

## U.S. COPYRIGHT LAW AND IHSMA FESTIVALS

For a consistent interpretation of the law, this document serves as a guideline as schools/directors/students approach state festival performances. **ANY PERFORMANCE OBSERVED IN VIOLATION OF THE COPYRIGHT LAWS WILL BE DISQUALIFIED!**

**IF AT ALL POSSIBLE**, the student/accompanist/adjudicator should be provided with a legally printed, copyrighted, published edition. There is no possible violation if this is done. This can be borrowed from a neighboring district.

### HOWEVER

When this cannot be done, several options lie open to the director. Judges are instructed to accept, **as a legitimate score**, any of the following:

1. A copied score with an attached, signed statement from a music supply house stating that the music is on order and will be delivered and paid for upon its arrival. This order **SHOULD BE** initiated at least 30 days prior to the festival date.
2. A copied score with an attached, signed statement from either the publishing company or composer, verifying the duplication/arrangement that is present. (The IHSMA website has *Permission to Arrange* and *Permission to Perform Out-of-Print Music* application forms available online.)
3. A copied score containing the application for either *Permission to Arrange* or *Permission to Duplicate Out-of-Print* music that has been originated at least 30 days prior to the festival for which no response has been received. (This would demand the originator of the forms duplicate and keep a copy at the time of the original request.)
4. Original Composition. This must contain a statement from the composer granting permission to perform and/or duplicate.
5. Transposition. Transposition of **vocal solo or ensemble literature** not available in the needed key is permissible provided the student/director supply a copy of the original arrangement from which the transposition was made.
6. Reductions for instrumental ensembles: A director **must** construct a reduced score for instrumental ensembles for which no conductor's score is available.
7. Accompanists may play from duplicated music in a binder or from a digital device (ie. iPad) provided they give the adjudicator TWO legitimate copies of the score.

Keep in mind that **ANY AND ALL** arrangements, other than legitimate scores, must have a *Permission to Arrange* form attached granting approval. Directors **cannot** rewrite parts to accommodate a specific solo or ensemble without securing "Permission to Arrange" from the publisher. Instrumental substitutions are acceptable providing students read from the published part or from cues written into a published part. Directors wishing to create a transposed part must secure "Permission to Arrange". That permission must be attached to each set of music presented to the adjudication panel. Cuts made in any selection should only be made to bring the performance within the time constraints of the festival and should only eliminate unnecessary repetition. Cuts should NOT be made to avoid overly difficult passages. Piano (accompaniment) introductions and lengthy piano (accompaniment) interludes are acceptable places to cut. "Emergency provisions" of the law allow for duplication of music that has been lost/destroyed without sufficient time to secure replacement. It does assume a legal copy will be obtained to replace the lost item(s). Iowa music stores with the capacity to generate music in the desired key via Notestation equipment should stamp each selection with an embossing stamp assuring adjudicators copyright fees have been paid in the purchase of this service.

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