

Community Use of School Property in Missouri



A Guide to Implementation





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Community Use of School Property in Missouri is available at kchealthykids.org

- A Guide to Implementation
- Success Stories
- A Checklist
- Best Practices for Scheduling
- Paying for Community Use of School Property

This guide was created through a partnership between KC Healthy Kids, Missouri Association of Councils of Government, Missouri Consultants for Education, Missouri School Boards' Association, Missouri State Alliance of YMCAs and Public Health Law Center.

The organizations were convened to promote and sustain community changes that enable healthy lifestyles. Their goal is to accelerate and advance policy and environmental changes in Missouri that encourage healthy eating and active living.

About KC Healthy Kids

KC Healthy Kids rallies the people in our communities to improve access to affordable fresh food and safe places to walk and play. When our neighborhoods support healthy habits, we are less likely to suffer from obesity, which is linked to Type 2 diabetes, heart disease, and poor mental health. To make a lasting impact, we shape policies that improve our food system and physical surroundings, and, ultimately, the places where we live, work, learn and play.

About the Public Health Law Center

The Public Health Law Center helps create communities where everyone can be healthy. We empower our partners to transform their environments by eliminating commercial tobacco, promoting healthy food, and encouraging active lifestyles. We believe that our legal knowledge can help bring justice to public health as we support our partners in reducing health disparities. Founded in 2000, the Center is located at Mitchell Hamline School of Law in St. Paul, Minnesota.

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Community use policies and programs allow children, youth, and adults in Missouri to use school facilities and equipment for physical or recreational activities before, during or after school hours when facilities are not being used by the school district.

Opening up school property for community use means community groups or individuals using school facilities (end users) benefit from having increased access to safe, convenient and affordable resources to be physically active. Schools also benefit from providing community use programs because they foster positive community relationships and promote the health of students and their families.

Community use of school property is a common practice that occurs in schools across the United States. In Missouri, there are more than 500 public elementary and secondary school districtsⁱ and each allows some form of community use.

Generally, common barriers to implementing an effective community use program involve scheduling and staffing issues, costs, physical design, lack of effective communication and insurance.ⁱⁱ This resource outlines strategies for overcoming barriers to implementing a successful community use program.

¹ This document is adapted from the Public Health Law Center's "Promoting Community Use of School Facilities in Minnesota" resource, available at <http://www.publichealthlawcenter.org/sites/default/files/resources/phlc-fs-Community-Use-School-Facilities-MN-2016.pdf>



Role of Schools

Community use of school property is about promoting public and individual health by maximizing community resources to meet collective needs. Regular physical activity promotes important health benefits. High rates of chronic disease are driven in part by sedentary lifestyles and a lack of physical activity.

In response to this, community use policies, procedure, and agreements are becoming a popular strategy that schools and community partners can use to increase opportunities for physical activity.

School districts can establish times when community users can make use of certain indoor and outdoor spaces. These areas could be a gym, sports field, computer lab, hallway, media center or fine arts facility such as a studio or theater.

Schools can enable community use of their facilities by establishing a formal or informal agreement between a school or school district and an organization or entity. Schools can also adopt a policy, system or action that opens school facilities for use by an organization or the public.

Schools have adopted innovative and flexible models to expand community use of their facilities. One model designates evenings as “community nights” where individuals may use the school’s gym, pool or media center like a community center.

In another model, schools use a reservation system so that community members can sign up ahead of time to use specific facilities during community use hours. Various models can be combined and incorporated to fit a school’s individual circumstances and promote community use of their facilities.

Getting Started

Writing it Down

The cornerstone of a community use program is the school district's written documents on policies and procedures pertaining to the use of school facilities and equipment. The school board policy is a statement of support by the school board for community use of district facilities.

A community use policy can be very detailed or very general, depending on the size of the school district and the scope of services to be provided. School districts in Missouri commonly use a version of the model policies published by the Missouri School Boards' Association or Missouri Consultants for Education to draft their community use policies.

School district policies should provide general support for community use and outline the general process and procedures for using school property, including who has the authority to approve use. It should also cross reference other school board policies that impact community use of school property.

Community use policies are more static and harder to update as programs change, grow, and evolve. Therefore, it is helpful to use other forms of written

documents, such as procedures, guidelines, or handbooks, to further detail community use of school facilities and equipment as an official program.

These written documents create the system and process that establish the framework for community use of school facilities. They detail who, where, when and how the community can use school facilities. This can and should be a fluid document, and may be updated as the community use needs evolve.

Written policies, beyond just the school board policy, ensure the program's sustainability, consistency and continuity over time. See "[A Checklist](#)" available at kchealthykids.org

Community Engagement

Collaboration between end users and schools is a main factor in fostering a productive and positive relationship in community use. There are a variety of ways districts can engage members of the community in establishing a new community use program or in assessing a current program.

For example, some school districts will ask for feedback on existing or new community use programs, including

the written policies and procedures. This allows community users to share what is working well or express their concerns so that the district can then make adjustments. Other schools have asked community representatives to serve on district review committees and task forces when updating guidelines.

Another component for a successful collaboration is making sure that everyone understands the parameters of the program and their responsibilities.

Teachers and staff need to be organized to ensure facilities are unlocked and supervised at the requested and approved times. Community members need to respect school facilities and equipment, and keep in mind that school events have priority use. Community users who are good stewards of the facilities and create a positive relationship with the school are more likely to be welcomed back for future use.

Schools need to establish, communicate, and enforce the responsibilities and restrictions of community users in order to create and foster a positive and beneficial relationship. Establishing an effective and positive communication process can minimize conflicts and promote beneficial community relationships. If these relations are conducted properly, opening spaces to the community can be a positive experience for everyone involved and can create a sense of community and ownership.

Leadership Roles

It is the individual school district's responsibility to designate someone to be in charge of their community use program. This person is considered the program coordinator and their name and contact information should be included in the school board policy or the district's guidelines, as well as on the school district website.

Leadership roles at the staff level create an organized route of communication and ensure facilities are available to community users at requested and approved times, whether that be for individual users or organized groups. For example, the person can handle issues such as verifying reservations, cancellations, discussing complaints/concerns or scheduling repeated use, as well as being the community spokesperson for the school.

Community use programs can also benefit from having a community use working group or advisory council to take the lead on facilitating community discussions, identifying programming opportunities and seeking funding streams to support the community use program. This group can also take the initiative to establish partnerships with community organizations to create successful community use agreements.

Scheduling

Master Planner

School administrators and end users have identified scheduling as a main barrier to community use of school facilities. An effective and easy-to-use scheduling system is important for groups and individuals to be able to sign up or request to use school facilities and equipment.

Before time and space is allocated for community use, the school district's student and school related events and activities, such as school workshops, in-service days, athletic and activity group practices or events, school holidays, special testing events, afterschool and evening school-related events, school carnivals, PTO/PTA events, etc., must be formalized on the master school district calendar as far in advance as possible.

This calendar should also be made available on the district's website so that potential end users have easy access to the calendar. A centralized scheduling system, either district-wide or building-wide, can prevent confusion and frustration in having to cancel or change community events due to scheduling conflicts.

Streamlining the scheduling is an effective way to ensure that each group/individual has access to the facilities at the requested time.

Scheduling Tools

To determine the best tool for their scheduling needs districts should research available scheduling options and consult with neighboring districts to see what has or has not worked at other locations.

These tools can range from a simple Excel spreadsheet to a purchased scheduling software program that connects classes, program offerings, meetings, events and rental requests into one intricate system. An alternative would be to make available a daily paper schedule in the main office of the school building where community members can sign up on a first-come, first-served basis.

Regardless of the simplicity or complexity of the scheduling tool used by the school district, a system must be in place to keep community use schedules organized. Once a scheduling system is established for a school or district's community use program, there should be sufficient and efficient communication between

scheduling staff, building staff and end users to ensure facility access is available at the reserved times.

See “[Best Practices for Scheduling](https://www.kchealthykids.org)” at [kchealthykids.org](https://www.kchealthykids.org)



Staffing

To ensure the safety and security of community users, the facilities need to be regularly serviced and supervised by a school staff member. These practices protect community users and make sure the building is safe before, during, and after community use.

Safety and supervision should be the first priority when staffing a building. The school district needs to incorporate community use into their supervision and safety plan.

Although every school district is different, a common practice is to have a district staff member present to provide supervision for building use whenever a school facility is being used by the community.

Some schools make the building's custodial staff responsible for supervision of community groups. Others employ or contract with a building supervisor/attendant. The facility is an asset to both the school and the community, so it needs to be well maintained and supervised.

Districts should also ensure that personnel including technicians and food services staff are available when providing certain facilities and services. Therefore, it is important for the district to have a staffing plan to ensure staffing requirements for community use programs are met.





Physical Design

The way facilities are designed and used can also address concerns related to staffing and costs. For example, the practice of grouping end users in a centralized location decreases security costs and facility costs.

While not all schools were originally designed to centralize activity spaces, there are alternatives to create this within a school. For example, schools can use hallway locks or gates to block off academic hallways and reduce the need for staffing in those areas.

Another practice could be to centralize the activities in one area, such as separating a gym for more than one group. This allows end users to be grouped together and decreases the need for a high amount of staffing.

These services are offered by means of effective strategy and planning on the part of the school administration.

Costs

The adoption and implementation of a successful community use program involves various costs associated with daily operations, regular maintenance, program staffing and facility updates. Therefore cost is one of the main barriers for community use.

While community members worry about the cost of using facilities, school districts are concerned about charging community members. In most school districts, a nominal facility and equipment use fee is required.

Fees can be set up as a per use or per-hour payment, or districts can require that a one-time payment be made through an agreement with the user group for recurring use over a set period of time. In some cases, additional fees may be required to ensure that all costs for providing custodial staff, food services personnel, technicians and security personnel are covered.

A community use program can be a service that school districts provide as part of their mission, but it should be designed carefully so that it's not a burden to a school district's budget and operations.

At the same time, schools should not make the program cost prohibitive for community users. It is important for school districts to explore multiple funding streams to support their efforts to effectively address cost issues, ensure the continuity and sustainability of its program and make its program accessible to most community users.

See ["Paying for Community Use of School Property in Missouri,"](#) available at kchealthykids.org



Effective Communication

In order to maximize the use of facilities, the school district needs to promote available facilities and create awareness about opportunities for physical activity. Promoting community use programs can increase community interest in using school facilities and increase programming needs.

Schools can partner with community organizations and use educational initiatives to increase awareness about the resources and opportunities available to students and their families to engage in physical activity.

It is important to navigate how to avoid issues that may develop, such as a sense of entitlement that can lead to space challenges or turf wars.

One way to minimize this type of situation is by informing all users that all school facility spaces that are open to the public will be administered using a priority scheduling process. How that priority process is defined can be debated but it should be unique to each school district since it is locally controlled. The school district's written documents on community use, including policies, procedures, guidelines, forms, etc., should be made available on the school district's website.

Liability and Insurance

When a school district is considering allowing community use of its facilities for recreational activities, the possibility that someone who is using a school facility might suffer an injury and bring a claim against the district (or its officers, employees or agents) is arguably the district's most significant liability concern.

Liability, for purposes of this publication, can be defined as legal responsibility for another person's injury or damages. Missouri law provides schools some protections from liability.

Schools usually are immune from liability because of Missouri's statute granting public entities sovereign immunity. The statute has an exception for situations in which there was a dangerous condition that the public entity did not correct. However, there are a number of common sense precautions school districts can take to reduce their risk of liability.

To better understand the complete picture of the potential liability associated with the community's recreational use of school facilities and the extent to which these issues

might be further clarified in the future through judicial or regulatory decisions, school districts should maintain an ongoing dialogue with their legal counsel and insurers.

Insurance coverage and risk management tools can go a long way toward minimizing financial risk for school districts. The basic purpose of insurance is to prepare and protect individuals or entities from exposures and catastrophic losses. The most common insurance provider for schools in Missouri is Missouri United School Insurance Council. School districts who do not use that provider may be self-insured or may obtain insurance from another provider.

See "Demystifying Missouri Liability and Insurance," available at <http://www.publichealthlawcenter.org/sites/default/files/resources/phlc-fs-Demystifying-MO-Liability-Ins-web.pdf>

Conclusion

School districts have several incentives for allowing community use of school property. Making indoor and outdoor school spaces available helps the community stay active, creates community support for schools and allows for a community gathering place. There are several steps that can be taken to generate new partnerships and support existing community use of school property.

The increased access to school property can mean more opportunities for physical activity for the members of the surrounding community. Particularly for areas where resources may already be scarce, this can make a big difference in the health of both children and adults in the area.

As communities and school districts work together, schools become the hub of activity for participants of all ages. Overall, some districts across Missouri have made big strides toward important work in this field but more can be done to eliminate some of the existing barriers. See “Success Stories” at kchealthykids.org

Through leadership and partnerships, there are opportunities for community use of school facilities to be maximized as the potent tool that it is toward increasing the health of the entire community and support for the school district’s efforts.

¹ MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION, 2015-2016 Statistics of Missouri Public Schools, <https://mcds.dese.mo.gov/quickfacts/Missouri%20School%20Directory/2017/2017%20Missouri%20School%20Statistics.pdf>

² PUBLIC HEALTH LAW CENTER, Missouri Community Use of School Property: School Administrator and End User Survey Report (2015), http://www.publichealthlawcenter.org/sites/default/files/resources/Missouri-use-of-school-property.WEB_.1.pdf

³ PUBLIC HEALTH LAW CENTER, Missouri Community Use of School Property: School Administrator and End User Survey Report 7-8 (2015), http://www.publichealthlawcenter.org/sites/default/files/resources/Missouri-use-of-school-property.WEB_.1.pdf

⁴ PUBLIC HEALTH LAW CENTER, Demystifying Missouri Liability & Insurance 1 (2015), <http://www.publichealthlawcenter.org/sites/default/files/resources/phlc-fs-Demystifying-MO-Liability-Ins-web.pdf>

⁵ Mo.Rev. Stat. § 536.600 (2015).