



PUBLIC HEALTH
LAW CENTER
at Mitchell Hamline School of Law



Promoting Community Use of School Facilities in Minnesota

Community use of school property policies allow community members to utilize school facilities and equipment for physical or recreational activities before, during, or after school hours. Community groups or individuals using school facilities and equipment (referred to as “end users”) benefit from having increased access to safe, convenient, and affordable resources to be physically active. Schools also benefit from providing community use because they foster positive community relationships by promoting the health of the surrounding community.

Community use of school property is a common practice that occurs in schools across the nation. In Minnesota, there are more than 300 public operating elementary and secondary independent school districts and each allows some form of community use of school property. Implementing and promoting a community use program between schools and community members can be difficult to manage without proper planning and organization. Generally, the main barriers to creating an effective community use program involve scheduling, costs, and communication. However, school districts and community members can work together to create transparent policies and guidelines to implement a successful community use program. This resource



outlines strategies and suggestions to overcome barriers and promote community use of school facilities.

Roles 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 school policies, forms, and agreements are becoming a popular strategy that community and school partners can use to increase opportunities for physical activity.

School districts can establish times when community users can make use of certain areas in or on school property. These areas could be a gym, sports field, computer lab, media center, or fine arts facility such

as a studio or theater. Community use of school property differs from group rentals or formalized programming because it involves time designated for groups or individuals not affiliated with the school, to utilize school facilities in self-organized activity. For example, community use could consist of times when the gym is available for community members to participate in pickup games or shooting baskets. Schools have adopted innovative and flexible models to expand community use of their facilities. One model designates evenings as “community nights” where individuals may utilize 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 the 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 policy 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 their facilities. It can be very detailed or very general, depending on the size of the school district and the scope of services to be provided. A majority of Minnesota school districts use a version of the Minnesota School Board Association model policy, which is general. School district policies should provide general support for community use and outline the general process and procedure 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. School board 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.

A written operations plan, guidelines, and/or handbook creates the system and process that establish the framework for community use of school facilities. They detail who, where, when, and how the community can utilize 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. A comprehensive checklist for important concepts to include in writing is found in [Appendix A](#).

Collaboration

Communication between end users and schools is a main factor in fostering a productive and

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

positive relationship in community use. There are a variety of ways districts can involve members of the community in the establishment of a new community use program or in the assessment of 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. Many school districts have existing Community Education Advisory Councils under Minnesota Statute Section 124D.19 outlining Community Education Programs. Groups such as these are useful resources in working to fulfil the needs of both the district and community members.

Another component for a successful community use program 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. For example, school districts with Community Education Programs (under Minnesota Statute Section 124D.19) have Community Education Directors, a licensed professional who oversees a school district's community education department. A community use program can also be administered in school districts that do not have an organized

community education program. In this case, the district should identify a department or staff person who will coordinate and serve as the leader of the program. Leadership roles in community use 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.

Scheduling

Master Planner

Schools and community 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. A centralized system must also be in place either district-wide or building-wide to ensure that each group has access to the areas requested or offered at the proper time.

Before community users are able to schedule time and space, the school district's student events and activities must be formalized on the master school district calendar. These events and activities include student or school-related activities that require school facilities to function. Some examples are 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, school conferences, and anything else hosted by a school. All of these events and activities are typically formalized when the official school calendar is posted in the spring of the year for the following year.

If a school district functions on a two-year scheduling cycle, it is advisable to attempt to schedule all school events and activities as far in advance as possible. The sooner school district events are finalized, the sooner community organizations or members can make requests to schedule facilities for use. This will deter confusion and frustration in having to cancel or change community events due to scheduling conflicts.

Scheduling Tools

The majority of schools and districts use a computerized program to create an efficient scheduling system for their community use program. These tools can range from a simple excel spreadsheet to a purchased software program that connects classes, program offerings, meetings, events, and rental requests into one intricate system. There are many products on the market and they each serve a purpose. When determining which computer program to purchase for the school's community

use program, school districts should consult with neighboring districts to see what has or has not worked at other locations. Scheduling tools are considered an investment and districts should thoroughly research available options to determine the best match for their scheduling needs.

Reservations

If the school or district uses a reservation model for community use of school facilities, computer software scheduling programs are a useful tool. These systems generate online permit copies to a customer confirming their reservation. An alternative to a computerized system would be something as simple as a daily paper schedule in the main office of the school building. Community members can sign up on a first-come, first-serve basis. Regardless of its simplicity or complexity, a system must be in place to keep community use schedules organized. Once a reservation system is established, there needs to be sufficient communication between building staff, scheduling staff, and community users to ensure facility access is available at the reserved times.

Staffing and Security

Supervision

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 the school and community which needs to be properly maintained and supervised.

Design

Another option or supplement in security is the way the community use facilities are designed and used. For example, some schools, like Hopkins High School in Minnetonka, were designed to group activity spaces together and secure the academic wings. This 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, there are hallway locks or barricades which can 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.

Costs

School districts are concerned about the costs of staffing and maintenance, therefore it is one of the main barriers for community use. Community members worry about the cost of using facilities, while school districts are concerned about charging community members. In most school districts, a nominal facility and equipment use fee is required. Fees can either be set up as a per time use, per hour use, seasonal use or per participant use. In some cases, the fee takes into account building supervision to ensure that all costs for maintaining safety and security are covered.

School districts need to establish a budget for their community use program to account for safety, supervision, and operation. A community use program can be a service that school districts provide as part of their mission, but should be designed carefully so that it is 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.

Marketing

In order to maximize the use of facilities, the school district needs to market and promote available facilities in ways that are similar to the marketing of hotel rooms or event centers. An advantage to promoting community use of school district facilities is that there is a built-in captive audience of students and families who are involved in non-school activities that require the use of facilities to carry out their activities. This is a great benefit when creating a community use policy, procedure and practice. 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 are public spaces, open to the public for use, and that they 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.

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, the schools become the hub of activity for participants of all ages.

Overall, some districts across Minnesota have made big strides toward the important work in this field, but more can be done to eliminate some of the existing barriers. Through leadership and partnerships, there are opportunities for community use of school facilities and equipment to be maximized as the potent tool that it is toward health of the entire community and support for the school districts' efforts.

Appendix A

Best Practice: What to Have in Writing Regarding Community Use of School Property

By becoming a community gathering space, schools can garner more support and involvement from residents. Schools use several written documents to communicate about the community use of school property. The list below is meant to identify ways to improve existing school board policies, rules and regulations, forms, contracts, agreements and other written resources to avoid confusion and streamline community use of school property.

A. Statement of Purpose

- A general statement identifying the school district's support for community use of school property.
- A statement that explicitly permits recreational use of school property. Recreational use is identified in policy as one type of allowable community use. However, it also states that district-sponsored and school-related programs, events, and activities have first priority.

B. Policy Consistency

- Cross-references policies. Lists policies, rules, regulations and forms that intersect for easy updating and cross-referencing.

C. Authority

- Identifies person(s) within the school or school district that have the authority to approve community use permits and to sign any community use agreements or forms on behalf of the district. In addition, provides a list of contact information.
- Provides community use permits and agreement forms that include a signature line for a district

representative and a signature line for the representative of the end user on each relevant form.

D. Scheduling

- States who does scheduling. This includes the name of the specific person(s) authorized to complete scheduling and their contact information.
- Outlines a process to modify the schedule in the case of changes or cancelations.
- States the priority of end users and types of use. Lists who has priority use after all school-related functions. Considerations include: (1) non-commercial status or purpose (e.g., non-profit); (2) if user groups are located in the district; (3) if residents of the district are primary participants of programming or use; or (4) if school-age children within the district are primary participants.
- Sets time and place of each approved activity with specific information. This includes: time, site, and the specific area of the school or grounds that can be used for each approved activity.

E. Security

- Gives security requirements for events. Security requirements may vary based on the type of activity and number of participants/attendees.
- Outlines plans for specific activities. This includes who will provide security.

F. Staffing

- States when school district staff are required for events and other scheduled community use times.

This includes staffing during on-site activities, such as custodial or food service staff.

- Provides an activity-specific custodial services plan that outlines the roles and responsibilities for both custodial staff and the end users of school facilities.
- Provides an activity-specific food service staffing plan that states when food service staff are needed and what roles and responsibilities they have during events. If applicable, explains why food service staff need to be present to comply with state and federal law and the limits on use of kitchen equipment.
- Specifies which school district employees, if any, may be involved in security and who should be contacted in event of a security or safety concern.

G. Facilities

- Lists what equipment and facilities are open to use. Lists specific parts of the school, both inside and outside, that are available for general use without scheduling (such as playgrounds and open green space) and what are open for scheduled use. The best practice is to include hallways, classrooms, and all outdoor facilities for scheduling.
- If particular facilities are commonly requested, lists these in a “checklist” on an application/ permit/ agreement; leaves an option for “other” if the list is not exhaustive.
- Gives a general description of recreational activities and specific descriptions of the types of recreational activity planned for the facility.
- States times for community use. Lists either generally or specifically the dates and times that community use is either normally available or normally restricted.

- Discusses the roles and responsibilities of the school district and users for upkeep and inspection. Includes a process for users to report problems to the school or school district.
- States which ancillary facilities can be accessed such as: locker rooms, restrooms, and parking. Identifies any restrictions for use (e.g., use of such ancillary facilities is non-exclusive).
- Outlines the school district’s roles and responsibilities for materials and equipment.
- Outlines user roles and responsibility for notification of repairs needed, as well as responsibility and payment for damage caused during use.
- Includes provisions addressing termination of agreements and/or cancellation of specific events.
- Addresses conditions and procedures for termination/cancellation by the district and the user.

H. Cost

- States the cost of food service staff, specifically the hourly rate of food service staff (if food service is available). Considers an allowance for sharing cost with other groups when multiple groups have overlapping use.
- States the cost of custodial staff, specifically the hourly rate of custodial staff. Considers an allowance for sharing cost with other groups when multiple groups have overlapping use.
- Provides a fee schedule by type of facility and class of organization. Provides a list of the fee schedule and what different end users would pay. The school policy may establish a free or reduced fee for nonprofits providing recreational opportunities for school district community members while having full-price fees applied to for-profit users. It is

important to ensure that classifications are lawful and nondiscriminatory.

- States fees for use of district equipment. These fees may vary by the type or class of user.
- Provides a fee waiver or reduction request process for granting a fee waiver or reduction in fees when appropriate. States who is in charge of granting requests as well as the process for requesting a fee waiver. Ensure that fee waiver criteria are lawful and non-discriminatory. Highlights when users can request waiver of fees.
- Specifies an hourly rate for security staff (if provided by the school district) and other security costs.

I. Liability

- Outlines risk management strategies that the school district requires to limit damages and injuries, which are created in consultation with district legal counsel and district insurers.
- Outlines the requirements for users to provide and carry proof of liability and/or property insurance. This includes the dollar amount of insurance and situations where insurance requirements can be

waived. Ensure that insurance waiver criteria are lawful, nondiscriminatory, and consistent with the district's risk management goals.

- Provides a process for requesting a waiver of insurance requirements.
- Cites federal, state, city, or district requirements for waivers and notices.

J. Additional

- Provides a list of all general rules and conditions relating to use of facilities. This list would address areas such as: prohibitions against alcohol, drugs and weapons, limitations on signs, etc.
- Includes a statement on prohibiting advertising or a statement regarding specific limits on advertising during community use of school property.
- States limits for commercial gain during community use of school property.

This information can also be found in the Public Health Law Center's Minnesota School District Facility Use Checklist resource, <http://www.publichealthlawcenter.org/sites/default/files/resources/Minnesota%20School%20Use%20Checklist.pdf>.

Last updated: October 2016

The Public Health Law Center thanks Kevin Johnston; Theresa Hillis, Executive Director, Kandiyohi County Area Family YMCA; Tracie Clanaugh, Branch Executive Director, Community Services Branch, Duluth Area Family YMCA; Jim McGowan, Executive Director, Minnesota Alliance of YMCAs.



**PUBLIC HEALTH
LAW CENTER**
at Mitchell Hamline School of Law

This publication was prepared by the Public Health Law Center at Mitchell Hamline School of Law, St. Paul, Minnesota, in partnership with the YMCA of the USA, as part of a project to promote healthy child care and out-of-school time settings. Financial support for the development of this resource was provided by the YMCA of the USA.

The Public Health Law Center provides information and legal technical assistance on issues related to public health. The Center does not provide legal representation or advice. This document should not be considered legal advice.