

Tennessee Recreational Joint Facility Use Agreements



ABOUT THIS TOOLKIT

Objective: To pursue Joint Use Agreements that provide communities with access to school playgrounds, park land, school classrooms, gyms, ball fields and community centers.

Strategy: To promote the development of joint facility use agreements between schools and local government (parks and recreation agencies) to allow school facilities (gym, track, baseball fields, soccer fields, etc.) to be used for recreation by neighborhood organizations and/or residents.

This Tennessee Recreational Joint Facility Use ToolKit has been prepared by the Tennessee Recreation & Parks Association in response to the obesity epidemic consuming the State of Tennessee. The Toolkit is associated with Eat Well, Play More Tennessee and Tennessee's statewide nutrition and physical activity plan to reduce obesity and chronic disease in Tennessee by 2015. The toolkit serves as a research and information source for professionals on how to establish and enter into a joint facility use agreement so both parties are protected and informed. We want to educate school administrators and the public on the standards of facilities and the laws and policies that are correlated with this subject.



ACKNOWLEDGMENTS

This document was made possible by the Eat Well, Play More grant from the Tennessee Department of Health. We are also thankful to our panel of expert reviewers and to the many school administrators, city and county government employees, and Tennessee Coordinated School Health Program, and Christy Smith with Safe Routes to School National Partnership whom shared their experiences and resources for successful joint facility use agreements in Tennessee.

CONTENTS PAGE

TABLE OF CONTENTS

- **Joint Facility Use – Page 4**
 - Joint facility use agreements
 - Benefits of joint facility use agreements
 - Types of joint facility use

- **Laws & Policies – Page 7**
 - Tenn. Code Ann.
 - TN School board policies
 - ISLLC Standards about school administrators

- **Liability – Page 8**
 - Immunity Hazards
 - The Dirty Dozen: 12 Playground Hazards

- **Success Stories – Page 12**
 - Prospect Elementary
 - Jackson-Madison county school system

- **Checklist – Page 13**
 - Joint facility use agreement checklist

- **Resources – Page 17**
 - Online resources
 - Administration offices
 - References



JOINT FACILITY USE

Joint facility use agreement is a written or verbal agreement between two or more entities that may share assets, resources, and services.

JOINT FACILITY USE AGREEMENT

Joint facility use agreement is a written or verbal agreement between two or more entities that may share assets, resources, and services. A common example of a joint facility use agreement is between a City and School District that share facilities such as a school's gymnasium, playground, and track and a city's athletic fields, concession areas, and aquatic complex. The agreements will encourage schools and other organizations to open up their facilities to the public, allowing greater access of recreation space.

Joint facility use agreements can:

- Facilitate cost-sharing for maintenance of recreational facilities
- Provide increased resources for physical activities and education for children
- Increase access to nearby places to allow community members to be more physical active
- Promote partnerships across community agencies
- Create a sense of community ownership and engagement

The right to health is fundamental. Eat Well, Play More Tennessee focuses on ways to make the environment more supportive of healthy eating and physical activity in all sectors. With a clear focus on reducing health disparities in Tennessee's most vulnerable populations, Eat Well, Play More Tennessee includes actions and policy recommendations to be implemented in multiple settings. For more information please visit the Eat Well, Play More Tennessee website.



BENEFITS OF JOINT FACILITY USE AGREEMENTS

People often make decisions based on their environment or community. For example, a person may choose not to walk to the store or to work because of a lack of sidewalks. Community, home, childcare, school, health care, and workplace settings can all influence a person's health decisions. Therefore, it is important to create environments in these locations that make it easier to engage in physical activity and healthier eating.¹⁴ One of the top ten reasons for lack of physical active is cited as not having parks, sidewalks, bicycle trails, or safe and pleasant walking paths convenient to homes or offices.¹³

Excess weight and obesity – often the result of physical inactivity and unhealthy eating – have tremendous consequences on Tennessee's health and economy. Both are linked to a number of chronic diseases, including heart disease, stroke, diabetes, certain cancers, hypertension, osteoarthritis and asthma. In 2009, Tennessee adults had the third highest incidence of obesity in the United States (32.8%). Over two-thirds of adults (69%) in Tennessee were overweight or obese. The children of Tennessee were not immune to this devastating health challenge. Thirty-nine percent of our children ages 10 to 17 were overweight or obese, with the number approaching 52 percent in some counties.^{10, 11}

Multiple factors have produced today's record high rates of obesity. Like many Americans, Tennesseans are eating more calories and getting less physical activity than ever before. In the past two decades, the social, cultural and physical environments that affect food choices and physical activity opportunities have changed dramatically.

TYPES OF JOINT FACILITY USE AGREEMENTS

Most frequently, joint facility use agreements open up public school facilities for public use during non-school hours. The second party is often a municipality (for example, through the Recreation and Parks Department) or a community-based organization. A school may allow community members to use a track, playground or basketball court for free when school is not in session. Use of the school's gym off-hours could provide local organizations with new opportunities for physical activity programming, such as senior fitness classes. Organizations can also benefit from sharing the costs of equipment, supplies, water, electricity, and cleaning and custodial staff.

Another example of joint facility use would be an organization with a community kitchen opening its facilities to a group that wants to offer classes on healthy meal preparation, or canning and preserving.

Potential targets of a joint facility use agreement include, but are not limited to:

- Gymnasiums
- Playgrounds
- Community kitchens
- Fields
- Courts
- Tracks
- Walking trails
- Facilities owned by religious congregations
- Parks
- School facilities (for example, art or performance spaces)
- Community centers

Because there is no single best method to developing various types of joint facility use agreements, The National Policy & Legal Analysis Network to Prevent Childhood Obesity - NPLAN has provided a series of downloadable model joint use agreements.

Model 1: Opening Outdoor School Facilities for Use During Non-School Hours is the simplest of the model joint facility use agreements. It is an agreement in which the community can use designated school district outdoor recreation facilities.

Model 2: Opening Indoor and Outdoor School Facilities for Use During NonSchool Hours is a model agreement in which the community can use designated school district indoor and outdoor recreation facilities.

Model 3: Opening School Facilities for Use During Non-School Hours & Authorizing Third Parties to Operate Programs is a model agreement in which the community can use designated school district indoor and outdoor recreation facilities, and it also allows for third parties, such as youth organizations or youth sports leagues, to operate recreation programs using school facilities.

Model 4: Joint Facility Use of District and City Recreation Facilities is a model agreement in which the school district and local government agree to open all or designated recreational facilities to each other for community and school use. It also allows for third parties, such as youth organizations or youth sports leagues, to operate recreation programs using school facilities.

LAWS AND POLICIES THAT SUPPORT JOINT FACILITY USE IN TENNESSEE

Tenn Code Ann.

- **29-20-112.** Immunity of local board of education and school officials for activities outside of regularly scheduled school activities on premises of public schools.

- **49-2-405. Use of property.**

(a) The boards of education of the respective municipalities shall have the right to permit municipal school buildings and municipal school property to be used for public, community or recreational purposes. (b) No such board of education, whether incorporated or unincorporated, and no member of any such boards of education, or other municipal or county school official, shall be held liable in damages for any injury to person or property resulting from the use of school buildings or property authorized by subsection (a).

Tennessee School Board Policies

A majority of schools in Tennessee have policies in place that support community use of school facilities that state, “when not in use for school purposes, school buildings and grounds or portions thereof may be used for public, governmental, charitable, civic, recreational, cultural, and other purposes as approved by the Board.” A list of Tennessee School Board Policies can be accessed through the Tennessee School Board Association Online Policy Manager.

<http://www.boardpolicy.net/default.aspx>

ISLLC Standards about school administrators

- The Interstate School Leaders Licensure Consortium (ISLLC) Standards have recently been developed by the Council of Chief State School Officers in collaboration with the National Policy Board on Educational Administration (NPBEA) to help strengthen preparation programs in school leadership (Van Meter & Murphy, 1997).
- Standard 4 : **A school administrator is an educational leader who promotes the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.**
- Dispositions : The administrator believes in, values, and is committed to:
 - **schools operating as an integral part of the larger community**
 - **the proposition that families have the best interests of their children in mind resources of the family and community needing to be brought to bear on the education of students an informed public**

LIABILITY

IMMUNITY HAZARDS

School districts have a certain level of protection from lawsuits through what's known as governmental or sovereign immunity. This protection limits the extent to which public agencies can be found liable for harm they cause. The idea behind it is to protect public funds, because any judgment against a public agency is paid out of the public purse. The scope of governmental immunity varies from state to state, but all states recognize some form of governmental immunity while limiting the level of liability protection it affords and the range of situations in which it applies.



Although increasing liability protection for schools could be a good thing if more schools actually open their facilities for community recreational use, it also might enable a school to avoid responsibility for injuries caused by its negligence. When children are seriously injured, parents often must stop working to look after their treatment, creating an unexpected financial adversity for the entire family. For children whose families have inadequate or no insurance, greater immunity for schools may mean that injuries go without proper treatment. If schools aren't liable for injuries caused by their negligence, there is no recourse for these hardships.

There's always a chance that a school district could be negligent in a way that leads to an injury and a lawsuit. But the risks are small, and school districts can limit them further by taking steps to protect community members from harm. Further, enacting state laws that provide greater liability protection for schools may create a disincentive for schools to properly maintain their facilities thereby leaving all recreational users at increased risk of injury (Zimmerman S., JD, and Kappagoda M., JD, MPH)

Addressing immunity hazards before they occur is essential for protection of everyone involved with joint facility use. When drafting a written joint facility use agreement the parties entering into the agreement must consult with risk management professionals and legal counsel to determine insurance requirements, allocate risk, and ensure the agreement is consistent with state and local laws and regulations.

THE DIRTY DOZEN: 12 PLAYGROUND HAZARDS: ARE THEY HIDING IN YOUR PLAYGROUND?

As parents and caregivers, we are responsible for providing safer play opportunities for our children. The National Recreation and Park Association (NRPA), through its Certified Playground Safety Institute (CPSI) has identified 12 of the leading causes of injury on playgrounds. By familiarizing yourself with the 'Dirty Dozen Checklist', you can inspect your local playground for safety hazards before entering into a joint use agreement.

In the time it will take you to read this, a child will be severely injured and admitted to an emergency room as a result of a playground-related accident. It is estimated that, each year, over 200,000 such injuries occur and approximately 15 children will die from playground related injuries.

Should you identify any of the following hazards on your child's playground, notify the owner/operator about the condition of the play area, so that they may take steps to eliminate the hazard(s).

Did you know? Improper surfacing material under playground equipment is the leading cause of playground-related injuries. Over 79 percent of all accidents on playgrounds are from children falling.

The Dirty Dozen Checklist: The Top 12 Safety Hazards in America's Playgrounds



1 Improper Protective Surfacing The surface or ground under/around the playground equipment should be soft enough to cushion a fall. A fall onto one of these hard surfaces could be life threatening and there are many surfaces that offer protection from falls.

Acceptable Surfaces:

- Engineered Wood Fiber
- Wood Chips
- Sand / Pea Gravel
- Synthetic / Rubber Tiles
- Shredded Rubber
- Mats
- Poured-in-place rubber

Unacceptable Surfaces:

- Concrete
- Blacktop
- Packed Earth
- Grass

2 Inadequate Use Zone A use zone is the area under and around playground equipment where a child might fall. A use zone should be covered with protective surfacing material and extend a minimum of six feet in all directions from the edge of stationary play equipment, such as climbers and chin-up bars.

Did you know? It is estimated that over 40 percent of all playground injuries are directly related to lack of supervision.

3 Protrusion & Entanglement Hazards A protrusion hazard is a component or piece of hardware that is capable of impaling or cutting a child, if a child should fall against the hazard.

4 Entrapment in Openings Enclosed openings on playground equipment must be checked for head entrapment hazards. Children often enter openings feet first and attempt to slide through the opening. If the opening is not large enough, it may allow the body to pass through the opening but entrap the head.

5 Insufficient Equipment Spacing Improper spacing between pieces of play equipment can cause overcrowding of a play area, resulting in unsafe play conditions. Each item of play equipment has a use zone around it where protective surfacing material is applied. These use zones may overlap for certain types of equipment.

6 Trip Hazards Trip hazards are created by play structure components or items on the playground.

7 Lack of Supervision The supervision of a playground environment directly relates to the overall safety of the environment. A play area should be designed so that it is easy for a parent or caregiver to observe the children at play. Young children are constantly challenging their own abilities, often not being able to recognize potential hazards. **Parents must supervise their children at all times on the playground!**

Did you know? It is recommended that areas for pre-school age children (2-5) be separate from areas intended for school age children (5-12).

8 Age-Inappropriate Activities Children's developmental needs vary greatly from age two to age 12. In an effort to provide a challenging and safe play environment for all ages, it is important to make sure that the equipment in the playground setting is appropriate for the age of the intended user.

9 Lack of Maintenance In order for playgrounds to remain in "safe" condition, a program of systematic, preventative maintenance must be present: there should be no missing, broken, or worn-out components, all hardware should be secure, the wood, metal or plastic should not show signs of fatigue or deterioration, all parts should be stable with no apparent signs of loosening, surfacing material must be maintained, check for signs of vandalism.

10 Crush, Shearing and Sharp Edge Hazards Components in the play environment should be inspected to make sure there are no sharp edges or points that could penetrate skin. Moving components such as suspension bridges, track rides, merry-go-rounds, seesaws and swings should be checked to ensure there are no moving parts or mechanisms that might crush a child's finger.

11 Platforms with No Guardrails Elevated surfaces such as platforms, ramps, and bridges should have guardrails or barriers to help prevent accidental falls.

12 Equipment Not Recommended for Public Playgrounds Accidents associated with the following types of equipment have resulted in the U.S. Consumer Product Safety Commission recommending that they not be used on public playgrounds:

- Heavy swings such as animal figure swings
- Multiple occupancy/glider type swings
- Free swinging ropes that may fray or form a loop
- Swinging exercise rings and trapeze bars

Did you know? Overhead hanging rings that have a short chain (7") are allowed on public playground equipment.

For more information on playground safety check out these recommended sources:

- **National Recreation and Park Association (NRPA)** NRPA is a national not-for-profit organization dedicated to advancing park, recreation and conservation efforts that enhance quality of life for all people. Through its network of some 20,000 recreation and park professionals and citizens, NRPA encourages the promotion of healthy lifestyles, recreation initiatives and conservation of natural and cultural resources.
- **International Playground Equipment Manufacturers Association (IPEMA)** The International Playground Equipment Manufacturers Association (IPEMA) is a non-profit organization whose mission is to promote the importance of play in the development of children, to encourage the creation of safer play environments and to provide a voluntary third-party certification program to validate conformance to the ASTM 1487 Playground Equipment Standard and the ASTM 1292 Playground Surfacing Standard. **The Dirty Dozen is presented in partnership with IPEMA.** IPEMA, 4305 N. 6th Street, Ste. A , Harrisburg, PA 17110 888.944.7362 www.ipema.org
- **American Society for Testing and Materials International (ASTM)** The American Society for Testing and Materials International (ASTM) developed a standard for the manufacturing of public playground equipment, Standard Consumer Safety Performance Specification for Playground Equipment for Public Use. For a copy of this standard, contact the ASTM and ask for the F 1487-01 Standard. ASTM , 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 610.832.9500 www.astm.org
- **U.S. Consumer Product Safety Commission (CPSC)** For a free copy of the Consumer Product Safety Commission's Handbook for Public Playground Safety (No. 325), contact: U.S. Consumer Product Safety Commission, Washington, D.C. 20207 800.638.2772 www.cpsc.gov

NRPA's Certified Playground Safety Inspector Certification Program

The National Recreation and Park Association offer premier training in playground safety, the Certified Playground Safety Inspector (CPSI) Certification program. The CPSI certification program provides the most comprehensive and up-to-date training on playground safety issues including hazard identification, equipment specifications, surfacing requirements and risk management methods. CPSI course are offered throughout the United States. For a course listing or for more information visit: nrpa.org/cpsi

For current Playground Safety Classes and Certification Exams in Tennessee or more information on this subject please contact TRPA: www.trpa.net info@trpa.net 615.790.0041

SUCCESS STORIES



PROSPECT ELEMENTARY – BRADLEY COUNTY

The Bradley County Health Initiative awarded a \$20,000 grant to Prospect Elementary School in 2009. The money was used to construct a new playground and .20 mile walking trail that is also open to the public.

The goal for the health initiative grant is to increase the activity levels of students and raise awareness of the wellness needs of children and adults. According to the American Heart Association, the most effective way to modify overweight children's behavior is by parents "modeling physical activity and healthy eating".

Prospect partnered with Santek for in-kind service valued at \$10,000 and Santek agreed to perform all the site preparation work associated with a walking trail and the playground equipment pad. Prospect's PTO held various fundraisers throughout the year to reach a goal of \$30,000. While this project will benefit the lives of Prospect's students for years to come, it will also have a healthy impact on the entire Prospect community.

JACKSON-MADISON COUNTY SCHOOL SYSTEM

School-Community Partnership

The district is a founding member of Jumpstart Jackson, a communitywide program focused on fitness, health, wellness and the reduction of obesity among children and adults. The superintendent and mayor work together to strengthen programs the city and school district were implementing independently into a cohesive school-community wellness policy, which has since been approved by both entities. With limited resources in rural communities, collaboration is of even greater importance to ensure the provision of cohesive services to the most vulnerable children. Childhood obesity is one of the team's three areas of focus. The Community Health Action Team in Madison County has proven effective at improving coordination among city-county agencies and community organizations involved in implementing policies and programs to combat childhood obesity. Through the activities of Jumpstart Jackson and the Community Health Advisory Team, local businesses have supported activities within the school district. Their involvement provides additional promotion and incentive for the greater community to get outside and play.

Joint-Use Agreements

The district uses joint-use agreements to increase the opportunity children have to be physically active. The joint-use agreement in Jackson allows the school to have priority access to the city government's parks and community centers and allows the city government priority access to school facilities. This includes partnerships and collaborations between the school system and the city's Department of Recreation and Parks. While some legal issues needed to be worked out, both the superintendent and the mayor believe the benefits of the partnership — which gives children and the community more opportunities for physical fitness — outweigh any other issue.



CHECKLIST

This checklist serves as a tool for organizations to enter into joint facility use agreements. The organizations specified in the checklist are schools, but the information can be utilized for any entity wishing to enter into a recreational joint facility use agreement.

<input type="checkbox"/>	Research Topic	Research and gain knowledge on recreational joint facility use. i.e. definition, laws, benefits, who and where in the state and country joint facility use is going on.
<input type="checkbox"/>	Communication	Get in touch with a partner organization that would provide a service benefiting your organization about recreational joint facility use.
<input type="checkbox"/>	Write a report / Gather important forms	Writing a report of the pros and cons of recreational joint facility use can be useful when presenting the idea to the partner organization and board.
<input type="checkbox"/>	Obtain approval from governing entities	The school board and governing entity of the organization should first approve the <i>concept</i> of developing a recreational joint facility use.
<input type="checkbox"/>	Select Negotiators	Identify the employees responsible for developing the agreement for each entity. They should have sufficient knowledge of their party's facilities and the authority to make required decisions on behalf of the entity.
<input type="checkbox"/>	Work with Risk Management and Legal Counsel	At the beginning of the negotiations, and as needed at different stages of the development of the JUA, consult with risk management and legal counsel.
<input type="checkbox"/>	Identify Community and School Needs	<p>Assessing the needs of the community and schools for additional recreation opportunities allows the parties to focus the scope of the agreement.</p> <p>Assess community needs to identify:</p> <ul style="list-style-type: none"> • Underserved communities, such as lower-income or communities of color that lack access to neighborhood parks or community centers; • Unmet recreation needs; • Locations in the community where recreation needs can be met by school facilities; and • The types of recreation facilities required to meet those needs. <p>Assess school/district needs to identify:</p> <ul style="list-style-type: none"> • Unmet recreation needs (that the city might meet); and • Unmet recreation facility needs (e.g., for improvements, maintenance assistance, scheduling assistance).

<input type="checkbox"/>	Inventory Properties (all properties or in targeted areas)	Identify properties that best serve unmet needs (by location, facility type, or other factor), and assess their suitability for joint use. Factors to consider include the condition of the property, and buy-in from school personnel and school families																							
<input type="checkbox"/>	Agree upon Scope of Joint Use	Both parties should inspect proposed facilities together to establish an understanding of and document the baseline conditions of the properties and facilities.																							
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<input type="checkbox"/>	Identify and Reach Agreement on Issues Involving Use	The parties need to agree on operational and management issues. <table border="1" data-bbox="643 642 1544 2005"> <tr> <td data-bbox="643 642 927 709"> Priority of Uses </td> <td data-bbox="927 642 1544 709"> Rank the priority of types of users to allocate facility use accordingly </td> </tr> <tr> <td data-bbox="643 709 927 842"> Scheduling </td> <td data-bbox="927 709 1544 842"> Determine which entity will be responsible for scheduling use Determine how to accommodate schedule changes/cancellations </td> </tr> <tr> <td data-bbox="643 842 927 974"> Access and Security </td> <td data-bbox="927 842 1544 974"> Determine security needs Identify employees who will need access to properties and facilities Develop security protocol </td> </tr> <tr> <td data-bbox="643 974 927 1146"> Materials and Equipment </td> <td data-bbox="927 974 1544 1146"> Allocate responsibility for providing equipment/materials Determine the need for storage If storage is needed, determine location, access, and security </td> </tr> <tr> <td data-bbox="643 1146 927 1251"> Supervision </td> <td data-bbox="927 1146 1544 1251"> Determine the type of supervision required Identify which party will be responsible for providing supervision </td> </tr> <tr> <td data-bbox="643 1251 927 1383"> Custodial Services </td> <td data-bbox="927 1251 1544 1383"> Determine the type of custodial services/equipment needed Allocate responsibility for providing custodial services/trash containers </td> </tr> <tr> <td data-bbox="643 1383 927 1516"> Toilet Facilities </td> <td data-bbox="927 1383 1544 1516"> Determine access to existing facilities Determine need for portable/temporary facilities Allocate responsibility for providing and servicing portable toilets </td> </tr> <tr> <td data-bbox="643 1516 927 1568"> Parking </td> <td data-bbox="927 1516 1544 1568"> Determine access to parking facilities </td> </tr> <tr> <td data-bbox="643 1568 927 1701"> Maintenance </td> <td data-bbox="927 1568 1544 1701"> Allocate responsibility for regular property maintenance Determine whether additional maintenance is needed, and which party will provide service </td> </tr> <tr> <td data-bbox="643 1701 927 1873"> Inspection and Notification of Damage </td> <td data-bbox="927 1701 1544 1873"> Determine the manner/frequency of property inspection Determine protocol for notifying identified employees of damage, including whom to contact and deadlines for contacting and responding </td> </tr> <tr> <td data-bbox="643 1873 927 2005"> Restitution and Repair </td> <td data-bbox="927 1873 1544 2005"> Determine the method and responsibility for property repair Determine the methods of calculating and allocating repair costs </td> </tr> </table>		Priority of Uses	Rank the priority of types of users to allocate facility use accordingly	Scheduling	Determine which entity will be responsible for scheduling use Determine how to accommodate schedule changes/cancellations	Access and Security	Determine security needs Identify employees who will need access to properties and facilities Develop security protocol	Materials and Equipment	Allocate responsibility for providing equipment/materials Determine the need for storage If storage is needed, determine location, access, and security	Supervision	Determine the type of supervision required Identify which party will be responsible for providing supervision	Custodial Services	Determine the type of custodial services/equipment needed Allocate responsibility for providing custodial services/trash containers	Toilet Facilities	Determine access to existing facilities Determine need for portable/temporary facilities Allocate responsibility for providing and servicing portable toilets	Parking	Determine access to parking facilities	Maintenance	Allocate responsibility for regular property maintenance Determine whether additional maintenance is needed, and which party will provide service	Inspection and Notification of Damage	Determine the manner/frequency of property inspection Determine protocol for notifying identified employees of damage, including whom to contact and deadlines for contacting and responding	Restitution and Repair	Determine the method and responsibility for property repair Determine the methods of calculating and allocating repair costs
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☐	Identify and Resolve Employment Issues	To cover the facilities' extended hours of operation, both the school district and the city will likely require some of their employees to work additional time. Consult with legal counsel to resolve any employment-related issues, such as amending labor agreements or determining whether the entities may use volunteers to carry out some of these duties.
☐	Develop a Communication Protocol	One of the most important elements of a successful JUA is ensuring effective communication between the parties during the term of the agreement. Identify the employees from each agency who will be responsible for (a) communicating to the other party about the agreement and (b) who will be responsible for making decisions regarding the agreement. Establish a process for resolving disagreements regarding any aspect of the agreement.
☐	Identify and Reach Agreement on Issues Involving Third-Party Use	<p>If third-party users (such as youth organizations or youth sports leagues) will be allowed to operate programs using the facilities, the district and the city need to agree on various operational and management issues:</p> <ul style="list-style-type: none"> • Establish the priority of uses for third-party programs • Agree on the protocol for scheduling properties • Ensure third party permitting or lease procedures are adequate: • Address resource allocation pursuant to identified priorities • Access issues • Fees • Insurance and risk management issues • Liability
☐	Agree Upon Improvements and Improvement Protocol	The parties should consider whether—and the conditions governing how—they will allow each other to make “improvements” (changes to the owner’s property made by or for the benefit of the party using the property). Determine whether the city will be authorized to improve district property, the conditions under which the city can improve property, how to allocate costs of improvements, and the ownership of the improvements.
☐	Agree Upon Cost Analysis and Allocation	The parties need to calculate the costs of the agreement and how to allocate those costs equitably. Determine which components of costs to measure, the methodology to use to determine costs, and how to allocate costs and fees.
☐	Risk Management and Legal Issues	<p>The parties must consult with risk management professionals and legal counsel to determine insurance requirements, allocate risk, and ensure the agreement is consistent with state and local laws and regulations.</p> <ul style="list-style-type: none"> • Determine the types and amounts of insurance to require, consistent with legal and risk management requirements. Determine the types of documentation to exchange or require. • Allocate liability risk. Determine whether or what type of indemnification to require. • Ensure the agreement is consistent with existing state and local law and regulations, permitting procedures (or amend permitting procedures if necessary), and fee procedures or structure (or amend if necessary).

<input type="checkbox"/>	Determine Term of Agreement, Methods of Evaluation, and Renewal	Determine the duration of the agreement, and the bases for cancelling or terminating the agreement before the term ends. Also determine what data to collect during the agreement, the nature and timing of its evaluation, and the process and conditions for renewing the agreement.
<input type="checkbox"/>	Identify Training Needs and Develop a Training Plan	Determine whether agency personnel need training to carry out the agreement, including instruction on any new procedures required by the agreement or any new duties assigned to employees. Determine who is responsible for conducting training, and identify employees who need to undergo training.
<input type="checkbox"/>	Develop Ancillary Documents	Develop exhibits to the agreement, as necessary <ul style="list-style-type: none"> • List of properties subject to the agreement • Inventory of the conditions • Hours of use • Operating rules • Insurance documentation • Third-party user forms
<input type="checkbox"/>	Receive Formal Approval	The final step in completing the agreement is to ensure the governing entities formally approve and sign the final agreement.

Source: ChangeLab Solutions-nplan (March 2009) – Checklist for Developing a Joint Use Agreement (JUA). Retrieved from <http://changelabsolutions.org/publications/checklist-developing-joint-use-agreement-ju> on April 2013. Modifications made by Tennessee Recreation & Parks Association

RESOURCES

ONLINE RESOURCES

Tennessee Recreational Joint Facility Use Map and Joint Facility Use Agreements – www.trpa.net

Eat Well Play More TN- Tennessee Obesity Taskforce TN State Nutrition and Physical Activity plan (strategies to reduce obesity across the state)

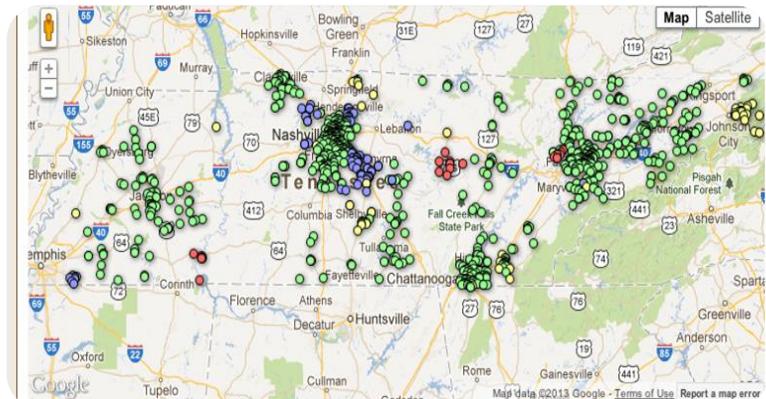
<http://www.eatwellplaymoretn.org/>

National Center for Safe Routes to School

<http://www.saferoutesinfo.org/>

Alliance for a Healthier Generation

<https://www.healthiergeneration.org/>



U.S. Department of Health and Human Services - A Healthy and Fit Nation

<http://www.surgeongeneral.gov/initiatives/healthy-fit-nation/index.html>

GetFitTN provides tools designed to keep track of your health and fitness progress

<https://www.getfit.tn.gov/obesity.aspx>

ChangeLab Solutions Law & policy innovation for the common good.

<http://changelabsolutions.org/childhood-obesity/joint-use>

Joint Use - Prevention Institute and Berkeley Media Studies Group <http://www.jointuse.org/>

Kaboom!- It starts with a playground http://kaboom.org/joint_use

CDC Weight management solutions for individuals and companies <http://www.cdc.gov/obesity/>

The Minneapolis Public Schools - Active Recess toolkit http://sss.mpls.k12.mn.us/uploads/ar_toolkit_spring_2010.pdf.

Peaceful Playgrounds: Physical Activity Programs <http://www.peacefulplaygrounds.com/>

National Recreation and Parks Association-Making Effective Use of Existing Resources for Healthier Communities: Joint Use Dialogue Guide

http://www.nrpa.org/uploadedFiles/nrpaorg/Grants_and_Partners/Recreation_and_Health/Resources/Dialogue_Guides/Joint_Use_Final1.pdf

ADMINISTRATION OFFICES

For any additional comments or questions about joint facility use you can contact the following:

Tennessee Recreation & Parks Association – TRPA
718 Boyd Mill Ave
Franklin, TN 37064
(615) 790-0041
www.trpa.net

Parks and Recreation Technical Advisory Service – PARTAS
State of Tennessee, Department of Environment & Conservation
Recreation Educational Services
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 2nd Floor
Nashville, Tennessee 37243
(615) 532-0748
http://www.tn.gov/environment/recreation/parks_rec.shtml

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