

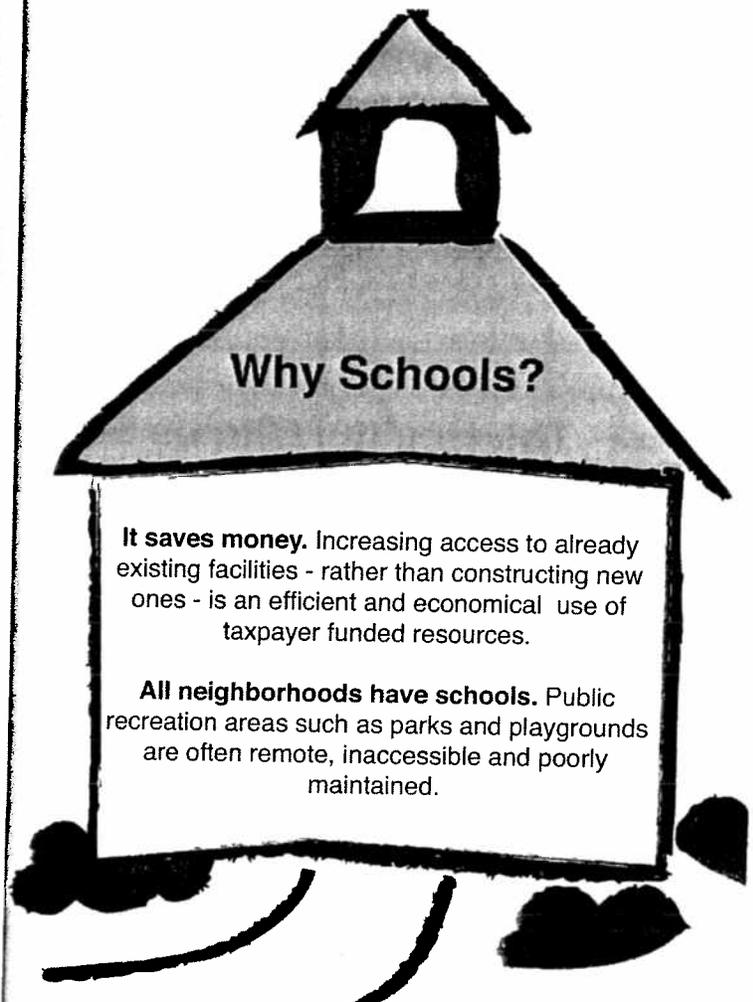
## Priorities in the 53rd Oklahoma Legislative Session

### Helping Oklahomans Make Healthy Choices By Protecting Our Schools

The American Heart Association (AHA) and the Oklahoma Fit Kids Coalition (OFCK) believe all Oklahomans should have access to safe, accessible, and affordable places for physical activity. Through **shared-use agreements**, school districts and one or more public or private (nonprofit) entities can allow community access to school property for after-hours use by sharing the costs and risks associated with doing so. While **shared-use agreements** are legal in Oklahoma, schools still have some liability risk for any incidents that occur on campus after hours. The Oklahoma Legislature must protect schools from this risk when they open their doors for public recreation. By clarifying liability around **shared-used agreements** in Oklahoma we can better protect schools and help Oklahoma take great strides in reducing the state's obesity rates and improving citizens quality of life.

#### Opening Doors To End Obesity

- Oklahoma Schools are not open to the public after hours due to fears of being liable for injuries or damage occurring on school property.
- The Oklahoma Legislature should clarify that if a school chooses to open up their facilities to the public for recreation purposes, liability rests on the user, not the school system.
- It is imperative to encourage schools to open up their facilities (Playgrounds, tracks, fields, gyms, etc) to the community as sources of recreation.
- Oklahoma has a large amount of rural areas where access to gyms is limited, however access to schools exists.
- People with access to parks or recreation facilities exercise 38% more than people without access.<sup>8,9</sup>





An Initiative of the Oklahoma Institute for Child Advocacy

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### Why Is Public Access To Schools Important?

Nearly 50% of US adults and 65% of adolescents do not receive the recommended amount of daily physical activity to stay healthy -- preferably 60 minutes a day for children and 150 minutes a week of moderate exercise for adults, according to federal health officials.<sup>3,4</sup>

There are approximately 250,000 deaths each year that are attributable to physical inactivity.<sup>6</sup>

### How Do Shared-Use Agreements Affect Schools?

The main barrier to schools entering shared-use agreements is the lack of clarity in many states' liability laws. The Oklahoma Legislature needs to clarify that the user, not the school, is liable.

If school districts maintain their property, carry insurance, require community groups to have insurance, and enter into formal shared-use agreements, they can minimize their liability risks.<sup>7</sup>

## Obesity and Oklahoma

In Oklahoma **1 in 3** children are overweight or obese and are at greater risk (16 times more likely than those who are not overweight or obese as a kid) of becoming overweight and obese adults.<sup>11</sup>

Oklahoma spends **\$853 Million** treating obesity related diseases annually.<sup>12</sup>

Obesity related productivity losses cost employers **4.3 Billion** annually.<sup>11</sup>

## The Healthy Choice Shouldn't Be The Hard Choice. Clarify Shared-Use Agreements To Protect Schools.

- 1.) American Heart Association. Heart Disease and Stroke Statistics – 2010 Update. Circulation. January 27, 2010.
- 2.) Trust for America's Health/Robert Wood Johnson Foundation. F as in Fat: How Obesity Threatens America's Future. 2010
- 3.) The Obesity Epidemic and United States Students. Issue brief. 2007. U.S. Department of Health and Human Services. 21 May 2009.[http://www.cdc.gov/HealthyYouth/yrbs/pdf/yrbs07\\_us\\_obesity.pdf](http://www.cdc.gov/HealthyYouth/yrbs/pdf/yrbs07_us_obesity.pdf).
- 4.) CDC. Behavioral Risk Factor Surveillance System. 2009.
- 5.) IQ Report. Local Governments and Schools: A Community-Oriented Approach Volume 40. Special Edition 8. ICMA Press. 2008. [http://icma.org/en/icma/knowledge\\_network/documents/kn/Document/5753/Local\\_Governments\\_and\\_Schools\\_A\\_CommunityOriented\\_Approach](http://icma.org/en/icma/knowledge_network/documents/kn/Document/5753/Local_Governments_and_Schools_A_CommunityOriented_Approach).
- 6.) Journal of Applied Physiology, 2000
- 7.) Spengler, J.O. et al., Schools as a resource for physical activity: legal considerations for decision makers. American Journal of Health Promotion. October 1, 2007.
- 8.) Designing for Active Living Among Adults. Publication. 2008. Active Living Research, Robert Wood Johnson Foundation. 21 May 2009. [http://www.activelivingresearch.org/files/Active\\_Adults.pdf](http://www.activelivingresearch.org/files/Active_Adults.pdf)
- 9.) Powell, L. M., S. Slater, and F. J. Chaloupka. "The relationship between community physical activity settings and race, ethnicity and socioeconomic status." Evidenced Based Preventive Medicine. 135-44. 21 May 2009.
- 10.) National Policy and Analysis Network. A look at state rules affecting joint use agreements. Accessed online July 2010. <http://www.nplanonline.org/nplan/products/community-use-charts>
- 11.) F as in Fat and Journal of american Medical Association: Nov 10, 2010
- 12.) CDC <http://www.ok.gov/health/documents/Obesity.pdf>