

USASF PROGRAMS: CLASSIFICATIONS & PROGRAM DEFINITION

EFFECTIVE JUNE 1, 2020

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 branded program that has more than one location will be recognized as one program with multiple locations. This includes All Star programs that are franchised, licensed and/or branded. All locations will register and activate membership within the main location USASF member profile. Please see Attachment B for further explanation.

USASF Member Profile for Division Eligibility (program size)

All athletes are associated with a single USASF program 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 when Division II is an option at that particular event. Programs with 125 or fewer athletes may, through their member profile, opt-in to Division I. Once a program opts-in and/or competes as a Division I program, they must remain Division I for the remainder of the season.

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:

- All owners must be listed in the USASF Program Member Profile.
 - See Attachment C for determining ownership
- All owners, regardless of ownership percentage, must meet the eligibility requirements for the current season.
- A program must maintain and provide proof of 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.
 - **The physical location may not be someone's residence.**
 - **The physical location** must be a place where the team practices.
 - **The physical location** must be listed on the programs certificate of insurance.
 - A separate mailing address may be used, but the USASF must have a physical address for each location.
 - If a program has multiple locations, the address of each location must be provided to the USASF.
 - 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's profile.
- Accept and comply with the Terms and Conditions of Membership.

For programs with multiple physical locations being tied to a single USASF membership number, all athletes will be listed under this single profile and assigned to one or more locations. Athletes will be permitted to cross between program locations regardless of the physical distance between physical locations.

DISCIPLINARY ACTION

Disciplinary action may impact all locations listed under a single brand/program since they all share one USASF program membership number.

ATHLETES ASSOCIATED TO PROGRAM PROFILE

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, If a team's official roster for The Cheerleading Worlds or The Dance Worlds includes an athlete that took the floor with a team in any level from a different program (primary program), during the Worlds competition season (November 1–April 30), that athlete must have a USASF Program Release Waiver signed by the primary program owner to be eligible to compete with a secondary program at the championship.

Traditionally, teams not recognized as All Star (i.e. school-based or rec competing as All Star) must meet the above criteria to receive a USASF program membership number and become officially recognized as an All Star program to compete in All Star Divisions.

USASF PROGRAM DEFINITION

ATTACHMENT A: PROGRAM PROFILE REQUIREMENTS

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 are three required 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 below).
- 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 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 allows 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 All Star Elite cheer athletes and any All Star Prep cheer athletes that compete January 1st or later.

- 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.
- A program that qualifies as Division II may, through their membership profile, opt-in to compete in Division I. Once a program opts-in and/or competes as a Division I program, they must remain Division I for the remainder of the season.

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 with 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, fall-only Prep, Novice, Prep, Fundamentals and Exceptional Athlete divisions will not be counted when making the division qualification 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 businesses 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.

USASF PROGRAM DEFINITION

ATTACHMENT B: MULTIPLE LOCATIONS AND BRANDING WITHIN A PROGRAM MEMBERSHIP PROFILE

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; and/or
- 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 or Separate Program Status:

If a program believes that they should be recognized as a single location program or separate program, it is incumbent upon the owner(s) to present supporting information that proves their independence from the brand/franchise/entity in question. A request for review may be delivered to the Vice President 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 allows 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, and/or
- 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 it 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: OWNERS AND OWNERSHIP

*NOTE: Anyone listed as an owner in the USASF Program or Program Location Profile will be treated as and given privileges of an owner by the U.S. All Star Federation. Listing someone as an owner indicates to the USASF that they have the rights to make decisions on behalf of the program or program location. **Do NOT list someone as an owner if they do not have an ownership or controlling interest.***

- All owners must be listed in the USASF Program Member Profile.
- All owners, regardless of ownership percentage must meet the eligibility requirements for the current season.

ALL STAR TRAINING FACILITIES

Typically, programs that join the U.S. All Star Federation are training facilities whose primary offering is All Star Cheer and/or Dance. In some cases, it is one of many offerings in a facility. They may be for-profit or non-profit entities who are owned by one or more persons. Even in such situations when the entity is a corporation of any type, it is controlled by one person or a set of partners that is established and easily identifiable. That person or those persons must be listed as owners in their USASF Membership profile. Programs may not assign coaches as waived owners if they are not a partner or shareholder or do not have legal ownership in the entity.

For multiple location branded programs, each location must list the owners and assign their ownership percentage. A person may be listed as an owner in one or more of the locations based on the structure and entity type of each location.

MULTI-SPORT TRAINING FACILITIES (INCLUDING GYMNASTICS FACILITIES) WITH IDENTIFIABLE SINGLE OR SMALL GROUP OWNERSHIP

A sports facility may sometimes join the U.S. All Star Federation when they offer All Star Cheer and/or Dance as a secondary or subsidiary sport. It is not their primary offering, however the entity owns the program and hires the person or persons who are responsible for coordinating, organizing and administering the All Star program. They may be for-profit or non-profit entities who are owned by one or more persons. Even in such situations when the entity is a corporation of any type, it is controlled by one person or a set of partners that is established and easily identifiable. That person or those persons must be listed as owners in their USASF Membership profile, even if they do not run or directly oversee the All Star Program. The employees who are responsible for coordinating, organizing and administering the All Star program should not be listed as owners if they do not have an ownership interest in the facility. Programs may not assign coaches as waived owners if they are not a partner or shareholder or do not have legal ownership in the entity.

PROGRAMS | CLUBS THAT DO NOT HAVE THEIR OWN FACILITY

An All Star Program may practice in a facility or facilities that they rent or sub-lease on an as-needed basis for practice. They are not the lease holder for a permanent lease on a facility. The person who owns the program shall be listed as the owner in their USASF Membership profile. Programs may not assign coaches as waived owners if they are not a partner or shareholder or do not have legal ownership in the entity.

LARGE CORPORATIONS, YOUTH SERVICE PROVIDERS, OR OTHER ENTITIES THAT ARE NOT "CLOSELY HELD"

"Closely held" is a term used to describe an organization or entity that has very few shareholders or stakeholders that would be identified as owners. In some cases, there are larger organizations that offer All Star Cheer and/or Dance. Some examples are YMCAs, Boys & Girls Clubs, and City- or County-run Recreation Centers. Typically, these larger organizations are under the direction of a national organization or the operating interest is managed by a board, council or many stakeholders. These types of organizations are not considered "closely held" as no one person or set of persons can be easily identified as the owner or owners of the entity. Thus, the All Star program administrator may not know who to list as the owner. In this case, the employee that has controlling interest of the program would be listed as the "owner" of the program. Programs may not assign coaches as waived owners if they do not have controlling interest of the All Star offering.