

## ATTENTION All Cheer Coaches and Administrators

The Iowa Cheerleading Coaches Association has received the following information from the National Federation regarding the playing of copyrighted music at any school cheer event (pep rallies, Homecoming events, cheer dance routines in general, etc.) including State Championship routines.

Copyright laws need to be followed, because it is the law. Believing that “no one will find out” is a poor decision with today’s social media. Read the directive from Angela Hayes from the National Federation of State High School Associations closely. It was developed to protect cheerleaders and cheer coaches in EVERY high school.

Dear Coaches and Athletes,

As the Executive Director of the National Governing Body for Cheer, I wanted to inform you about the **USA Cheer Music Copyrights Educational Initiative**, which has been developed to educate and protect the athletes, coaches and event producers who participate in cheerleading and dance.

This initiative specifically focuses on providing music producers, coaches, professional members, athletes and spirit leaders with the information needed to better understand U.S. copyright laws in connection with the music used in performances, routines, competitions, school events, camps, etc. These laws were designed to protect artists, promote creativity and ensure that artists are compensated for their creations. Anyone that infringes on an artist’s copyright may be exposed to significant liability; **each violation can incur up to a \$150,000 penalty by the copyright owner per use, per instance**. Our guidelines\* were developed out of respect for all artists and to protect our members and all those involved in routines, competitions and performances of any kind in which music is used. A PowerPoint presentation of the USA Cheer Music Copyrights Educational Initiative is available [HERE](#).

**When does this apply?** This applies any time music is not being used for personal use, such as camps, competitions, performances, etc. Personal use is purchasing a legal copy of a song (e.g., iTunes, CD, Amazon download, etc.) which only grants the user private, personal use of the music. If you purchase a recording, that alone does not give you the right to make additional copies or mix the recording with other recordings for any other purpose—including use at school functions or other public performances. Personal use gives you the right to listen to the song, but does not give you any other rights in the bundle of rights to that piece of music, which is why the music should not be copied, modified (such as a remix or mashup) or used in a public place without additional consent.

**What is a bundle of rights and who has music copyrights?** Under U.S. copyright law, a bundle of rights is granted exclusively to each artist/creator for their work. Only the copyright owners or those authorized by the copyright owners have the exclusive right to copy, distribute, publicly perform and/or make modifications such as remixes or mashups to their work. Anyone who exercises any of these rights in a musical composition, sound recording or both without written permission from ALL applicable copyright owners violates U.S. copyright law. **Each violation can incur up to a \$150,000 penalty by the copyright owner per use, per instance.**

**What does this mean for me?** All recordings mixed together in cheer and dance routines should be properly licensed and written confirmation of such license should be available upon request. You can use recordings that you purchase from vendors cleared by USA Cheer, or original compositions created or commissioned by you (i.e. an original song and recording to which you own or license the rights by written agreement). Under U.S. copyright law, no teams are permitted to create a re-mix, mash-up or medley without proper written authorization from the copyright owners.

However, if teams and coaches wish to only use a single song in their routine, they may bring a legally purchased (from iTunes, Amazon, etc.) copy of that recording to be used at the applicable event. Teams may not re-mix these recordings in any way (such as adding sound effects, changing tempo or mixing with any other recordings), but you may make minor edits for timing purposes only (for example, removing a chorus or bridge to fit the duration of the team's performance).

**Remember:**

- 1) Do not use mash-ups, either created by you or sold by music providers using music without proper licensing.
- 2) Do not download songs from sites that do not have properly licensed music.
- 3) Do not copy or distribute to others a recording you have legally purchased.
- 4) Licenses/Permissions must be in writing (or via e-mail) and must be from all copyright owners.
- 5) If you request a license and you get no response, this does NOT mean you have permission.

To help all groups better understand what this means, we have provided some additional information around the use of music for performances and competitions below:

**Event Producers:**

- The guidelines regarding the use of music applies for any instance in which there is a competition or performance (local or national level). Both the team members and the individual event producers may be liable for copyright infringement (with fines up to \$150,000 per occurrence to the copyright owner) if proper permissions or licenses are not obtained.
- It is recommended that all event producers distribute a certification form prior to each event. This document should require each coach to confirm that proper permissions were obtained regarding its team's use of music. It should be part of the registration packet for each event/performance and it is recommended that each completed form be kept on file for 3 years after such event/performance.
- It is also your responsibility to obtain public performance licenses (from ASCAP, BMI and SESAC) for all events. This allows music to be played at the events; however, it does not give anyone the rights to edit recordings together. Unfortunately, ASCAP, BMI and SECAC do not offer a blanket license that would allow for editing recordings.

**Coaches & Gym Owners:**

- Coaches are responsible for ensuring the music used by their teams for any public performance and all competitions follow the USA Cheer music guidelines, found [HERE](#). Coaches and gym owners need to be aware of the guidelines so that any music used in any

routine you are a part of is in compliance. Remember teams can be liable for violations with fines up to \$150,000 per occurrence to the copyright owner, under U.S. copyright law.

- For competitions or events, coaches should submit a form that confirms your team's music has been appropriately licensed.
- More information about U.S. copyright laws and the music guidelines can be found [HERE](#).

### **Athletes & Spirit Leaders:**

- As a reminder, when you buy or download a piece of music it is only for personal use and this does not allow you to use it for any public use, even at school. Under U.S. copyright laws, you cannot mix, edit with another song or publicly perform music for which you do not have a valid license from the applicable copyright owners or administrators.
- Your team will need to use music that meets the music guidelines, which is based on U.S. copyright laws. Your team can also create/compose your own music, or work with a group that creates and composes original music meaning that such group would own the recording, composition and all related rights for that piece of work. If you choose either of those options, the group who created/composed the music must license or assign to you all necessary rights and provide you with documentation that can be shared with the event producer. You can also buy songs from individual musicians who compose original content and assign you the rights to use. The music guidelines can be found [HERE](#).
- It is important to remember that under U.S. copyright law, your team or school can be sued or fined up to \$150,000 by the copyright owner per occurrence of using music that you do not have rights for, so please talk to your coaches if you have any questions about music.

If your organization is interested in being considered as a resource for music, please contact USA Cheer at [info@usacheer.net](mailto:info@usacheer.net).

We realize this is a great deal of information, and we're here to answer any questions you may have. More information can be found [HERE](#) or you can email [info@usacheer.net](mailto:info@usacheer.net).

Thank you for your attention to this important matter. USA Cheer is committed to protecting our athletes and coaches, and we believe this initiative is absolutely necessary to educate everyone in the cheer and dance community about U.S. copyright law.

Best regards,

Ronnie Carter  
Executive Director, USA Cheer

*\*This information is meant to provide further insight on our new music guidelines, which are based on U.S. copyright law. However, this information and our music guidelines should not be construed as legal advice. If you have specific questions or concerns related to copyright laws, we encourage you to speak with a music or copyright attorney.*

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