

# FACTS

## Shared Use Agreements

### Sharing School Recreational Facilities with the Community

#### OVERVIEW

The U.S. is in the grips of a full-blown obesity epidemic. The prevalence of those who are obese has risen to 34%.<sup>1</sup> In 2011, adult obesity rates grew in 16 states, in more than two-thirds of states, obesity rates exceed 25% of all adults, and 12 states have obesity rates greater than 30%.<sup>2</sup> In light of these dire statistics, it is critical to find ways to increase physical activity opportunities in the places where people live, work, learn and play, making the healthy choice the easy choice. However, nearly 50% of U.S. adults and 65% of adolescents do not currently get the recommended amount of physical activity each day.<sup>3,4</sup>

Land use and facility planning by local governments and school districts have become separated in many communities and this lack of coordination has contributed to larger, more distant schools that have less connection with their communities and the people they serve.<sup>5</sup> School facilities, especially those that are centered in the community, can be an excellent resource for recreation and exercise where there is limited availability or private options are too expensive. The most innovative districts are maximizing shared use of school facilities to address the educational and health needs of students and the community's need for recreational activity spaces.<sup>6</sup>

#### SHARED USE AGREEMENTS

Schools can offer a variety of safe, clean facilities, including running tracks, pools, gymnasiums, fitness rooms, and playgrounds. However, districts often close their property to the public after school hours due to concerns around liability, security, maintenance, and other costs.

The reality is that if school districts maintain their property, carry insurance, require community groups to have insurance and enter into formal shared use agreements, they can minimize their liability risks.<sup>7</sup> Public Health Law and Policy has created a toolkit that provides model agreements, case studies, funding options, and other information for implementing shared use agreements.<sup>8</sup> Shared use agreements allow school districts, local governments, and community-

based organizations to overcome common district concerns and share costs and responsibilities of opening school property to the public after school hours.



#### THE HEALTH BENEFITS

In order for adults and children to get the exercise they need to be healthy, they need places to be active. Research has shown that people who have parks or recreational facilities nearby exercise 38% more than those who do not have easy access.<sup>9</sup> Lower-income communities, especially in predominantly Latino or African-American neighborhoods, often have fewer resources to support active lifestyles and places to play and be active.<sup>10</sup>

#### SOME SUCCESS STORIES

Schools can create access by opening existing facilities during non-school hours, integrating the opportunity for community use when planning new construction projects, or building collaborative relationships and entering into reciprocal agreements with local governments or community organizations.

- The San Francisco Unified School District and the City and County of San Francisco have an agreement that allows the city to unlock the outdoor playground areas for open, unsupervised use during non-school hours. The city assumes the liability and responsibility for injury, vandalism and/or littering during these recreation times.<sup>11</sup>
- The Oakland Unified School District, the City of

Oakland, and the Unity Council partnered to build a community-based school that offered after-school sports programming for the district's students and families where opportunities had not previously existed. They built state-of-the-art field spaces and the after-school programs are now full with a wait list. The district has reported improved academic performance, reduced vandalism, and better student behavior.<sup>12</sup>

- Florida has taken steps to help local governments and school districts coordinate around school facility and community planning. A state law requires local governments and school districts to share more information, establish an inter-local planning agreement, have a school official on the local planning board, and hold periodic joint meetings of elected boards.<sup>4</sup>

Funding for shared use projects or agreements may come from a variety of sources including developer impact fees, 21<sup>st</sup> Century Community Learning Center grants, special bond funds, local general obligation bonds, joint use partner funds, private foundation grants, business sponsorships, and utilization fees.<sup>5</sup>

## THE AHA ADVOCATES

People who have parks or recreational facilities nearby exercise more than those who do not have easy access.<sup>13,14</sup> For this reason, the advocates for:

- Modify existing resources and toolkits to apply more generally to states across the country and disseminate these resources to communities to educate and inform about the importance of developing and maintaining joint use agreements through existing state and federal funding programs or information dissemination.
- Integrate joint use agreements into the existing federal and state programs, such as the Land and Water Conservation Fund.
- Incorporate joint use agreements into statewide recreation plans (SCORPs).
- Have state and federal governments require communities applying for public funding or grants to implement joint use agreements.
- Pass state legislation that encourages, supports, or authorizes school districts to enter into agreements supporting joint use of facilities and protects schools from liability when they enter these agreements with third parties.<sup>15</sup>

- Integrate joint use agreements into school construction projects and encourage districts to reconsider traditional school architecture to make facilities more inviting to the community. Since the voter population with school-aged children is often declining in many areas of the country, it may be easier to garner support for school construction projects if the new facilities are shared with the community.

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