bridging the gap

Research Informing Policies & Practices
for Healthy Youth

Research Brief
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Joint Use Agreements

Creating Opportunities for Physical Activity

A joint use agreement is "a formal agreement between two separate government entities—often a school and a city or county—setting forth the terms and conditions for shared use of public property or facilities."[1] For example, city governments can contract with local school districts to allow community members to use playgrounds and fields when school is not in session. School districts commonly refer to such agreements as community use agreements. This brief will use joint use agreements to refer to both joint use and community use agreements.

This brief examines the characteristics of joint use agreements that were in effect during the 2009–10 school year among a national sample of 157 public school districts.

- *Most school districts have a joint use agreement addressing recreational use of school facilities.*
- *Community advocates can help school districts develop stronger joint use agreements by indicating which recreational facilities are eligible for use, by whom and when. The agreements also should address liability and repair responsibilities.*

Introduction

Today, two-thirds of adults and nearly one-third of children and teens in the United States are overweight or obese—and lack of physical activity is a leading contributor to the epidemic.[2] Providing access to recreational facilities is a critical strategy for helping people of all ages be more active.

Having access to parks and recreational facilities is associated with lower body mass index among children and increased physical activity among adults.[3,4] Research also shows that families and children who live in lower-income communities and communities with higher proportions of Black, Latino or other racial and ethnic populations at high risk for obesity have significantly less access to recreational facilities than those in higher-income or predominately White communities.[5]

The Centers for Disease Control and Prevention and other leading public health organizations recommend increasing and/or enhancing access to school property, and other places where people can be active.[6,7] *Healthy People 2020* objectives call for increasing "the proportion of the Nation's public and private schools that provide access to their physical activity spaces and facilities for all persons outside of normal schools hours (that is, before and after the school day, on weekends and during summer and other vacations)."[8]

Most states have laws that encourage or even require schools to open their facilities—gymnasiums, playgrounds, sports fields, courts and tracks—to the community for recreation or other civic uses. Yet many school districts have real and perceived concerns about security, supervision, maintenance, safety, insurance and liability in the event of injury that prevent them from allowing community members to use school property.[1,9–11]

This brief describes the characteristics of joint use agreements in place among a national sample of 157 public school districts. Each agreement was analyzed to determine if it facilitates or inhibits opportunities for physical activity in a community. The findings identify opportunities for strengthening the agreements and provide guidance for local policymakers and community advocates who are working to increase physical activity among children and adults.

Key Findings

The vast majority of school districts had an agreement that allowed public use of school property.

- During the 2009–10 school year, 93 percent of the school districts studied had a joint use agreement in place and 81 percent of the agreements specifically mentioned use of school property for recreational purposes.

A substantial percentage of school districts did not specify which facilities were available for public use.

- Most of the agreements indicated that facilities *generally* (95%) and school buildings and grounds *generally* (83%) may be available for public use. Fewer agreements mentioned specific types of facilities by name, such as gymnasiums, fields, playgrounds or a track.

- There also was great variation in the types of facilities that were specifically mentioned in the agreements. Analyses indicated that only 41 percent of the agreements specified both indoor and outdoor facilities were available for public use.

Many of the agreements did not clearly define who was eligible to use the school facilities.

- Vague categories, such as undefined community groups (81%) or groups *generally* (40%), were used to define eligible users in many of the agreements.

- Most agreements (86%) allowed school-sponsored or school-affiliated groups to use their facilities. Other categories of eligible users, such as parks and recreation departments, individual users and YMCAs were less frequently mentioned by name.

In general, the agreements allowed for the facilities to be used at any time that did not interfere with school activities.

- Far fewer agreements specifically mentioned the availability of school facilities during weekends, vacations, holidays or after-school hours.

While most agreements addressed liability and repair responsibilities, more than 25 percent of the agreements were silent on one or both of these issues.

- Seventy-three percent of the agreements specifically identified which entity or party would be responsible for repairs associated with damage to school property (not shown in figure).

- Seventy percent of the agreements delineated who would be liable for loss associated with damage to school property (not shown in figure).

FIGURE 1 Joint Use Agreement Provisions

N=146 public school districts with agreements in place during school year 2009-10.

*Other includes: pool, basketball courts, tennis courts and/or weight room.

**Community groups may include groups not explicitly mentioned, such as Boys & Girls Clubs or other organizations.

Conclusion and Policy Implications

Joint use agreements encourage physical activity by making existing school facilities available to the community outside of school hours. The adoption of such agreements can be a cost-effective strategy for increasing physical activity among children and adults, especially those who live in communities that lack recreational facilities.

While most school districts already have joint use agreements in place, they often are vague and do not clearly define which facilities may be used for recreational purposes, when facilities may be used or who is eligible to use the facilities. Revising the agreements to address these issues would help maximize the potential of existing recreational facilities by providing more opportunities for residents to be active. Properly written agreements also can protect schools against liability issues, facilitate cost sharing and address other concerns that prevent schools from allowing community members to use their facilities.[1,9]

School districts and local policymakers should review their existing joint use agreements to ensure that they allow community members easy access to school recreational facilities outside of school hours. Specifically, decision-makers should ensure that the agreement:

- clearly identifies eligible facilities that may be used for recreational purposes.
- clearly defines eligible users and the times when facilities are available.
- specifies any liability and repair responsibilities for eligible users.

Community advocates should work with school districts to develop a strong agreement that benefits both the school district and the eligible users. Advocates and schools also should work together to promote opportunities for residents to use the available facilities for physical activity.

The National Policy and Legal Analysis Network to Prevent Childhood Obesity provides resources to help develop and implement joint use agreements, including model agreements, an overview of liability risks in all 50 states and a checklist for creating an agreement.*

Study Overview

This study was based on an analysis of joint use agreements collected by the Bridging the Gap program at the University of Illinois at Chicago. The researchers examined agreements that were in effect during the 2009–10 school year among a national sample of 157 public school districts for the 2009–10 school year. Agreements were obtained from 146 districts (93%), with an additional 11 districts (7%) indicating that they did not have an agreement in place. All agreements were independently analyzed by two researchers and were jointly reviewed to reach a consensus in the coding.

Authors

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About Bridging the Gap

Bridging the Gap is a nationally recognized research program of the Robert Wood Johnson Foundation dedicated to improving the understanding of how policies and environmental factors influence diet, physical activity and obesity among youth, as well as youth tobacco use. The program identifies and tracks information at the state, community and school levels; measures change over time; and shares findings that will help advance effective solutions for reversing the childhood obesity epidemic and preventing young people from smoking. Bridging the Gap is a joint project of the University of Illinois at Chicago's Institute for Health Research and Policy and the University of Michigan's Institute for Social Research. For more information, visit *www.bridgingthegapresearch.org*.

* More information about NPLAN's joint use agreement resources is available at www.nplanonline.org/nplan/joint-use.

Endnotes

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