



**FOR IMMEDIATE RELEASE:** August 1, 2017

## **Position Paper No. 1**

### **Topic: Community Use of DC Public School Athletic Fields**

On July 12, 2017, permits issued by the Department of General Services (DGS) on behalf of the DC Public Schools (DCPS) system allowed organized sports leagues sole use of the soccer field at Harriet Tubman Elementary School on a majority of weekday evenings and during peak playing times. These permits effectively closed the field to those in the community who had a longstanding history of using Tubman field for pick-up soccer games. These open games have operated for decades until the conflict arose between the players and one of the organizations that had been issued a permit due to an inadequate system that currently does not coordinate public use of school athletic fields with Parent Teacher Organizations (PTOs), Advisory Neighborhood Commissions (ANCs), or the community at large. The conflict at Tubman field was not the result of a single permit application or any one organization, but rather the result of DGS's issuance of multiple permits to several organizations without giving weight to how it was being used by the community.<sup>i</sup>

Working with residents, leaders of organized sports leagues, and members of PTOs, it quickly became apparent to me that the recent event at the Harriet Tubman School is not unique to Ward 1 or the District of Columbia as a whole – with additional known conflicts having occurred at Marie Reed, the Columbia Heights Education Campus, Alice Deal Middle School, and others. The current permitting system for school fields must be reformed to avoid future use conflicts such as the one that occurred at the Tubman athletic field in July and to better ensure fairer use of these valued community spaces.

### **Background**

The authority to issue permits for DCPS facilities – both indoor and outside – is currently administered by DGS and based on D.C. Law 4-158, the “District of Columbia Board of Education Leasing Authority Act of 1982.” The purpose of the law was to grant permission to the Board of Education to enter into leases and other agreements for the use of DCPS buildings and grounds and to defray costs associated with the operation and maintenance of DCPS facilities.<sup>ii</sup>

Between 2010 and 2012, the authority to coordinate the use of DCPS buildings and grounds, to prepare and manage the Use Agreements, and to collect the related fees and documentation was transferred first from the DCPS Realty Office then to the Office of Public Education Facilities Modernization (OPEFM) and ultimately to the DGS.

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Currently, there is no single authority or unified process where anyone seeking permitted use of outdoor recreation spaces can apply for a permit to use Department of Parks and Recreation (DPR) soccer fields, baseball diamonds, or other sports fields associated with DC Schools although both are owned by the District of Columbia. Applicants seeking to use sites controlled by DPR must follow one set of guidelines that generally requires input from ANCs. Meanwhile, applicants for DCPS sites must follow a separate process through DGS paying higher fees and with limited transparency or accountability to outside stakeholders. This dual system is inefficient and biased, and the \$95/hour permit fee to use DCPS sites is twice the fee charged to use DPR fields – making permits to use DCPS facilities unavailable to residents or organizations with lower incomes. In addition, the current requirement by DCPS that all activities of a nature where teams of 3 versus 3 or more must have a permit is enforced inconsistently – whereby those wanting to play soccer on high demand fields are more likely to be subjected to the permitting requirements than those engaged in a pickup game of basketball in areas that have yet to face the same competition for public space.

## **Reforming the Permitting Process**

It is clear that as the District of Columbia grows to nearly 1 million residents, so will demand for the use of publicly owned recreational areas under the District's control. In order to prevent future conflicts, the entire permitting process, particularly for DCPS recreational sites, must be reformed to provide fair and equitable access to school outdoor spaces. Such access will require a balance between the needs of schools, PTOs, community stakeholders, and both non-profit and for-profit organizations. Law 4-158 and associated regulations will need to be amended prior to implementation.

Any future working groups inclusive of the stakeholders aforementioned, should review and consider the following recommendations:

- The permitting of all outdoor recreation areas be centralized and administered through DPR;
- Require DCPS, PTOs, and ANCs to sign off as part of DCPS site permit process;
- Require an agency site visit prior to issuance of a permit to inspect the field condition and observe unstructured community use. DGS should be contacted when repairs are needed.;
- Introduce a tiered permit fee schedule with different fees based on the type of field, amenities provided, time of day requested, and type of group requesting access. The higher \$95/hour fee should be reserved for use by for-profit organized leagues and organizations seeking to use fields during peak hours. Permit fees should be waived for PTOs and organized non-profit permit applications (including organized church leagues);

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- Dedicate all revenue generated from permitted use of DCPS fields to their continued maintenance and upkeep;
- Limit permitted use of DCPS fields to 50% of fields where multiple fields exist, or no more than two evenings and one weekend day where only one athletic field is available, unless otherwise approved through community process;
- Consider implementation of a lottery system for sites in high demand for organized leagues; and,
- Adopt a ranked criteria system as part of the permit application process. Such a system should align with the current DPR system as much as possible, along the lines as follows:
  - Athletic or other Out of School Time (OST) programs organized by DCPS, District Public Charter Schools, or the DC Sate Athletic Association for competitive league play;
  - PTO activities;
  - Youth non-profit organizations, including schools, churches, and others, principally serving District residents;
  - Adult non-profit organizations, including schools, churches, and others, principally serving District residents;
  - Other organizations, groups, or individuals for private use principally serving District residents.

### Conclusion

Providing access to public recreational areas is essential to the wellbeing of our city. The District's ability to manage its public athletic fields has become a burden to our communities due to an inefficient and out-of-step permitting process that no longer meets the needs and expectations of our growing city. By engaging school and neighborhood stakeholders in a collaborative process, an equitable and fair permitting system can be established that will better serve our many growing neighborhoods and achieve long overdue updates to District laws and regulations that help to meet the challenges of future District of Columbia residents.

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<sup>i</sup> Boese, Kent C. [Tubman Field Permitting Creates Conflict with Community Use: Meeting Seeks Solutions](#), *Park View DC*, July 20, 2017; Sadon, Rachel. [On A Columbia Heights Soccer Field, The Effects Of Gentrification Play Out](#), *DCist*, July 20, 2017; Chason, Rachel. [Field wars: Organized league clashes with pickup players in a gentrifying neighborhood](#), *Washington Post*, July 21, 2017.

<sup>ii</sup> District of Columbia Board of Education Leasing Authority Act of 1982, available at: <https://beta.code.dccouncil.us/dc/council/laws/4-158.html>

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