



# Promoting Physical Activity Through Joint Use Agreements

A GUIDE FOR NORTH CAROLINA SCHOOLS AND COMMUNITIES TO DEVELOP AND USE JOINT USE AGREEMENTS





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## WHAT IS A JOINT USE AGREEMENT?

Physical activity is an important part of good health for everyone, regardless of age or ability. Adults who are regularly active can better manage stress, maintain a healthy weight and decrease their risk of developing chronic diseases such as heart disease and type 2 diabetes.<sup>2</sup> Across North Carolina, communities are identifying ways to encourage people to be more active. Joint use agreements remove barriers to physical activity by providing places to be active.

In fact, allowing access to school physical activity spaces and facilities is a recommended strategy in the Healthy People 2020 goals for the nation's health.<sup>3</sup> Schools may have facilities for physical activity and can work with partners to create joint use agreements. In addition, city or county parks and recreation departments – as well as some community organizations – have playing fields, gymnasiums, or pools they can make available to schools. Joint use agreements allow organizations to open their facilities to outside organizations and the greater community. By working together to share facilities, schools and communities can achieve multiple benefits.

From the perspective of school staff, joint use agreements provide a venue for students to get more physical activity. Physical activity contributes to students' health, which is a key factor in their success in school.<sup>4,5</sup> Active children and adolescents can improve their health and their success in school. Healthy children miss less school and are more prepared for the school day. Schools may expand programs and opportunities for students and staff through access to community pools and unique recreation facilities not usually provided on the school campus. Also, agreements may outline ways in which resources can be shared, which often means cost savings on the maintenance and security of existing facilities.

Joint use agreements that increase access to physical activity venues are also an opportunity to align resources and work together to meet the needs of the entire community. Individuals and families may have increased access to playgrounds, basketball courts and walking trails. Community organizations can gain access to fields and gymnasiums to practice and compete, and schools may share some of the costs associated with increased use by charging rental fees. Furthermore, participating in physical activity in safe and clean public spaces helps everyone to feel more connected to their community.

This guide provides information for North Carolina school systems, school administrators, members of local government, parks and recreation staff, community based organizations, and community members on how to share physical activity resources through joint use agreements in North Carolina.

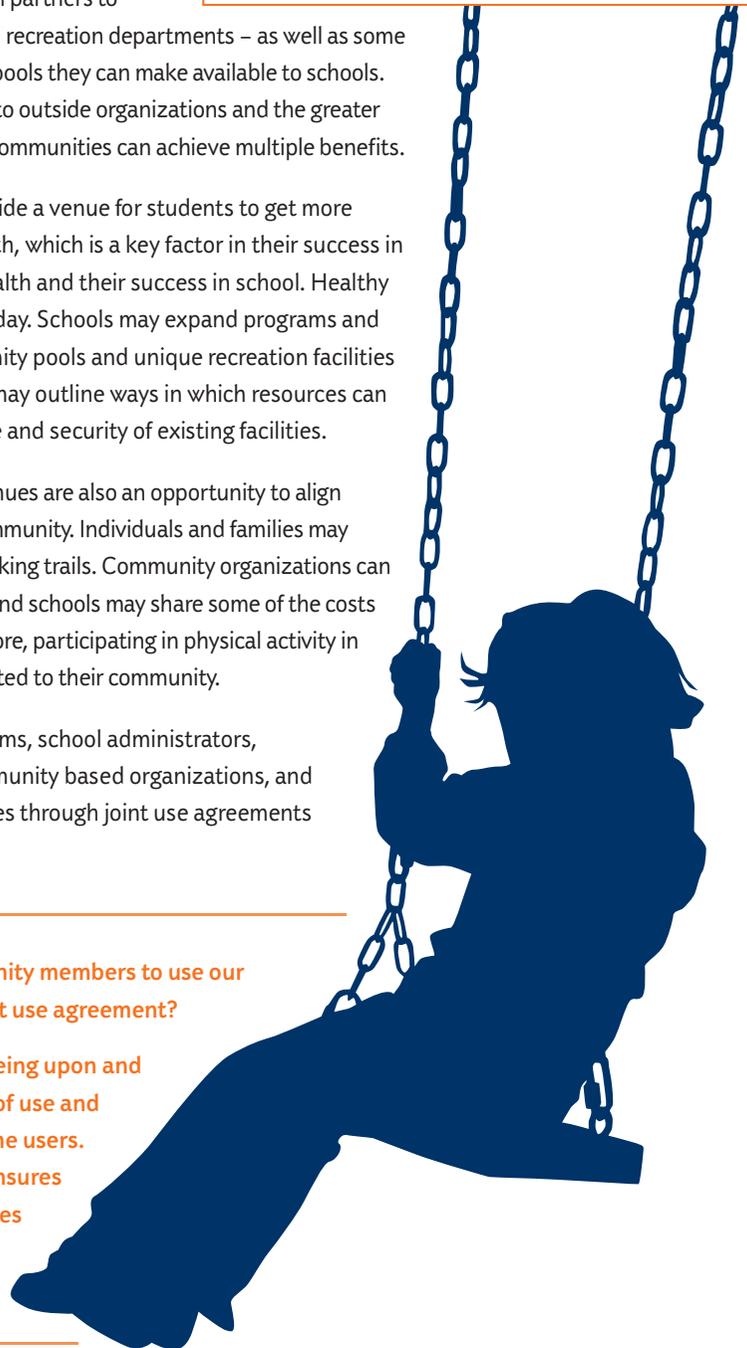
Joint use agreements are formal agreements between two or more entities – often a school and one or more public or private organization – outlining terms and conditions for shared use of public property or facilities.<sup>1</sup> These are written documents agreed upon by all parties and can apply to various types of facilities.

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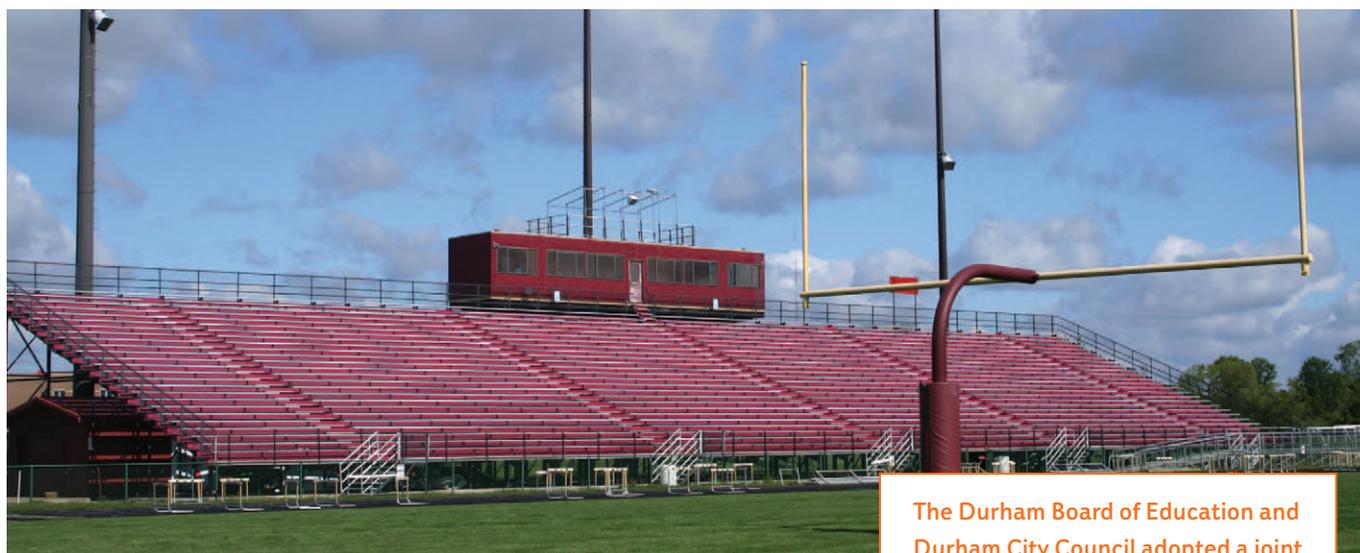
**Q:** My school has an unwritten agreement to allow community members to use our school spaces when school is not in session. Is this a joint use agreement?

**A:** Opening your school doors is a first step. However, agreeing upon and writing down details of the agreement, including hours of use and partner responsibilities, helps protect the schools and the users. Creating a mutually agreed upon joint-use agreement ensures participants are familiar with their role, clearly establishes the rules for using facilities, and creates a process that prevents or addresses issues as they arise.

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Although this guide focuses on physical activity, joint use agreements can also be implemented for other purposes. Classrooms can be opened up for community organizations or adult learning groups and kitchens can be shared with faith-based organizations. Collaboration and synergy among partners can lead to other opportunities, such as leveraging funds for other community needs such as a library. For example, Pitt Community College has long partnered with Pitt County School System to provide joint use of facilities. Pamela Hilbert, Ed.D., Vice President of Academic Affairs at Pitt Community College, explains, "Pitt Community College offers welding classes at one of the high schools, and may soon be doing this at a second school, which gives the high school students a head start on a diploma or Associate in Applied Sciences Degree in Welding Technologies."



## TYPES OF JOINT USE AGREEMENTS

There are four types of joint use agreements: opening outdoor facilities, opening outdoor and indoor, opening facilities for third-parties, and joint use of school district and city/county facilities.<sup>1</sup> Representatives from all the relevant stakeholders, such as schools and community agencies and members, should work together to determine which type of agreement will best meet the needs of all involved. Keep in mind that more than one type of agreement might be appropriate.

- 1. Opening outdoor facilities for use during non-school hours** – Schools identify outdoor facilities such as tracks, fields and playgrounds that will be open for use by community members.
- 2. Opening indoor and outdoor facilities for use during non-school hours** – Schools open both outdoor and indoor facilities for use by community members. This includes tracks, fields, playgrounds, gymnasiums and pools.
- 3. Opening school facilities for use during non-school hours and authorizing third parties to operate programs** – Schools allow groups like youth sports leagues to rent facilities for a small fee. This requires scheduling but schools can earn money to assist with maintenance.
- 4. Joint use of school district and city/county recreational facilities** – Schools and communities are encouraged to share the cost of building new facilities or co-locating a shared need, such as a pool.

The Durham Board of Education and Durham City Council adopted a joint use agreement that allows specified facilities to be shared without a rental charge. Durham's Parks and Recreation Department uses school playing fields and gymnasiums for recreation programs and schools use the Durham Parks and Recreation Department facilities for sports and recreation. This has been especially beneficial for four of Durham's high school swimming teams who, for no cost, have scheduling priority at Durham Parks and Recreation's two indoor pools. According to Amy Pehowic, manager at the Edison Johnson Aquatic Center, the joint use agreement is an example of the City of Durham Parks and Recreation commitment to youth swimming.



## POINTS TO CONSIDER

Developing a joint use agreement requires consideration of several different points. Engage all stakeholders in the process to ensure the needs of everyone are addressed.

**Definition of terms** – Define all items important to the agreement. This includes naming partner agencies, the facility open for use and the hours of operation.

**Guidelines for Operation** – Create guidelines that say who can use the facility, when they can use it, how much it costs and when payment is due. Also, decide who will schedule the facilities and who will lock the facilities if open past normal hours. All collaborating partners should develop and agree upon these guidelines. Guidelines should be documented in a written contract mutually agreed upon and signed by all parties.

**Partner Roles and Responsibilities** – Clearly define roles and responsibilities for all partners. Decide who is responsible for general clean-up or maintenance, long term maintenance updates, cost for operation and any additional responsibilities related to the agreement.

**Liability** – North Carolina schools are well protected by sovereign immunity, a type of immunity that protects the school from civil suit. Partners should agree on liability and establish procedures to resolving conflict. This will provide more protection for everyone involved in the agreement.

## BENEFITS OF JOINT USE AGREEMENTS

Joint use agreements can:

- Facilitate cost-sharing for maintenance of school grounds and buildings.
- Provide increased resources for physical education and physical activity throughout the day for school children.
- Improve access to places to be physically active for families and individual community members.
- Promote partnerships across community agencies that may influence other opportunities to work together.
- Create a sense of community ownership and engagement.

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**Q: When should my school consider a joint use agreement?**

**A: Joint use agreements can be put into place at any time, in any type of community. Using existing structures and resources can be a cost- and time-saving strategy. In addition, it is important to consider an agreement when new schools are being planned or updated. Including joint use in the planning of these projects can save time and money. In fact, partnerships between some schools and parks and recreation departments have led to new or improved facilities the school could not have otherwise afforded.**





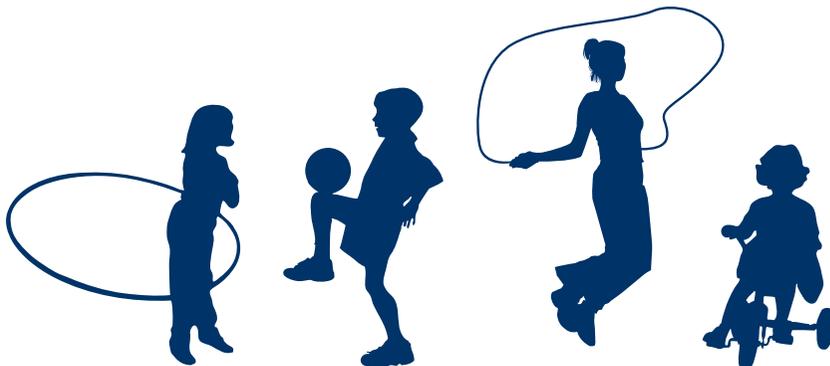
## POLICIES THAT SUPPORT JOINT USE IN NORTH CAROLINA

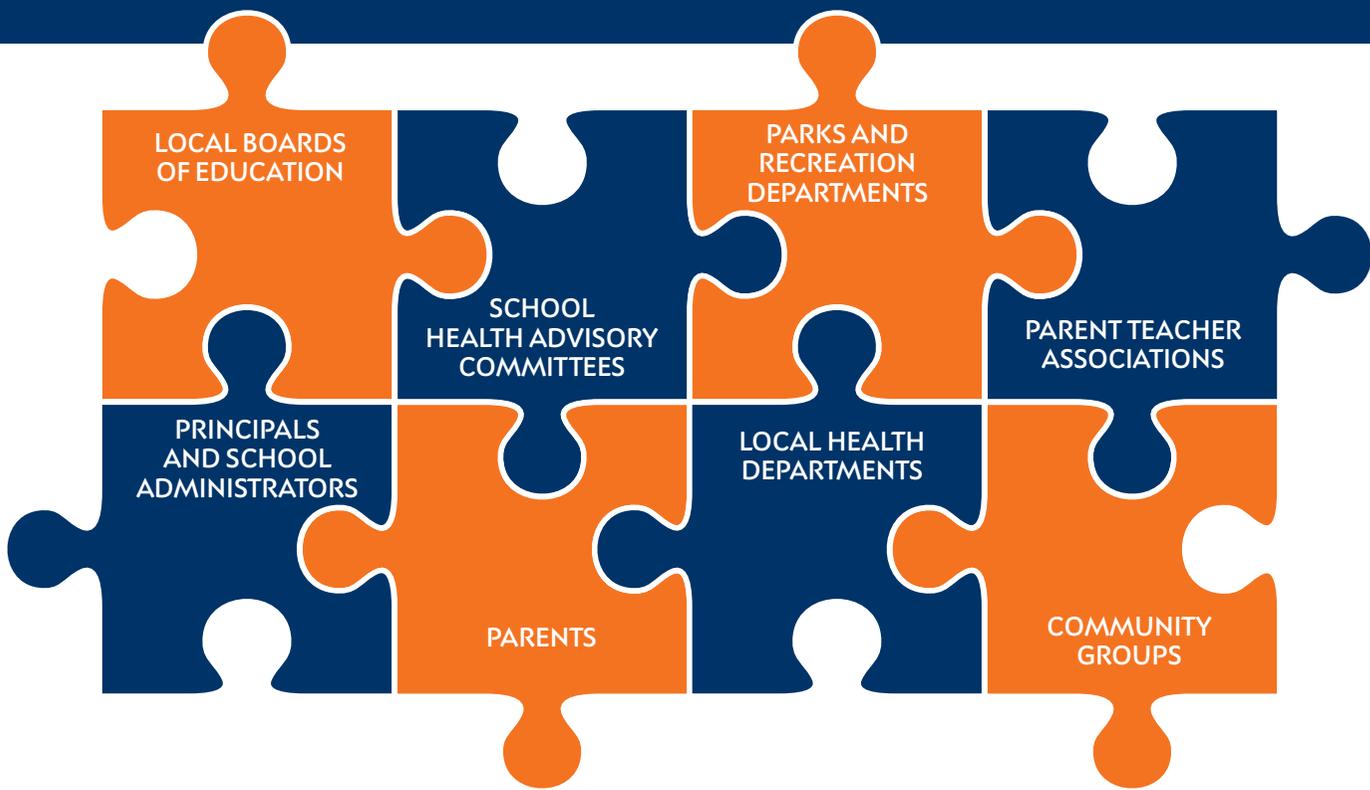
The North Carolina General Assembly has created legislation to encourage and protect schools that develop joint use agreements. In 2009, the General Assembly passed Session Law 334, which amended General Statute 115C-12 by adding a new sub-division encouraging local boards of education to enter into joint use agreements for physical activity. The statute reads, "The State Board of Education shall encourage local boards of education to enter into agreements with local governments and other entities regarding the joint use of their facilities for physical activity. The agreements should delineate opportunities, guidelines, and the roles and responsibilities of the parties, including responsibilities for maintenance and liability."

Furthermore, North Carolina General Statute 115C-524 states that "local boards of education may adopt rules and regulations under which they may enter into agreements permitting non school groups to use school and personal property, except for school buses, for other than school purposes so long as such use is consistent with the proper preservation and care of the public school property. No liability shall attach to any board of education, individually or collectively, for personal injury suffered by reason of the use of such school property pursuant to such agreements."

**"Empowering healthy, responsible students is one goal of the NC State Board of Education and the NC Department of Public Instruction which is supported by creating healthy environments, programs and practices. Joint use agreements can provide greater access to facilities and encourage physical activity opportunities outside of the school day for staff members, students and their families by strongly connecting the community to the school!"**

– Paula Hudson Hildebrand, Chief Health and Community Relations Officer, North Carolina Department of Public Instruction





## WORKING TOGETHER

Joint use agreements are usually between a school board and a city or county agency (e.g., parks and recreation department). There are, however, opportunities and roles for others to be involved in the process.

### Local Board of Educations

- Approve the concept of the venture.
- Help partners decide roles and responsibilities.

### School Health Advisory Committees

- Assess the needs of the community.
- Identify resources to support joint use agreements.
- Approach the school board about implementing a joint use agreement.

### Parks and Recreation Departments

- Work with schools interested in co-location.
- Share facilities with school teams.

### Parent Teacher Associations

- Provide assistance with programming and promotion of joint use agreements.
- Write letters of support to the local board of education.

### Principals and School Administrators

- Create community partnerships.
- Allow access to school facilities.
- Engage the leadership of the local board of education to encourage more schools to open facilities.

### Parents

- Encourage the school board to implement a joint use agreement.
- Bring families to the facilities to play and be active.

### Local Health Departments

- Promote open facilities to community members.
- Evaluate the effectiveness of the joint use agreement.
- Assist in developing partnerships.
- Work collaboratively to secure grants to enhance the agreements with additional programs or resources.

### Community Groups

- Non-profit organizations that incorporate or provide physical activity opportunities can provide programs in the space. Examples including faith-based organizations using tracks for walking groups and after-school programs using gymnasiums or outdoor spaces for recreation programs.





## STATE LEGISLATION

- General Statute 115C-12 (35) – [www.ncga.state.nc.us](http://www.ncga.state.nc.us)
- General Statute 115C - 524 – [www.ncga.state.nc.us](http://www.ncga.state.nc.us)

## EXAMPLES OF NORTH CAROLINA JOINT USE AGREEMENTS

Schools and communities across North Carolina are working together to create joint use agreements. Listed below are joint use agreements that are currently in place. Visit the websites to learn more about the agreements.

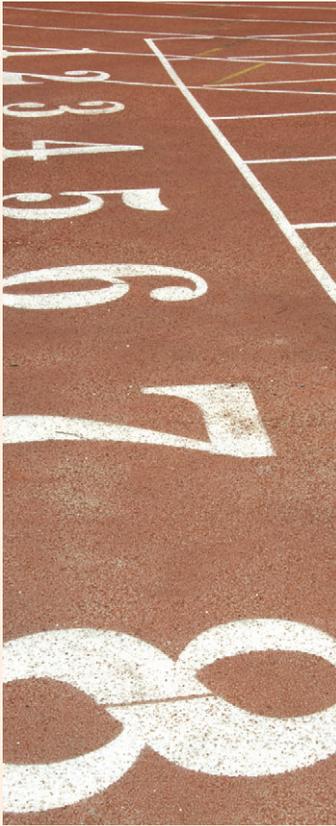
- Bertie County – [www.bertie.k12.nc.us](http://www.bertie.k12.nc.us)
- Charlotte-Mecklenburg Schools: Community Use of Schools – [www.cms.k12.nc.us](http://www.cms.k12.nc.us)
- City of Durham – [www.ci.durham.nc.us](http://www.ci.durham.nc.us)
- Pitt County Community Schools and Recreation: Facilities and General Information – [www.pittcountync.gov](http://www.pittcountync.gov)
- Wake County Public Schools – [www.wcpss.net](http://www.wcpss.net)

## NATIONAL RESOURCES

- Checklist for Developing a Joint Use Agreement, ChangeLab Solutions – <http://changelabsolutions.org>
- Joint Use Agreements: Creating Opportunities for Physical Activity, Bridging the Gap: Research Informing Policies & Practices for Healthy Youth – [www.bridgingthegapresearch.org](http://www.bridgingthegapresearch.org)
- Playing Smart: Maximizing the Potential of School and Community Property Through Joint Use Agreements, National Policy and Legal Analysis Network to Prevent Childhood Obesity – [www.nplanonline.org](http://www.nplanonline.org)
- Research Synthesis, Summaries, & Briefs, Active Living Research: Building the Evidence to Prevent Childhood Obesity and Support Active Communities – [www.activelivingresearch.org](http://www.activelivingresearch.org)



# Success Stories



## MOUNTAIN HERITAGE HIGH SCHOOL – YANCEY COUNTY

The track at Mountain Heritage High School in Yancey County had long been a place for community members and students to move more. However, over the years the track had fallen into disrepair, becoming so cracked and weathered that track meets could no longer be held on the grounds.

The track at Mountain Heritage High School provided a much needed physical activity resource to students and community residents in a county with only two miles of sidewalks and handicap access at some indoor fitness facilities.

The “Getting on the Right Track” project at Mountain Heritage High School helped the school secure grant funding to resurface and upgrade the security of the track. It also prompted project leaders to refine the joint-use understanding between the school and community with defined hours, improved signage and promotion of the track as open for community use.

As a result of this project, several community events have been hosted at the track including the region’s Special Olympics. In addition, many community residents are using the track regularly; some have even started walking groups.

Project leaders see all of the project components as the basis for a more vibrant, healthier community. Colby Martin, project director, noted, “The project is just a piece in the many things that make our community better for residents and future residents. It sends a message that the school, and the seven partners that came together for this, care not only for the health of the student population but also for the community they serve.”



## CHARLOTTE-MECKLENBURG SCHOOLS

The Charlotte-Mecklenburg school system is successfully working with the county government to implement joint use agreements. Schools and recreation facilities are co-located to meet the needs of both organizations. When land is being purchased to build new recreation facilities, the availability/need for schools is assessed. If new recreation facilities are built where there is a need for new schools, land is donated to the school system to build the school near the new facility. If there is not a need for new schools, the recreation facilities are built near existing schools. And if needed, current schools are updated to include new recreation facilities that are shared between the school and the community.

Sterling Elementary and the Charlotte Area Transit System created an agreement to build a Park and Ride structure near the school. By working together, the elementary school was able to build a play space on top of the parking structure. This maximized limited space and met the needs of both organizations.

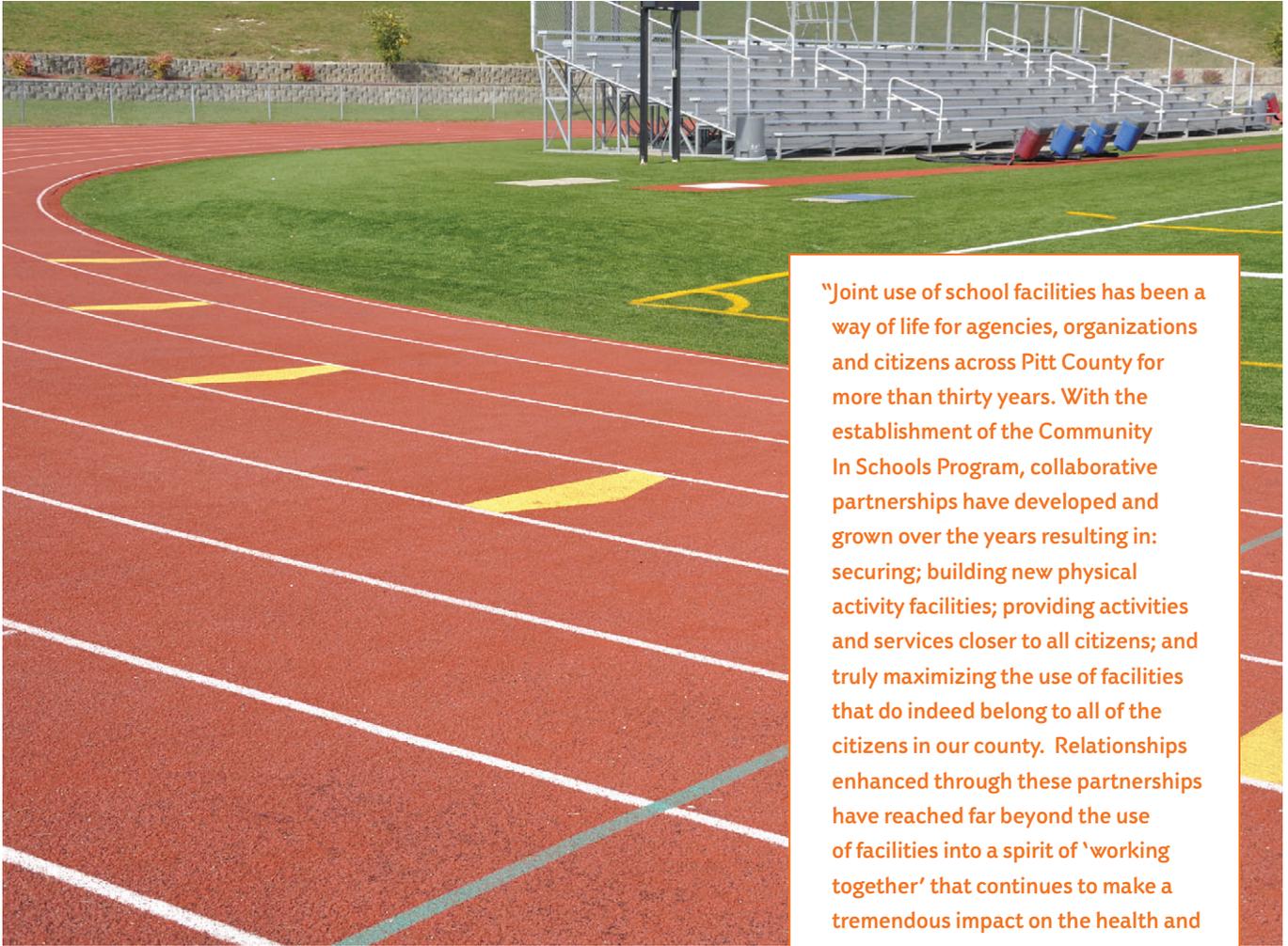
Dennis LaCaria, Director of Facilities Planning and Real Estate Planning for Charlotte Mecklenburg Schools said that county school and park partnerships are hard to beat. “There are many benefits to joint use agreements, most importantly, they make good financial sense. Joint use agreements create more places in the community for people to be active and schools and the municipality share the cost.”



## REFERENCES

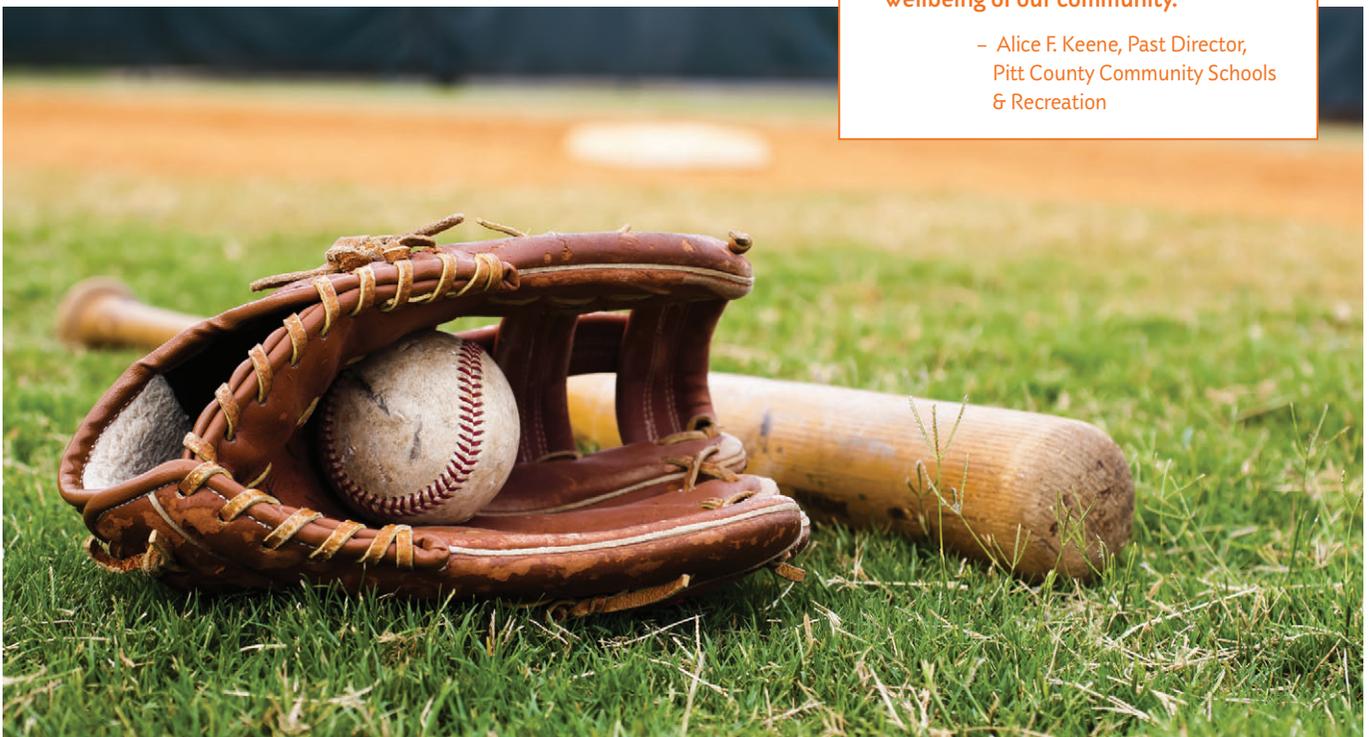
- <sup>1</sup> ChangeLab Solutions: Model Joint Use Agreement Resources, ChangeLab Solutions, 2012.
- <sup>2</sup> US Department of Health and Human Services. 2008 Physical Activity Guidelines for Americans. Washington, D.C. Available at [www.health.gov](http://www.health.gov). Accessed April 11, 2012.
- <sup>3</sup> U.S. Department of Health and Human Services. Office of Disease Prevention and Health Promotion. Healthy People 2020. Washington, DC. Available at <http://www.healthypeople.gov>. Accessed March 30, 2012.
- <sup>4</sup> Carlson SA, Fulton JE, Lee SM, Maynard M, Drown DR, Kohl III HW, Dietz WH. Physical education and academic achievement in elementary school: data from the Early Childhood Longitudinal Study. *American Journal of Public Health* 2008;98(4):721-727.
- <sup>5</sup> Centers for Disease Control and Prevention. The association between school based physical activity, including physical education, and academic performance. Atlanta, GA: U.S. Department of Health and Human Services; 2010.





“Joint use of school facilities has been a way of life for agencies, organizations and citizens across Pitt County for more than thirty years. With the establishment of the Community In Schools Program, collaborative partnerships have developed and grown over the years resulting in: securing; building new physical activity facilities; providing activities and services closer to all citizens; and truly maximizing the use of facilities that do indeed belong to all of the citizens in our county. Relationships enhanced through these partnerships have reached far beyond the use of facilities into a spirit of ‘working together’ that continues to make a tremendous impact on the health and wellbeing of our community.”

– Alice F. Keene, Past Director,  
Pitt County Community Schools  
& Recreation





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**NC HEALTHY  
SCHOOLS**

