue.
- The company is on stage, at the theater.

The idea being that with each segment, there are expenses the company has incurred that should be paid for.

*The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use **this form** to offer feedback*

Thoughts on Force Majeure from a dance artist

By Amy Smith, co-founder and co-director of Headlong

Having run a dance company for 26 years, I have a lot of experience with contracts and letters of agreement, mostly from the point of view of the artist contracted to perform at a venue or festival, but also creating letters of agreements with countless dancers, designers, etc.

Force Majeure is a legal term, "an event (as war, labor strike, or extreme weather) or effect that cannot be reasonably anticipated or controlled," as defined by Merriam Webster. There's often a clause in a contract that allows the engagement to be cancelled or postponed in the case of an "act of God", disaster, etc. Usually simple written notice is required from one of the parties to enact this cancellation. During my active years of performing and touring (1995-2015) I never had an engagement cancelled or postponed due to force majeure, but it was written into most of the contracts I signed with presenters on behalf of my dance company. In the case of our letters of agreement with dancers and designers, there was only one time we had to discontinue working with someone before the contract was completed, and in that case we had written in language that we would pay for time already spent, which we did.

The COVID-19 pandemic is a perfect example of a "force majeure" disaster. Even if it was allowed, it would not be prudent to hold any performances during state mandated physical distancing. Presenters are canceling left and right, and artists are scrambling. I know artists who have lost tens of thousands of dollars. I know artists who have significant credit card debt that they were planning to pay down with spring and summer performance fees. I know artists who decided to pay their dancers and designers even though the presenter has offered and paid them nothing.

One of the most frustrating aspects of the financial piece of this crisis is that presenters and venues are pushing down the burden onto those who can least afford to carry that burden, namely artists. Even before the crisis, 40% of residents in the country known as the United States did not have \$400 in the bank to cover an emergency. Funding inequities persist and have actually gotten worse since the 2015 call from Grantmakers in the Arts to improve racial equity in funding. The arts ecosystem was created by and for upper middle class, educated white people. And currently many of the decision makers and full time workers in the arts ecosystem are folx (like me!) from this background.

If you are employed by an arts organization, please consider (or re-consider) your decision to simply cancel contracts because of force majeure. If you invoke force majeure, please consider paying the artist all or at least a significant portion of the fee. You may feel precarious and your arts organization may be, like many, (like mine was) undercapitalized without an endowment or significant cash reserves to withstand months of earned income loss. But if you are employed by an arts organization, by definition you have access to resources that many artists do not (for example, getting furloughed so you can receive Unemployment Compensation, or your organization applying to SBA loans or emergency grants and funding). One of the many hats I wear in the arts community is doing tax preparation for artists, and you'd be amazed at how little income some famous and "successful" dance and theater artists are living on. These artists are hustling hard to get these gigs. They are paying their stage managers and dancers and actors, and their

margins are razor slim. Their net profit at the end of the year is half of what anyone making a full time wage would accept as reasonable. Decades of neoliberal capitalism and the profound undervaluation of artist's labor in our society created this situation, and now COVID-19 has exposed how fragile and precarious the entire structure is.

Remember in the 1990s and 2000s when funders were trying to get us all to increase our earned to contributed income ratio as a way to try to level off the financial uncertainty inherent in running an arts organization? I'm guessing that many successfully did so, and that ticket sales are an important part of the annual budget. But I also know that arts organizations create budgets that take into account the possibility that ticket sales will be low (especially in the dance world!). You have already budgeted for these artist fees in your 19-20 budget. Pay the artists. In future contracts, spell out what some of the possible avenues of ethical cancellation will be if (when?) a crisis of this magnitude happens again.

Consider turning this "act of God" into an act of grace.

*The compilers are dependent upon your feedback about how this document can better address the needs and desires of all sibling arts professionals. Please use **this form** to offer feedback*

APPENDIX

EXHIBIT A

This is a short list of collectives, cooperatives, and organizations doing work that are in tandem to our efforts here, and that inspire these efforts.

Related Efforts

From the dance and performance field -

Dancers Compact -

https://s3.amazonaws.com/NYFA_WebAssets/Pictures/1d633b67-07c1-403c-aa78-8132f0fe9825.pdf

Dance Artists National Collective -

<https://danceartistsnationalcollective.org/>

W.A.G.E. -

<https://wageforwork.com/>

Code of Conduct to Promote Safe(r) Workplaces in the Performing Arts - Guidelines -

(https://toomanyorg.files.wordpress.com/2018/05/codeofconduct_bw.pdf)

Feature article

(<https://www.npr.org/sections/therecord/2018/04/30/607142770/a-map-to-the-line-and-how-not-to-cross-it-a-code-of-conduct-for-the-performing-a>)

Design Activism: #RampFail #WheelJoy from Alice Sheppard's website

<http://alicesheppard.com/the-movement/rampfail-wheeljoy/>

From other fields -

Creative Commons - <https://creativecommons.org/>

#timesup - <http://www.timesupnow.org>

Chicago Theater World's #timesup - <https://www.notinourhouse.org/>

Movement for Credible Cycling (MPCC) -

<https://www.mpcc.fr/index.php/en/mpcc-uk>

(Clear and concrete guidelines for how to deal with violation of principles. They even have a "credibility barometer", essentially an ethics rating.)

Black and Brown Workers' Cooperative -

<http://blackandbrownworkerscoop.org/>

EXHIBIT B

Headlong Dance Theater's Pay Equity Policy

Pay Equity was an idea Headlong took from AS220 in Providence, RI, which has a similar policy. The idea is that everyone in our organization does valuable work and therefore should get paid the same salary. This also helps mitigate internal bias when hiring and promoting. In 2018 when we initiated this policy, the founding Co-Directors were paid \$45,000 annually for full time work, which is a living wage in Philadelphia. The other three staff members, who were working between 20 and 35 hours per week were paid proportionately, and that represented a small raise for each of them.

EXHIBIT C

This decolonisation clause is referenced from Emily Johnson/Catalyst's performance rider.

Working With Catalyst

Catalyst requires all Presenter and all Presenting Partners collaborating on the presentation of TITLE OF WORK to comply with Indigenous Protocol and acknowledgement of its host Nation in all announcements and press that includes TITLE OF WORK or reference thereof. This includes communication with, commission of, and permission sought from Nations, Elders, appropriate consortia, etc.

Within the scope of a contracted performance of TITLE OF WORK, Catalyst can and will help connect and direct these efforts, but the presenter must be prepared to engage directly with Indigenous community, leadership and agencies. Presenters seeking training and support in preparation for working with Indigenous communities can contract with Catalyst or other Indigenous led consortia for additional consultation, separate from the performance contract.

EXHIBIT D

Draft Cancellation Letter from Emily Johnson & George Lugg

Emily sends this draft letter for presenters to utilize along with ideas and options for online presentations, new forms of research she could engage with from home, publication/presentation ideas for audience and students...

To Whom It May Concern:

This letter is to confirm that our originally planned project with _____t has been (cancelled / postponed) as a result of the impact of the COVID-19 pandemic.

As a result, our originally agreed upon fee of \$DOLLAR AMOUNT OF FEE will not be paid (not paid in full / not paid until a future presentation can be scheduled).

We deeply regret these unfortunate circumstances, and offer this letter in the hope that critical emergency funding can be secured to mitigate the impact of lost earnings.

Respectfully,

NAME

EXHIBIT E

*Below is a letter from Sarah Greenbaum, Associate Curator and Producer of Dance Place, that details a cancellation and negotiation process with jumatatu m. poe and Jermone Donte Beacham's project **Let 'im Move You: This Is a Formation**. A complimentary letter is seen in [Exhibit F](#) from jumatatu m. poe.*

In navigating next steps for the 12+ Dance Place presentations that have been displaced by COVID-19, I/ Dance Place did my/our best to be in touch by phone or Zoom (rather than email) with lead artists, including jumatatu and Donte. We entered these conversations by sharing the hope to reschedule as many as possible, and with the offer of 50% of the guaranteed fee at the time of the originally scheduled presentation, with the remaining 50% going towards the rescheduled date.

We acknowledge the need to fundraise to get as close as we can to supplying 100% of the originally agreed upon fee at the rescheduled date. For jumatatu and Donte's presentation, we know that one funder, NPN, is committed to supporting the project at their committed amount on the originally scheduled timeline and again with the same amount at the rescheduled date; this will help us in getting to 100% of the originally agreed upon fees for the rescheduled date but there is still a gap that we may or may not be able to fill.

We shared that if Dance Place or the artist is not able to reschedule, we will pay out an additional 25%, for a cancellation fee totaling 75% of the guaranteed fee.

As needed, we also provided a letter (what is shared here) stating concisely that the engagement will not take place and acknowledging loss of income for the artist.

Although we do not know how we will move forward with rescheduling any of the displaced presentations yet, we are staying in touch with artists with periodic updates and to check in.

For jumatatu and Donte's displaced Dance Place presentation of Let 'im Move You: This is a Formation, transparent dialogue has taken place throughout the project, even before the COVID-19 pandemic disrupted the presentation schedule. One necessary series of conversations brought us to an agreement on compensation for local cast collaborators. The rate included in the (wonderful, transparent) project budget provided by jumatatu and Donte was higher than Dance Place's standard of payment for community cast involvement and for full presentations of DC-based dance artists' work. Dance Place was transparent about our reasoning and capacity, and in dialogue with jumatatu and Donte we came to an agreement through discussion that met in the middle of our respective expectations. A segment of the statement Dance Place released describing the agreed-upon fee is below; the full open letter to the community can be found in [Exhibit G](#) of the Appendix.

Dance Place's financial investment in this project surpasses our income for the project by over \$5,000 (not including overhead such as space and administration); our expenses and income for this project can be viewed in [Exhibit H](#) of the Appendix. However, beyond the financial implications of reducing the DC audience infiltrator fees from the touring template, Dance Place felt that it was important for the rates offered to the DC-based audience infiltrators to more closely reflect rates we are able to offer artists/makers in the community in other contexts.

EXHIBIT F

*Below is a letter from jumata m. poe, Artistic Director of the **Let 'im Move You: This Is a Formation**, which was choreographed collaboratively with Jermone Donte Beacham. The letter references cancellations and negotiations of that project's tour. A complimentary letter is seen in [Exhibit E](#) from Sarah Greenbaum, Associate Curator and Producer of Dance Place.*

The project **Let 'im Move You: This Is a Formation**, choreographed by Jermone Donte Beacham and me, was scheduled to travel to four separate cities for performances between April and July of 2020. The havoc wreaked by COVID-19 on both public health and institutional economic infrastructures resulted in the cancellations of all four of these performance events, and eventually five additional performance events scheduled through the end of the year. Two events planned for early 2021 are now in a holding pattern, with one eye toward government regulations on physical distancing, and the other toward upended institutional budgets.

One of the four events cancelled was a performance at Fusebox Festival in Austin, TX. We officially received cancellation notice on March 17th, one month in advance of our scheduled performance series in the festival. Fusebox paid the entire remainder of our artist fees, and also invited us to perform in a newly designed virtual edition of the festival for an additional honorarium.

Currently, all of the remaining performance events for this work through the remainder of the year have been cancelled, with all intending to reschedule for 2021.

I asked for the remaining three presenting institutions, who had originally scheduled performances for the Spring and Summer, to provide us with cancellation letters, so that we could easily show proof of lost income as potentially needed for Unemployment Insurance claims, forgivable loan applications, or relief fund applications. In [Exhibits I](#) and [J](#) of the Appendix, you can see a letter that staff from one of these institutions supplied to me (the letters from the others were nearly identical), and a sample of the letters I provided in kind to my collaborators for their own unemployment and relief fund applications. In [Exhibit K](#), you can see a project tour budget for additional context in relationship to fees.

Of these three, all have proposed a partial payment during the time period originally scheduled for performances, and payment of the remainder of fees during the period in which we would perform the rescheduled events. Only one of these institutions — Dance Place — has brought up the potential of a cancellation fee, in acknowledgement of both the work that we had done leading up to the cancelled performances *and* the holding of calendar space that our entire group of collaborating performers had been doing in anticipation of residency and performance income.

María Wethers, who works with me as a managing producer, has encouraged us to speak about reschedulings and postponements *first* as cancellations, and *then* as postponements under new contracts. Especially when considering cancellations that move performance engagements into different seasons, different years, there are so many additional nuanced considerations that follow date shifts:

- we had been trying to assign annual raises to **Formation** performers and designers to account for cost-of-living increases; however, entering a new year under an old budget puts the burden of that increase entirely on us
- for a project-based group, there is a possibility that one or more performers may be ready to move on from a project that was scheduled to finish touring a season before the postponed dates; working under the same original budget does not allow rehearsal and integration expenses for possible new collaborators
- shifting to much later dates, especially for projects that were quickly approaching, means incurring additional administrative labor and expense; working under an old budget is a denial of this additional labor

With Dance Place staff, as with staff of other institutional partners, we tried to provide as much immersive detail as possible about how we approach equity as a collaborative group. We shared itemized budgets that showed how we arrived at our final fee figure, we shared past triumphs and failures in our vital inclusions of paid local performers in

our work, we asked for plenty of guidance in our efforts to situate, challenge, and grow our work in a city in which none of our collaborators lived. Dance Place was an eager and responsive partner in helping us to establish connections we needed to make with community holders of stories and information, and in sharing information about the inner workings of their programmatic and operating budgets. In a period of miscommunication, Dance Place budgeted for a lesser hourly wage for the local performers who would join us. We pointed this out in a conversation about our **Formation** collective's establishment of an equal wage for all performing collaborators, based around some notion of a living wage for our touring performers (based in Lenape land — Philadelphia, Lenape land — New York City, Cherokee and Muscogee Creek land — Atlanta, and Comanche, Wichita, Caddo, and Tonkawa land — Dallas). Dance Place acknowledged the mistake, and then engaged us in a conversation around Dance Place's own extensive work around wage equity in relationship to directorship, staff, and invited artists.

sidenote: as opposed to editing, I will point out a conceptual lapse that I made in even talking about these exchanges. Clearly, I wasn't talking to "Dance Place." Dance Place is not someone who I would be able to talk to. Most of these communications were between Marya, Sarah Greenbaum (Dance Place's Associate Curator & Producer), Christopher K. Morgan (Dance Place's Executive Artistic Director), and me. So dangerous to talk about institutions as if they are people... it invisibilizes, disempowers, and in many cases also absolves from culpability the work of the people who run these institutions...

We ended up coming to an agreement that Dance Place would pay a little more than they had originally budgeted for, and remain within a framework that made ethical and equitable sense for them within relationship to their staff and community. Dance Place staff agreed to release a letter publicly which summarized our conversations, and identified how we came to an agreement on local performers' wages, which were below the standard wage that we typically offer local performers. On our side, I had been keeping an eye on the contingency funds we were building into all of our touring budgets to see whether we could subsidize the remainder of the local performers' fees on our **Formation** collective's end. This felt like a very healthy introduction into how these partnerships should entail a sharing of risk. Dance Place's staff has been great to work with in respect to their willingness to be open, to problem-solve together, and to consider freelance artists' needs in relationship to our lack of a social safety net.

From my end, within **Formation**'s collective of collaborators, we have also been trying to figure out how to deal with cancellations in a way that could, as best as possible, let collaborators receive the income they were anticipating for cancelled weeks, and also receive their full anticipated income for the rescheduled weeks. Through a combination of unemployment insurance and a subsidy by me of the difference between unemployment compensation and our weekly wage, I anticipate being able to collaboratively get folks to where we anticipated being — at least for those weeks.

While Dance Place staff was not able to *guarantee* the commitment of our full performance fee for the rescheduling in addition to a cancellation fee of 50% of all artist fees, I know that they are working on this. That collaborative effort is essential.

EXHIBIT G

Here is a letter from Dance Place staff to jumatatu m. poe and Jermone Donte Beacham written in reference to negotiations over wage payments to local performers for presentations of jumatatu and Jermone's **Let 'im Move You: This Is a Formation.**



DANCE PLACE

3225 8TH STREET NE WASHINGTON, DC 20007 P 202.269.1600 F 202.249.7727 W DANCEPLACE.ORG

1/22/2020

To the DC-area dance community + local audience infiltrators for Let 'im Move You: This is a Formation:

Dance Place is happy to co-commission and present jumatatu m. poe and Jermone Donte Beacham's work Let 'im Move You: This is a Formation. As part of this project, jumatatu and Donte will select seven artists based in the Washington, DC region as collaborators and performers for the ensemble's Dance Place presentation.

As part of our budgeting process for this project, Dance Place and jumatatu + collaborator arrived at a pay scale for local audience infiltrators that is less than the project's template tour budget, available to the public through jumatatu's website [here](#).

The template tour budget suggests local audience infiltrator fees as follows: 7 local audience infiltrators @ **\$750 each** (considering a run of three performances - 2 theatrical, 1 sidewalk intervention); 15 hours of rehearsal x \$25/hr + 3 performances x \$125/performance

The negotiated fee for Washington, DC-based audience infiltrators is as follows: 7 local audience infiltrators @ **\$650 each**; 2 theatrical performances: 10 rehearsal hours at \$25/rehearsal hour, and \$125/performance & 2 sidewalk interventions: 2-3 hours' rehearsal during pre-performance call; \$75 stipend/rehearsal + performance

Dance Place's financial investment in this project surpasses our income for the project by over \$5,000 (not including overhead such as space and administration); our expenses and income for this project can be viewed [here](#). However, beyond the financial implications of reducing the DC audience infiltrator fees from the touring template, Dance Place felt that it was important for the rates offered to the DC-based audience infiltrators to more closely reflect rates we are able to offer artists/ makers in the community in other contexts. The following email from Dance Place Executive Artistic Director Christopher K. Morgan to jumatatu, pasted below, outlines Christopher's vision for increasing pay equity and shares a bit about where we are at in that process:

Dance Place is in the midst of a multi-year effort to improve how we remunerate our employees and artists. This incredible institution has served a broad swath of the DC area and national community by stretching its resources far beyond its capacity for decades, which is wonderful! And challenging. Dance Place has trained multiple generations of arts administrators and supported artists of all types with that stretched capacity.

A big part of my work my first two years as Executive Artistic Director has been to try and raise the pay of our staff, add staff positions to make for a more sustainable work environment, and increase artist fees. Towards that long term vision of better pay, Dance Place saw over \$40,000 in raises in the 2019 fiscal year, the addition of two new staff positions, an increase to the baseline artist fees for our presentation series, the end of our subsidized rental series to make space for an increase in fully paid presentations, and an increase in our short works festival artist fees. We still have further to go, despite more staff pay increases in the 2020 fiscal year, the addition of a much needed staff position to our theater crew, increasing some existing staff hours to become full time, transitioning former independent contractors to employee status, and further stabilizing our artists fees. As we move forward with this



DANCE PLACE

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negotiation with this project, I also must be mindful what other artists in the DC dance community earn and what the Dance Place staff earn. With that context from Dance Place's perspective, I ask that we proceed with \$650 as a maximum honorarium, including the two intervention performances.

Thank you so much for your deep thought and care in this regard. Please know we take this matter seriously and are balancing our goals with our capacity.

Dance Place has extraordinary respect for jumatatu and his collaborators, as well as for our own DC-area dance community. We appreciate the invitation for openness in this process, led by jumatatu's own extraordinary work around transparent budgeting.

We welcome feedback and questions about this process. from our DC-area community members. Please reach out to Associate Curator sarahg@danceplace.org to begin a conversation.

We hope you will come out for the BIG BODY Workshop + open call for Audience Infiltrators, the Intervention sidewalk performances, and the Dance Place [presentations](#) of Let 'im Move You: This is a Formation.

Respectfully,

Christopher K. Morgan
Executive Artistic Director

Sarah Greenbaum
Associate Curator

EXHIBIT H

This is Dance Place's budget to present jumatatu m. poe and Jermone Donte Beacham's Let 'im Move You: This Is a Formation project.

Project hard costs		*does not include theater/ rehearsal space or staff administrative salaries
3000	co-commission of Let 'im Move You: This is a Formation	
21482	artist fee for research residencies & presentation residency; inclusive of per diem	
2500	local transportation stipend for performance residency	
5841	Hotel (at steeply discounted \$99/night)	
4550	Local audience infiltrator fee	
80	Portion of printing costs for marketing piece (approximate)	
37453	Hard project costs total	
Project income		
15000	Mid Atlantic Arts Foundation ArtsCONNECT	
5000	National Performance Network Artist Engagement Fund	
6000	National Dance Project touring subsidy	
3500	National Endowment for the Arts (pending)	
1969	projected ticket income	
200	projected concessions income	
31669	Hard project income total	
5784	Difference in hard costs	
Overhead		
10000	Approximate cost of operating the theater space for one weekend	
475	Approximate Programming staff salary (25 hours at \$19/hour)	
450	Approximate Executive staff salary (15 hours at \$30/hour)	
95	Approximate Marketing staff salary (5 hours at \$19/hour)	
11020		

EXHIBIT I

*This letter was drafted by jumatatu m. poe, and provided to jumatatu m. poe, Jermone Donte Beacham, and María Wethers in acknowledgment of income loss from cancelled **Let 'im Move You: This Is a Formation** performances.*

● DANCE PLACE

3225 8TH STREET NE WASHINGTON, DC 20017 P 202.269.1600 F 202.249.7727 W DANCEPLACE.ORG

April 6, 2020

Dear Jumatatu, Donte and María,

Dance Place will be canceling our intended June 2020 presentations of your **Let 'im Move You: This Is a Formation** and **Queer Slow Jam** due to COVID-19 related public health concerns. We want to acknowledge that this cancellation will mean a loss of income to Idiosyncrazy Productions, LLC in the following terms:

Loss of \$3,747 for payments of administrative-related fees (payments to María Wethers, Managing Producer, contingency fees, and insurance-related costs)

Loss of \$2,367 to Jumatatu Poe (Artistic Director)

Loss of \$9,907 for payments to contracted performers and design collaborators

- \$2,367 to Jermone Donte Beacham
- \$1,890 to William Robinson
- \$1450 to Juan Rodriguez
- \$840 to five contractors: Maria Bauman-Morales, Sanchel Brown, LaKendrick Davis, Nikolai McKenzie, Zen Jefferson

Thank you for your understanding.

Best,



Sarah Greenbaum
Associate Curator

EXHIBIT J

*This is a letter from jumatatu m. poe to collaborating performer Nikolaii McKenzie that references income loss due to cancellations of tour performances of jumatatu m. poe and Jermone Donte Beacham's **Let 'im Move You: This Is a Formation**. Per diem income is also included as acknowledgment that many performers budget for this as a portion of their income.*



ACKNOWLEDGEMENT OF INCOME LOSS

Dear Nikolai McKenzie,

I hope you are safe and healthy.

We had been planning for four touring engagements of **Let 'im Move You: This Is a Formation** later in this year in which we would have contracted you to perform your role in the work. As you know, COVID-19 related public health concerns have caused these four presenters to cancel their commitments. We want to acknowledge that this cancellation will mean a loss of income to Idiosyncrazy Productions, LLC, and to you, in the following terms:

Loss of **\$6275** of anticipated income (breakdown below in Exhibit #A)

We hope that this letter will provide you with evidence to present to your state Unemployment Insurance office, and small business loan providers in order for you to make up for the loss of income that you will suffer as a result of these cancellations.

Take care, and until soon.

Sincerely,
jumatatu m. poe
Artistic Director
idiosynCrazy productions

A handwritten signature in black ink, appearing to read 'JMPoe', written in a cursive style.



Idiosyncrazy Productions, LLC
PO Box 19209
Philadelphia, PA 19143

EXHIBIT A

Contemporary Art Center of Cincinnati related losses
canceled residency March 30 - April 4, 2020
canceled performances April 19 - 25, 2020

Loss of \$6,270 for payments of administrative-related fees (payments to Marya Wethers, Managing Producer, contingency fees, and insurance-related costs)

Loss of \$2800 (\$2,100 fee, plus \$700 per diem) to Jumatatu Poe (Artistic Director)

Loss of \$14,450 for payments to contracted performers and design collaborators

- \$2,100 fee, plus \$700 per diem to Jermone Donte Beacham
- \$2,100 fee, plus \$700 per diem to Maria Bauman-Morales
- \$1,450 fee, plus \$400 per diem to Juan Rodriguez
- \$1,050 fee, plus \$350 per diem to five contractors: Sanchel Brown, LaKendrick Davis, *Nikolai McKenzie*, William Robinson, Zen Jefferson

Dance Place related losses
canceled residency June 4 - 9, 2020
canceled performances June 10 - 14, 2020

Loss of \$3,747 for payments of administrative-related fees (payments to Marya Wethers, Managing Producer, contingency fees, and insurance-related costs)

Loss of \$2,992 (\$2,367 fee, plus \$625 per diem) to Jumatatu Poe (Artistic Director)

Loss of \$13,132 for payments to contracted performers and design collaborators

- \$2,367 fee, plus \$625 per diem to Jermone Donte Beacham
- \$1,890 fee, plus \$625 per diem to William Robinson
- \$1450 fee, plus \$350 per diem to Juan Rodriguez
- \$840 fee, plus \$325 per diem to five contractors: Maria Bauman-Morales, Sanchel Brown, LaKendrick Davis, *Nikolai McKenzie*, Zen Jefferson



Idiosyncrazy Productions, LLC
PO Box 19209
Philadelphia, PA 19143

MCA Chicago related losses

canceled residency June 15 - 20, 2020

canceled performances July 6 - 12, 2020

Loss of \$3,292 for payments of administrative-related fees (payments to Marya Wethers, Managing Producer, contingency fees, and insurance-related costs)

Loss of \$2515 (\$1,890 fee, plus \$625 per diem) to Jumatatu Poe (Artistic Director)

Loss of \$12,330 for payments to contracted performers and design collaborators

- \$1,890 fee, plus \$625 per diem to Jermone Donte Beacham
- \$1,890 fee, plus \$625 per diem to Sanchel Brown
- \$1,450 fee, plus \$350 per diem to Juan Rodriguez
- \$1,050 fee, plus \$325 per diem to four contractors: LaKendrick Davis, **Nikolai McKenzie**, William Robinson, Zen Jefferson

PICA/TBA related losses

canceled site visit May 23 - 27, 2020

canceled residency September 9 - 13, 2020

canceled performances September 14 - 19, 2020

Loss of \$3,417 for payments of administrative-related fees (payments to Marya Wethers, Managing Producer, contingency fees, and insurance-related costs)

Loss of \$3,165 (\$2,415 fee, plus \$750 per diem) to Jumatatu Poe (Artistic Director)

Loss of \$13,680 for payments to contracted performers and design collaborators

- \$2,415 fee, plus \$750 per diem to Jermone Donte Beacham
- \$1,785 fee, plus \$550 per diem to **Nikolai McKenzie**
- \$1,450 fee, plus \$400 per diem to Juan Rodriguez
- \$1,050 fee, plus \$400 per diem to Zen Jefferson
- \$945 fee, plus \$275 per diem to four contractors: Maria Bauman-Morales, Sanchel Brown, LaKendrick Davis, William Robinson



Idiosyncrazy Productions, LLC

PO Box 19209

Philadelphia, PA 19143

EXHIBIT K

This is a sample tour budget for jumata tu m. poe and Jermone Donte Beacham's
Let 'im Move You: This Is a Formation.

INFORMATION: Fees below include 4 performances: 2 or 3 performances of This Is a Formation (in theatrical/art space to be decided in collaboration with presenter) with 7 audience infiltrators (local performers); 1 or 2 Intervention performance in historically and/or predominantly Black neighborhoods in the city - organized in partnership with community organizations and local Black queer residents; Big Body: Experimental J-Sette workshops (exact number can be decided collectively); participation in public conversations and demonstrations in relationship to the work, Queer Slow Jam Party (please note that we do not THROW this party, but we provide a DJ-set of around 1.5 hours and provide slow dance guidance and partnership to attendees throughout the event, should the presenter - or a local party planner partner - decide to throw the party). PLEASE NOTE: Housing and local travel are presenters' responsibility. Each touring collaborator should be housed in their own room, with no more than 2 people to a bathroom. (spreadsheet on following page)

		TOTAL EXPENSES	\$35,229.00			PLUS housing + rental car/ground transport
		TOTAL minus flights	\$28,229.00			
		Total Flight Costs	\$7,000.00			
		Total Admin Line	\$3,684.00			
NOTES						
EXPENSES	AMOUNT	SUBTOTALS	PAID TO ARTIST	PAID BY PRESENTER		
SITE VISIT (May 27-31, 2020)						
ARTIST WAGES						
2 dancers x \$210/day x 3 days	\$1,260.00		\$1,260.00			wages for artists, here and below, are built around trying to discover fair living wages; we don't know whether this current model of everyone receiving based on the same scale is most appropriate/equitable/sustainable, but it's what we are working with right now
TRAVEL and PER DIEM						
2 dancers x \$400/flight (domestic)	\$800.00			\$800.00		
2 dancers x \$50/day x 5 days	\$500.00		\$500.00			
Housing (2 single rooms x 4 nights)				TBD		
		\$2,560.00				
RESIDENCY (Sep 3-9, 2020)						
ARTIST WAGES						
3 dancers x 4 days x \$210/day	\$2,520.00		\$2,520.00			wages for artists, here and below, are built around trying to discover fair living wages; we don't know whether this current model of everyone receiving based on the same scale is most appropriate/equitable/sustainable, but it's what we are working with right now
TRAVEL and PER DIEM						
3 dancers x \$400/flight (domestic)	\$1,200.00			\$1,200.00		
3 dancers x \$50/day x 6 days	\$900.00		\$900.00			
Housing (3 single rooms x 6 nights)				TBD		
		\$4,620.00				
PERFORMANCE (Sep 20-28, 2020)						
ARTIST WAGES						
7 dancers x \$1050/week x 1 week	\$7,350.00		\$7,350.00			wages for artists, here and below, are built around trying to discover fair living wages; we don't know whether this current model of everyone receiving based on the same scale is most appropriate/equitable/sustainable, but it's what we are working with right now
DJ x \$1050/week x 1 week	\$1,050.00		\$1,050.00			
LD/SM/TD x \$1050/week + \$400 advance rider revisions and communications	\$1,450.00		\$1,450.00			
7 local audience infiltrators @ \$750 each (considering a run of four performances - 2 or 3 theatrical, 1 or 2 sidewalk interventions); 15 hours of rehearsal x \$25/hr + 4 performances x \$125/performance	\$6,125.00				\$6,125.00	fees for infiltrators could be extracted if local audience infiltrators are students who can receive academic credit for their work. If students cannot receive academic credit, they should be paid
TRAVEL and PER DIEM						
7 dancer domestic flights x \$500/flight	\$3,500.00			\$3,500.00		
DJ Berlin RT flight x \$1000/flight	\$1,000.00			\$1,000.00		
LD/SM/TD domestic flight from NYC x \$500/ticket	\$500.00			\$500.00		
7 dancers x \$50/diem x 7 days	\$2,450.00		\$2,450.00			
DJ x \$50/diem x 7 days	\$350.00		\$350.00			
LD/SM/TD x \$50/diem x 7 days	\$350.00		\$350.00			
Housing (9 single rooms x 8 nights)				TBD		
Freight (\$60 x 4 bags)	\$240.00		\$240.00			
		\$24,365.00				
QUEER SLOW JAM PARTY [1]						
1-2 additional DJs	TBD			TBD		dependent on local rates
PERFORMANCE TOTALS						
ADMINISTRATIVE FEES						
20% of costs	\$3,684.00		\$3,684.00			for the completion of administrative work related to the particular four performances, as well as related insurance
		\$3,684.00				
TOTALS	\$35,229.00	\$35,229.00	\$22,104.00			

EXHIBIT L

This is the project budget for Phase One of **Creating New Futures**. Project income and administrative support for payments has been provided by and shared between the National Performance Network and The MAP Fund.

People	Section	Joined	*Fee p/hr	Phase 1 (Presentation of First Public Draft in early May)						
				Total Current Hours	Estimate for Remainder of Phase 1	Projected Total Phase 1 Hours	Total Fees	Donating to Phase 1	Fees to be Received for Phase 1	Total Support from NPN & MAP
Compilers										
Yanira Castro	Introduction	April 1	\$30	77	60	137	\$4,110	\$950	\$3,160	
Laura Colby	Contracts & Force Majeure	April 8	\$30	14.5	20	34.5	\$1,035	\$434	\$601	
Sarah Greenbaum	Presenter Concerns	April 10	\$30	12	14	26	\$780	\$780	\$0	
Emily Johnson	Alternatives to Cancellation	April 1	\$30	26	60	86	\$2,580	\$200	\$2,380	
jumatatu m. poe	Artist Concerns	April 1	\$30	36	60	96	\$2,880	\$240	\$2,640	
Brian Rogers	Presenter Concerns	April 13	\$30	18	14	32	\$960	\$960	\$0	
Michael Sakamoto	Guidelines for Ethical Cancellations	April 7	\$30	13	12	25	\$750	\$750	\$0	
Karen Sherman	Artist Concerns	April 1	\$30	72	15	87	\$2,610	\$350	\$2,260	
Amy Smith	Guidelines for Ethical Cancellations	April 1	\$30	12	16	28	\$840	\$840	\$0	
Tara A. Willis	Presenter Concerns	April 14	\$30	13	14	27	\$810	\$810	\$0	
COMPILERS TOTAL				293.5	285	578.5	\$17,355	\$6,314	\$11,041	
Contributors										
	Section		Fees			# of People	Total Fees		Receiving	
Artists	Artist Testimonials & Alternatives to Cancellations		\$100			46	\$4,600	400	\$4,200	
Shane Fernando, Anna Glass, Miguel Gutierrez, Joseph Hall, Millicent Johnnie, Ronee Penoi	REAL TALK! Speakers		\$300			6	\$1,800	0	\$1,800	
Maria Bauman-Morales	REAL TALK! Moderator		\$600			1	\$600	0	\$600	
Tanya Marquardt	REAL TALK! Scribe		\$300			1	\$300	0	\$300	
ASL Interpreters	REAL TALK!		\$267			2	\$534	0	\$534	
Live Captioning Service	REAL TALK!		\$240			1	\$240	0	\$240	
CONTRIBUTORS TOTAL							\$8,074		\$7,674	
TOTAL							\$25,429	\$6,714	\$18,715	\$18,715
** Fee determined by W.A.G.E. listing for arts administrator fees.										

EXHIBIT M

Guide to Naming Conventions

The following naming conventions were agreed upon by the Phase 1 group to create cohesion within the document. These are, like the document itself, a guide for future phases and open to adjustment and evolution. We recognize that many of these naming conventions are contested. This group and future keepers of the document do not all share the same perspective on how terms are to be used, nor do these conventions represent all the important political and ethical positions out there. At the bottom of the document, a growing list of resources is supplied for future reference.

Exceptions to the below conventions may arise due to personal identifications of individuals referring to themselves or referring to others who do not identify within these terminologies. It is recognized that perception and personal identification do not always align. These conventions will not be applied to the compiled quotations that were provided directly from contributors in writing, only to the main bodies of text that frame them and quotes orally transmitted, where relevant. They will also not be applied to sample documents provided by individuals and companies in the Appendix.

In general, capitalization will apply to words at the start of sentences regardless of the below conventions.

The following terms for **identifications of race, ethnicity, and cultural affiliation** will be capitalized thusly:

- Black (in lieu of African American, etc.)
- Brown
- Indigenous and/or First Nations
- Latinx (in lieu of latino/a)
- Asian/Asian American

Other such terms will follow standard guidelines for capitalization:

white will remain lowercase.

Any geographical adjectives derived from national or continental proper names, such as Asian, European, African/Africana, Southeast Asian, Pacific Islander, etc. will be capitalized.

American will not be used as a stand-alone description of any individual or entity, due to its ambiguous reference to the entirety of the Americas. North, South, Central American may be specified. The only exception is in an orally transmitted quote, in which case "america" and "united states" will be lowercase.

The following terms for **identifications of gender and sexuality** will, in general and among others, be used:

- folx
- womxn
- Queer
- Trans

gender non-conforming
cisgender

Preferred gender pronouns of individuals will be used where they are known. Otherwise, they/them will be used.

References to place names such as "this/the country," "the United States of America" (and its abbreviations), will be expanded to:

"this/the country known as the United States" or "what is known as the United States" in all first mentions within each section

"this/the country known as the U.S." or "what is known as the U.S." in all subsequent mentions within each section

Place names such as cities, states, and regions will use the following formats:

Seattle, Washington; Duwamish lands (as used within a quote attribution)

Seattle/Duwamish lands (used within a sentence)

Land Acknowledgments are necessary, living, relational, imperfect, and one step toward building equity on Indigenous land. The following are not land acknowledgments. In respect to place names and to the Indigenous Nations whose lands are currently occupied, we state Indigenous place names and the people of those lands when possible. Names currently included in the document use these place names (indicated by slashes) and peoples (indicated by semicolons):

Seattle; Duwamish lands

New York City (and its boroughs)/Lenapehoking

Philadelphia/Lenapehoking

Chicago; Ojibwe, Odawa, and Potawatomi land; land of the Three Council Fires

Minneapolis/Mni Sota Makoce

Los Angeles; Gabrielino/Tongva and Fernandeno/Tataviam Band of Mission Indians lands

Winona, Minnesota/Keoxa, Mni Sota Makoce

Portland, Oregon; Multnomah, Wasco, Cowlitz, Kathlamet, Clackamas, Bands of Chinook, Tualatin Kalapuya, and Molalla traditional village sites

Albuquerque, New Mexico; land with ties to Tiwa, Keresan, and the Genizaro of New Mexico

Oslo, Norway; Sami homelands

Austin, Texas; land of the Apache, Alabama-Coushatta Tribe of Texas,

Kickapoo Tribe of Texas, Ysleta del sur Pueblo, Lipan Apache Tribe,

Texas Band of Yaqui Indians, and the Coahuitlecan, Caddo, Comanche,

Kiowa, Wichita, Chickasaw, and Waco Nations

Homer, Alaska; named Tuggeght by the Dena'ina people and a borderland of the Dena'ina and Sugpiaq people

Santa Fe, New Mexico/Ogaa Pogeh; Tewa land

Winnipeg; Treaty 1 territory, in the homeland of the Métis Nation

San Francisco/Yelamu; Ramaytush Ohlone land

Directional indications of geography will be written thusly:

Southwest
East Coast
West Coast
Midwest
Northwest
South
Southeast
Northeast
North

west, when referring to “the western hemisphere” or Eurocentric cultural aspects will be lowercase.

Naming Convention Resources:

<https://www.monash.edu/about/editorialstyle/writing/inclusive-language>

<https://www.ictinc.ca/blog/indigenous-peoples-terminology-guidelines-for-usage>