



Safe Routes
to School
National
Partnership

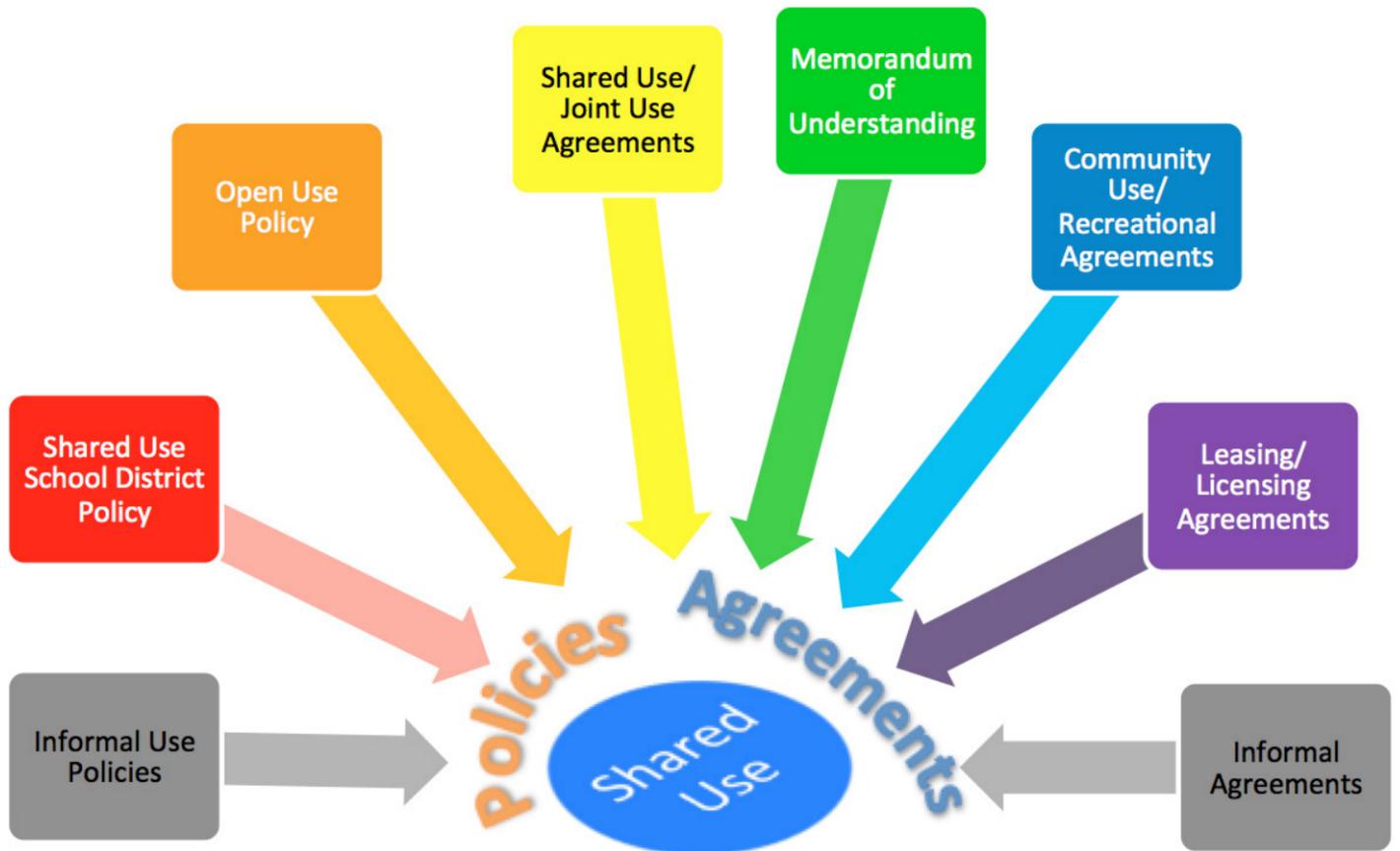
The Shared Use Spectrum



Sometimes shared use just happens, but more often, formal or informal agreements or policies help to ensure that community members can use facilities. At the end of the day, the goal of shared use is creating more opportunities for communities to be physically active.

“Shared use” or “joint use” occurs when government entities (or sometimes private, nonprofit organizations) agree to open or broaden access to their property and/or facilities for community use, such as recreational activity. The partnerships can be formal (e.g., based on a written, legal document) or informal (e.g., based on historical practice). Formal arrangements are often documented through an agreement, which sets forth the terms and conditions for the shared use of the property or facility. Successful partnerships generally rely on the pooling of resources to expand community access and use public space more efficiently.

The graphic below illustrates the most common forms of shared use.



Shared Use Policies

Informal Policy

There is no formal agreement or policy in place. Informal policies allow community to use a facility based on historical practices.

Shared Use School District Policy

Shared use school district policy is one way that at the school district can support shared use agreements at the school site level¹. Shared use policies accomplish the following:

- Outline a vision for joint partnerships
- Provide district directive for shared use that goes beyond the use of facilities permits.
- Assign management responsibilities for joint use at the district
- Remain in place, even if a shared use agreement ends

Open Use Policy

Open use² refers to the practice of allowing community use of public property (often a school) without a formal partnership or agreement. An open use policy officially grants community access and lays out the roles, rights, and responsibilities of the entity, its employees, and community users.

Shared Use Agreements

Shared Use Agreements

- Assign roles and responsibilities of named partners³
- Provides details for implementation
- Contains site-level details (i.e., open and closing, maintenance and operations, which areas the community has access to.)

Memorandum of Understanding

A memorandum of understanding (MOU)⁴ is an agreement between two or more parties. Similar to a shared use agreement, an MOU also specifies a set of understandings between the parties entering into the MOU. A MOU does not need to contain legally enforceable promises. In the context of shared use agreements, an MOU is often used to define the expectations and responsibilities of each of the parties. These MOUs typically address issues such as: (1) who bears responsibility for the costs of maintenance and repairs, (2) insurance and liability, (3)

staffing and communications, and (4) conflict resolution.

Community Use Agreement/Recreational Agreements

Community use agreements or recreational use agreements⁵ are often seen in school settings and allows organized community groups to access the facilities for youth activities or special events. Access is often granted through a use of facilities form or civic center permit. Uses can range from meeting spaces, to health fairs, or recreational purposes. These forms can often be augmented to extend the length of time that a facility can be used beyond the term on the form. The emphasis of these agreements are on recreation or physical activity purposes.

Lease or Licensing Agreements

School districts may enter into *lease agreements* with an organization that may need space in order to provide its services⁶. Leases are usually arranged through the Facilities Department. The organization pays for the use of the property and perhaps a proportion of utilities, such as heat, electricity, water and maintenance services.

Licensing agreements allows third-party users to use school property within strict parameters (i.e., Red Cross can utilize the gymnasium for shelter during emergency or carnival operator using the parking lot or school field). A license agreement is utilized when a civic-center permit or the other forms of access are not appropriate. A licensing agreement usually only permits the licensee to operate in a general area and only at times when the licensor either permits or requires the licensee's presence. The space used by the licensee is usually generally defined. The agreement may be for a short term period (one day or less than 30 days) or a long term agreement (more than 30 days) for use by recitals, theatrical performances, parking, booster club or PTA fundraisers, childcare, church use, or sports training.

Informal Agreements

Informal agreements allow the community to utilize a facility for recreational purposes. This may not be written in the form of a formal agreement, and could change if administration at the school site changes. One way to strengthen informal agreements is to have signage around the site, so the community is aware of the facility that is available for use and can have a stake in keeping the facility remain available for community use.

Footnotes

1. California Department of Public Health, Project LEAN, Safe and Active Communities
2. ChangeLab Solutions Open Use - An Alternative <http://changelabsolutions.org/open-use>
3. California Department of Health, Project LEAN, Safe and Active communities.
4. ChangeLab Solutions; Contracts and MOU's <http://changelabsolutions.org/publications/MOU-contracts>
5. Public Health Law Center, Community Recreational Use of School Property: Why is it Important? <http://www.publichealthlawcenter.org/sites/default/files/resources/Community%20Recreational%20Use%20of%20School%20Property.pdf>
6. Facility Use License Agreement (FULA), Community Use of Public Facilities (Montgomery County Interagency Coordinating Board) <https://www.montgomerycountymd.gov/CUPF/Resources/Files/FULA.pdf>