



LICENSING MUSIC FOR MUSIC ACTIVITIES

Copyright compliance is an important part of using any material that you did not create. When another person's work is used it is important the creator of that work is compensated for the way it is being used. Copyright law in the United States is clear in what rights a copyright owner has when it comes to protecting their work and the income that work can generate.

ARRANGEMENTS/MASHUPS

When a school creates an arrangement, permission must be secured. The most common uses for arrangements are used in Marching Band and Show Choir, however, uses in pep band and concert ensembles are common as well. An arrangement license allows the ensemble to change the original work and create a new work by either combining works or changing them in a way to fit the intended use. Because these changes are beyond a minor edit, the copyright owner has exclusive rights to allow these changes or not.

PERMISSIONS NEEDED TO USE MUSIC IN A ROUTINE

Anytime music that is not originally created is used in a show choir or marching band show, permission must be received. There are many ways to obtain the permissions needed, permissions should include:

- Editing if looking to combine songs, or to add sound effects, drum tracks, new lyrics, ect.
- Choreography
- Public Performance

Simply purchasing the sheet music or taking it from YouTube does not provide the permissions needed. Also, hiring an arranger does not guarantee the proper rights have been secured to create the arrangement. It is important to review arranger contracts closely to know who is responsible for obtaining the proper permissions from the copyright holder. Educational exemptions do exist for music performances. However, it is important to know what the limitations are of those exceptions -US Copyright Code - 17 U.S.C. §110(1) explains when you'll need to obtain a public performance license.

UNALTERED MUSIC EXCEPT FOR TIME

Ensembles may use music that is unaltered in their performances as long as the music begins at the start of the piece and is only ended for timing purposes. No other edits may be used. A public performance license is required for this type of use. The same is true for stock arrangements that will be used in marching band or show choir setting.

PUBLIC PERFORMANCE RIGHTS

Public performance licenses can be obtained to cover an entire school and all public performance needs by visiting the copyright resources page at <https://copyright.nfhs.org/>