

Community Use of Weight Rooms

Considerations Before Deciding to Take on This Added Risk

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Each year we receive many questions pertaining to community use of school facilities, particularly weight rooms and gyms. Permitting community use of school amenities can create significant liability and property loss exposure for our Members. CSDSIP discourages Members opening weight rooms to anyone other than the students taking classes or trainings with proper supervision. We do understand, however, the pressure Members may feel when community members have expectations of utilizing the taxpayer-funded facilities. Ultimately, this is a business decision for Members to make individually and we have compiled considerations, best practices, should you choose to allow community use of your weight rooms and indoor fitness areas.

Coverage

Use of weight rooms by community members is not excluded from coverage for our Members. However, this could potentially be an additional exposure for your district as it opens up the possibility of a waiver of The Colorado Governmental Immunity ACT (CGIA). As listed in Section (e) of the C.R. S. listed below.

Under C.R.S. § 24-10-106(1), immunity is waived by a public entity in an action for injuries resulting from:
(c) A dangerous condition of any public building

CSDSIP's School Entity Liability Coverage will defend and indemnify on behalf of the Member for claims of property damage or bodily injury to a third party arising out of the use of gym fitness equipment subject to the terms, conditions, and exclusions of the policy. This does not include coverage for the Member's employees while acting in the course and scope of their duties for the Member which would be covered by a Worker's Compensation policy.

Gym fitness equipment owned by the Member is covered under our Property Coverage Form as contents for losses caused by a covered cause of loss, subject to the Member's Real and Business Personal Property & Premises Rented to You Deductible and the Members Limits of Coverage.

Coverage is subject to policy terms, limits, deductibles, and exclusions. All claims are reviewed on case-by-case basis. As always, feel free to reach out to CSDSIP's Risk Programs Team with specific coverage questions.

Considerations

Below are some questions to consider to assist your decision for/against community access

- How will individuals gain access to your facility during off hours?
- Does your facility allow for securing unauthorized areas, or will the community have access to a larger portion of the facility?
- Who will maintain the egress sidewalks from the parking area to the entrance during poor weather at these off hours? Is this sustainable?
- Is there another option in your community, such as a private, for-profit fitness center or gym? If so, will allowing the community to use your facility cause conflict by taking business away from the private entity?

- Is the fitness equipment of commercial grade and in good condition? Do you have a replacement/repair plan for the equipment to account for increased use?
- Do you have an emergency plan?
- Who will supervise the facility during the off hours?

Best Practices to Manage the Risk

Should you decide to move forward with allowing community access to your fitness centers and weight rooms, we've compiled recommendations and best practices for before, during and after the time of community access. These recommendations are not an inclusive list but are meant to give you a good idea of what is necessary to manage these risks to the best extent possible.

- **Policies:** Verify and follow your Board policies specific to community use to ensure they are being followed.
- **Hours of Use:** Establish set hours for community use outside of the regular school day and extracurricular activities schedules. Provide a staff member to supervise the community use during these set hours.
 - Students and other minors, including minor children of approved community members, should not be allowed access to your facility during the extended community use hours. Students should only be allowed access under the direct supervision of a staff member during normal school hours.
- **Waivers:** A waiver should be enforced and signed by every community member who intends to use your facility, prior to gaining access to your facility. This waiver should outline the rules, expected behaviors of facility users and the consequences for not following the rules. The waiver should also state the community member is responsible for knowing how to properly use the equipment, as well as appropriate indemnity language. Check out our [sample waiver](#) and our [sample weight room use agreement](#).
 - In addition to the waiver, CSDSIP recommends all community members undergo a background check prior to being allowed to use the facility.
- **Cleaning:** Equipment should be cleaned and disinfected daily by staff. Community members should be expected to leave the facility & equipment clean and in good working conditions after each use.
- **Inspections:** Due to additional use of the equipment, a more frequent and rigorous inspection schedule should be enforced. Any equipment that appears to be not in good working order should be immediately taken out of service.
 - Signage instructing facility users to report equipment issues, and any other issues, should be posted throughout your facility. Signs should include contact information for reporting.
- **Equipment Maintenance Logbook:** Staff should record every incident of maintenance, service, and failure for every piece of equipment in a logbook. The more thoroughly the information is tracked, the better. Contact the manufacturer of the equipment to see if they have a preventive maintenance logbook to follow. If a logbook is not available from the manufacturer, please remember to document your preventative maintenance measures through other means.
- Check out our [Weight Room Safety Checklist](#) for additional safety guidance.

Our CSDSIP Risk Programs and Risk Control Teams can assist you in evaluating your facility use process & agreements and provide our risk management recommendations and how your liability coverage may apply. Please feel free to contact us if we can be of any assistance.