

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 AGREEMENTS
TYPES OF

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.

PRECEDENT

Many school districts around KY have entered into formal agreements with community groups

KRS 160.293

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

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



CHECKLIST FOR DEVELOPING A SHARED-USE AGREEMENT

(Courtesy of Change Lab Solutions)

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| <ul style="list-style-type: none"><input type="checkbox"/> Identify community and school needs.<input type="checkbox"/> Identify potential properties and school organizations.<input type="checkbox"/> Build relationships with the appropriate decision-makers.<input type="checkbox"/> Make sure the concept is approved by the school board and local government.<input type="checkbox"/> Select negotiators who will be responsible for developing the agreement.<input type="checkbox"/> Agree upon the scope of the agreement.<input type="checkbox"/> Inspect proposed facilities.<input type="checkbox"/> Identify and reach an agreement on operational and management issues involving use.<input type="checkbox"/> Work with risk management and legal counsel throughout the process of negotiating and drafting the agreement. | <ul style="list-style-type: none"><input type="checkbox"/> Identify and resolve employment issues.<input type="checkbox"/> Develop a communications protocol.<input type="checkbox"/> Identify and reach agreement on issues involving "third-party" use.<input type="checkbox"/> Agree upon improvements and improvement protocol.<input type="checkbox"/> Agree upon how to determine and allocate costs.<input type="checkbox"/> Determine the term of the agreement, methods of evaluation, and the renewal process.<input type="checkbox"/> Identify training needs, and develop a training plan.<input type="checkbox"/> Develop "exhibits" to the agreement, including conditions of properties, hours of use, operating rules, insurance documentation, and forms for users to complete.<input type="checkbox"/> Receive formal approval. |
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Check out model shared-use agreement resources at <http://changelabsolutions.org/>.

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

Resources:

- 1 Kentucky Cancer Consortium and Kentucky Youth Advocates. (2012). "Sharing School Facilities: How Collaboration can Increase Physical Activity in Communities." Available at http://www.saferoutespartnership.org/sites/default/files/pdf/Lib_of_Res/JU_ST_KY_shared_use_survey.pdf
- 2 Change Lab Solutions. (2012). "Opening School Grounds to the Community After Hours: A toolkit for increasing physical activity through joint use agreements." Available at [http://changelabsolutions.org/sites/default/files/CA_Joint_Use_Toolkit_FINAL_\(CLS_20120530\)_2010.01.28.pdf](http://changelabsolutions.org/sites/default/files/CA_Joint_Use_Toolkit_FINAL_(CLS_20120530)_2010.01.28.pdf)