SHARED-USE AGREEMENTS

Check out these facts and get motivated to start making a difference in your community’s health and well being.

KENTUCKY REVISED STATUTE 160.293

Authorizes local boards of education to enter into an agreement with a public agency for the purpose of developing and maintaining school property recreational facilities for school and community purposes.

1. Opening outdoor school facilities for use during non-school hours
2. Opening indoor and outdoor facilities for use during non-school hours
3. Opening school facilities for use during non-school hours and authorizing third parties to operate the program
4. Shared use of school district and local government recreation facilities

Shared-use is one way for Kentucky communities to increase access to recreational facilities.

Shared-use allows spaces such as gymnasiums, tracks, cafeterias, athletic fields and other school facilities to be used for recreation by community members of all ages. Shared-use can be formal agreements between two entities, typically a school and another agency such as a city government or a YMCA, to share school facilities during non-school hours. Agreements can also be informal, in that a school allows community members to use facilities for exercise without a formal contract with another agency.
Schools don’t have to start from scratch when developing a shared-use agreement. Many schools across Kentucky have already engaged in formal agreements with organizations in their community. Checkout some success stories in the "Sharing School Facilities" report at kyyouth.org.

**BENEFITS OF SHARING FACILITIES**

- Shares costs
- Improves safety
- Cultivates partnerships with community organizations
- Improves academic performance
- Expands utilization of existing equipment and resources
- Increases physical activity opportunities for adults
- Increases physical activity opportunities for youth
- Develops opportunities for family time activities
- Encourages community relationships

**COST**
Costs can be shared between schools and community groups for the use of the facilities.

**LIABILITY**
2012 SB110 extends protections from liability for schools that share their facilities.

**PRECEDENT**
Many school districts around KY have entered into formal agreements with community groups.
CHECKLIST FOR DEVELOPING A SHARED-USE AGREEMENT

(Courtesy of Change Lab Solutions)

☐ Identify community and school needs.

☐ Identify potential properties and school organizations.

☐ Build relationships with the appropriate decision-makers.

☐ Make sure the concept is approved by the school board and local government.

☐ Select negotiators who will be responsible for developing the agreement.

☐ Agree upon the scope of the agreement.

☐ Inspect proposed facilities.

☐ Identify and reach an agreement on operational and management issues involving use.

☐ Work with risk management and legal counsel throughout the process of negotiating and drafting the agreement.

☐ Identify and resolve employment issues.

☐ Develop a communications protocol.

☐ Identify and reach agreement on issues involving “third-party” use.

☐ Agree upon improvements and improvement protocol.

☐ Agree upon how to determine and allocate costs.

☐ Determine the term of the agreement, methods of evaluation, and the renewal process.

☐ Identify training needs, and develop a training plan.

☐ Develop “exhibits” to the agreement, including conditions of properties, hours of use, operating rules, insurance documentation, and forms for users to complete.

☐ Receive formal approval.

Check out model shared-use agreement resources at http://changelabsolutions.org/.

For more information, please contact Kentucky Youth Advocates at mkalra@kyouth.org.

Resources: