

NYSPHSAA Cheer Music Guidelines

NYSPHSAA has developed these guidelines to assist our member schools with compliance with the copyright regulations that arise with the use of music for cheer routines and performances. The copyright law is designed to protect artists, promote creativity and to ensure that artists are compensated for their work. Pursuant to the copyright law proper licenses must be obtained to make additional copies of music and to remix recordings.

All recordings used in cheer routines should be properly licensed. The school should maintain confirmation of any of the licenses obtained for the music.

Copyright Law

U.S. copyright law grants to the author/artist or their assignee a “Bundle of Rights”.

The exclusive rights include the following:

1. The right to make copies of the work
2. The right to publically perform or record the work
3. The right to distribute the work
4. The right to make modifications of the work such as remixes or mash-ups

Copyright Infringement

Copyright infringement is the use of works protected by copyright law without permission, infringing certain exclusive rights granted to the copyright holder, such as the right to reproduce, distribute, display or perform the protected work, or to make derivative works.

Monetary penalties can be incurred per use, per instance.

License of Copyright

Permission to use any of the rights granted to the author of the work is called a license.

Each piece of music has at least two copyright holders, one for the song and one for the master recording. You need permission from both.

The license should include the right to make copies of the music for the team members.

USA Cheer provides a list of music providers/vendors who they have determined have the appropriate licenses for the music they are providing. The list includes music providers/vendors who license original music, covers and/or remixes. A list of approved providers can be found at the USA Cheer website.

Music purchased from commercial sources such as iTunes, Amazon MP3 or other authorized commercial digital music stores only gives the user the right to use the music for personal, non-commercial use. It does not give the user the right to make copies, remixes or mash-ups.

If a team only uses one song for a routine, they may use a legally purchased copy of the song at a NYSPHSAA competition. However, the team cannot re-mix the tune in any way (such as changing the tempo, adding music or sound effects or mixing with other songs). Teams may make minor edits for timing purposes, such as removing a chorus or bridge.

Your team can compose or create its own original music.

Your team can work with a group that creates original music for teams but that group would have to license or assign to your school the necessary rights.

A written record of all licenses should be kept on file.

Rules to Remember

-Do not use mash-ups or remixes, either created by you or sold by music providers without the proper license.

-Do not download songs from sites that are not properly licensed

-Do not copy or distribute recordings you have legally purchased without permission.

It is the responsibility of the member school to secure the proper licenses for the music used for its cheer routines.

These guidelines should not be construed as legal advice. If you have concerns you should check with your school attorney.