



Breaking Physical Activity Barriers Through Open Community Use

YOUR PLAYBOOK



ACKNOWLEDGMENTS

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Wholespire

Play. Advocate. Live Well.

South Carolina Alliance of YMCAs

South Carolina Department of
Health and Environmental Control

South Carolina Safe Routes to School

South Carolina Recreation and
Parks Association

University of South Carolina Center for
Health Services and Policy Research

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INTRODUCTION

Open community use, allowing free community access to schools' outdoor recreational facilities, is an effective and affordable strategy to combating obesity and increasing physical activity¹. Since 2014, the South Carolina School Boards Association has recommended all school districts adopt the open community use model policy, which was updated in 2024 (*See Appendix A. South Carolina School Boards Association 2024 Updated Model Policy*). Many school districts are reluctant to adopt an open community use policy due to concerns with liability. However, South Carolina currently provides clear statutory liability protection for open community use of schools' facilities for recreation². This document provides guidance to school administrators, teachers, and community members interested in adopting and implementing open community use as a strategy to increase physical activity.

BACKGROUND

As of 2022, South Carolina has the 22nd highest rate of adult obesity in the nation³. A lack of physical activity is a contributing factor to these health trends which were exasperated during the COVID-19 pandemic⁴. Less than one-half of adults and less than a quarter of high school students in South Carolina were meeting the recommended amounts of physical activity guidelines^{3,5}. To change this trend and build a new culture of health, South Carolinians must have access to safe, affordable, and convenient places to be physically active.

Adults and youth are more likely to be physically active in communities where schools allow open community use of their outdoor playgrounds, tracks, courts, and other outdoor recreational facilities^{6,7}. Schools and communities throughout the state and nation are working together to increase physical activity by allowing free access to outdoor recreational facilities before or after school hours.



WHY IS PHYSICAL ACTIVITY IMPORTANT?

DID YOU KNOW?!

Adults need at least 30 minutes & children need at least 60 minutes of physical activity each day.

The Benefits of Being Physically Active From Head to Heart⁸



Improves concentration & learning

Builds confidence & social skills

Strengthens muscles & bones

Maintains healthy weight

Improves heart & lung health

Boosts immunity

Makes you feel good



COVID showed that not having physical activity opportunities negatively impacted health and fitness.



Healthy Weight Decline

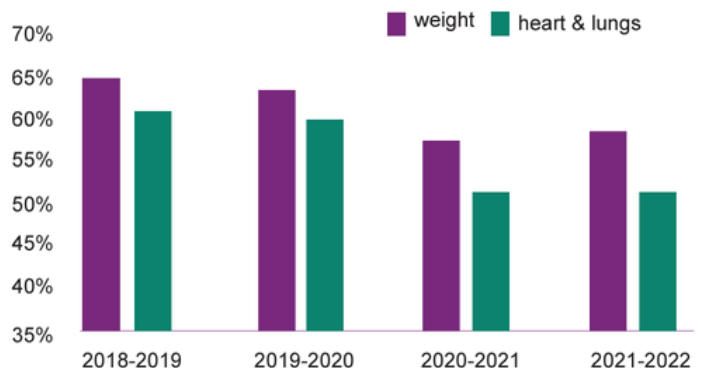
65% → **59%**
PRE-COVID POST-COVID



Heart & Lung Decline

60% → **51%**
PRE-COVID POST-COVID

Steady Decline During COVID-19 Years⁹



SC FitnessGram is a statewide initiative to evaluate and ultimately improve students' health.

JOIN THE MOVEMENT

SC FitnessGram and partners encourage communities and school districts to work together to provide **safe, convenient, and free places for children and adults to be physically active.**



Provide resources to implement **policies and practices that support K-12 health and physical education** to ensure children receive the knowledge and skills to lead a healthy life.



Encourage school districts to adopt the **Open Community Use of School Recreational Areas** policy to expand access to safe, convenient, and free places for physical activity in communities.



Share data (i.e., FitnessGram) to inform decisions that support physical activity at school and in the community.



Use multiple tactics (social media, local media, signage) and partners (libraries, schools, organizations) to **create awareness of spaces for physical activity.**

Visit scdhec.gov/fitnessgram for more SC FitnessGram data, local success stories, and recommendations on how to prioritize physical activity in communities, schools and at home.

OPEN COMMUNITY USE

Open community use refers to schools allowing free community access to tracks, fields, courts, playgrounds, or other outdoor recreational facilities before or after school hours.

Trust for America's Health recommends schoolyards being open outside school hours for community use¹⁰. Open community use can increase community access to places to be physically active. In addition, opening schools' outdoor facilities can assist in eliminating health disparities that exist in the state^{6,7}. Many individuals cannot afford to pay for recreational facilities or their community does not have a nearby park or recreational area^{6,11}. Opening schools' outdoor recreational facilities can help all South Carolinians, regardless of income level, engage in more physical activity. Open community use increases the opportunities for youth, adults, seniors, and families to be active, which, combined with good nutrition, is an important step toward improving health.

Benefits of Open Community Use

- Increases access to safe, affordable, and convenient places for physical activity^{12,13}.
- Decreases children's sedentary behavior¹⁴.
- Improves family and community engagement with the school¹.
- Increases safety and decreases vandalism of facilities¹.

Other Types of Facility Use Agreements

In addition to open community use, school facilities can be open for public use in a number of different ways.

1. **Shared Use/Joint Use Agreements:** When government entities, private organizations, or non-profits partner to open access to school property and/or facilities for community use.

Example: An afterschool program uses the local middle school track during the week for their program.

2. **Recreational and Non-recreational Agreements:** When a school district allows third parties to host group programs and activities on school property, sometimes in exchange for paying a fee.

Example: The local parks and recreation department hosts T-ball games at the local elementary school's baseball diamond.

Important Note

The Open Community Use of School Recreational Areas policy (coded KFA) is often confused with the Community Use policy (coded KF). The Community Use policy (KF) aligns with shared use/joint use agreements and recreational and non-recreational agreements. For the purposes of this playbook, the Open Community Use of School Recreational Areas policy (KFA) will be referred to as Open Community Use or the Open Community Use policy.

STATEWIDE PROMOTION OF OPEN COMMUNITY USE

Experts in South Carolina have recognized open community use as an important strategy for improving access to outdoor recreational facilities to increase physical activity.

South Carolina School Boards Association

The South Carolina School Boards Association first published an Open Community Use of School Recreational Areas model policy in the 2014 Policy and Legislative Update Manual. Since then, the policy has been amended to include additional optional language for district consideration as it determines use of these spaces. All school districts and schools in South Carolina are encouraged to adopt and implement the updated model policy and open schools' outdoor recreational areas to the community. (See Appendix A. *South Carolina School Boards Association 2024 Updated Model Policy*).

"In some communities, schools are often the only place to find safe and affordable recreation spaces. School boards are encouraged to adopt a policy addressing the use of district outside recreational areas in response to that need. However, before implementation, consultation with your insurance carrier is recommended to identify any specific items that may impact coverage or that are necessary to satisfy policy requirements and limit legal exposure for the district."

Stephanie N. Lawrence, Esquire

General Counsel and Director of
Policy and Legal Services

South Carolina School Boards Association

South Carolina School Boards Insurance Trust

South Carolina School Boards Insurance Trust is one of the services provided by the South Carolina School Boards Association. Providing workers' compensation and property and casualty insurance, along with risk control services, through a not-for-profit structure has made South Carolina School Boards Insurance Trust the trusted insurance partner of South Carolina school districts. The South Carolina School Boards Insurance Trust encourages school districts to adopt the Open Community Use of School Recreational Areas model policy to help guide implementing school locations, as well as, act as a point of reference in the unlikely event that liability concerns are cited.

"The South Carolina School Boards Insurance Trust encourages school districts to have a policy regarding open community use of school recreational areas. If the policy allows for open community use, then the schools should follow the policy. The determination of insurance coverage is always dependent upon the situation and the allegations involved."

J. Lyde Graham, CPM

Director of Insurance Services

South Carolina School Boards Insurance Trust

The Healthy Palmetto Leadership Council

The Healthy Palmetto Leadership Council serves as the state coalition of organizations that collectively addresses healthy eating, active living, and healthy weight for the Live Healthy SC State Health Improvement Plan. The purpose of Healthy Palmetto is to unify and mobilize organizations working on healthy eating and active living efforts in South Carolina. An example of this is Healthy Palmetto prioritizing physical activity in schools through the elevation of SC FitnessGram, the statewide movement to evaluate and improve student fitness. Open community use is one of the strategies that SC FitnessGram promotes to create opportunities for daily physical activity for students, staff, families and community members. **Scan code above for more information.**

**HEALTHY
PALMETTO**



LEGAL SUPPORT FOR OPEN COMMUNITY USE

In South Carolina there is significant legal protection for allowing open community use at schools through the South Carolina Recreational Use Statute and the South Carolina Tort Claims Act. South Carolina legislation imposes the same liabilities and level of protection for school during and after the school day.

South Carolina Recreational Use Statute

The South Carolina Legislature enacted the South Carolina Recreational Use Statute in 1962 to limit the liability of land owners, including government entities, who open their land to the public free of charge.

South Carolina Tort Claims Act

The South Carolina Legislature passed the Tort Claims Act in 1986, which protects government entities, including school boards, school districts, and schools, from liability issues related to maintenance, supervision, or security.



For specific legal or liability questions, please contact your school district legal counsel or SCSBA Legal Services at info@scsba.org or (800) 326-3679.

For more information on the legislation, please visit www.scstatehouse.gov.

LIABILITY AND RISK MANAGEMENT

Liability, the legal responsibility for an injury or damage to property, is the most often cited concern regarding open community use policies. **The fear of liability is often a perceived barrier as schools are no more at risk than during the school day.** The measures schools take to protect themselves during the school day, such as putting inspection and maintenance protocols in place and following health and safety regulations, help protect them after hours, too^{2, 15, 16}. **Generally, liability exists when the following four conditions are met: duty of care, breach, causation, and damages^{15, 16}.** For more information on the four conditions for liability, please see *Appendix C: Four Conditions of Liability*.



ACTION STEPS TO OPEN COMMUNITY USE

The following steps provide guidance on how school and community partners can work together to adopt and implement an open community use policy. At the school district level, this can be achieved by community members working with administrators and the local board of education (school board) to include open community use as a district policy. At the local level, school administrators, teachers, staff, students, parents and community members should work together to develop a plan for opening outdoor recreational facilities.



Step 1: Research Open Community Use Policies & Practices

The following resources can provide more information on the current policies and practices of open community use at the school district and school level.

DISTRICT LEVEL

- Visit the South Carolina School Boards Association website for your district's policies (Policies Online at [scsba.org](https://www.scsba.org)).
- Search for code KFA.
- Contact the school district directly if policies cannot be found online.

SCHOOL LEVEL

- Contact schools to learn if open community use of outdoor facilities is allowed.
- Contact a local Wholespire chapter or community health coalition for support and suggestions on resources and potential partners.

REVIEW RESOURCES

- Review the South Carolina School Boards Association Model Policy (*See Appendix A. South Carolina School Boards Association 2024 Updated Model Policy*).
- Review resources on liability:
 - SC Tort Claims Act (www.scstatehouse.gov)
 - SC Recreational Use Statute (www.scstatehouse.gov)
 - Liability Risks for After-Hours Use of Public School Property to Reduce Obesity: South Carolina (<https://www.saferoutespartnership.org/resources/liability-risk-after-hours-use-public-school-property-reduce-obesity-south-carolina>)
- Review the following organizations' resources:
 - Active Living Research (www.activelivingresearch.org)
 - Change Lab Solutions (www.changelabsolutions.org)
 - Kaboom! (www.kaboom.org)
 - Public Health Law Center (www.publichealthlawcenter.org)
 - Salud America! (www.salud-america.org)



Step 2: Find Partners for Open Community Use

The following are suggested roles for school and community partners to establish, adopt, implement, and promote open community use.

LOCAL BOARD OF EDUCATION (SCHOOL BOARD)

- Adopt the school district's proposed open community use policy
- Help determine scope and details of open community use policy
- Work with risk management and legal counsel throughout the process
- Serve as the liaison to legal and liability resources

SCHOOL DISTRICT AND SCHOOL ADMINISTRATORS

- Allow access to school outdoor recreational facilities
- Engage school and community partners throughout the process
- Use school-level data of students' health-related fitness (e.g., SC FitnessGram) to inform decisions that promote physical activity opportunities.
- Help tailor the South Carolina School Boards Association's model policy to meet the needs of the school district and community
- Encourage school board to adopt the district's open community use policy
- Help monitor implementation of the policy

COORDINATED SCHOOL HEALTH ADVISORY COUNCIL/SCHOOL IMPROVEMENT COUNCIL

- Include open community use as a district and/or school wellness goal
- Help tailor the SC School Boards Association's model policy to meet the needs of the school district and community
- Encourage school board to adopt the district's open community use policy
- Measure and report policy implementation progress

PARENT TEACHER ASSOCIATIONS OR ORGANIZATIONS

- Encourage school board to adopt the district's open community use policy
- Promote implementation, such as kick-off events
- Raise funds or develop community partnerships for additional resources (e.g., playground equipment, basketball courts, maintenance, or signage)

FAMILIES AND COMMUNITY MEMBERS

- Help tailor the South Carolina School Boards Association's model policy to meet the needs of the school district and community
- Encourage school board to adopt the district's open community use policy
- Bring families to the facilities to play and be active
- Model safe and responsible behavior while using the school's outdoor recreational facilities
- Provide resources (i.e., volunteers, equipment, funding, etc) to enhance schools' outdoor recreational facilities that are open for community use.
- Promote the school's open outdoor facility to the community

OTHER POTENTIAL PARTNERS

- Local health departments
- Local Wholespire chapters or health coalitions
- Parks and Recreation Departments
- Faith-Based Organizations
- Neighborhood Associations



Step 3: Tailor the Model Open Community Use Policy

The South Carolina School Boards Association's open community use policy serves as a model that is intended to be tailored to meet the needs of each school district, school, and community. There are two important questions to answer when tailoring an open community use policy.

1

What outdoor recreational facilities will be included?

School districts can choose to provide access to all facilities or specific facilities with community access varying from school to school. It is important for the school district and schools to be comfortable with the level of access provided to the community.

Example: All elementary playgrounds and baseball diamonds are open for community use.

Example: Playgrounds at ABC Elementary and tracks at XYZ High School are open for community use.

2

When will the outdoor recreational facilities be open to the community?

Determining the open community use hours will require careful examination of when and how the district currently uses the identified facilities. Open community use hours can easily be scheduled when schools are not in session, such as before or after school, weekends, and holidays. Open community use hours can vary for different facilities.

Example: All elementary playgrounds and baseball diamonds are open from 3:30 p.m. to 7:30 p.m.

Example: Playgrounds at ABC Elementary are open from 3:30 p.m. to 7:30 p.m. and weekends and outdoor tracks at XYZ High School are open weekends and holidays from 6 a.m. – 7:30 p.m.



Step 4: Adopt an Open Community Use Policy

Once the school district's proposed open community use policy has been drafted, it is ready to be presented to the local school board for adoption. School and community partners can achieve this by:

- Attending school board meetings to become familiar with meeting procedures
- Scheduling an open community use policy discussion on the school board's calendar
- School districts have been successful with getting the policy adopted when using data to justify the need (i.e., SC FitnessGram). See success story on page 10.
- Asking a key partner to present the tailored open community use policy
- Following the school board's protocol for policy adoption
- Following up with individual board members, as necessary, to address any questions or concerns

Additional Items to Consider When Tailoring & Adopting Open Community Use

- Maintenance and custodial services
- Access to open facilities
- Additional cost of signage
- Promotion of open facilities
- Permitted and prohibited use of open facilities
- Parking and restrooms for public if using facility



Step 5: Promote Open Community Use

Develop a communication and marketing plan to promote open community use. The plan can include the following:

- ❑ Develop outdoor signage clearly stating which facilities are open for community use.
- ❑ Post signs at the entrance of open facilities stating open community use hours, rules of use, and a contact number for misuse.
- ❑ Host a community kick-off event and invite community members, local media, and partners.
- ❑ Distribute press releases to local media (newspapers, television, and radio stations).
- ❑ Include information on open community use in student orientation or existing school events.
- ❑ Contribute an article on the new policy to local employer/employee newsletters.
- ❑ Communicate to parents through flyers, newsletters, social media, and partner websites.
- ❑ Encourage partners to post social media messages about the new policy, including pictures of community members using the recreational facilities.





SPOTLIGHT: KERSHAW SCHOOL DISTRICT

Breaking Physical Activity Barriers in Kershaw County School District.

Thanks to Kershaw County School District's (KCSD) dedication to support healthy learners and a healthy community, the elementary playgrounds and walking areas are open for public use after school hours. The local school board passed the Open Community Use of School Recreational Areas policy in August 2022. With this policy in place, staff, students, their families, and the community have access to free, safe, and conveniently located places to be physically active.

"This is a win for schools, children and the community. It provides access for children and community members to play and be active," stated KCSD Superintendent Harrison Goodwin.

"We know healthy children are better learners. This is a great example of partners working together for a healthier community."

Harrison Goodwin

KCSD

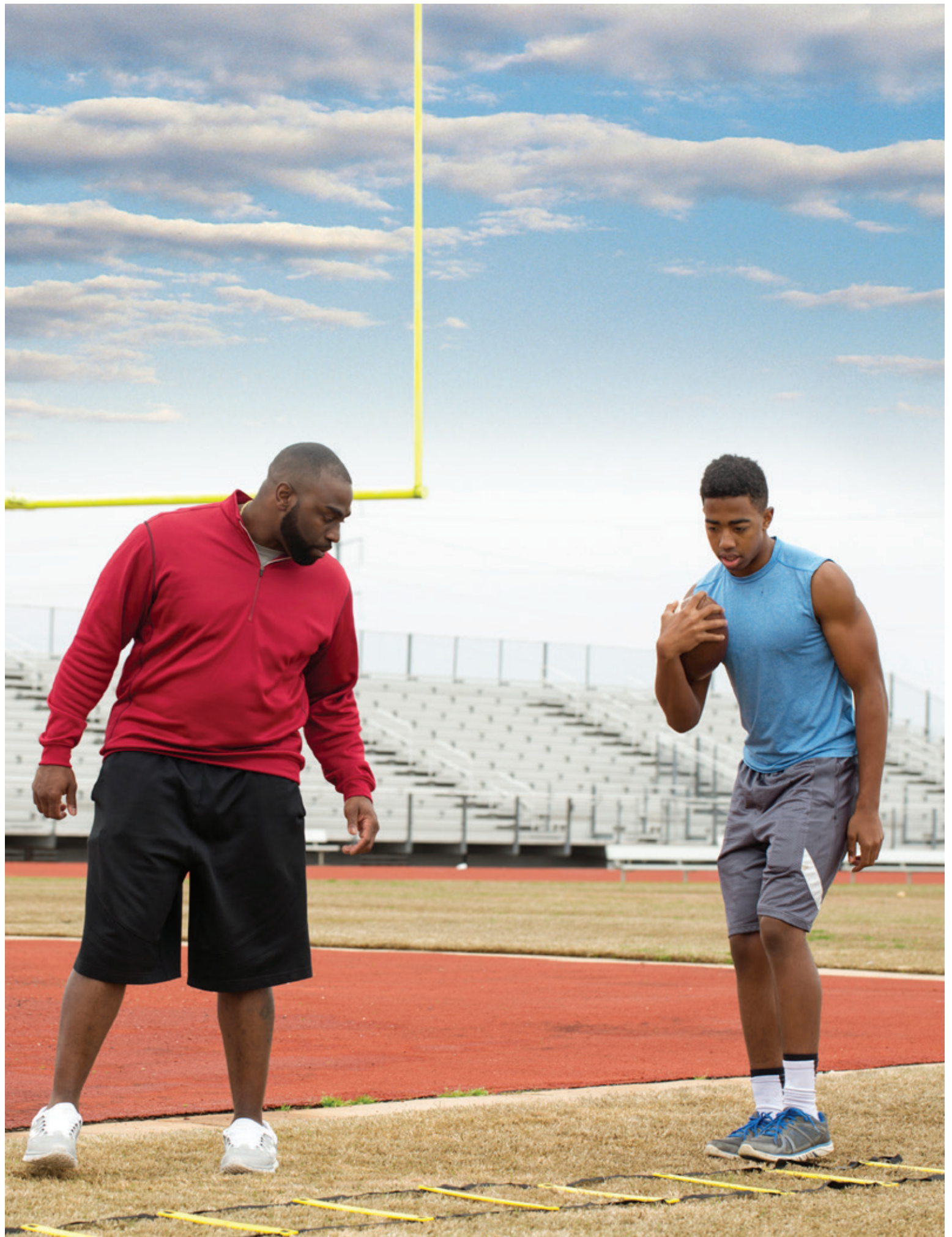
Superintendent

Local Open Community Use expert, Robin Cooper with DHEC Midlands Community Engagement Team, was a critical partner who provided training and technical assistance to the community and school district wellness champions so that they were prepared to present the policy to their local school board. Community partners included LiveWell Kershaw, KC Trails, and Wholespire Kershaw County. In addition, Robin worked directly with the KCSD's Coordinator of Nursing Services, Elizabeth Starling, who led the effort in the district.

"I was grateful for the opportunity to partner with Kershaw County Schools," Robin shared. "Physical activity is important for better health outcomes but many don't have access to places to be physically active. This policy offers Kershaw County residents the opportunity to engage in physical activity for better health outcomes."

"We are so fortunate to have wonderful partners who care for the health and well-being of our children and families in Kershaw County," Elizabeth shared. "We know that healthy and physically active children learn better. This is a great way to encourage and support physical activity and will make an impact in our community for generations to come."

In addition to supporting Open Community Use, KCSD is also a SC FitnessGram Influencer School District. They are working with DHEC's SC FitnessGram to explore how using students' fitness data and proven practices that support physical activity can improve health outcomes. Their successes are being shared statewide to support students from head to heart.days.





Appendix

APPENDIX A: SOUTH CAROLINA SCHOOL BOARDS ASSOCIATION 2024 UPDATED MODEL POLICY

OPEN COMMUNITY USE OF SCHOOL RECREATIONAL AREAS

Code **KFA** Issued **MODEL/24**

(Drafter's Note: Insurance coverage is an important consideration for determining open community use of school recreational areas. Accordingly, districts should consult with your insurance carrier regarding what, if any, documentation is required for policy compliance and coverage.)

The board believes one strategy to address issues of physical inactivity and obesity in the state is allowing the community the use of outside recreation spaces. In communities where parks and land space are limited, outside recreation areas on school property can offer opportunities for physical activity and recreation for children and families. Schools can offer a variety of safe, clean facilities including running tracks, playgrounds, and outdoor courts and fields.

As a service to the community, the board will open up outdoor areas to the community as follows:

- The community will be entitled to access the recreational areas during daylight hours *(Option: when students are not present in the area and)* when the school or school-related organizations are not using such areas.
- The board is not responsible for creating new recreation spaces for community use. Instead, the public is allowed to use current public school areas designed for recreational purposes.

The board defines open recreational areas to mean the designated tracks, playgrounds, courts, and fields. *(Option: "Fields" refers to practice fields only.)*

(Option: The following specific areas are identified as recreational areas open to the community (list areas here).)

Use of recreational areas by schools and by school-related organizations takes precedence over all other uses.

All use of school property will be in accordance with federal, state, and local laws. All applicable district rules, regulations, and policies will be enforced while community members are utilizing the recreational areas.

The district is not liable for any personal injury resulting from the use of the open recreational areas. Furthermore, as the district is not responsible for the security or supervision of any public property permitted to be used as open areas for recreational purposes, the district is not liable for any property damage or loss incurred while using the recreational areas.

(Option: Prior to using any district recreational area(s), the user must agree in writing to indemnify and hold the district harmless for any and all accidents, injuries, or causes of action arising in any way from the user's use of the recreational area(s).)

Cf. KF

Adopted ^

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 1. Section 15-78-10, *et seq.* - South Carolina Tort Claims Act.
 2. Section 27-3-10, *et seq.* - South Carolina Recreational Use Act.
 3. Section 59-19-90 - General powers and duties of school trustees.

SCSBA

This portion of the model policy can be tailored to a meet a school district's specific needs.

See Step 3 on page 8 for information on how to tailor.

This portion of the model policy protects school districts from liability.

School district should not change this portion of the policy.

This portion references legal support for the policy.

See page 5 for more information on legal protection.

APPENDIX B: TOOLS AND TEMPLATES

SAMPLE LETTER TO PARENTS

Dear Parents,

Building on our culture of health and commitment to the community, Happy School District now opens outdoor school recreational facilities for community use before and after school hours, on holidays, and weekends when the facilities are not in use with school-related activities.

We know physically active children are healthier and better learners. By opening up our schools' playgrounds, courts, tracks, and fields outside of school hours, we are helping to create safe places for families and our community members to be physically active.

Recreational use of school property during non-school hours is promoted by expert public health groups such as the American Academy of Pediatrics, the Institute of Medicine, the American Heart Association, South Carolina School Boards Association, the South Carolina Department of Health and Environmental Control, and Wholespire, as an evidence-based practice for obesity prevention. Happy School District is proud to support efforts to create a healthier community.

The schools and facilities included in the agreement include:

ABC Elementary School
123 Elm Street, Happy Town, SC 12345
Playground, outdoor basketball court, and soccer fields

ABC Middle School
125 Elm Street, Happy Town, SC 12345
Outdoor basketball courts, walking track, football field, and tennis court

ABC High School
128 Elm Street, Happy Town, SC 12345
Baseball field, soccer field, walking track, and tennis court

Please bring your family to any Happy School District school for fun and fitness!

Sincerely,
Superintendent Smith

SAMPLE PRESS RELEASE

FOR IMMEDIATE RELEASE

Contact: Jane Doe, Communications Manager
Happy School District
803-555-5555
jdoe@happyschooldistrict.edu

New Policy Opens Happy School District Outdoor Recreational Facilities to the Community

Happy, SC (August 20, 2024) – Building on its culture of health and commitment to the community, Happy School District now opens outdoor school recreational facilities for community use before and after school hours, on holidays, and weekends when the facilities are not in use with school-related activities.

The School Board passed the Open Community Use policy on August 1. Many community partners support open community use including the School Improvement Council, County Parks and Recreation, Happy Neighborhood Group, Wholespire, and the South Carolina Department of Health and Environmental Control. Creating a written policy helps ensure that the school grounds will remain open even if there are changes in district leadership.

“Giving families access to outdoor facilities promotes long-lasting relationships and trust between schools and the community. Open Community Use is an example of building partnerships that create and support healthier communities. Everyone wins”, says Wholespire executive director, Meg Stanley. “There’s nowhere better to meet than outside, where kids can play and everyone can get moving in a secure environment.”

Recreational use of school property during non-school hours is promoted by expert public health groups such as the American Academy of Pediatrics, the Institute of Medicine, the American Heart Association, South Carolina School Board Association, South Carolina Department of Health and Environmental Control, and Wholespire, as an evidence-based practice for obesity prevention.

The schools and facilities included in the agreement include:

ABC Elementary School
123 Elm Street, Happy Town, SC 12345
Playground, outdoor basketball court, and soccer fields

ABC Middle School
125 Elm Street, Happy Town, SC 12345
Outdoor basketball courts, walking track, football field, and tennis court

###

APPENDIX C: FOUR CONDITIONS OF LIABILITY

Liability, the legal responsibility for an injury or damage to property, is the most often cited concern regarding open community use policies. **The fear of liability is often a perceived barrier as schools are no more at risk than during the school day.** The measures schools take to protect themselves during the school day, such as putting inspection and maintenance protocols in place and following health and safety regulations, help protect them after hours, too^{2, 13, 14}.

Generally, liability exists when all four conditions are met^{13, 14}:

1**Duty of Care****One person or entity was legally obligated to protect another person from harm.**

For example, a school has a duty of care to maintain its facilities to prevent injuries to those on the property during the hours it is open.

2**Breach****The person or entity fails to meet the duty of care.**

For example, if school personnel left sharp power tools on the playground, the school would not have taken reasonable precautions and would have breached its duty.

3**Causation****The failure to meet the duty of care caused harm.**

For example, a parent tripped on the power tool and was injured.

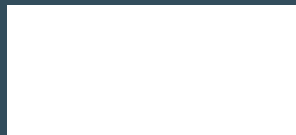
4**Damages****There are expenses associated with harm.**

For example, if the parent who tripped on the power tool had to miss work and visit a doctor, the damages owed by the school might include medical bills and salary for the time missed from work.



REFERENCES

1. Promoting Physical Activity through the Shared Use of School and Community Recreational Resources: A Research Brief. Active Living Research, a National Program of the Robert Wood Johnson Foundation, April 2012. www.activelivingresearch.org
2. Liability Risks for After-Hours Use of Public School Property to Reduce Obesity: South Carolina. National Policy & Legal Analysis Network to Prevent Childhood Obesity, a National Program of ChangeLab Solutions, March 2009. <http://changelabsolutions.org>
3. Centers for Disease Control and Prevention (CDC). Behavioral Risk Factor Surveillance System Survey Data. Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention.
4. Runacres A, et al., Impact of the COVID-19 Pandemic on Sedentary Time and Behaviour in Children and Adults: A Systematic Review and Meta-Analysis. Pub Med Central. 2021; PMC8583678
5. Centers for Disease Control and Prevention (CDC). Youth Risk Behavior Surveillance System Survey Data. Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention.
6. Gordon-Larsen P, McMurray RG, Popkin BM. Determinants of adolescent physical activity and inactivity patterns. *Pediatrics*. 2000; 105: E83.
7. Powell LM, Slater SJ, Chaloupka FJ, Harper D. Availability of physical activity-related facilities and neighborhood demographic and socioeconomic characteristics: a national study. *American Journal of Public Health*. 2006; 96: 1676–1680.
8. Centers for Disease Control and Prevention (CDC). Benefits of Physical Activity. Retrieved October 25, 2023 from: <https://www.cdc.gov/physicalactivity/basics/pa-health/index.htm>
9. University of South Carolina (2023). Fitness in South Carolina Youth During the COVID Pandemic. Retrieved October 25, 2023 from: <https://scdhec.gov/fitnessgram>
10. Trust for America’s Health. The State of Obesity: Better Policies for a Healthier America 2023. Retrieved October 25, 2023 from: https://www.tfah.org/wpcontent/uploads/2022/09/2022ObesityReport_FINAL3923.pdf
11. Gordon-Larsen P, Nelson MC, Page P, Popkin BM. Inequality in the built environment underlies key health disparities in physical activity and obesity. *Pediatrics*. 2006; 117(2):417-424.
12. Davison KK, Lawson CT. Do attributes in the physical environment influence children’s physical activity? A review of literature. *International Journal of Behavioral Nutrition Physical Activity*. 2006; 3 (1):19-36.doi10.1186/1479-Received.
13. Cohen DA, McKenzie TL, Sehgal A, Williamson S, Golinelli D, Lurie N. Contribution of public parks to physical activity. *American Journal of Public Health*. 2007; 97(3):509-514.
14. Farley T, Meriwether R, Baker E, Watkins L, Johnson C, Webber L. Safe play spaces to promote physical activity in inner-city children: Results from a pilot study of an environmental intervention. *Am J Pub Health*. 2007; 97: 1625–1631.
15. Spengler JO, Carroll MC, Connaughton DP, Evenson KR. Policies to Promote the Community Use of Schools: A Review of State Recreational User Statutes. *American Journal of Medicine*. 2010; 39: 81–88.
16. Opening School Property After Hours: A Primer on Liability. ChangeLab Solutions, 2010. <http://changelabsolutions.org>



www.scdhec.gov