

DANCERgram

November/December 2023



... for the latest news in the square and round dance community.

Table of Contents

2	Florida Callers Association President's Message
3	Florida Callers Association Announces 2024 Offices
3	Lon Ligon and 50 Years
4	C-Gulls and Stuart Bunch Announcement
5	<i>Bow & Swing</i> is back!
5	73 rd National Square Dance Convention®
7	Facing the Music
13	ASCAP, BMI, SESAC Questions from ROUNDALAB Members
15	What is SESAC?

Florida Callers Association President's Message

Hey All Fellow Callers and Dancers.

Can you believe it.... It's Fall here in Florida, and temperatures are more comfortable.

We are starting to welcome the traveling dancers and snow birds back home and the dancers are catching up on all their experiences over the summer.

We just finished the Florida Callers Association Callers Clinic with Jack Pladdys being the clinician over the weekend of October 20 and 21 at The Villages this year. The callers had a great time and learn some new moves to try out on all you dancers!

We also finished electing the new board members to the Florida Callers Association Board and am delighted to introduce you to the board members. President is Rod Barngrover Vice President is Keith Stevens Treasurer is Mike Gormley Secretary is William Cassidy.

Time is flying by as the final fund raiser for the **69th Florida State Square and Round Dance "Days of Yore" Convention in January 2024 was held at the Whirl and Twirl Dance Hall last weekend on October 28th. They had a wonderful turnout with 6 squares of dancers with Jack Lewis calling and Earl Collins cueing.**

Thanks again for all the dancers out there who have stayed in Florida that have supported the local clubs and are getting that extra floor time with those calls they are still mastering. We really want the dancers new and experienced to have a great time at the convention in January, so dancers if there are calls you are not sure about ask your club callers to workshop the calls.

As always a reminder if you have not purchased your ribbons yet, please get your ribbons early. You don't want to miss this exciting convention which will be at a new Venue located at The Center of Deltona, 1640 Dr. Martin Luther King Blvd. Deltona FL. 32725.

Trail End dance January 18, 2024.

The Florida State Square & Round Dance Convention January 19 & 20, 2024.

Wishing everyone Happy Dancing wherever you are dancing, drink lots of apple cider and eat some candy corn...fall has finally arrived. Always remember to have fun with all your fellow dancers and help the newer dancers along in your squares!

Until next time "Be Square" and hoping for more exciting news in December.

Rod Barngrover, FCA President

Florida Callers Association Announces 2024 Officers

The FCA held their annual meeting on October 22nd during their Annual Clinic Weekend. The new officers are

President: Rod Barngrover
Vice President: Keith Stevens
Secretary: Bill Cassidy
Treasurer: Mike Gormley

Lon Ligon and 50 Years

Lon was an Air Traffic Controller for the Federal Aviation administration. This job took him and his family to many places. One place he landed was the Panama Canal Zone in 1970. While there, someone asked if he and Peggy wanted to learn how to Square Dance – which he didn't! They didn't give up

and pestered him until he finally said, “If I go once, will you leave me alone?” That’s how I started. Lon and Peggy caught the Square Dance bug!

They graduated from Dale and Judy Mason’s Club, the Star and Circle hey danced with the Star and Circle while Lon started pursuing learning how to call under the direction of Sid Arnold by 1973 Lon was calling for the Star and Circle in the Canal Zone, and the Panama Crosstrailers in Colon, on the other side of the isthmus, ad has been calling ever since. In 1974 Lon and Peggy moved their family briefly to Memphis Tennessee where they found a Square Dance club, where they danced, and Lon continued to call. Around 1975, the family was relocated to Gainesville, Florida where Lon and Peggy formed the Grad Squares Square Dance Club. Even though he club changed locations many times it’s danced to Lon continuously (with a small break during the Covid shut down) on Tuesday Nights.

On October 7th, 2023, the Grand Squares threw a 50th Anniversary Dace as a tribute to Lon. This was a well attended dance with many friends, family, dancers, and callers coming to celebrate this milestone with him, guest Callers Bill Cassidy, Jim Duncan, Bill Chesnut and Frank Plunket shared he mic with Lon, Lon with Round Dance Cuers Ann Hadsall and Susan sider This event was not the end of a long career, however – Lon continues toc al for the Grand Squares every Tuesday night in Gainesville, Florida You may contact Robin Frazer at robin.frazer@yahoo.com for club information.

Reprint from the *Grapevine* November 2023

C-Gulls and Stuart Bunch Announcement

The C-Gulls and Stuart Bunch, both Challenge level clubs, have announced that effective April 2023 both clubs have shut down. Many of their dancers lived in the Fort Myers area whose house was destroyed by Hurricane Ian in September 2022 due to the flood surge. (There was a seven foot flood surge in the area.) Because of this, there were no dances in the 2022-23 season. It was found that most of the people in the one park (Palmetto Palms) were not planning on rebuilding so it became a fact that neither club had enough people to continue.

So in final analysis...both Stuart Bunch and C-Gulls no longer exist and will probably never be reformed.

David Mayers

Bow & Swing is Back!

After a short hiatus, the *Bow & Swing* magazine is back. The *Bow & Swing* is our state Square and Round Dance magazine. Bill Boyd, a former editor of the magazine, used to say it was one of the best publications displayed at the National Convention. We have a new editor now, it's only electronic, and right now it's free. If you would like to be added to the distribution list, please email the editor, Stephen Bigelow, at bowandswing2@gmail.com. The deadline to submit information for each issue is the 22nd of the preceding month.

We used to have a lot of Dancer, Caller, and Cuer participation in preparing an issue. Let's bring that back!

We had president messages from each of the state organizations - FCA, RDCF, and the Federation. Why not include the president of the Campers? Then there was a section where all the clubs could submit a short article about their club. There was also a listing for each of the clubs by Association and day of the week. This will truly make *B&S* a state publication!

73rd National Square Dance Convention



June 26-29, 2024

REGISTER TODAY



73NSDC.com

Scan for
Website



To register online:

<https://73nsdc.com/long-form/>

For hotels:

<https://73nsdc.com/convention/hotels/>

For things to do:

<https://73nsdc.com/milwaukee-has-great-things-to-do/>

Facing the Music

By **George White**, Past Executive Director of CALLERLAB

It's all about copyrights and royalties: Authors, composers, and publishers own copyrighted music and users need to pay a fee to use their work. It's called music licensing.

Two main organizations—the American Society of Composers, Authors and Publishers (ASCAP) and Broadcast Music, Inc. (BMI), both based in New York—collect the fees.

It isn't enough to pay only ASCAP or BMI. Each represents such a wide variety of music that it would be difficult to play songs from only one group. Damages for copyright infringement range from \$500 to \$20,000 *per song*.

The Copyright Act of 1976 requires event organizers (sponsors) to pay for their use of music if the event is a “public performance,” defined as a “place open to the public or at any place where a substantial number of persons outside a normal circle of family and its social acquaintances gathered.”

A wedding, for example, isn't public. But a square dance, a festival, and a convention—they're all public. And sponsors of those events are responsible to see that the proper music licenses are obtained before the event occurs.

Listed here are many of the questions CALLERLAB has received. We hope the answers will lead to a better understanding of the music licensing agreements between CALLERLAB, ASCAP and BMI.

Q: In the world of square dancing, what events must be licensed?

A: Any event which uses copyrighted music must be licensed. This includes square dances, round dances, line dances, clogging, workshops, lessons, festivals, conventions, week-ends, one-night-stands, fun-niters, play parties...any event that is in any way related to square dancing.

Dancing in parades, shopping malls, street dances, county fairs, state fairs, nursing homes, convalescent homes, hospitals, schools, churches, etc. must also be licensed.

Q: Who is responsible to see that an event is licensed?

A: The sponsor of the event is responsible to see that the proper license is obtained before the event occurs.

In the case of square dances, round dances, line dances, clogging, workshops, lessons, festivals, conventions, week-ends, fun-nighters, play parties, etc. the sponsor is usually a square dance club, association, federation, council or other officially recognized dancer organization. The elected officers of these organizations are responsible to see that proper licenses have been obtained for the event.

If the event is sponsored by a caller, cuer, leader, prompter or callers association, then the individual caller/cuer/leader/prompter or officers of the sponsoring callers' organization are responsible to see that proper licenses have been obtained for the event.

In the case of dances in parades, at shopping malls, street dances, county fairs, state fairs, nursing homes, convalescent homes, hospitals, school, churches, etc., the organizers (sponsors) of the event are responsible for obtaining the proper licenses. This could be the owners, managers, directors or renters of the facility where the event will occur, or it could be the club or association officers, the caller, or even an individual dancer. It all depends on who sponsors or arranges the event.

Q: As an officer of a square dance club, association, federation, council or other officially recognized dancer organization, what action can I take to assure that our event is covered by a music performance license?

A: Basically, if you hire licensed performers (callers, cuers, leaders, prompters) for any event, other than a state or national convention, will be covered.

Q: What square dance activities are covered by the caller's or cuer's BMI and ASCAP license?

A: All square dance activities with the exception of state or national conventions are covered by CALLERLAB agreements with BMI and ASCAP. This includes regular club dances, classes, workshops, special dances, weekends, hoedowns, jamborees, fun-nights, festivals, demonstrations, parades, nursing homes, shopping malls, country/state fairs, street dances, etc. The agreement covers square dancing, round dancing, line dancing, contra and traditional dancing. Country Western dancing (Texas Two-Step and other 'couple' dances) is covered provided the caller/cuer has purchased an option CW license offered by CALLERLAB.

Q. Why are national and state conventions licensed differently?

A. National and state conventions are explicitly excluded from the CALLERLAB agreements. Meetings, conventions, trade shows and expositions are licensed under pre-existing contracts and apply to all convention, not just square dance conventions. It was beyond the scope of the CALLERLAB negotiations when so many other organizations would be affected.

Q. What about 'amateur' nights or beginning callers that call one tip at a club dance?

A: As long as a licensed caller/leader has been booked for the dance and is in attendance, the club is covered, Amateur nights must be MC'd by a licensed caller/leader.

Q. When multiple callers are hired for a weekend, festival or other special dance, must all callers be licensed?

A. Yes, although there are some exceptions. Especially when callers are not hired but are invited to participate without compensation. If a club, caller or organization plans to sponsor a dance where unlicensed callers will be invited to call one or more tips, they should contact the CALLERLAB office for specific details.

Q. A caller's partner cues round dances, does s/he need a license?

A: Yes and No. If s/he cues rounds at a dance where the partner is doing the calling, s/he does not need a license. The caller's license will protect the club. If s/he cues rounds at a club that has engaged a licensed caller, other than her/his partner, s/he does not need a license. If s/he cues rounds at an event that has not engaged a licensed caller, s/he must have a license in order to protect the sponsoring organization.

Q. Must a caller's partner, who teaches/cues round dances, join ROUNDALAB to get his/her own license?

A. No. A caller's partner may obtain a license to cue rounds through CALLERLAB. The fee covers the cost of licensing only s/he does not pay a separate membership fee. Partners are not included in the CALLERLAB group liability insurance coverage but may purchase coverage for an additional fee. Please contact CALLERLAB for complete details.

Q. Many callers call and cue rounds. Do they need another license from ROUNDALAB?

A. No. the CALLERLAB license includes round dancing as part of the square dance activity.

Q. What about the new caller or the retired caller that only calls for classes, demonstrations, nursing homes, hospitals, one-night-stands, etc. and doesn't charge for his services?

A. Unfortunately, neither the size of the group, the payment received or the location of the dance has any bearing on whether or not a license is required. A LICENSE IS REQUIRED ANYTIME COPYRIGHTED MUSIC IS PERFORMED IN PUBLIC.

Normally, the sponsor of the event is the one responsible for the license. If caller is approached to call a one-night-stand for a scout troop, a church group, a 'western night' or an exhibition for a local business, he should advise the sponsor that a music performance license is required by law and ask if they have obtained such a license. If the caller is licensed, they are protected. If the call is not licensed, then the caller and the sponsor are operating 'at risk'.

Q. Does the fact that a club or organization is incorporated as a non-profit entity have any bearing on the need for a license?

A. No. As stated earlier, a license is required anytime copyrighted music is performed in public.

Q. Sometimes callers are called upon to provide music at non-square dance events, such as wedding receptions, church socials, camp outs, company picnics, etc. Does his/her license cover the music used at these events?

A. No. The CALLERLAB agreement is limited to calling or cueing at square dance related activities i.e. where square dances, round dances, line dances, contra or traditional dances are performed. It does not cover disk jockeys, karaoke operators, or other types of entertainment.

Q: “My job occasionally interferes with my calling. I have recorded some of y dances and when I have to miss a club dance they dance to one of my tapes. Is the club still covered?”

A. No. You cannot legally record copyrighted music on another medium (tape, CD, video, etc.) and use it for a public performance, without obtaining appropriate reproduction, distribution and synchronization rights, sometimes referred to as a Mechanical License. Neither BMI nor ASCAP can issue mechanical licenses. They must come from the Harry Fox Agency in New York City and the producer of the music to be recorded. Contact Mr. Ng at the Fox Agency (212) 370-5330 for more information.

Q: “Does this mean that if a dancer tapes my dance then gets a square together in his basement to practice, he is breaking the law?”

A: Technically, Yes! He should have a mechanical license if he is going to entertain others with the recorded music. If he used records, which he purchased he would be safe because the law allows the use of copyrighted music “in the home or within a small group of family friends or acquaintances”.

Q. “I tape record my dances then sell them to anyone interested in using them. Is this legal?”

A: Not unless you have purchased the appropriate mechanical licenses or own the copyrights to the music being used. The license you obtain from CALLERLAB is a performance license and does not cover you for recording copyrighted music. Contact the Harry Fox Agency or CALLERLAB for more information.

Q. Why did CALLERLAB and ROUNDALAB enter into an agreement with BMI and ASCAP?

A: Because many clubs were threatened with copyright law compliance and there was no national association representing all square dance clubs. Had all the clubs in the U.S. been a member of some national association, it would have been more logical for that organization to assume the leadership in solving this problem. Since CALLERLAB and ROUNDALAB represent the largest, organized group of professional callers and leaders in the U.S., they were the most logical choice to represent the square dance activity in this license issue.

Please remember, music licensing was not initiated by CALLERLAB or ROUNDALAB. BMI and ASCAP are service organizations, similar to CALLERLAB or ROUNDALAB. They provide a service to their members. Their purpose is to collect royalties on copyrighted music for their members. They are backed by Federal law in their efforts to collect these royalties.

Q: What would happen if BMI or ASCAP should visit a square dance and find that neither the club, the caller nor the cuer were licensed?

A: Neither BMI nor ASCAP is interested in pressing charges or filing a lawsuit for a first violation. They typically offer the club, caller or cuer a chance to purchase the appropriate license ‘on the spot’. If refused, they will explain why the performance of copyrighted music must be licensed and ask that their music not be performed until a license is obtained. If the club, caller or cuer continues to violate the copyright laws after being warned, a lawsuit will be filed. The penalties can be as high as \$20,000 per copyrighted song performed and/or up to 10 years in federal prison for each violation. Since club officers are typically considered the sponsors of a dance they would be the ones usually named in the lawsuit. Legally however, the caller and/or cuer could also be named in the lawsuit.

Q: “I am responsible for booking callers for our club. What should I do to assure I am protected? How can club officers protect themselves from possible litigation?”

A: We recommend that you add the following to your club contracts or agreements¹.

CERTIFY THAT I WILL BE LICENSED BY BMI AND ASCAP TO PERFORM COPYRIGHTED MUSIC AT YOUR SQUARE DANCE EVENT.

(signature) _____

When the caller/leader arrives at your dance, you should ask to see his/her BMI/ASCAP license card.

Q: What about callers that have already signed contracts or agreements without this statement on them?

A: You should contact them, as soon as possible, to verify that they will be licensed by the time they call a dance for you. If they indicate that they will not be licensed, you must take steps to protect yourself by negotiating a release from the contract and booking a caller that will be licensed or obtain a license directly from BMI and ASCAP to cover your dance.

¹ There is a CALLERLAB approved contract form at <https://callerlab.org/download/standard-contract-of-a-calling-date/> that has the below statement in it. This is the best form to use, as it asks all the questions that need to be asked and answered. The form can also be modified for cuers.

Q: “Many clubs are asking me for my license number or other proof that I am licensed. What should I tell them?”

A: The CALLERLAB agreements make no provisions for a license number. CALLERLAB and ROUNDALAB have provided their members with a BMI/ASCAP license card. You can show this card to club officers or make a copy of it to attach to your signed contracts before returning them. Non-believers may contact the CALLERLAB office for verification.

Q: “You’ve answered many of my questions but I still have a couple more. What do I do now?”

A: Anyone having questions about music licensing may contact the CALLERLAB office at info@CALLERLAB.org. **Please be advised that we are not attorneys and cannot give you legal advice but we will try to answer any questions you have, or get an answer for you from BMI and/or ASCAP.**

\\\\192.168.1.253\callerlab\BMI-ASCAP-SESAC Stuff\BMI-ASCAP Q & A (revised 2022).docx

The following are Frequently Asked Questions (FAQs) for ROUNDALAB members in regards to their music performance licenses with ASCAP, BMI, and SESAC.

Q: Can I cue remotely via SKYPE?

A: Transmitting a performance via SKYPE to a remote location is not covered by a music performance license. The contract does not include *“the right to broadcast, telecast, cablecast or otherwise transmit the performances licensed hereunder to persons outside of the licensed premises”*.

Q: I am a ROUNDALAB member who lives outside of the United States. Do I need the performance licenses?

A: If you plan on cueing/performing in the United States, other than at the National or State Square Dance Conventions, then you should cover yourself and the clubs with a license. Many clubs are requiring proof of license coverage when they hire you.

Q: License fees are based on 50 or fewer dances per year and more than 50 dances per year. What does this mean?

A: Below are some representative examples:

- Working at a single event with multiple sessions on a single day would be 1 dance.
- Working at a single event with multiple sessions over multiple days (i.e. a Friday, Saturday, Sunday) would count as 3 dances.
- Working an event in the afternoon and another separate event in the evening would be two dances.

Q: Can I audio or video tape at dances?

A: These are not covered by our music performance license, see the Harry Fox write in regards to copying/record copyrighted music. If recording is allowed at the venue the generally accepted rules are:

- Audio Recording: During class instruction and in dance educational settings for your own personal use only.
- Video Recording: Same rules as audio taping, but only of the presenters/instructors and not of others dancing. Again, for your own personal use only.

NOTE: Question from the Editor to ROUNDALAB: **Does this affect people that record Round Dance lessons for use at home?** A: As long as those recordings are or personal use only and not public use, this is fine, especially if there are recorded cues or lessons.

Q: If another teacher cannot find a piece of music can I give them a copy of mine?

A: Sharing of copyrighted music is not covered under our music performance contracts and is an illegal/unethical practice.

Q: Why is it mandatory that United States members of ROUNDALAB purchase the BMI, ASCAP, and SESAC performance licenses?

A: ROUNDALAB's initial (1990) and ongoing contract with ASCAP and BMI requires licensing of all United States member of ROUNDALAB. In 2017 SESAC required the same contractual language before they agreed to the ROUNDALAB contract for the price quoted.

Q: What if you belong to CALLERLAB and ROUNDALAB? Do you need to be licensed by both organizations?

A: Using various scenarios and examples:

Scenario #1:

Spouse 1 is both Cuer and Caller / Spouse 2 is partner (non-caller/cuer)

- ♦ Spouse 1 is a member of CALLERLAB with BMI and ASCAP. Spouse 1 will need SESAC coverage through ROUNDALAB or some other source.
- ♦ Spouse 1 and 2 join ROUNDALAB as a teaching unit and this provides both spouses licensing to call and cue through ASCAP, BMI, and SESAC.

Scenario #2:

Spouse 1 is a cuer and Spouse a caller

- ♦ Spouse 1 and 2 join ROUNDALAB as a teaching unit and they have licensing to call and cue through ASCAP, BMI, and SESAC.
- ♦ Spouse 2 is a member of CALLERLAB with BMI and ASCAP licensing. Spouse 1 and 2 are teaching unit members of ROUNDALAB WITH ASCAP, BMI, and SESAC licensing. Spouse 2 will have SESAC license coverage for calling from their ROUNDALAB membership.

There is now a third music license that is required for all callers and cuers. It is called SESAC.

Q: What is SESAC?

A: SESAC was founded in 1930 originally as the Society of European Stage Authors and Composers. Since that time SESAC has significantly expanded the number of songwriters and publishers represented, and its repertory now includes one million songs and counting.

SESAC is the second oldest of the three Performing Rights Organizations (PRO) named in the Copyright Law of the United States, all of which were created to protect the rights of music creators. This law defines a PRO as "an association, corporation, or other entity that licenses the public performance of non-dramatic musical works on behalf of copyright owners" or in our case, songwriters and film and tv composers.

Q: What services does SESAC provide?

A: SESAC represents songwriter's and publisher's copyrighted musical works and their right under the Copyright Law to publicly perform those works inside businesses. Essentially, anytime music is performed, played, or broadcast to the public, a license from the copyright holder is required.

SESAC offers a blanket license agreement that is recognized as the most convenient and cost-effective method to obtain the required authorization to publicly perform all of the copyrighted music in the SESAC repertory.

Q: Why does my business need a SESAC Performance License?

A: On behalf of many thousands of songwriters and music publishers, SESAC offers blanket license agreements that authorize the performance of all the compositions in the SESAC repertory, which is at one million songs and counting.

If you are using someone's property (song) there is a moral and legal obligation to obtain the owner's permission. Under the US Copyright law, anyone who publicly performs copyrighted music is required to obtain advanced permission from the copyright owner or their representative. If you publicly perform any copyrighted song without proper authorization, you are breaking the law and can be held liable for damages from a minimum of \$750 up to a maximum of \$150,000 per song played.

The Better Business Bureau provides additional information concerning the Copyright Law and a music user's responsibilities.

Q: If I have licenses with ASCAP and/or BMI, why do I need a license with SESAC?

A: SESAC, ASCAP, and BMI are three separate and distinct Performing Rights Organizations (PRO). Each organization represents different copyright holders (songwriters, composers, and publishers) and licenses only the copyrighted works of its own respective copyright holders. Licenses with ASCAP and BMI DO NOT grant you authorization to use the copyrighted music of SESAC-represented songwriters, composers or publishers.

Since a license with ASCAP and/or BMI does not grant authorization to publicly perform songs in the SESAC repertory, most businesses obtain licenses with all three in order to have proper copyright clearance for virtually all of the copyrighted music in the world?

There are several other questions you may have. You might find the answers at <https://www.sesac.com/frequently-asked-questions/>.

As a member of CALLERLAB and ROUNDALAB, the fee for your BMI and ASCAP licenses are included in your membership fees; however, they do not include SESAC. As a member of ROUNDALAB, SESAC is included in your membership fees along with BMI and ASCAP. Callers who wish to purchase a SESAC license are encouraged to purchase it through ROUNDALAB. CALLERLAB honors licenses purchased through ROUNDALAB in a reciprocal agreement so members don't have to purchase licensing with both organizations.

EDITOR'S NOTE: Facing the Music is a reprint of an article written by George White. The first set of Q&As are part of that article. The second set is from a brochure regarding music licensing produced by ROUNDALAB. The third set of Q&As are copied from the Internet.

The DANCERgram magazines are written and published by a square and round dancer concerned about preserving our dance activity. The magazines include *Planner* (weekly), *This & That* (monthly), *Joys, Concerns, & Sympathies* (as needed), and *Directory* (as needed). All of the magazines are under the DANCERgram banner. In the event of new information between publication dates, notification is sent via the *Flash*. The Editor reserves the right to edit, condense, or rewrite any submission to the DANCERgram magazines. Opinions expressed in any DANCERgram magazine or on this website are not necessarily that of the Editor. All new information (since the previous issue) in these magazines is highlighted in yellow. Distribution of the DANCERgram magazines is encouraged via forwarding or hard copies. All of the Magazines, as well as additional content, can be found at www.dancergram.com. If you would like to receive the DANCERgram Magazines via email or you would like to submit information to any of the magazines, please contact the Editor at sqdnfcfan@gmail.com or 863-224-3393.

DANCERgram Magazines

Planner (weekly)

Joys, Concerns, & Sympathies (as needed)

Directory (as needed) • WC Key Contacts • WC Dances • SCCA • Links

This and That (monthly) • Reprint of articles • New Articles

DANCERgram Staff

Editor:

Penny T. Green

Webmaster: Cliff Reiss