

USASF PROGRAMS: CLASSIFICATIONS & PROGRAM DEFINITION

Effective August 1, 2017

Program Classifications

Programs will be classified as one of the following:

Single Location

A program that operates out of one facility and one facility only.

Multiple Locations

A program that has more than one location will be recognized as one program. This includes All Star programs that are franchised, licensed and/or branded. Please see Attachment B for further explanation.

USASF Member Profile (for all program classifications)

All athletes reside under a single USASF profile. The member database will count the total number of competitive cheer athletes in the PROGRAM to determine the program size. Programs with 125 or fewer athletes will qualify for Division II should Division II be an option at that particular event.

USASF member profiles must be complete and up-to-date. Please refer to Attachment A for a detailed explanation.

Program Definition

All Programs are identified by a single USASF membership number.

In order to obtain a membership number, a program must meet the following criteria:

- At least one Owner or Director from the gym/studio must be 18 years of age or older and must have current "Professional Membership" in the USASF.
- A program must provide proof of (and maintain) current commercial general liability insurance that includes, at a minimum, participant legal liability and participant excess accident medical insurance. This may be a single policy or individual policies. All locations must be covered.
- A physical gym/studio address is required for each location. A separate mailing address may be used, but the USASF must have a physical address for each location. If a program has multiple locations, then the address of each location must be provided to the USASF.
- Accept the Terms and Conditions of Membership (refer to Attachment C for details)
 - USASF Professional Responsibility Code
 - Adopting the USASF recommended policy or uploading a Program specific policy for:
 - Athlete Sexual Abuse Prevention
 - Electronic Communication
 - Addressing Bullying

Each physical location (address provided) where athletes practice must pay a membership fee, regardless of how the location is listed under the program's profile. Membership for additional locations is paid within the program profile.

For programs with multiple physical locations being tied to that single USASF membership number. All athletes will be listed under this single profile and athletes will be permitted to cross between gym locations. This is regardless of the physical distance between gym locations.

Disciplinary Action

- Any disciplinary action will impact members of all physical locations since they all share one USASF program membership number.

ATHLETES ASSOCIATED TO GYM PROFILES

A USASF Member Athlete will be "associated" to the member program he/she will represent during the season. This member gym must be selected at the time of athlete enrollment. In most instances, an athlete will only be associated with one program at a time – please see the age grid for permissible exceptions.

NOTE: An athlete may move from one program to another during the season; however, for athletes who will attend "Worlds" the "release" protocol when an athlete leaves one program and moves to another must be documented and fully followed.

Traditionally non-all star based teams (i.e. school based or rec competing as all star) must meet the above criteria in order to receive a USASF program membership number and therefore become officially recognized as an all star program.

USASF PROGRAM DEFINITION Attachment A

NOTE: The information provided herein is for informational purposes only and not for the purpose of providing legal advice. You should contact your attorney for advice with respect to any legal issue or question.

Within the USASF Member Profile, the data fields must be completed with current information. This attachment provides additional explanations and definitions.

USASF PROGRAM MEMBER PROFILE: The USASF will recognize the **legal entity** as the Program (see definition for legal entity). The true name of your **legal entity** is how your program should be registered with the USASF.

In your USASF profile there will be 3 fields:

1. **Legal Entity Name:** *This is where you will enter the true name of your legal entity*
2. **DBA:** *This is where you will enter any DBA or Fictitious Name. In some states, these may have to be registered with your local or state governmental agency (see Doing Business As name explanation).*
3. **Display Name as:** *This is how you would like your "name" displayed on the USASF website and your Event Rosters. Typically this should be your recognized name and how you are listed on event programs for competitions. Your "Display Name" might be your Legal Entity Name, your DBA or something different if you choose.*

CERTIFICATE OF INSURANCE

Your certificate of insurance must list your **legal entity** and must match how you are listed in your USASF Program Member Profile. You will be asked to upload your declaration page. The USASF recommends checking with your insurance company as to its requirement for how to list your program name on the certificate to make certain that insurance coverage is valid in the event of a claim.

LICENSED/FRANCHISED/BRANDED LOCATIONS

The USASF will recognize any gym/location as part of a program if they have a **licensed, franchised or branded** relationship with another gym/location with or without an actual "license" in place. Any agreement, written or otherwise, that allowed a second gym/location to use their brand/name in the All Star industry will be considered a licensed location. The licensed location(s) will be considered part of the Multiple Location program.

DIVISION QUALIFICATION

For the purpose of the division determination, the USASF will qualify programs for Division I and II based on the total number of competitive cheer athletes for the current season. This will include all traditional all star and all star prep cheer athletes.

- A program with 125 or fewer competitive cheer athletes will qualify as Division II.
- A program with 126 or more competitive cheer athletes will qualify as Division I.

Regardless of the number of locations a program may have, all locations are grouped together and recognized as a single program. All athletes for all locations are associated to one USASF member program profile. All competitive cheer athletes will be counted together to determine division qualification.

The program participants involved in all star dance and special needs will not be counted when making the determination.

TERMS USED:

LEGAL ENTITY

Definition: *A legal entity is an association, corporation, partnership, proprietorship, trust, or individual that has legal standing in the eyes of law. A legal entity has legal capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions.*

In most cases a legal entity has a Federal EIN associated with it. If your business structure takes a form other than sole proprietor you are required to have an EIN. The letters EIN are the shortened name for an Employer Identification Number. This number is issued by the IRS to all business which must file tax returns.

Read more: <http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Business-Structures>

Read more: <http://www.businessdictionary.com/definition/legal-entity.html#ixzz2hAfpTHn6>

DOING BUSINESS AS NAME

Explanation: A company is said to be "doing business as" when the name under which they operate their business differs from its legal, registered name. Some states require DBA or fictitious business name filings to be made for the protection of consumers conducting business with the entity.

Procedures for filing for a fictitious name vary among states. In many states, all you have to do is go to the county offices and pay a registration fee to the county clerk.

Read more: <http://www.entrepreneur.com/encyclopedia/doing-business-as-dba>

USASF PROGRAM DEFINITION Attachment B

If one or more of the following apply, the program will be considered Multiple Locations, and must follow the guidelines for Multiple Locations as outlined:

1. Share a taxpayer or employer identification number
2. Share an owner, with any percentage of ownership
3. Have a franchising or licensing agreement with another gym
4. Have similar enough name or branding it would imply to the consumer they are affiliated with, associated with, or identified as being a part of another All Star program

Request for Review to qualify for Single Location Status:

If a program believes that they should be recognized as a single location program, it is incumbent upon the owner(s) to present supporting information that proves their independence from brand/franchise/entity in question. A request for review may be delivered to the Executive Director of Membership with any and all supporting materials. The review committee may request additional supporting information or proof. If the owner(s) seeking review are unable or refuse to present the requested information/proof, the request for review will be denied.

The USASF will recognize any gym/location as part of a program if they have a ***licensed, franchised or branded*** relationship with another gym/location with or without an actual "license" in place. Any agreement, written or otherwise, that allowed a second gym/location to use their brand/name in the All Star industry will be considered a licensed location. The licensed location(s) will be considered part of the Multiple Location program.

For the matter of determination, the following assumptions are made:

FRANCHISING and/or LICENSING

A franchised or licensed All Star Program is one in which the owner(s), franchisor(s), or licensor(s) sell, lease, license or allow the rights to any or all of the following:

1. All Star Program logo (in same or different color placement)
2. All Star Program name
3. Identifying features of their All Star Program Branding

Franchised/Licensed Programs create network of business relationships that allows a number of people to share:

- A brand identification
- A successful method of doing business

Franchising/Licensing:

- is a business strategy for getting and keeping customers
- is a system for creating an image in the minds of current and future customers about how the company's products and services can help them.
- is a strategic alliance between groups of people who have specific relationships and responsibilities with a common goal to dominate markets, whereby they get and keep more customers than their competitors.

BRANDING

A brand is the idea or image of a specific product or service that consumers connect with, by identifying the name, logo, slogan, or design of the company who owns the idea or image.

Branding:

- is the practice of creating a name, symbol or design that identifies and differentiates a product from other products.
- aims to establish a significant and differentiated presence in the market that attracts and retains loyal customers.
- can build an expectation about the company services or products.

**USASF PROGRAM DEFINITION
Attachment C**

USASF Professional Responsibility Code (PRC)

The Professional Responsibility Code establishes written principles that guide the conduct of all USASF members in situations that have Professional ethical implications. The PRC is offered to confirm to all USASF members the intent and will of the USASF leadership to safeguard the best interests of All Star. The PRC demands USASF members conduct themselves professionally and responsibly at all times. These acts of Professional Responsibility are outlined for the purposes of maintaining the integrity and legitimacy of All Star, as well as safeguarding the children that participate.

During a Programs initial membership application and each subsequent renewal process, the program administrator must accept these terms or forfeit their membership eligibility.

Establishing and maintaining an Athlete Sexual Abuse Prevention Policy

The safety and welfare of the All Star athlete must be at the forefront of all programming considerations. The USASF requires (beginning the 2017-2018 season) that all member Programs have clear, written guidelines that prohibit adults who have contact with minors from engaging in conduct that is either inappropriate and/or illegal.

The USASF has partnered with the Positive Coaching Alliance to provide an applicable policy and protocol. This policy will be the default Athlete Sexual Abuse Prevention Policy for all member programs. Members may choose to adopt and implement the USASF's default policy or implement their own. If a member program creates its own Athlete Sexual Abuse Prevention Policy, the default policy will no longer apply. A program may implement a policy that is more restrictive than USASF's recommended policy. It may not be less restrictive.

During a Programs initial membership application and each subsequent renewal process, the program administrator must accept these terms or forfeit their membership eligibility.

Establishing and maintaining an Electronic Communication Policy

The USASF recognizes the need to address the prevalence of inappropriate messaging between adults affiliated with a USASF Member program and athletes via email, texting, and social media.

The USASF requires (beginning the 2017-2018 season) that all member Programs adopt a clear and concise policy regarding Electronic Communication. It is evident that electronic communication has significant positive benefits, but we must address the availability it yields for an adult with bad intentions to breach an athlete's rights of privacy and their physical and emotional safety. In order to fully protect the athlete members we serve, a clear policy and written expectations about using electronic communications must be available and implemented by every USASF Program Member.

The USASF has provided a model policy to be reviewed and agreed to by athletes, parents, coaches and other adults affiliated with the program in order to help members who are unable to create their own written electronic communication policy. The model policy provided by the USASF will be the default electronic communication policy of all member Programs. Members may choose to adopt and implement the USASF's default policy or implement their own.

If a member program creates its own electronic communication policy, the default policy will no longer apply. A program may implement a policy that is more restrictive than USASF's recommended policy. It may not be less restrictive.

During a Programs initial membership application and each subsequent renewal process, the program administrator must accept these terms or forfeit their membership eligibility.

Establishing and maintain an Addressing Bullying Policy

USASF member programs are required (beginning in the 2017-2018 season) to have an action plan to address bullying. The plan must be reviewed with and agreed to by all athletes and adults affiliated with the member Program. The USASF has created a model plan that will become the default policy for all member programs. Members may choose to adopt and implement the USASF's default policy or implement their own. If a member program creates its own Anti-Bullying policy, the default policy will no longer apply. A program may implement a policy that is more restrictive than USASF's recommended policy. It may not be less restrictive.

Regardless of the policy a member Program chooses to implement, the program will be expected to implement the policies when reports of bullying are made.

During a Programs initial membership application and each subsequent renewal process, the program administrator must accept these terms or forfeit their membership eligibility.