

**Ark. Code Ann. § 20-7-135 (2005)**

**Nutrition and physical activity standards - Implementation.**

(a) The State Board of Education, after having consulted the Child Health Advisory Committee and the State Board of Health, shall promulgate appropriate rules and regulations to ensure that nutrition and physical activity standards are implemented to provide students with the skills, opportunities, and encouragement to adopt healthy lifestyles.

(b) Beginning with the 2003-2004 school year, the Division of Health of the Department of Health and Human Services in consultation with the Department of Education shall:

(1) Employ one (1) qualified community health promotion professional with training, experience, or both, in nutrition, chronic disease, or another related field to be housed within the Division of Health of the Department of Health and Human Services to plan, develop, implement, and evaluate pilot or model programs to support schools and communities if funds are available;

(2) Employ one (1) statewide health promotion consultant to be housed within the Department of Education if funds are available;

(3) Employ one (1) person as a community health promotion specialist to support implementation of pilot or model programs in schools and communities in nutrition and physical activity in several distinct geographical areas of the state if funds are available; and

(4) Not use more than five percent (5%) of the annual Division of Health of the Department of Health and Human Services Master Settlement Agreement funds for the salaries or programs created under this subsection.

(c) Beginning with the 2003-2004 school year, every school district shall:

(1) Prohibit for elementary school students in-school access to vending machines offering food and beverages;

(2) Require schools to include as part of the annual report to parents and the community the amounts and specific sources of funds received and expenditures made from competitive food and beverage contracts;

(3) Require schools to include as a part of a student health report to parents an annual body mass index percentile by age for each student; and

(4) Require schools to annually provide parents with an explanation of the possible health effects of body mass index, nutrition, and physical activity.

(d) Beginning with the 2004-2005 school year, the Department of Education shall:

(1) Begin the implementation of standards developed by the committee and approved by the Department of Education; and

(2) Annually monitor and evaluate the implementation and effectiveness of the nutrition and physical education standards.

(e) Beginning with the 2004-2005 school year, every school district shall:

(1) Convene a school nutrition and physical activity advisory committee that shall include members from school district governing boards, school administrators, food service personnel, teacher organizations, parents, students, and professional groups such as nurses and community members to:

(A) Help raise awareness of the importance of nutrition and physical activity; and

(B) Assist in the development of local policies that address issues and goals, including, but not limited to, the following:

(i) Assisting with the implementation of nutrition and physical activity standards developed by the school nutrition and physical activity advisory committee with the approval of the Department of Education and the State Board of Health;

(ii) Integrating nutrition and physical activity into the overall curriculum;

(iii) Ensuring that professional development for staff includes nutrition and physical activity issues;

(iv) Ensuring that students receive nutrition education and engage in healthful levels of vigorous physical activity;

(v) Improving the quality of physical education curricula and increasing training of physical education teachers;

(vi) Enforcing existing physical education requirements; and

(vii) Pursuing contracts that both encourage healthy eating by students and reduce school dependence on profits from the sale of foods of minimal nutritional value;

(2) Begin the implementation of standards developed by the committee with the approval of the Department of Education and the State Board of Health; and

(3) Require that goals and objectives for nutrition and physical activity be incorporated into the annual school planning and reporting process.

(f) The Department of Education and the Division of Health of the Department of Health and Human Services shall report annually on progress in implementing nutrition and physical education standards to the chairs of the House Interim Committee on Public Health, Welfare, and Labor and the Senate Interim Committee on Public Health, Welfare, and Labor.

**History.** Acts 2003, No. 1220, § 1; 2003 (2nd Ex. Sess.), No. 29, § 1.