

Joint Use Agreements



Background

Definition

Shared use (also sometimes known as “joint use”) is the sharing of space by the entity that owns the facility with one or more other entities. A shared use agreement is a written document that memorializes the agreement to share space. Typically the shared use agreement will lay out the terms and conditions of usage and address other matters such as fees and liability.

Successful partnerships between agencies, schools or other organizations rely on a well written agreement that clarifies rights and responsibilities.

JUAs can have a simple scope (e.g., opening school playgrounds to the public outside of school hours) to complex (allowing community individuals and groups to access all school recreation facilities).

See the [Change Labs Factsheet](#) for more about the benefits of written, shared-use agreements.

Health, equity and sustainability considerations

Joint use agreements can promote active and healthy lifestyles. Sharing spaces and recreation facilities can help to increase access to physical activity and healthy eating.

Many communities lack safe, adequate places for children and their families to exercise and play. Schools might have a variety of recreational facilities—gymnasiums, playgrounds, fields, courts, tracks—but many districts close their property to the public after school hours because of concerns about costs, vandalism, security, maintenance, and liability in the event of injury. Joint use agreements address these liability

People with access to nearby parks and recreational facilities exercised **38%** more than those who do not have easy access.

concerns and emphasize efficiency and maximizing community resources to meet community needs. When groups share space, limited resources can be utilized to meet other community needs rather than building new facilities.

Joint use agreements can also create and strengthen community partnerships. Community players who have never interacted may come together to form and carry out a joint use agreement to serve the needs of the community.

Program and Policy Examples

Program examples

Public vs. private property owners

Shared use agreements can occur between private owners, between private and public owners, and between public owners.

- Private-Private: A person who has a treadmill may work out an agreement with his neighbor who has a basketball hoop so that they can use each other's equipment.
- Private-Public: Public owners may work together with private owners to create a walking trail across their combined lands.
- Public-Public: A common example of this type of shared use is between cities and school districts. The agreement may allow the city to hold community forums in school classrooms.

How is it used locally?

In 2014, [Highline School District #401 and the cities of Burien, Des Moines, Normandy Park, and SeaTac](#) entered into a joint use agreement to allow for the reciprocal use of building, recreational spaces, and fields. The agreement allows the local jurisdictions and school district to work together to fit the needs of all agencies.

[Seattle School District #1 and Seattle Parks and Recreation](#) entered into a five year (2010-2015) joint use agreement. The agreement outlines shared use to ensure that all public facilities and groups “shall benefit and be used by Seattle children, adults, and families to the maximum extent possible. It is incumbent upon the District and Parks to develop a unified approach to serving the community's recreation needs and to cooperatively maintain Parks and District facilities and grounds in order to foster community and neighborhood learning and vitality.”

Decision-making applications

Change Lab Solutions has developed a [checklist](#) to help in identifying issues to consider when developing a JUA to share existing facilities.

Additionally, the Childhood Obesity Prevention Coalition offers: [Shared use for Washington State: A toolkit to guide community partners in forming successful agreements](#), a step-by-step guide for approaching a shared use agreement.

Performance evaluation

What makes joint use partnerships successful?

- Clearly articulated goals
- Detailed planning that includes sources of funding and division of responsibilities
- A recognition of the individual benefits to each partner
- A long-term commitment from everyone involved
- Ongoing communication among partners and with the community
- A process for resolving any conflicts that may arise
- Support from policy makers and community members

Implementation

Developing policy language

In Washington, interlocal agreements (agreements between two governmental entities) historically required statutory authorization. In 1967, the Interlocal Cooperation Act (39.34 RCW) was passed, which allows government agencies to jointly perform tasks. The Act specifies that if an agency has the authority to perform a task, then it may work with others to accomplish that task. It is common for governments to label their shared use agreements “interlocal agreements” rather than “shared use agreements,” but the purpose and content are the same.

Change Lab Solutions has developed a series of [Model Joint Use Agreements](#).

The following list describes the model JUAs available:

- *Joint Use Agreement 1: Opening Outdoor School Facilities for Use during Non-School Hours.* An agreement in which the community can use designated school district outdoor recreation facilities.
- *Joint Use Agreement 2: Opening Indoor and Outdoor School Facilities for Use during Non-School Hours.* An agreement in which the community can use designated school district indoor and outdoor recreation facilities.
- *Joint Use Agreement 3: Opening School Facilities for Use during Non-School Hours & Authorizing Third Parties to Operate Programs.* An agreement in which the community can use designated school district indoor and outdoor recreation facilities, and it also allows for third parties, to operate recreation programs using school facilities.
- *Joint Use Agreement 4: Joint Use of District and City Recreation Facilities.* An 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 to operate recreation programs using school facilities.

Model policy language

The 2001 [Joint Use Agreement between Shoreline School District #412 and the City of Shoreline](#) includes a joint use agreement that outlines shared use of: school facilities; city facilities; scheduling; staffing; fees; dispute resolution; replacement of materials/equipment; improvement; maintenance, operation and refurbishment; termination; and insurance. It also includes addendums to the agreement for specific schools, playfields, and other recreation facilities.

Considerations for local implementation

[Fifty-State Scan of Laws Addressing Community Use of Schools](#) is a state-by-state overview of statutes about whether school property can be used by the community for recreation. You can also learn about special rules regarding liability, fees, insurance, joint use, or applicability to K-12 or universities/colleges.

[The Summary of Legal Rules Governing Liability for Recreational Use of School Facilities](#) focuses on liability, outlining what general liability standards are applied, as well as any limitations on liability or damages. This summary is especially useful to better understand how states might apply liability rules for injuries that occur during community use of school facilities.

Resources

Childhood Obesity Prevention Coalition: [Shared use for Washington State: A toolkit to guide community partners in forming successful agreement](#) (2012)

MSRC [Intergovernmental Cooperation in Parks and Recreation](#) (2014)

[Joint Use](#), a non-profit task force , [Joint Use 101 Factsheet](#) (2013)

ChangeLab Solutions' [Shared Use Resource Page](#) (2014)