

Goldman School of Public Policy  
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# Opening Schoolyards in Oakland

Recommendations for a Joint Use Strategy  
A Report to the HOPE Collaborative

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## Table of Contents

<b>ACKNOWLEDGEMENTS .....</b>	<b>2</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>5</b>
<b>INTRODUCTION.....</b>	<b>6</b>
<b>HEALTH AND RECREATION IN OAKLAND.....</b>	<b>7</b>
HEALTH OUTCOMES, PHYSICAL ACTIVITY, AND SPACE IN OAKLAND .....	7
PARK SPACE IN OAKLAND .....	9
AN OPPORTUNITY WITH OAKLAND SCHOOLYARDS.....	10
<b>METHODOLOGY .....</b>	<b>11</b>
<b>JOINT USE IN OAKLAND .....</b>	<b>12</b>
BACKGROUND ON JOINT USE .....	12
APPROACHES TO JOINT USE.....	13
<i>Parties</i> .....	13
<i>Approaches</i> .....	13
<b>BARRIERS, TACTICS, AND WINDOWS OF OPPORTUNITY.....</b>	<b>20</b>
OVERARCHING BARRIERS.....	20
<i>Threshold Barriers</i> .....	20
<i>Implicit Barriers</i> .....	21
<i>Administrative Barriers</i> .....	21
TACTICS FOR OVERCOMING BARRIERS.....	22
<i>Bridging Threshold Barriers</i> .....	23
<i>Mitigating Implicit Barriers</i> .....	24
<i>Overcoming Administrative Barriers</i> .....	26
WINDOWS OF OPPORTUNITY .....	27
<b>ANALYSIS OF JOINT USE APPROACHES.....</b>	<b>29</b>
KEY ASPECTS OF EFFECTIVE SOLUTIONS .....	29

ANALYSIS OF TRADEOFFS .....	31
<i>Informal Agreements</i> .....	32
<i>Basic Joint Use</i> .....	32
<i>Joint Partnerships</i> .....	33
<i>Joint Development</i> .....	33
<b>RECOMMENDATIONS .....</b>	<b>35</b>
<b>ENDNOTES .....</b>	<b>37</b>
<b>WORKS CITED .....</b>	<b>40</b>
<b>APPENDIX A: RELEVANT TACTICS FOR OVERCOMING BARRIERS BY JOINT USE APPROACH .....</b>	<b>A1</b>
<b>APPENDIX B: OUSD CIVIC CENTER OFFICE FACILITY FEE SCHEDULE.....</b>	<b>B1</b>
<b>APPENDIX C: CIVIC CENTER PERMIT APPLICATION .....</b>	<b>C1</b>
<b>APPENDIX D: MOU BETWEEN OUSD AND THE SPANISH SPEAKING UNITY COUNCIL .....</b>	<b>D1</b>
<b>APPENDIX E: OUSD BOARD RESOLUTION ESTABLISHING THE OAKLAND SCHOOLYARD INITIATIVE .....</b>	<b>E1</b>

# Executive Summary

Oakland has striking disparities across racial, socioeconomic, and geographic lines in its rates of chronic health conditions related to physical activity. Increasing access to recreational space is one way of addressing these disparities. Due to the state of disrepair of many Oakland parks, this report, commissioned by the H.O.P.E. Collaborative, explores joint use as a means of opening Oakland Unified School District ("OUSD") schoolyards for general public use on evenings and weekends, particularly in communities with inadequate park space.

According to the UC Berkeley Center for Cities & Schools, "a joint use agreement is a written agreement between a school district and one or more public or private (nonprofit) entities setting forth the terms and conditions for sharing the use of the district's facilities."<sup>1</sup> In identifying a recommended approach for furthering joint use of OUSD schoolyards, this report considers four types of joint use: informal joint use, basic joint use, joint use partnership, and joint development. Potential partners with OUSD are the City of Oakland (the "City") and/or community-based organizations ("CBOs").

In addition to the unique challenges of each approach, there are also common barriers: threshold barriers such as cost and insurance, and implicit barriers, such as process knowledge and stakeholder engagement. Nevertheless, multiple tactics can be employed to overcome many of these barriers, and current temporal opportunities can be leveraged.

After analyzing each approach across dimensions of effectiveness, equity, preservation of space, cost, and feasibility, Joint Partnership between OUSD and CBOs emerges as the most prudent approach to joint use. This is due to its potential for longevity, scalability, and ability to open large amounts of space in many communities. Persistent obstacles between OUSD and the City hamper agreement on how to provide general access to OUSD schoolyards under existing joint use agreements. Joint Partnerships between OUSD and CBOs can mitigate limitations through tactics like fiscal sponsorship, as can taking advantage of OUSD's shift to a community schools model.

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<sup>1</sup> Opening School Grounds to the Community After Hours A toolkit for increasing physical activity through joint use agreements Page 10.

# Introduction

Oakland has striking disparities across racial, socioeconomic, and geographic lines in its rates of chronic health conditions related to physical activity. To address this problem, the H.O.P.E. Collaborative ("HOPE"), a non-profit organization consisting of Oakland community members and local organizations, commissioned an analysis by graduate students of the Richard & Rhoda Goldman School of Public Policy at UC Berkeley. The purpose of this study is to recommend a joint use strategy that will succeed in opening more recreational space in Oakland for general public use on evenings and weekends.



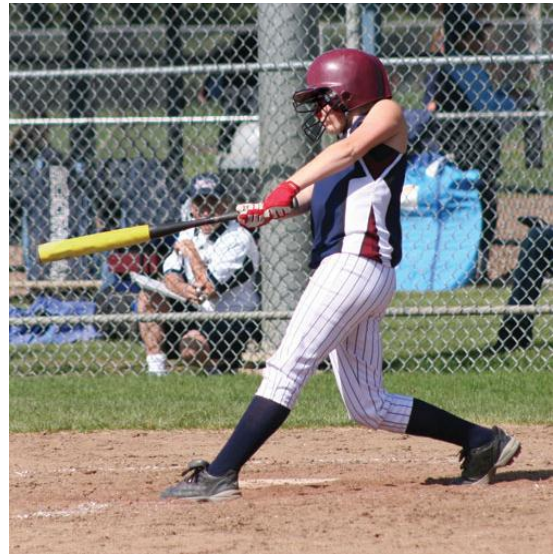
Source: OSI Presentation to OUSD School Board

This report begins with a discussion of the health of Oakland residents, focusing on health outcomes that are correlated with physical activity. It reviews the link between health outcomes and the built environment, concluding that access to recreational space impacts health. The report then assesses the dispersion of recreational space in Oakland and analyzes where the need is greatest, followed by a discussion of how this gap can be filled by opening Oakland Unified School District ("OUSD") schoolyards after school hours and on weekends. After a brief description of the report's methodology, the joint use model and the multiple ways it functions in Oakland are presented, while parties that may be involved are identified. The report then analyzes different approaches to joint use, how they manifest themselves in Oakland, the barriers that exist, and opportunities and tactics that can be employed to overcome those barriers. Next is a more detailed analysis of each approach with respect to a range of established criteria. Finally, recommendations are presented for a strategy that marginalizes barriers and makes the best use of available opportunities and tactics.



# Health and Recreation in Oakland

HOPE's mission is "to create community driven and sustainable environmental change that will significantly improve the health and wellness of Oakland's flatland residents most impacted by social inequities." This mission is the inspiration for thinking about using resources in creative ways to positively impact health outcomes and limiting barriers to access to those resources.



Source: OPR Website

## Health Outcomes, Physical Activity, and Space in Oakland

Healthcare costs are exploding across the country, including in California. A 2009 study by the California Center for Public Health Advocacy estimates that adult physical inactivity and the increasing number of people considered overweight and obese costs California over \$41 billion annually in health care and lost productivity, including over \$2 billion in Alameda County alone.<sup>i</sup>

Because there are many complex sources of obesity and other chronic diseases, such as

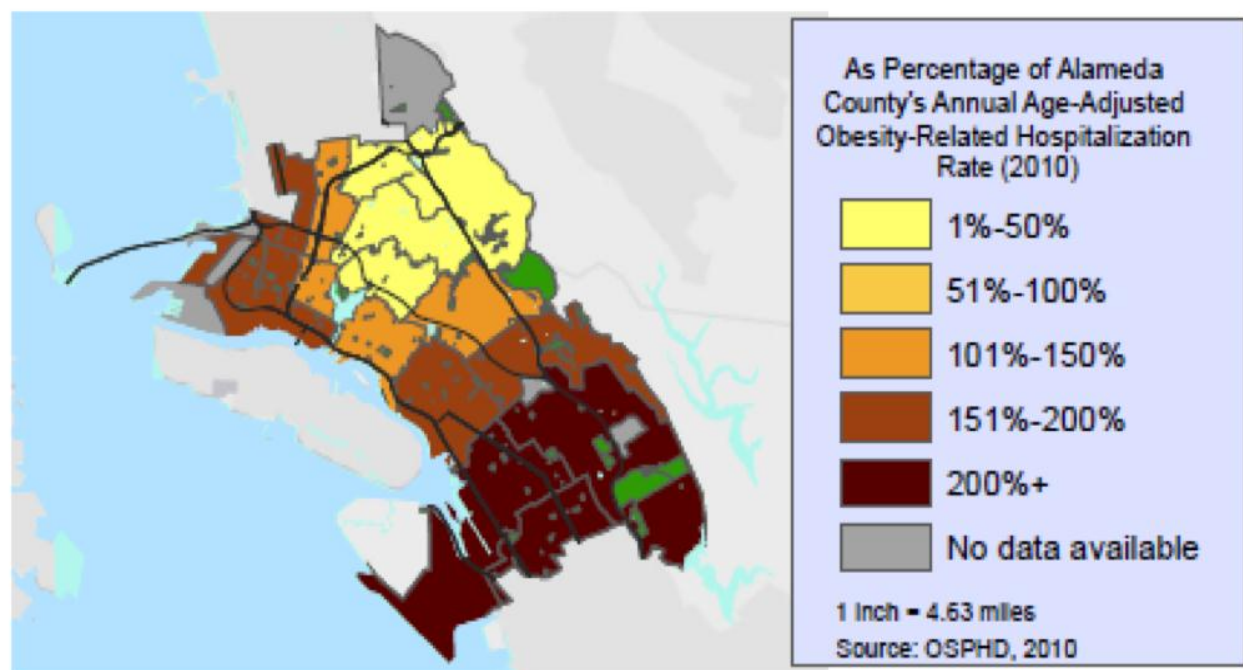
diabetes and coronary heart disease, tackling prevention requires a multifaceted approach. One part of that approach involves examining how the built environment can promote—or discourage—physical activity. Public health research consistently demonstrates the link between the presence of parks, open space, and other recreational facilities and higher physical activity levels, particularly among youth. Research has also revealed that lower-income and racial/ethnic minority communities have limited access to parks and recreational facilities.<sup>ii, iii</sup> Among low-income and racial/ethnic minority communities in Alameda County, and

Oakland specifically, the connection between poor health outcomes, low physical activity, and lack of space for physical activity is borne out by striking racial disparities in obesity and chronic diseases related to physical activity. As articulated in a recent report by the Bay Area Regional Health Inequities Initiative, "neighborhoods are where poverty, race/ethnicity, and other social factors converge with the physical environment to produce the overall conditions that affect health."<sup>iv</sup> These trends are evidenced by the varying rates of obesity in Oakland when analyzed by zip code (see Figure 1).

### Racial Disparities in Health Outcomes

- 36% of African-American and 43% of Latino fifth graders in OUSD are categorized as "high risk" or "needs improvement" for the estimated proportion percentage of weight from body fat, compared to 20% of White fifth graders.<sup>v</sup>
- African Americans have the highest annual rates of diabetes-related hospitalizations (2,421.8 per 100,000), followed by Latinos (1,553.3), American Indians (1021.1), Whites (779.3), then Asians (745.9).<sup>vi</sup>

**Figure 1: Annual Age-Adjusted Obesity-Related Hospitalization Rates by Zip**





## Park Space in Oakland

Oakland has roughly 640 acres of developed parks, public grounds, plazas, and open space properties as well as 1,200 acres of open space.<sup>vii</sup> According to the City of Oakland's (the "City") 1998 Open Space, Conservation, and Recreation Element of the City's General Plan (OSCAR), there are 1.33 acres of local-serving parks per 1,000 residents, which is well below the standard set by the National Recreation and Park Association of four acres per 1,000 residents.<sup>viii</sup> The Central East Oakland, San Antonio, and Fruitvale neighborhoods each have less than one acre per 1,000 residents.

OSCAR identifies the Oakland flatlands (generally the area east of the Interstate-580) as the area with the greatest need for city parks and recreational facilities for the following reasons:

- More limited means to afford private recreation;
- Limited mobility due to lower rates of auto ownership;
- Larger number of children;
- Larger number of apartment dwellers living in housing without useable open space;
- Denser development patterns lacking the aesthetic amenities afforded by open space;
- Larger number of immigrants and persons requiring cultural and social services
- Larger concentration of "at risk" youth.

### Community Access to Public Parks

**Figure 2. Distance to City Parks in Oakland**



A 2006 study by the UCLA Health Impact Assessment Clearinghouse Learning and Information Center found that less than one half of Oakland residents live within one quarter mile of a park, while only 33% of Oakland youth live within easy walking distance.<sup>ix</sup> The map in Figure 2, which shows the neighborhoods not within walking distance (1,500 feet) of a park, confirms these findings.

The few public recreational spaces that do exist in neighborhoods like the flatlands are often poorly maintained and/or perceived to be unsafe. Park maintenance is performed by the Department of Public Works ("Public Works") and funded primarily through the City's Landscaping and Lighting Assessment District ("LLAD").<sup>x</sup> However, as costs have increased, revenues from LLAD have not kept pace.<sup>xi,xii</sup> Before 2008, the City was able to fill the gap with monies from its general fund, but since then, the Public Works budget has been significantly cut. After further cuts in the 2009-2010 budget, two-thirds of the City's parks were designated as "non-priority," meaning they receive no routine maintenance from the City.<sup>xiii</sup> The most recent City budget—2012-2013—shows an overall 17.5 percent cut to the Public Works budget since the October 2008-2009 mid-cycle budget. In the City's own words, this has resulted in "increased

blight, weeds, litter, and a general unkempt appearance" for the city's landscaped assets.<sup>xiv</sup>

Two-thirds of the City's parks receive no routine maintenance from the City

Several studies suggest that perceptions of park aesthetics, conditions, and safety may also be associated with park visitation and physical activity levels. One assessment of fourteen East Oakland parks found high percentages of those parks rated "poor" or "needs improvement" in terms of the amount of litter, number of sports facilities, and play space.<sup>xv</sup> A Microzone Assessment completed by HOPE asked flatlands residents to identify a number of factors that would help them be more physically active. Less crime, a cleaner environment, and better park maintenance topped the list.<sup>xvi</sup>

## An Opportunity with Oakland Schoolyards

Given the current lack of quality public spaces for general access in Oakland communities that could most benefit from such space, HOPE is focused on finding new, high quality space for public use. The most prevalent comparable type of open space

that can be made available for public use in these communities are OUSD schoolyards. Accordingly, they form the basis of analysis for this report. OUSD operates 100 sites on 520 acres of land. Fifty-six percent of that space (296 acres) is available for

programmed outdoor use, primarily for students during school hours.<sup>xvii</sup> On evenings and weekends, access to these schoolyards is governed by a permitting process operated through Oakland's Civic Center. This process allows individuals and organizations to apply for permits to use space during designated times, and many already take advantage of this process. However, providing access to schoolyards after school and on weekends for even more children—including those who cannot, or simply have not, made use of the citywide process—would have a meaningful impact on health outcomes and perhaps even strengthen overall community cohesion. In this report, this is referred to as an “open the gates” model.

HOPE's goal is to use a joint use model to increase recreational spaces for youth by “opening the gates” to Oakland schoolyards. Thus, this is the focus of this report, though there are numerous other approaches to this problem.



## Methodology

Analysis for this report consists primarily of qualitative research. Information collection methods included the following:

- A literature review for background, basic understanding of the joint use model, and a preliminary view of related issues;
- Review of key City and OUSD legal documents;
- Numerous interviews with key stakeholders from the community, academia, local non-profits, advocacy groups, the City, and OUSD; and,
- GIS analysis to assess open space needs and spatial relationships in Oakland.

# Joint Use in Oakland

Joint use is a broad term used to describe a wide variety of arrangements between two or more parties that share facilities. This report's analysis is based on the definition of joint use developed by UC Berkeley's Center for Cities and Schools ("CC&S"): "a joint use agreement is a written agreement between a school district and one or more public or private (nonprofit) entities setting forth the terms and conditions for sharing the use of the district's facilities."<sup>xviii</sup>

## Background on Joint Use

In recent years, interest in joint use has grown significantly, and more formalized arrangements have proliferated. This interest has largely been driven by public health advocates, who see potential to expand the amount of recreational space in communities as a crucial tool in addressing obesity and other health issues.

CC&S has compiled a comprehensive list of different types of joint use, as follows:<sup>xix</sup>

- |  |   |
|--|---|
| 1. Expanded outdoor recreational opportunities       | 6. Curriculum enhancement                               |
| 2. Expanded indoor recreational opportunities        | 7. Public or private meetings, events, and activities   |
| 3. Shared library services                           | 8. Broader land development and/or local revitalization |
| 4. Shared performance arts facilities                | 9. Administrative uses or tenant type arrangements      |
| 5. Expanded student and/or community social services |   |

This is a useful framework through which to see the joint use universe. However, references to joint use in this report will pertain solely to the first category, expanded outdoor recreational opportunities.

## Approaches to Joint Use

Expanding outdoor recreational space through joint use can take many forms and involve various parties. After reviewing the relevant parties in Oakland, this report discusses four approaches to joint use, including Oakland-specific examples.

### Parties

By definition, joint use requires the participation of two or more parties. Within the framework of this report, OUSD must always be involved, in its capacity as owner of the schoolyards in question. The two other relevant categories of participants considered in this report are City departments, such as Oakland Parks & Recreation ("OPR"), and community-based organizations ("CBOs").

### Approaches

In general, these parties can work together in the following four types of arrangements.

- **Informal Joint Use.** The act of individuals opening school facilities to the general public on an unofficial basis, with no set schedule, rules, or approval from OUSD.
- **Basic Joint Use.** An arrangement where a school district makes its space available after hours to other parties through a permitting or application process.
- **Joint Use Partnerships.** A highly formalized arrangement between multiple parties in which parties collaborate to make spaces available during non-school hours.
- **Joint Development for Joint Use.** The construction or renovation of spaces carried out through a collaboration of multiple parties with the intention of them being jointly used.<sup>xxi</sup>

### Legal Framework in California

In California, a number of legal changes enabled the expansion and formalization of joint use.

The foundation for this type of agreement emerged from the Community Recreation Act, which allows school districts to enter into agreements that benefit the community, such as joint use agreements.

In 2002, the School Facility Joint Use Program authorized schools to construct facilities intended for use by multiple parties, while the California Civic Center Act encourages schools to make their facilities available for joint use activities after hours.

The combined effect of these pieces of legislation, as well as select other laws, has created a framework that not only allows, but encourages, joint use.<sup>xx</sup>

The matrix below (Figure 3) summarizes the different parties that can be involved and approaches to joint use, including Oakland-specific examples of each. The latter three categories listed, as with the different types, were initially identified and defined by CC&S.<sup>xxii</sup> Following the matrix is a more detailed description of each joint use approach.

**Figure 3. Oakland Joint Use Examples by Parties and Approach**

	City-OUSD	CBO-OUSD	CBO-City-OUSD
<b>Informal Arrangements</b>	n/a	n/a	n/a
<b>Basic Joint Use</b>	n/a	Civic Center Permitting Process, Sobrante Park Community Playdate	n/a
<b>Joint Partnership</b>	Joint Facilities Use Agreement (JUA)	Cesar Chavez Field (operations)	n/a
<b>Joint Development</b>	Cesar Chavez Field (development)	Oakland Schoolyard Initiative	Ernie Raimondi Park

### *Informal Agreements*

Informal agreements are able to avoid the limitations inherent to bureaucratic institutions. Accordingly, such arrangements are rarely, if ever, memorialized on paper. Because this report focuses on opening a large amount of space in a systematic way, this type of agreement does not form a substantial part of the analysis. However, anecdotal evidence suggests that informal agreements are occurring to some degree in Oakland.



## *Basic Joint Use*

As described by CC&S, “Basic Joint Use” establishes the right to access school spaces and applies broadly to a class of parties, such as individuals, groups, other public agencies, private organizations, and/or nonprofit organizations. Key features typically include the following:

- Response to a policy objective established by state government and/or school district leadership;
- Standard application form outlining fees and including some indemnification of the school district related to liability instead of extensive or unique legal documentation;
- Permitted access for a limited length of time (90 days maximum);
- User fees pre-set and apply to all users or to specific categories of users.<sup>xxiii</sup>

The State Administrator of OUSD approved the adoption of the Facilities Use Handbook (“Handbook”) in 2007. This Handbook outlines the formalized procedures for Basic Joint Use and provides the guidelines, fees (see Appendix B), and procedures for individuals or groups that want to use school facilities (including schoolyards) outside of school hours. In order to use a school facility, individuals must complete the process outlined in the Handbook

- **Permit process.** Applicants must complete and submit a permit application (see Appendix C) to the Civic Center Permit Office. The application is forwarded to the principal of the school in question and the Assistant Superintendent for approval, and applicable fees are determined. The applicant must then submit a certificate of insurance in the amount of \$1 million showing OUSD as an additional insured and submit payment. At the conclusion of the event, the custodian and event organizer must complete and sign the Completed Facility Use/Event Evaluation form.
- **Fee schedule.** The Handbook outlines hourly fees for various facilities and staff. For example, gymnasium rental is \$35 per hour, playground rental costs \$16 per hour, and a soccer/grass field without lights is \$25 per hour. Custodial and security fees are \$27.50 and \$30 per hour, respectively.
- **Use priorities.** The order of priority for use of school facilities is (1) all school-related activities (clubs, class events, etc.), (2) City activities/events, (3) community youth groups, (4) community organizations, and (5) all others, based on first-come, first-served.

### Basic Joint Use: Victoria Figg & Sobrante Park Elementary Community Playdate.

A unique example of Basic Joint Use has been occurring in the East Oakland neighborhood of Sobrante Park. A self-described community liaison named Victoria Figg teamed up with the founder of East Oakland Community Playdate, Stephanie Pepitone, (“Sponsors”) in early 2012 to utilize the Civic Center Permitting Process to open Sobrante Park Elementary School's playground one Saturday per month. The Sobrante Park example of Basic Joint Use is unique because the sponsors chose to open the space to all community members, rather than to a specific group of constituents, such as for a programmed sports or club event.

The Sponsors obtained a small amount of funding through the California Endowment Fund to cover mandatory maintenance fees and Ms. Pepitone used her own private business insurance to meet OUSD's \$1MM

liability requirement. Motivated by the desire to offer physical activity opportunities to all community members, the Sponsors engaged elementary and middle school principals, parents of students, and neighbors to ensure community participation in the events. Ms. Pepitone noted that Ms. Figg's rapport with the school principals was crucial to the timely processing of the permit.<sup>xxiv</sup>



Source: East Oakland Community Playdate

### Joint Use Partnership

Joint Use Partnerships establish ongoing joint use arrangements and describe the formal relationship, policies, and procedures agreed upon between a public school district and one or more other entities. Joint Use Partnerships involve a separately-developed contracts or formal agreements (often called a memorandum of understanding (“MOU”), master agreement, or joint use agreement binding both parties to specific terms for sharing space.

Partnership details are outlined in the formal contract because the terms of the partnership are not possible with existing practice or policy. Joint Use Partnerships are most often formed to meet shared goals across parties.

In 2008, the City and OUSD signed a Joint Facilities Use Agreement ("JFU"), which is in effect until June, 2013. A team of City and OUSD representatives met for over a year to refine and update the previous agreement, which had expired in 2007. Key components of the current agreement include the following:

- **Joint Facility Use Committee.** A Joint Facility Use Committee, which includes representatives from OUSD and the City, shall meet at least quarterly to establish schedules for the joint use of facilities.<sup>xxv</sup>
- **Joint Use.** The City and OUSD will be able to use designated recreational and education facilities for the purposes of youth and adult recreational and educational programs at no cost unless use of the facility results in new costs to the owner. In that case, the City and OUSD may only charge each other "hard costs" (direct staffing costs).
- **Staffing.** The party using the facility is responsible for providing personnel to ensure proper conduct and supervision of use.
- **Maintenance.** The party using the facility shall return it to existing conditions upon completion of activity and shall repair or reimburse the owner for any damage done other than normal wear and tear.
- **Liability.** Each party agrees to be permissibly self-insured under the applicable government code and to provide each other with a certificate of insurance naming the other as additional insured. Additionally, each party will defend indemnity and hold harmless the other from any claims, demands, actions, or damages arising from joint use.

The expired facilities use agreement included language related to public access to schoolyards after hours, but due to "irreconcilable differences" during the negotiation of the JFU, this was left "to be determined." In late 2009/early 2010, the City initiated conversations with OUSD to amend this section of the document, but agreement over custodial services, security, and liability costs could not be reached for general access and thus there was no further movement on the issue.

In addition to the JFU, CBOs have also entered into Joint Partnerships with OUSD.

### **Joint Partnership: Unity Council & Cesar Chavez Education Center**

In 2004, OUSD opened the Cesar Chavez Education Center ("Cesar Chavez"), containing two elementary schools, synthetic soccer and softball fields, and gymnasium facilities. The non-profit organization Unity Council identified the need for additional recreational spaces in the Fruitvale area, and worked informally with then State Administrator of OUSD, Randy Ward, to secure access from 6-9pm at Cesar Chavez on weekdays. After a change in leadership at OUSD, this informal agreement was formalized into a Joint Partnership MOU, and approved by the Oakland Board of Education (see Appendix D). The Unity Council covers the maintenance and operating costs required by OUSD through a combination of grants and user fees collected from athletic leagues in exchange for scheduling assistance.



Source: Environmental Design + Construction

### *Joint Development*

Joint Development is a “bricks-and-mortar” strategy to build facilities that will be jointly used. Through Joint Development, two or more entities partner to plan, site, design, and/or build or renovate a space to better support the joint use of the space.

#### **Joint Development, City-CBO-OUSD:**

##### **Ernie Raimondi Park**

In 2008, a \$5.46 million renovation of Ernie Raimondi Park was completed, involving the City, a CBO, and OUSD. Friends of Oakland Parks and Recreation ("FOPR"), a local nonprofit, led the renovation's design, in collaboration with the City and community stakeholders.<sup>xxvi</sup> FOPR raised over \$800,000 from foundations, local developers, the Oakland A's, and anonymous donors. The City leveraged funding from Measure K General Obligation Bond Series 200D and the Murray-Harden Grant Program from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.<sup>xxvii</sup>

The new facilities include a baseball diamond, synthetic turf multipurpose field, landscaping, bleachers, benches, picnic tables, and a tot lot. McClymonds High School's baseball team to use the reconstructed diamond under the JFU.

## **Joint Development, CBO-OUSD:**

### **Oakland Schoolyard Initiative**

Around 2007, the East Bay Asian Youth Center ("EBAYC") seized upon the San Antonio's community demand for more high quality recreational space and the national focus on obesity prevention to secure private foundation funding to renovate schoolyards and improve transportation to schools. As EBAYC began the work to revitalize schoolyards, it became clear that undertaking this task required a large amount of persistent advocacy, and that it was not the only organization working on the issue. Recognizing that once the initial hurdles to renovating one schoolyard were overcome, it was much easier to renovate several schoolyards, EBAYC partnered with the Unity Council to launch the Oakland Schoolyard Initiative ("OSI"), modeled after the Boston Schoolyard Initiative. (See Appendix E for OUSD resolution.)

The timing was fortuitous in that OUSD was concurrently working on its Wellness Policy, and renovating schoolyards to increase physical activity was a natural fit. By leveraging this window of opportunity and capitalizing on the connections the organizations had on the School Board, they were able to secure official support from the Board of Education for this initiative. After securing this support, OSI began planning upgrades to the outdoor spaces of four pilot school facilities. The planning process involved extensive community input on the desired outcome of the space and collaboration with architectural professionals. Ultimately, OSI was able to rely on funding from several sources, including private foundations like the California Endowment and Robert Wood Johnson Foundation, OUSD construction bonds, and Oakland City Council funding.



Source: The California Endowment's Success Story of OSI

# Barriers, Tactics, and Windows of Opportunity

While each of the approaches described above tackles the opening of recreational space in different ways, there are common barriers to implementation. This section looks more closely at these barriers and identifies tactics to help mitigate them as well as windows of opportunity that can be leveraged to further promote joint use.

## Overarching Barriers

There are several consistent implementation challenges that appear across all approaches to joint use. Some of these barriers are minimum requirements explicitly noted by OUSD, while others are not directly acknowledged by OUSD but affect the scalability and durability of agreements. Others still are administrative. These barriers can be categorized in three ways: *threshold* barriers, including maintenance and operating costs, and liability, *implicit* barriers, including process knowledge, stakeholder buy-in, and social capital, and *administrative* barriers.

### Threshold Barriers

OUSD mandates that all joint use partners meet three requirements. These are threshold

barriers in that they must be overcome to engage in joint use. Representatives from organizations managing joint use agreements indicated that these thresholds were minor barriers for larger organizations, but may challenge smaller ones.<sup>xxviii</sup>

**Maintenance and Operating Costs.** OUSD requires that joint use partners pay custodial staff for overtime hours, as well as cover amortized costs of the use of school facilities during the joint use period, which means partners must have adequate funding. Under the Civic Center Permitting Process, there is a clear price schedule of the combined maintenance and operating costs, by hour and facility type. Under some Joint Partnership and Joint Development agreements, parties have successfully renegotiated custodial fees, which reduced costs.<sup>xxix</sup>

**Liability.** OUSD requires that joint use partners possess at least \$1 million in liability insurance. OUSD's risk management team unequivocally demands that joint use partners assume the liability risk, so this barrier is unlikely to differ across approaches.<sup>xxx</sup>



## Implicit Barriers

Implicit barriers limit the successful implementation of joint use, but are not explicit OUSD requirements.

**Process Knowledge.** Though information and forms for the Civic Center Permitting Process are publicly available online, and paper forms are available at the OUSD Facilities Department office, smaller organizations or individuals may not have the capacity to engage in this process. Further, the Joint Partnership and Joint Development processes are opaque, in that much of the legwork occurs behind the scenes, so not all organizations know how to begin. In addition, each such agreement follows a unique process, which limits replication.

**Stakeholder Engagement.** Gaining the support and investment of key constituents, and influential community members is pivotal for the durability and scalability of joint use agreements. For Basic Joint Use, without vocal support from school principals and community residents, there is a higher likelihood that paperwork will stall in the bureaucratic permit process. Similarly, representatives from the community and school play a key role in helping an organization step into a Joint Partnership or Joint Development arrangement by lobbying school board members and/or the

City Council. Moving beyond Basic Joint Use also requires bringing multiple negotiating parties to the same table to broker the MOU, including the custodial union, OUSD facilities and legal departments, the joint use partner, and eventually the school board. Without buy-in from each of these negotiating groups, it is difficult to advance Joint Partnership or Joint Development.

**Social Capital.** Social capital refers to interpersonal rapport and connections, which can be leveraged to encourage cooperation across social groups with divergent goals and agendas. Without connections and personal relationships, it can be difficult to gain preliminary audiences with the school administrators, community members and OUSD administrators, whose support is necessary to gain stakeholder buy-in for any proposal.

## Administrative Barriers

Both the City and OUSD are resource-constrained, and current staff responsibilities are numerous. Despite great demand (especially for Basic Joint Use), resources to expand administrative capacity are limited. In some cases, this has resulted in delayed responses to requests for joint use permits and has presented challenges to engaging administrators to discuss joint use.

## Tactics for Overcoming Barriers

Given the diverse list of overarching challenges facing joint use agreements, it is important to note that there are numerous ways to mitigate these difficulties. Although not all tactics are appropriate for all joint use approaches, the following sections describe some possible solutions. Takeaways are summarized in Figure 4.

**Figure 4. Summary of Joint Use Barriers and Tactics**

Barriers	Tactics
<b>Threshold</b>	
<ul style="list-style-type: none"> <li>• Maintenance and operating costs</li> <li>• Liability</li> </ul>	<ul style="list-style-type: none"> <li>• Fiscal sponsorship</li> <li>• User fees</li> <li>• Private philanthropy</li> <li>• Public funding</li> </ul>
<b>Implicit</b>	
<ul style="list-style-type: none"> <li>• Process knowledge</li> <li>• Stakeholder engagement</li> <li>• Social capital</li> </ul>	<ul style="list-style-type: none"> <li>• Workshops on process for potential joint use partners</li> <li>• Promoting online forum for the discussion of best practices in Oakland</li> <li>• Engaging insiders</li> <li>• Educating school administrators on process and benefits</li> <li>• Building community support</li> <li>• Documenting progress and successes</li> <li>• Incremental approach</li> </ul>
<b>Administrative</b>	
<ul style="list-style-type: none"> <li>• OUSD's administrative capacity</li> </ul>	<ul style="list-style-type: none"> <li>• Improve availability of information from OUSD online</li> <li>• Increasing staffing at OUSD to process applications</li> <li>• Reinstate Joint Use Committee Meetings between OUSD and City</li> </ul>

## Bridging Threshold Barriers

**Fiscal Sponsorship.** Funding and liability are threshold challenges for small organizations whose operations are too small to warrant the administrative and fundraising investment to the levels necessary to cover costs and insurance required to be eligible to use OUSD facilities. Fiscal sponsorship ("FS") offers a solution to this problem.

Under the FS model, an established non-profit 501(c)3 organization, the sponsor, offers organizations or projects a place under its tax-exempt status and insurance policy, usually in exchange for a reasonable fee. Sometimes the sponsor also offers administrative or technical assistance such as payroll processing, training, and fundraising help.<sup>xxxix</sup> In Oakland, the FS model offers a means of bridging the liability and process knowledge gaps for small groups, if an established organization with a shared mission were willing to sponsor the project. In the Bay Area, there are a multitude of organizations engaged in FS pertaining to public health and social programs, including the Tides Foundation (HOPE's own sponsor), Community Initiatives, and the Public Health Institute.<sup>xxxii</sup>

**User Fees.** Fee-for-use systems have successfully been implemented in Oakland to help cover operating and maintenance

costs. User fees can be applied at different levels, whether for an entire sports league or an individual, as appropriate. A successful example of employing a model of league-level fees is the Unity Council's Joint Partnership agreement for use of the Cesar Chavez Education Center's recreation facilities on evenings and weekends. In its early stages, Unity Council's partnership with OUSD was funded by a local soccer league, which paid for the agreement's operating costs, in exchange for Unity Council's administrative support in scheduling games on the facility's fields.<sup>xxxiii</sup> The overarching user fees from the league enabled Unity Council to run its own fitness programs in the gymnasium and fields when games were not in session. At the individual level, user fees are simply small entrance fees charged to any community members who use facilities opened through a joint use agreement.

**Private Philanthropy.** Although it is beyond the scope of this report to investigate the many private grant sources available, Stephanie Pepitone, the founder of East Oakland Community Playdate and a key sponsor of the Sobrante Park Community Playdate, secured a small grant from the California Endowment to support two recurring monthly events.<sup>xxxiv</sup>

**Public Funding.** Public Health Law and Policy, which has developed a comprehensive toolkit on joint use, notes that “renewable, dedicated revenue sources are the most reliable and comprehensive.”<sup>xxxv</sup> This refers to special taxes, special assessment districts, and bonds. All of these sources rely on voter support and political prioritization. In Oakland, public funds indirectly supporting heavily programmed joint use agreements have occurred through afterschool programs. The Oakland Fund for Children and Families, the product of the Kid’s First! Initiative (Measures K, and later, D) provides funding for organizations offering programming at school facilities after school hours. Of course, these funds are limited to the organizations serving school children, and are not open to other community organizations.

Public health funding is also an important source to investigate further.

## **Mitigating Implicit Barriers**

**Workshops on Process for Potential Joint Use Partners.** Offering technical assistance and training sessions for navigating the Civic Center Permitting Process is a way of overcoming the process knowledge barrier associated with Basic Joint Use in Oakland. This approach would involve direct training and active learning, and may better serve

individuals or organizations with limited access to the Internet or a preference for learning in person. Workshops would require a knowledgeable organization to design and host the training. Alternately, if resources were available, OUSD’s Facilities Department itself might have an interest in better educating joint use partners, in order to minimize their administrative burden.

**Promoting the Online Forum for Discussion of Best Practices in Oakland.** Because successful Joint Partnerships and Joint Development arrangements do not follow a set process, an online community where partners could pose questions and discuss solutions would aid in bridging process knowledge gaps. Jointuse.org, administered by the Prevention Institute and Berkeley Media Studies Group, is already dedicated to providing extensive resources on joint use agreements for potential partners, school districts, and policymakers (including some materials in Spanish), and has an interactive public forum to discuss best joint use practices. Though the majority of the forum content is dated, this potentially helpful source of peer-to-peer information could be reinvigorated.

**Engaging Insiders.** There are several key gatekeepers for joint use agreements, and building rapport with those individuals is

crucial. School principals, OUSD administrators, and on-the-ground staff (especially custodians) can halt a joint use agreement. One way to build a relationship with gatekeepers is to enlist the support of local, connected stakeholders whose goals align with those of the joint use partner. For example, City representatives successfully opened an OUSD aquatic facility previously exempt from the JFU facility list by asking swim coaches to work as intermediaries with the school principal to smooth over scheduling challenges.<sup>xxxvi</sup> Another example is the Sobrante Park Community Playdate: the event's main sponsor, Victoria Figg, used her own strong rapport with school principals to ask them to advocate on behalf of the agreement.<sup>xxxvii</sup> This support helped her application gain an expedited approval through the Civic Center Permitting Process.

**Educating School Administrators on Process and Benefits.** Because school principals are important gatekeepers, offering clear, digestible information to them would help to gain their buy-in to joint use agreements. When San Francisco Unified School District engaged CC&S to suggest ways to improve community use of facilities, one of the report's key recommendations was to develop a "Tools for Principals" guide on joint use. This guide would include information on

benefits, the role of the principal, and guidelines for the joint use process.<sup>xxxviii</sup>

**Building Community Support.** Community members like Victoria Figg are stakeholders with great incentives to sponsor and support joint use agreements, because the benefits of the agreements accrue directly to them and their fellow residents. These individuals may also be voters who elect City Council representatives and school board members. By educating community members through a public awareness campaign or a series of informational meetings, support for joint use can grow from the grassroots level. With such support, joint use might eventually reach a level of higher priority with OUSD and the City, perhaps even leading to a resolution of the community access provision stalemate in the JFU.

**Documenting Progress and Successes.** Tracking positive quantitative and qualitative community and health outcomes from functioning joint use agreements may convince more stakeholders of their benefits. Documenting, and later sharing, the number and age of participants in joint use events, cumulative time spent exercising, anecdotes of improved quality of life, or improved health would all be dimensions to record and analyze over time.

**Incremental Approach.** The Joint Partnership and Joint Development agreements for OUSD schoolyards are difficult to broker, and require extensive social capital to put in place. Building rapport over time with school administrators, custodial staff, and school board members through successful implementation of Basic Joint Use is one way to accrue the trust and social capital required for Joint Partnership. In the case of Unity Council, their track record of respectful use of schoolyards made the other stakeholders more willing to support Joint Partnership.

## **Overcoming Administrative Barriers**

**Centralizing Scheduling.** Creating a master calendar of activities occurring at school sites—including school, CBO, and City events as well as scheduled maintenance and construction projects—would make it easier for parties interested in using school space to schedule events and would provide a snapshot of which spaces are being used more frequently and which ones are underutilized. The OUSD Facilities Master Plan calls for the creation of a new database to help manage facilities, which may be a natural home for such a calendar.

**Improve Availability of Information from OUSD Online.** Information about OUSD's Civic Center Permitting Process is available

online, but is not presented in a user-friendly manner. For example, the link to the Civic Center Permit Application provides no background information on what a Civic Center permit is. Likewise, the Handbook is available on OUSD's website, but is very dense and may not be easily understood by those not accustomed to reading such documents. Accordingly, creating a single web page that provides an overview Civic Center permits, the application process, and the approximate timeline for approval would lower some of the barriers to entry for individuals or small groups interested in joint use. For example, Los Angeles Unified School District recently launched a website that centralizes information for groups interested in using school spaces.<sup>xxxix</sup> This website—while still in its infancy—provides readily digestible information on its permitting processes and model joint use projects.

**Increasing Staffing at OUSD to Process Applications.** Due to multiple demands on staff members' time, several respondents noted that applications for joint use are often stalled at the OUSD administrative level. Thus, ensuring that staff members have adequate, dedicated time to process permits would alleviate at least some of these delays. As San Francisco Unified School District sought to overhaul its community use



program, a key recommendation from CC&S was the creation of a staffed position specifically dedicated to managing community use of schools. Housed within the OUSD Facilities Department, this staff person would also be responsible for maintaining close communication with other key OUSD and City staff.

**Reinstate Joint Use Committee Meetings Between OUSD and City.** According to the JFU, representatives from both OUSD and the City are supposed to meet on a quarterly basis to coordinate on issues related to joint use. According to respondents, these meetings are not currently taking place as scheduled, thus impeding effective

communication between the two parties. Other cities have found regular meetings between the City and school district to be helpful for fostering communication around larger issues, such as capital projects, as well as day-to-day issues, such as maintenance and scheduling. For example, in Santa Barbara, a committee of school administrators, the school facilities director, and senior-level parks and recreation staff meet quarterly to discuss implementation of the joint use agreement between that city and its school district. In addition to these meetings, the committee drafts reports on joint use twice a year for the city council and school board.<sup>xi</sup>

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## Windows of Opportunity

In addition to tactics to mitigate the specific limitations and barriers to implementing joint use in Oakland, there are certain temporal opportunities that a joint use strategy could take advantage of.

**Fit with OUSD's New Strategic Vision.** In 2010, OUSD adopted a new five year strategic plan: "Thriving Students: Unifying Oakland for the Academic and Social Success for our Children." This plan presents the following of windows of opportunity to further joint use.

- *Full Service Community Schools.* A key component of this plan is moving to the full service community school model in which, among other things, "schools become centers of the communities and are open, fun, and attractive spaces for the community to use before and after the school day."<sup>xli</sup> There is a natural fit between this vision for schools and joint use.
- *Bond Measure.* The OUSD Facilities Department is undergoing its own planning process in order to "align

OUSD's built environment with its strategic vision."<sup>xiii</sup> Financing for this plan is projected to come primarily from a \$500M general obligation fund, which will likely appear on the Oakland ballot in November 2012.<sup>xiii</sup> Polls taken by OUSD in April 2012 indicate that the measure has a majority approval rating, suggesting that the measure will pass.<sup>xiv</sup> Recognizing that many Joint Partnership and Joint Development projects occurred during periods of capital improvement, this too presents an opportunity for further joint use.

**Growing Momentum Behind Joint Use.** As previously discussed, joint use is gaining in popularity among researchers, practitioners, and policymakers as an approach to increasing the availability of recreational space.

- *State-level initiatives.* Several recently-launched statewide initiatives are concerned with issues related to health and the built environment. For example, in 2011, State Superintendent of Public Instruction Tom Torlakson launched the "Schools of the Future Initiative." This initiative built on the recommendations put forth in a 2008 roundtable, including "consider the full spectrum of community facilities and support opportunities for joint use and educational partnerships." Since March 2011, subcommittees have

been meeting to build on the research done to date and make recommendations for how to eliminate legislative and regulatory obstacles. Part of the charge of the School Site Selection and Community Impact subcommittee is to develop recommendations for how to foster joint use.<sup>xiv</sup>

- *Engaged community of researchers and advocates.* There is also a strong community of researchers and advocates interested in fostering joint use. Many of these organizations work on a state or national level basis, but are located in the Bay Area. Thus, community groups interested in joint use in Oakland may be able to draw upon the resources of organizations like Public Health Law and Policy, the Prevention Institute, the UC Berkeley Center for Cities & Schools, and California Pan-Ethnic Health Network. Representatives from these organizations and others sit on the Joint Use Statewide Task Force.
- *"Peer pressure" from other cities.* Finally, school districts in places such as San Francisco and Los Angeles are implementing large-scale joint use initiatives, which may place pressure on Oakland to follow suit.

# Analysis of Joint Use Approaches

The following section analyzes the four major approaches to joint use, discussing the strengths and weaknesses with respect to the dimensions of outcomes and process for each: effectiveness, equity, preservation of space quality, costs, and feasibility.

## Key Aspects of Effective Solutions

Each of the approaches to joint use increases access to OUSD open space. However, each approach will generate different outcomes while facing different procedural challenges. In order to compare the relative desirability of each strategy, it is necessary to evaluate each one with respect to the components of successful impacts and process. Outcome success dimensions include the degree of effectiveness in opening quality spaces, distribution impact to communities with the greatest need, and preservation of space quality. Process dimensions center on the likelihood of bringing a policy or strategy to fruition, and include cost as well as political, legal, and administrative feasibility. The approach that best maximizes outcome benefits and mitigates procedural challenges will form this report's recommended course of action.

Key Consideration 1: Is it effective?  
More quality space,  
for more people,  
over time

**Effectiveness.** Because the objective is to open more quality recreational spaces, a pivotal dimension of analysis is how well the type of agreement accomplishes the specific task of opening up schoolyards for general public access on evenings and weekends. *Effectiveness* in this

context refers to the magnitude of the impact. Key questions include, "How much more quality open space will be available to the community as a result of this strategy?", "How many more people will gain access to quality open space?" and, "How lasting is the agreement with respect to time?" A larger impact (more park space opened, more people affected, over a longer period), will yield a higher "effectiveness" rating.

**Equity.** The equity criterion considers who receives benefits, and whether the policy benefits the intended neighborhoods and populations. This project focuses on Oakland flatland neighborhoods with lower-than-average health outcomes (diabetes, heart disease, etc) and limited park options. A proposed strategy that strongly impacts these communities, which are at higher risks for illnesses affected by lack of exercise, would be more desirable along the equity dimension than a strategy that affected neighborhoods with ample parks and healthier residents.

**Preservation of Space Quality.**

If OUSD schoolyards deteriorated substantially under a proposed strategy, they would be no different than City parks. Approaches

that do not include means of maintaining facilities and deterring vandalism will be ranked much lower than those that provide for this crucial element.

Key Consideration 2: Does it protect quality?

If schoolyards deteriorate,  
no difference than parks

**Costs.** City and OUSD budgets are under significant strain, suggesting that funding opportunities from those sources will be limited.<sup>xlvi</sup> <sup>xlvi</sup> Tighter financial conditions suggest that lower cost strategies will be more likely to succeed than higher cost ones.

Key Consideration 3: Can it be done?  
Political, legal, and administrative  
headwinds




























**Feasibility.** Political headwinds, legal issues, and administrative capability may all affect a strategy's likelihood of success. Community support will also play an important role in agreement adoption. This criterion is qualitative,

and will weigh the comparative challenges of the various components.

## Analysis of Tradeoffs

It is difficult to identify one joint use approach that is always better than the others. As summarized in Figure 5, each offers a set of tradeoffs, typically between process and outcome dimensions. Basic Joint Use and Joint Partnership represent the middle road, and in general, face fewer procedural challenges than Joint Development, while generating better outcomes than informal agreements. Following this table is a more detailed discussion of aspects that can be categorized as challenges, opportunities, and neutral for each approach.

**Figure 5. Summary of Tradeoffs Between Approaches to Joint Use**

	Outcome Dimensions			Process Dimensions		Overall
	Effectiveness Large amount of space open to large number of people for public access	Equity Space opened in flatlands and open to all	Preservation of Space High quality of space is maintained	Cost Relatively low and predictable costs	Feasibility Politically, legally, and administratively implementable	
Informal Agreements						
Basic Joint Use						
Joint Partnership						
Joint Development						
<div>    </div> <div> More challenges Neutral More opportunities </div>						

## Informal Agreements

Informal agreements are in some ways the easiest approach to joint use, but this simplicity has a number of drawbacks. Overall, informal joint use does not create much space, as occurrences are fairly rare. Further, its longevity and scalability to other spaces is questionable, given its reliance upon individual school administrators. There is no way of directing where informal joint use takes place, as it occurs purely on an ad hoc basis, at the decision of school principals. Anecdotal evidences suggests that because a certain amount of trust is required between the school administration and the partner, it tends to take place in more affluent neighborhoods, which have alternatives for recreational space, as opposed to poorer areas with greater need.

Due to their lack of complexity, informal agreements can fail to address certain issues. Though there are no direct or startup costs, there is no way to ensure preservation of space quality as maintenance staff are not involved, and depreciation costs are not addressed. More importantly, there can be a high variance in overall costs, given the risk of vandalism or injury; in the absence of an agreement, there is uncertainty about who bears the costs for litigation and damages.

## Basic Joint Use

Basic Joint Use has the potential to open up large amounts of space to many people, but its effectiveness is somewhat hampered by the fact that each space requires its own administrative process. As a general permitting process, use of it can open space to any interested party since everyone has equal access to the process. Therefore, joint use of OUSD space can occur in any neighborhood or community. Further, this structure ensures basic maintenance of space through standardized fees, which are predictable and relatively nominal.

In terms of feasibility, the permitting process is relatively straightforward, but does have drawbacks. Generally, applicants must have \$1 million in liability insurance, which limits access to larger organizations or individuals willing to shoulder risk with personal insurance policies. The group or individual that obtains the permit in effect becomes a secondary gatekeeper, with the right to determine how the space is used and who uses it. Though the majority of organizations are presumed to be reserving space for generally beneficial reasons, the system, given its fee and liability costs, tends to favor programmed uses (e.g. recreational basketball leagues) over free play. Further, permits do not extend over long periods of



time, creating a layer of administrative inconvenience. Since OUSD events take priority, applicants must also work around OUSD's schedule when planning events. Finally, though the process is technically free to all, it favors those with knowledge of the system, and anecdotal evidence suggests that pre-existing connections make the process significantly easier.

## **Joint Partnerships**

Joint Partnerships, as highly formalized arrangements, provide many benefits in terms of convenience, scalability, and longevity, with few challenges. A formal agreement between OUSD and one or more partners removes the burden of constantly having to re-apply for space, while an agreement's formalized nature means it can be applied to a wide variety of spaces, increasing its effectiveness. Though the duration of an agreement is generally finite (five years in the case of the JFU), they tend to be structured in such a way that renewal is straightforward. As with Basic Joint Use, such a structure allows for a large amount of space to be made available. Given the need to get all stakeholders to the table to enter into a legally binding agreement, threshold issues such as maintenance and operation costs are typically covered as part

of the negotiation, and the parties are heavily invested in the agreement's success.

The tradeoff to these benefits is that relatively high entry barriers make it more difficult to implement Joint Partnerships. Bringing a variety of stakeholders together and getting them to negotiate and agree to a legal agreement takes time and expertise that are beyond the capacity of many organizations. This is evidenced by the JFU, for which the feasibility barriers of opening up school space for general access have been insurmountable to date. Further, the gatekeeper issue from Basic Joint Use arises here as well, since control is handed to one group, as opposed to simply opening up space. Given the smaller number of gatekeepers in Joint Partnerships, equity could be compromised.

## **Joint Development**

Joint Development is in many ways ideal. It creates improved spaces, intended for and targeted to joint use arrangements. Additionally, to date, these projects tend to occur in neighborhoods with a demonstrated need. In addition to maintenance and liability costs being covered, major capital improvements are generally included. In terms of effectiveness, schoolchildren as well as community

members benefit from the improved spaces, which can be expected to last for a long time.

The major barrier to Joint Development is cost: the great benefits it generates must be paid for. Additionally, it tends not to create a great deal of space—merely high quality space. In the absence of operating surpluses, funding for these projects must

come from bonds, private foundations, or government grants, all of which are difficult to obtain and require a degree of political activity, be it getting a bond measure on the ballot and passed or connecting with and convincing a foundation to fund the project. Finally, from start to finish, the process takes longer than the other approaches.

# Recommendations

Given the analysis above, Joint Partnerships between OUSD and CBOs are the best joint use approach for increasing the amount of quality recreational space in Oakland. This approach is by no means a silver bullet and should not be the sole focus of efforts in this area. The other joint use approaches do have a place in the process, but the tradeoffs suggest they should not be the primary focus.

The recommended partnership—OUSD and CBOs, rather than the City—is important. The JFU reflects the ability of OUSD and the City to negotiate a Joint Partnership agreement, but the key criterion in this analysis was effectiveness. Despite multiple attempts to negotiate the terms of the general access clause, the JFU fails to address this issue. After conversations with attorneys and other representatives of each party, the burden of liability appears to be the major roadblock, as neither party wants to be primarily responsible. Although if resolved, the general access clause would greatly expand the amount of quality open space available to the public, it does not appear that there will be any agreement forthcoming. Given this obstacle, this recommendation focuses on partnerships between OUSD and CBOs.

The choice of Joint Partnership as the recommended approach is largely based on its position as the most effective approach to opening the largest amounts of space accessible to the most people on a long-term basis, due to the fact that the same agreement can be negotiated to cover multiple spaces. Additionally, the fact that costs are negotiated by both parties is preferable to one party setting the terms, and the absence of cost variance over time (unless agreed upon) allows both parties to plan for long term programming, perhaps while taking advantage of economies of scale. With regard to maintenance of space, the necessary time and commitment of resources to negotiations requires the parties to be engaged and motivated by the same goal. This suggests that both parties are invested in the quality of the space and incentivized to maintain it to ensure the integrity of the agreement.

Despite the benefits, there are also limitations to Joint Partnership. There is no way to guarantee that CBOs in areas with the most need for increased recreational space will be involved with or have a mission that aligns with the goals of joint use. Accordingly, these areas

may continue to lack quality outdoor space. However, the most important barrier is feasibility. Getting stakeholders to the table to negotiate Joint Partnership agreements is difficult. Currently, OUSD's resources are stretched thin, both in terms of finances and staffing, making it more difficult for officials to focus on new joint use arrangements. Further, administratively, the parties to a Joint Partnership agreement require the capacity to complete a negotiation. For many smaller CBOs, this is not possible, and its current limitations make this a challenge OUSD as well. Lastly, the minimum liability burden demanded by OUSD is a substantial barrier for many CBOs.

The limitations facing Joint Partnership in Oakland are not insurmountable. Fiscal sponsorship is an effective way to address liability concerns. This tactic also addresses the administrative feasibility challenge for CBOs, as they can rely on the administrative capacity of their sponsor or other CBOs to assist in negotiations. The challenges facing OUSD are not easily addressed, but the opportunities available through the Community Schools Initiative and proposed bond measure offer the possibility to link implementation of Joint Partnership agreements with a process that is already working to place schools at the center of communities and an infusion of new financial resources.

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xxi These approaches are not mutually exclusive. For example, Oakland Schoolyards Initiative, which is a series of capital projects that were designed with the eventual goal of being used by multiple parties, are Joint Development. At the same time, they represent a Joint Partnership between OUSD and Unity Council. The current joint use agreement between OUSD and Oakland Department of Parks and Recreation (OPR) appears to have been intended as a Joint Use Partnership, but seems to function more like Basic Joint Use in that it has a limited time frame, and is essentially a structure through which joint use can be accomplished. The primary difference between the first and third is that with Basic Joint Use, the school district provides something, whereas in the Partnership approach, the school district and the other party (or parties) share a common goal or objective.

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## Appendix A: Relevant Tactics for Overcoming Barriers by Joint Use Approach

	Basic Joint-Use	Joint Partnership	Joint Development
<b>Threshold Barriers</b>			
Fiscal sponsorship	X	X	
User fees	X	X	X
Private philanthropy	X	X	X
Public funding		X	X
<b>Implicit Barriers</b>			
Engaging insiders	X	X	X
Workshops on process for potential joint-use sponsors	X		
Promoting Oakland-specific online forum for discussion of best practices	X	X	
Educating school administrators on process and benefits	X		
Building community support	X	X	X
Documenting progress and successes	X	X	
Using an incremental approach		X	X
<b>Administrative Barriers</b>			
Centralizing scheduling	X	X	
Improving availability of information on the web	X		
Increasing staffing at OUSD	X	X	
Reinstating joint-use committee meetings between OUSD and the City		X	



Appendix B

OAKLAND UNIFIED SCHOOL DISTRICT  
CIVIC CENTER OFFICE  
FACILITY FEE SCHEDULE

**Rental Rates per Hour**

	Community sponsored youth groups and organizations, non-profit groups not affiliated with a religious organization	Commercial enterprise, religious organizations, fundraising activities that do not benefit Oakland Unified School District
<b>FACILITY</b>	<b>DIRECT RENTAL COSTS</b>	<b>FAIR RENTAL COSTS</b>
<b>Application</b>	\$10.00	\$20.00
Classrooms	\$18.00	\$28.50 - \$65.00
Multipurpose/Theatre/Auditoriums	\$31.00	\$80.00
Library/Media	\$31.00	\$28.50 - \$65.00
Kitchen/Cafeteria	\$22.00	\$60.00
Conference Room	\$18.00	\$30.00
Gymnasiums	\$35.00	\$60.00 - \$110.00
Playground	\$16.00	\$30.00
<b>Stadiums</b>		
Tracks	\$20.00	\$24.00 - \$54.00
Baseball	\$28.00	\$110.00
Softball	\$21.00	\$110.00
Soccer/ Grass Field Without lights	\$25.00	\$110.00
Soccer/Synthetic Turf Field With lights	\$52.00	\$110.00/ with lights \$150.00
Football /Synthetic Turf Field With Lights	\$52.00	\$110.00/ with lights \$150.00
Pools	\$55.00	\$300.00 start up cost, \$75.00 each additional day, minimum 3 day event/ \$75.00 a day non-start up cost
RESTROOMS (Weekend/Flat Rate)	Restrooms are available with the rental of a school facility.	
Parking	\$100.00	\$150.00
<b>Custodial</b>		
Weekday	\$27.50	\$37.50
Weekend	\$27.50	\$37.50
<b>Food Services</b>		
Weekday	\$35.00	\$35.00
Weekend	\$35.00	\$35.00
<b>Security Officer</b>		
Weekday	\$30.00	\$39.00
Weekend	\$30.00	\$39.00

## OAKLAND UNIFIED SCHOOL DISTRICT

Print Form

## APPLICATION FOR USE OF SCHOOL FACILITIES FOR PUBLIC PURPOSES UNDER THE CIVIC CENTER ACT

955 High Street Oakland Ca. 94601

PH: 510-535-7066 Fax: 510-535-7067

1 **FACILITY NAME:** \_\_\_\_\_ **DATE** \_\_\_\_\_2 **USER IDENTIFICATION:**

NAME OF GROUP/ORGANIZATION \_\_\_\_\_

NAME OF GROUP MEMBER MAKING REQUEST \_\_\_\_\_

ADDRESS (MAILING) \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_

TELEPHONE NO. HOME \_\_\_\_\_ WORK \_\_\_\_\_ EXT \_\_\_\_\_ FAX NO. \_\_\_\_\_

CELL PH. NO. \_\_\_\_\_ EMAIL \_\_\_\_\_

OPTIONAL CONTACT \_\_\_\_\_ PHONE NO. \_\_\_\_\_ NO. OF PARTICIPANTS \_\_\_\_\_

NATURE OF ACTIVITY TO BE CONDUCTED \_\_\_\_\_

3 **FACILITY/EQUIPMENT REQUESTED:**

INDOORS	OUTDOORS	TYPE OF EQUIPMENT
<input type="checkbox"/> CLASSROOM QTY _____ ROOM No(s). _____	<input type="checkbox"/> FOOTBALL FIELD	<input type="checkbox"/> P.A. SYSTEM IN GYM
<input type="checkbox"/> MUSIC ROOM	<input type="checkbox"/> TRACK	<input type="checkbox"/> P.A. SYSTEM AUDITORIUM
<input type="checkbox"/> BAND ROOM	<input type="checkbox"/> BASEBALL FIELD	<input type="checkbox"/> SCORE BOARD/TIME CLOCK
<input type="checkbox"/> COMPUTER ROOM	<input type="checkbox"/> PRACTICE FIELD	<input type="checkbox"/> PIANO
<input type="checkbox"/> MULTIMEDIA LAB	<input type="checkbox"/> FIELD A	<input type="checkbox"/> CHAIRS QTY _____
<input type="checkbox"/> LIBRARY	<input type="checkbox"/> FIELD B	<input type="checkbox"/> TABLES QTY _____
<input type="checkbox"/> AUDITORIUM	<input type="checkbox"/> TENNIS COURT	<input type="checkbox"/> NEED SETUP <input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> CONFERENCE ROOM	<input type="checkbox"/> POOL	<input type="checkbox"/> RESTROOM <input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> THEATER	<input type="checkbox"/> PLAYGROUND	<b>FOR OFFICE USE ONLY</b>
<input type="checkbox"/> EXERCISE ROOM	<input type="checkbox"/> PARKING	Custodial Start Time: _____
<input type="checkbox"/> GYM	OTHER: _____	Custodial End Time: _____
<input type="checkbox"/> FOOD SERVICE	name=	Custodial Total Hrs. _____
<input type="checkbox"/> KITCHEN		
<input type="checkbox"/> CAFETERIA		
<input type="checkbox"/> LUNCH ROOM		
<input type="checkbox"/> OTHER _____		

4 **USAGE INFORMATION:**

SINGLE <input type="checkbox"/>		DAYS OF USE		DATES OF USE		HOURS OF USE (Please specify AM or PM)		TOTAL HR(s)	
WEEKLY <input type="checkbox"/>	<input type="checkbox"/> M <input type="checkbox"/> TU <input type="checkbox"/> WE <input type="checkbox"/> TH <input type="checkbox"/> FR <input type="checkbox"/> SA <input type="checkbox"/> SU								
MONTHLY <input type="checkbox"/>						Actual Event Hours			

## DECLARATION

We agree to conform to all the rules and regulations and the Board Policy And Admittance Regulations of the Oakland Unified School District.

The undersigned states that, to the best of his or her knowledge, the school property for use of which application is hereby made will not be used for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government of the United States by force, violence or other unlawful means.

That \_\_\_\_\_, the organization on whose behalf he or she is making application for use of school property, does not, to the best of his or her knowledge, advocate the overthrow of the government of the United States or of the State of California by force, violence, or other unlawful means, and that, to the best of his or her knowledge, it is not a Communist action organization or Communist front organization required by law to be registered with the Attorney General of the United States. This statement is made under the penalty of perjury.

SIGNATURE OF GROUP MEMBER ASSUMING RESPONSIBILITY \_\_\_\_\_ DATE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

5. **SCHOOL USE ONLY:**☐ APPROVED ☐ DENIED \_\_\_\_\_ DATE \_\_\_\_\_**ASST. SUPT.**

PRINCIPAL SIGNATURE \_\_\_\_\_

☐ APPROVED ☐ DENIED \_\_\_\_\_ DATE \_\_\_\_\_

SUPT. SIGNATURE \_\_\_\_\_

Application is to be completed and submitted to the site administrator responsible for required facilities (Application does not confirm request) Rev. 7/11

File ID Number: 10-0178  
Introduction Date: 2/2/10  
Enactment Number: 10-0389  
Enactment Date: 3-10-10  
By: RJ

Appendix D

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
OAKLAND UNIFIED SCHOOL DISTRICT  
AND  
THE SPANISH SPEAKING UNITY COUNCIL**

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**PREAMBLE AND RECITALS**

This Memorandum of Understanding ("MOU") is entered into between the Spanish Speaking Unity Council, a community organization serving the City of Oakland's Fruitvale District (hereinafter "Unity Council") and the Oakland Unified School District, a governmental entity and a political subdivision of the State of California (hereinafter "OUSD" or "District"), with respect to the scheduling of the herein described after school and weekend recreational activities taking place on the playing fields and gymnasium at the Cesar Chavez Education Center (hereinafter "CCEC"), a K-5 District owned school. The effective date of this Agreement is January 1, 2010.

**WHEREAS**, on December 30, 2002, the City of Oakland conveyed by grant deed the real property commonly known as the Cesar Chavez Learning Center and said conveyance was accepted by the District by OUSD Resolution 02-1117 enacted by the Board of Education on April 9, 2003, and;

**WHEREAS**, as a part of the conveyance, the District agreed that the ball fields and certain other common areas would be made available to the public subject to regulations the District may impose, and;

**WHEREAS**, Unity Council and the District recognize that many of the youth living in Oakland's Fruitvale community are severely underserved in afterschool recreational opportunities and youth programs, and;

**WHEREAS**, this lack of access to recreational opportunities ultimately limits each child's potential and undermines the ability for our youth to grow and develop in positive ways, and;

**WHEREAS**, the District and Unity Council are committed to working cooperatively in reaching an understanding with respect to the student and community youth's use of the recreational space at CCEC, and;

**WHEREAS**, previous agreements have existed between the District and Unity Council to provide after school and weekend programs at CCEC, and;

**WHEREAS**, through a partnership with Think College Now and International Community School, the two host elementary schools at CCEC these facilities could be made available to additional youth attending OUSD schools and is a unique program and the only one of its kind in the City of Oakland and;

**WHEREAS**, Unity Council currently handles and will continue to handle all of the permits and scheduling of the teams for the fields and gym at CCEC from 6:00 p.m. to 9:00 p.m., Monday through Friday and on weekends for league games and practice, and;

**WHEREAS**, the District incurs costs for staff to perform security and custodial services during Unity Council's use, which Unity Council has agreed to pay for as specified below, and;

**WHEREAS**, it is the intent of this MOU to identify the costs associated with Unity Council's use of CCEC during the 6:00 p.m. to 9:00 p.m. weekday time period as well as the costs associated with Unity Council's use of CCEC for weekend league play and practices, and to memorialize Unity Council's agreement to generate fees that will pay the District for its ongoing cost of security and custodial services for weekday use, and;

**WHEREAS**, OUSD and Unity Council agree that the facility use fees generated from weekend usage will be used to pay the fees for security and custodial services for weekday usage, irrespective of whether the facility is scheduled on the weekend by the Unity Council or by the OUSD Civic Center.

**NOW, THEREFORE, UNITY COUNCIL AND THE DISTRICT AGREE AS FOLLOWS:**

## **AGREEMENT**

### **EFFECTIVE DATE AND TERM**

The Effective Date of this Agreement is January 1, 2010. The term of this Agreement shall be until June 30, 2011, provided however the Parties may by mutual agreement, in writing, extend the term for an additional three years.

### **ROLES AND RESPONSIBILITIES OF THE PARTIES:**

The District will continue to partner with Unity Council to explore innovative ways to insure that CCEC is fully utilized by Fruitvale youth.

The District and Unity Council will work cooperatively to establish guidelines and schedules that will facilitate the process for providing access to safe and enriching activities adequately supervised by trained adult staff, including sports activities for Fruitvale youth during critical after school and weekend hours as recited above and as follows below.

The District's Civic Center Guidelines shall govern Unity Council's use of the CCEC. The District shall regulate the "permit process" for all facilities at the CCEC. "Permit" is defined as the process in which an organization submits to the District's Civic Center office an application for use of school facilities, which application is reviewed and subject to approval by the District.

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## Appendix D

The parties have entered into this Agreement covering January 1, 2010 through June 30, 2011 to ensure that the student and community outreach and support efforts provided by Unity Council can continue throughout the school year. At the termination of this agreement, renewal of the terms may be executed by mutual agreement of the parties.

Unity Council will submit weekday and weekend permits to the OUSD Civic Center in three month intervals. Fees for weekend use will be collected by the OUSD Civic Center. The permits will be validated once payment is made (by third party) and the payments for facility use fees will be directed to fund weekday SSO and Custodial fees. A copy of payment received will be documented and filed by both Unity Council and the Civic Center.

### **UNITY COUNCIL USE OF CCEC FACILITIES:**

Unity Council will use the fields and gym at CCEC from 6:00 p.m. to 9:00 p.m., Monday through Friday.

Unity Council will use the field at CCEC and schedule the usage on Saturdays and/or Sundays for practice and league play from 8:00 am to 9:00 pm.

Unity Council will use the music room one time per month for 1 hour to hold meetings with the coaches.

All scheduled uses shall be for 48 weeks (twelve months) during the calendar, year excluding OUSD holidays.

The amount needed to cover custodial and SSO costs Monday through Friday from 6:00 pm to 9:00 pm for 48 weeks is \$60,030.

The fees anticipated to be generated by weekend use, \$84,480, shall be used to cover the \$60,030 needed for the M-F custodial and SSO costs. The remaining balance, if any, generated by facility use fees on the weekends will stay in an emergency reserve fund to administer the terms of this MOU.

### **SECURITY AND CUSTODIAL SERVICES FEE SCHEDULE:**

- Unity Council will pay for one Custodian, Monday through Friday, for 2.5 hours at a rate of \$27.50 per hour. The Custodian will clean the gym, fields and restrooms.
- Once a month the Custodian will clean the music room after meetings held with the Coaches for 1 hour at a rate of \$27.50 per hour.

- Unity Council will pay for Two School Site Security Officers (SSO's) which will be assigned Monday through Friday, 3 hours per day from 6: 00 p.m. to 9:00 p.m. at a rate of \$30.00 each per hour.
- Unity Council will pay for one Custodian on Saturdays and one Custodian on Sundays for 8 hours per day at a rate of \$27.50 per hour. The Custodian will clean the field and restrooms.

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**Monday through Friday rate for fields & gym:**


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<b>Two (2) SSO @ \$30.00 x 3 hours</b>	<b>\$180.00</b>
<b>One Custodian @ \$27.50 x 2.5 hours</b>	<b>\$68.75</b>
	<b>Per diem \$248.75</b>
	<b>Per week \$1,243.75</b>
	<b>Per year (based on 48 wks) \$59,700.00</b>
<b>Music Room:</b>	<b>Per month \$27.50</b>
	<b>ANNUAL WEEKDAY TOTAL \$60,030.00</b>

**Weekend rate for soccer field:****One (1) Custodian @ \$27.50 x 8 hours**

<b>Per diem</b>	<b>\$220.00</b>
<b>Per weekend</b>	<b>\$440.00</b>
<b>Per year (based on 48 weeks)</b>	<b>\$21,120.00</b>

**Facility fee \$110 x 6 hours**

<b>Per diem</b>	<b>\$660.00</b>
<b>Per weekend</b>	<b>\$1,320.00</b>
<b>Per year (based on 48 weeks)</b>	<b>\$63,360.00</b>
<b>ANNUAL WEEKEND TOTAL</b>	<b>\$84,480.00</b>

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**WEEKEND USEAGE**

The calculations above are based on a six hour day on each Saturday and Sunday. In order to maximize usage and generate interest from as many teams as possible, the field will be made available to teams from 8:00 am to 9:00 pm on Saturday and Sunday with a custodian present for a minimum of 8 hours. With the field available from 8:00 am to 9:00 pm, multiple teams have expressed a desire to program league games and practice on Saturday and Sunday and paying a total of \$84,480.00 to cover the costs of custodial and facility use fees. Any remaining balance owed after applying the facilities fee collected for weekend usage shall be paid by the Office of Councilmember De La Fuente.

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### **SCHEDULING OF CCEC FACILITIES:**

In scheduling the use of the facilities at CCEC, District events and programs shall have first priority, Unity Council events and programs shall have second priority, the City of Oakland shall have third priority and other community youth groups, community organizations or agencies shall have fourth priority. For the purposes of this MOU, the term "District events and programs" shall mean those events and programs conducted by District staff on behalf of students enrolled at CCEC and involved with District run programs. In cases of emergencies or errors in scheduling, the District shall have first priority for use. Every reasonable attempt will be made to avoid such conflicts.

### **PROHIBITED USES:**

Unity Council shall not use or permit any portion of CCEC to be used, or occupied in any manner or for any purpose that is in any way in violation of any valid law, ordinance, or regulation of any federal, state, county, or local governmental agency, body, or entity. Furthermore, Unity Council shall not maintain, commit, or permit the maintenance or commission of any nuisance as now or hereafter defined by any statutory or decisional law applicable to the Premises or any part of the Premises.

Unity Council warrants that the CCEC will not be used for the commission of any act which is prohibited by law or for the commission of any crime including but not limited to the crime specified in Section 11400 to 11401 of the California Penal Code. Unity Council further agrees to comply with the rules and regulations of the Oakland Unified School District's governing body as set forth in the "Use of School Facilities for Public Purpose under the Civic Center Act."

### **COMPLIANCE WITH LAW AND SAFETY:**

Unity Council shall observe and comply with all applicable laws, ordinances, codes and regulations of governmental agencies, including federal, state, municipal and local governing bodies having jurisdiction over any or all of Unity Council's activities and all applicable federal, state, municipal, and local safety regulations. All of Unity Council's activities must be in accordance with these laws, ordinances, codes, and regulations.

### **INDEMNITY:**

Unity Council agrees to indemnify, hold harmless, defend and protect CCEC (an operating unit of the Oakland Unified School District), its officers, directors, agents and employees (each of which is an indemnitee) from and against any and all claims, losses, damages, demands, liabilities, suits, costs, expenses, including attorneys' fees, penalties, judgments or obligations whatsoever for, or in connection with, injury (including death) or damage to any person or property to whomsoever belonging or pecuniary or monetary loss resulting from, arising out of, or in any way related to activity conducted by Unity Council, regardless of how the injury or damage was caused or suffered, unless the injury or damage resulted from the gross negligence or the intentional and willful misconduct of CCEC (an operating unit of the Oakland Unified School District) its officers, directors, agents or employees, in which case liability will be apportioned according to fault.

**LIABILITY INSURANCE:**

Unity Council shall at its cost maintain sufficient public liability and property damage insurance with a single combined limit of \$1,000,000 and a property damage limit of not less than \$500,000 insuring against all liability of Unity Council and its authorized representatives arising out of and in connection with Unity Council's use or occupancy of the premises. All such insurance shall insure performance by Unity Council of the preceding indemnity provisions. All insurance shall name the Oakland Unified School District, its officers, agents, volunteers and employees as additional insured and shall provide primary coverage with respect to the same.

**NOTICE OF CLAIMS:**

Each party agrees to immediately notify the other in the event a claim is made against it including but not limited to being named as a co-defendant in any action. Such notification shall be in writing and if to the District shall be made to: Attention Claims Manager, Oakland Unified School District, Office of the General Counsel, 1025 Second Avenue, 4<sup>th</sup> Floor, Oakland, CA. 94606, and if to the Spanish Speaking Unity Council, Attention: Gilda Gonzales, Chief Executive Officer.

**NONDISCRIMINATION:**

Unity Council agrees that it will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, national origin, sex, pregnancy, marital status, disability or sexual orientation. Unity Council shall observe and comply with all applicable provisions of Title II of the Americans with Disabilities Act of 1990 and any amendments thereto. Unity Council shall further observe and comply with all applicable federal, state, municipal and local laws, ordinances, codes and regulations prohibiting discrimination against individuals with disabilities.

**GOVERNING LAW:**

This Memorandum of Understanding, and all matters relating thereto, shall be governed by the laws of the State of California in force at the time any need for interpretation of this MOU or any decision or holding concerning this lease arises.

**IN WITNESS WHEREOF**, the parties hereto have executed this Memorandum of Understanding by their duly authorized officers as of the day and year first written above.

**SPANISH SPEAKING UNITY COUNCIL**

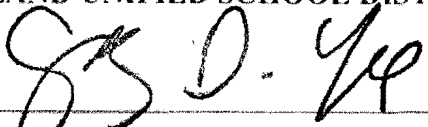
By: \_\_\_\_\_

Its: \_\_\_\_\_

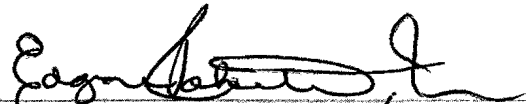
Date

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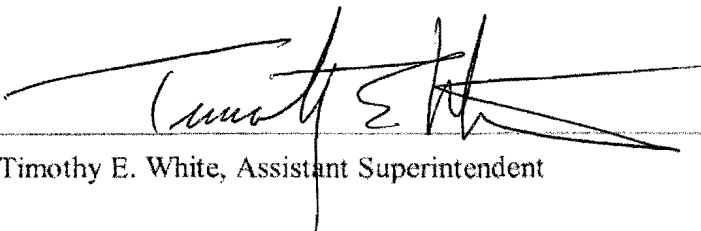
OAKLAND UNIFIED SCHOOL DISTRICT

  
\_\_\_\_\_  
Gary Yee, President, Board of Education

3/11/10  
Date

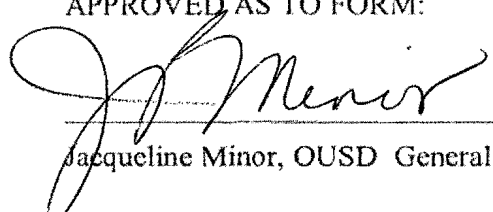
  
\_\_\_\_\_  
Edgar Rakestraw, Jr., Secretary, Board of Education

3/11/10  
Date

  
\_\_\_\_\_  
Timothy E. White, Assistant Superintendent

3/10/2010  
Date

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jacqueline Minor, OUSD General Counsel

3/10/2010  
Date

**Resolution  
of the  
Board of Education  
of the  
Oakland Unified School District  
Resolution No. 0708-0133**

**Establishing the Oakland Schoolyards Initiative**

Introduced by Board of Education Member Noel Gallo

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**WHEREAS**, on June 14, 2006, the State Administrator adopted Board Policy 5030 – Wellness Policy – to address student vulnerability to childhood obesity and chronic illnesses associated with it, as well as emotional and physical safety, staff wellness, health education, and disease prevention; and

**WHEREAS**, the Wellness Policy (BP 5030) states “Each school shall ensure that there is a clean and safe play environment which includes climbing elements, space to run and play active sports, as well as encourage non-sport activities. When possible, grass or other natural elements should be integrated into play yards to offer non-asphalt or cement play environments” (Healthy & Safe School Environment section); and

**WHEREAS**, the Oakland Unified School District maintains numerous campus schoolyards, many of which are under-utilized by children during in-school and out-of-school times because of deteriorated conditions, inadequate environmental design, and the lack of supervised recreational programming; and

**WHEREAS**, campus schoolyards constitute the only open recreational space available in many neighborhoods and a minority of schoolyards are located adjacent to parks, ball fields, recreation centers and libraries owned and managed by the City of Oakland; and

**WHEREAS**, the Oakland Unified School District and the City of Oakland share a mutual interest in enhancing safety, cleanliness, and utilization of campus schoolyards for the benefit of neighborhood children, youth, and adult residents; and

**WHEREAS**, the Oakland Unified School District is working in partnership with individual school sites and neighborhood organizations to renovate schoolyards at Garfield Elementary School, Urban Promise Academy, Manzanita Community School and Manzanita SEED; and

**WHEREAS**, the Oakland Unified School District is a recipient of The California Endowment grant to initiate the “Oakland Schoolyards Initiative”,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Education of the Oakland Unified School District, pursuant to Board Policy 5030 (Wellness Policy), direct the Oakland Unified School District to initiate the formation of the “Oakland Schoolyards Initiative”, a public/private partnership to revitalize and transform schoolyards, and any adjacent City of Oakland parks and playfields into safe and vibrant places for children and youth to play, learn, and have fun; and

**Resolution  
of the  
Board of Education  
of the  
Oakland Unified School District  
Resolution No. 0708-0133**

**Establishing the Oakland Schoolyards Initiative**

**BE IT FURTHER RESOLVED** that the Oakland Unified School District invites Mayor Ronald V. Dellums, City of Oakland, East Bay Community Foundation, and relevant neighborhood-based community organizations to participate in the creation and development of the Oakland Schoolyards Initiative; and

**BE IT FURTHER RESOLVED** that the Oakland Schoolyards Initiative addresses the following issues:

- \* establish criteria to select schoolyards for revitalization;
- \* establish the participatory process that will produce comprehensive schoolyard improvement plans that include physical design, recreational programming, and maintenance; and
- \* establish agreements regarding community-use and joint-use; and

**BE IT FURTHER RESOLVED** that the Oakland Unified School District staff provide necessary leadership and support to ensure this Resolution's implementation.

Passed by the following vote:

AYES: Kerry Hamill, Gregory Hodge, Gary Yee, Noel Gallo, Christopher Dobbins, Vice President Alice Spearman, President David Kakishiba

NOES: None

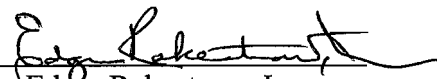
ABSTAINED: None

ABSENT: None

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed by the Board of Education at a Regular Joint Meeting of the State Administrator and the Board of Education of the Oakland Unified School District held on December 19, 2007.

**LEGISLATIVE FILE**

File ID No. 07-1476  
Introduction Date 11/28/07  
Enactment No. 08-0001  
Enactment Date 12/19/07  
By [Signature]

  
Edgar Rakestraw, Jr.  
Secretary  
Board of Education