

5.31 WELLNESS POLICY

Table of Contents

<u>Preamble</u>	2
<u>School Wellness Committee</u>	3
<u>Wellness Policy Implementation, Monitoring, Accountability, and Community Engagement</u>	3
<u>Nutrition</u>	6
<u>Physical Activity</u>	10
<u>Other Activities that Promote Student Wellness</u>	13
<u>Appendix A: Arkansas Department of Education Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools</u>	
<u>Appendix B: Arkansas Department of Education Child Nutrition Unit Smart Snacks in Arkansas Schools: Questions and Answers</u>	

Preamble

Forrest City School District (hereto referred to as the District) is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks.^{1,2,3,4,5,6,7} Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students.^{8,9,10} In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities – do better academically.^{11,12,13,14} Finally, there is evidence that adequate hydration is associated with better cognitive performance.^{15,16,17}

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the District have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school campus– in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school;
- Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The District establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff and schools in the District. Specific measureable goals and outcomes are identified within each section below.

The District will comply with all language in Appendices A and B.

I. School Wellness Committee

Committee Role and Membership

The District will convene a representative district wellness committee (hereto referred to as the DWC) that meets at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this district-level wellness policy (heretofore referred as “wellness policy”).

The DWC membership will represent all school levels (elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (e.g., school nutrition director); physical education teachers; health education teachers; school health professionals (e.g., health education teachers, school health services staff [e.g., nurses, physicians, dentists, health educators, and other allied health personnel who provide school health services], and mental health and social services staff [e.g., school counselors, psychologists, social workers, or psychiatrists]; school administrators (e.g., superintendent, principal, vice principal), school board members; health professionals (e.g., dietitians, doctors, nurses, dentists); and the general public. To the extent possible, the DWC will include representatives from each school building and reflect the diversity of the community.

Each school within the District will establish an ongoing School Wellness Committee (SWC) that convenes to review school-level issues, in coordination with the DWC.

Leadership

The Superintendent’s designee(s) will convene the DWC and facilitate development of and updates to the wellness policy, and will ensure each school’s compliance with the policy.

The designated official for oversight is the Deputy Superintendent of the Forrest City School District, 870-633-1485.

The DWC will consist of the following required members: school board, administration, food service, teacher organization, parents, students, professional groups – Nurses, and community members.

Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy.

II. Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other

school-based activities that promote student wellness. It is recommended that the school use the [Healthy Schools Program online tools](#) to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy and the progress reports can be found at fcmustangs.net.

Forrest City School District Goals and Activities:

Goal 1: Increase opportunities for physical activity time

Activity 1 – increase intramural sports at the elementary and middle levels

Activity 2 – contact community partners to help coordinate physical activities

Activity 3 – increase physical education time above the required 40 minutes

Activity 4 – coordinate with athletic director to provide opportunities for additional athletic equipment/supplies

Goal 2: Add health standards to the elementary physical education curriculum

Activity 1 – provide professional development to teachers on incorporating health standards during class time

Activity 2 – implement health standards in physical education classes

Goal 3: Offer more healthy snacks

Activity 1 – place healthy snack vending machines in high traffic areas at middle and high schools

Activity 2 – create a policy regarding bringing outside snacks into schools

Activity 3 – offer healthy after school snacks for all grades

Note: Conduct BMI assessments at the beginning and end of each school year to measure the effect of the implementation of all wellness strategies.

Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at District's Administrative Offices. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local Schools Wellness Policy; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the DWC;
- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

Annual Notification of Policy

The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the district website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the schools' events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District/school officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is Forrest City School District Deputy Superintendent, 870-633-1485.

The DWC, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

The District will actively notify households/families of the availability of the triennial progress report via its website: fcmustangs.net.

Revisions and Updating the Policy

The DWC will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. **The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.**

Community Involvement, Outreach and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation

of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the district and individual schools are communicating important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

I. Nutrition

School Meals

Our school district is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams *trans* fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Fresh Fruit & Vegetable Program (FFVP), Summer Food Service Program (SFSP), and the At Risk Supper Programs. The District also operates additional nutrition-related programs and activities including the Farm to School Programs and Breakfast in the Classroom. All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet [USDA nutrition standards](#).)
- Promote healthy food and beverage choices using at least ten of the following [Smarter Lunchroom techniques](#):
 - Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans).
 - Sliced or cut fruit is available daily.
 - Daily fruit options are displayed in a location in the line of sight and reach of students.
 - All available vegetable options have been given creative or descriptive names.
 - Daily vegetable options are bundled into all grab-and-go meals available to students.
 - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.
 - White milk is placed in front of other beverages in all coolers.
 - Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posted menus within all service and dining areas.

- A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.).
Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas.
Student artwork is displayed in the service and/or dining areas.
- Daily announcements are used to promote and market menu options.
- Menus will be posted on the District website or individual school website.
- School meals are administered by a team of child nutrition professionals.
- The District child nutrition program will accommodate students with special dietary needs.
- Students will be allowed at least 10 minutes to eat breakfast and at least 20 minutes to eat lunch, counting from the time they have received their meal and are seated (meets Healthy Schools Program Gold-level criteria).
- Students are served lunch at a reasonable and appropriate time of day.
- Participation in Federal child nutrition programs will be promoted among students and families to help ensure that families know what programs are available in their children's school.

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the [USDA professional standards for child nutrition professionals](#). These school nutrition personnel will refer to [USDA's Professional Standards for School Nutrition Standards website](#) to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day* and throughout every school campus. The District will make drinking water available where school meals are served during mealtimes.

- Water cups/jugs will be available in the cafeteria if a drinking fountain is not present.
- All water sources and containers will be maintained on a regular basis to ensure good hygiene and health safety standards. Such sources and containers may include drinking fountains, water jugs, hydration stations, water jets and other methods for delivering drinking water.

Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus* during the school day* support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day and ideally, the extended school day, will meet all requirements in

Appendix A. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

Celebrations and Rewards

All foods offered on the school campus will meet all requirements in Appendix A including through:

1. Celebrations and parties. The district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas are available from the [Alliance for a Healthier Generation](#) and from the [USDA](#).
2. Classroom snacks brought by parents. The District will provide to parents a [list of foods and beverages that meet Smart Snacks](#) nutrition standards.

Rewards and incentives. The District will provide teachers and other relevant school staff a [list of alternative ways to reward children](#). **Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.**

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus* during the school day*. The District will make available to parents and teachers a list of healthy fundraising ideas *from the [Alliance for a Healthier Generation](#) and the [USDA](#)*.

- Schools are strongly encouraged to use only non-food fundraisers, and encourage those promoting physical activity (such as walk-a-thons, Jump Rope for Heart, fun runs, etc.).
- Fundraising during school hours will sell only non-food items or foods and beverages that meet or exceed the Smart Snacks nutrition standards.
- Refer to **Appendix B** for details on foods and beverages being provided or sold.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

- Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using [Smarter Lunchroom techniques](#); and

- Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the District and individual schools may use are available at <http://www.foodplanner.healthiergeneration.org/>.

Nutrition Education

The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
- Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
- Choosing foods and beverages with little added sugars
- Preparing healthy meals and snacks
- Accepting body size differences
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- [The Dietary Guidelines for Americans](#)
- Influencing, supporting, or advocating for others' healthy dietary behavior

Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if

students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus* during the school day* will meet or exceed the USDA Smart Snacks in School nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.¹⁵ This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (**Note: Immediate replacement of these items are not required; however, the district will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that it is financially possible over time so that items are in compliance with the marketing policy.**)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District/school nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

I. Physical Activity

Children and adolescents should participate in greater than 45 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement

and the district is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in “Physical Education” subsection). All schools in the district will be encouraged to participate in *Let’s Move! Active Schools* (www.letsmoveschools.org) in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) **will not be withheld** as punishment for any reason. This does not include participation on sports teams that have specific academic requirements.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

Physical Education

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the “*Essential Physical Activity Topics in Health Education*” subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

All District **elementary students** in each grade will receive physical education for at least 40-55 minutes per week throughout the school year.

All District **secondary students** (middle and high school) are required to take the equivalent of one-half unit of physical education and one-half unit of health education.

The District physical education program will promote student physical fitness through individualized fitness and activity assessments (via the [Presidential Youth Fitness Program](#) or other appropriate assessment tool) and will use criterion-based reporting for seventh, eighth, and ninth grade students.

Essential Physical Activity Topics in Health Education

Health education will be required in all grades (elementary) and the district will require middle and high school students to take and pass at least one health education course. The District will include in the health education curriculum a minimum of 12 the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition

- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

Recess (Elementary)

All elementary schools will offer at least **15 minutes of recess** on all days during the school year. If recess is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather is feasible for outdoor play. Students will be allowed outside for recess except when outdoor temperature is above/below District-set temperature, inclusive of wind chill factors, during “code orange” or “code red” days, during storms with lightening or thunder, or at the discretion of the building administrator based on his/her best judgment of safety conditions.

In the event that the school or district must conduct **indoor recess**, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, to the extent practicable. Each school will maintain and enforce its own indoor recess guidelines.

Recess will complement, not substitute, physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible.

Classroom Physical Activity Breaks (Elementary and Secondary)

The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered **periodic opportunities** to be active or to stretch throughout the day on all or most days during a typical school week. The District recommends teachers provide short (3-5-minute) physical activity breaks to students during and between classroom time at least three days per week. See gonoodle.com for free three to five minute video classroom activities. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through [USDA](#) and the [Alliance for a Healthier Generation](#).

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into “core” subject instruction when possible (e.g., science, math, language arts, social studies and others) and do their part to limit sedentary behavior during the school day.

The District will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school by participating in intramurals or interscholastic sports, and other school activities.

Active Transport

The District will support active transport to and from school, such as walking or biking. The District will encourage this behavior by engaging in four of the activities below; including but not limited to:

- Designate safe or preferred routes to school
- Use crossing guards
- Use crosswalks on streets leading to schools
- Document the number of children walking and or biking to and from school

I. Other Activities that Promote Student Wellness

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District’s curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC/SWC.

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Partnerships

The District will develop and/or continue relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

Community Health Promotion and Family Engagement

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the District will use electronic mechanisms (e.g., email or displaying notices on the district's website), as well as non-electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

The DWC will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff. The subcommittee leader's name is the District's Head Nurse.

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. Examples of strategies schools will use, as well as specific actions staff members can take, include health screenings, districtwide health challenges, and provide staff with health education literature. The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Professional Learning

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

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**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING NUTRITION AND PHYSICAL ACTIVITY STANDARDS AND
BODY MASS INDEX FOR AGE ASSESSMENT PROTOCOLS
IN ARKANSAS PUBLIC SCHOOLS
May 2016**

1.00 PURPOSE

- 1.01 The purpose of these rules is to establish the requirements and procedures for governing nutrition and physical activity standards and body mass index for age assessment protocols in Arkansas Public Schools.

2.00 REGULATORY AUTHORITY

- 2.01 These shall be known as the Arkansas Department of Education Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools.
- 2.02 These regulations are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-16-132, 20-7-133, 20-7-134, 20-7-135, and Acts 846 and 1079 of 2015.

3.00 DEFINITIONS

For the purpose of these rules, the following terms mean:

- 3.01 A La Carte - Food items and /or beverages, individually priced, sold by the non-profit school food service program. These items may or may not be part of the reimbursable meal. A la carte items must meet federal Smart Snacks requirements.
- 3.02 Alliance for a Healthier Generation Smart Snacks Calculator - A tool developed by the Alliance for a Healthier Generation to assist schools in identifying products that meet the federal nutrition standards (“Smart Snacks”).
- 3.03 Arkansas Child Health Advisory Committee - A state level committee that was established by Ark. Code Ann. § 20-7-133 to develop nutrition and physical activity standards and make policy recommendations to the State Board of Education and the Arkansas Board of Health.
- 3.04 Arkansas Consolidated School Improvement Plan (ACSIP) - A plan of action to address deficiencies in student performance that is reviewed annually and monitored at least every two years.

- 3.05 Body Mass Index (BMI) - Weight in pounds divided by height in inches squared multiplied by 703 (Metric: Weight in kilograms divided by height in meters squared).
- 3.06 BMI for Age Assessment - Calculating the height and weight as in the definition for BMI and applying the CDC growth charts for age and gender.
- 3.07 BMI for Age Assessment Protocols - A detailed plan designed to describe appropriate procedure for assessment.
- 3.08 Body Mass Index Percentile for Age - An indicator to assess the size and growth patterns of individual children based on the Centers for Disease Control and Prevention's (CDC) BMI-for-age growth charts for boys and girls.
- 3.09 Carpenter's Square - An instrument for ensuring a level reading of height.
- 3.10 Child Nutrition Programs - The federal child nutrition programs operated by Arkansas public schools, including public charter schools, which include the National School Lunch Program, the School Breakfast Program, the After School Snack Program, the Special Milk Program and the Summer Feeding Program, as established by the Richard B. Russell National School Lunch Act (42 U.S.C. § 1751 *et seq.*) and the Child Nutrition Act of 1966 (42 U.S.C. § 1771 *et seq.*).
- 3.11 Community Health Nurse Specialist (CHN) - Arkansas Department of Health Nurses located at educational cooperatives.
- 3.12 Competitive Foods - Food and beverages provided or sold to students that compete with the school's operation of the National School Lunch Program, School Breakfast Program and/or After School Snack Program, including, but not limited to, food and beverages provided or sold in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers to students on school premises during the school day.

Note: This definition complies with the federal definition of "Competitive Foods," found in 7 CFR 210.11(a)(1).

- 3.12.1 Provided Competitive Food and/or Beverages – Smart Snacks-compliant food and/or beverages that are provided free-of-charge to a student or group of students by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.), students or student groups, parents or parent groups, or any other person, company, or organization associated with the school site.

- 3.12.2 Sold Competitive Food and/or Beverages – Smart Snacks-compliant food and/or beverages that are for sale to a student or group of students by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.), students or student groups, parents or parent groups, or another person, company, or organization associated with the school site.
- 3.13 Confidential - Information marked or intended for a specific person or persons.
- 3.14 Designee - A person approved or designated by school district.
- 3.15 Digital Scale or Scale - A digital instrument for measuring weight.
- 3.16 Elementary School - A campus with a designated Local Education Agency (LEA) number containing any combination of grades kindergarten through six (K-6).
- 3.17 Foods of Minimal Nutritional Value (FMNV) - An obsolete United States Department of Agriculture (U.S.D.A.) term. The Smart Snacks program went into effect for School Year 2014-2015. Therefore, any competitive foods and beverages must meet the nutrition standards of Smart Snacks.
- 3.18 Healthy Nutrition Environment - A healthy school nutrition environment gives students consistent, reliable health information and ample opportunity to use it.
- 3.19 Height - A standing measurement in inches or meters.
- 3.20 High School - Public school(s) having some combination of grades nine through twelve (9-12).
- 3.21 Healthy Hunger Free Kids Act of 2010 - The federal law that updated the meal patterns and nutrition standards for the National School Lunch and School Breakfast Programs, including expanded access to drinking water, and updated nutrition standards for all food products sold and marketed on school grounds to align them with the Dietary Guidelines for Americans. The Act also updated policies regarding school wellness committees and the content, implementation, evaluation, and public reporting of wellness policies.
- 3.22 Junior High School - Public school(s) having some combination of grades seven through nine (7- 9).
- 3.23 Local Wellness Policy - A policy required by federal law for public schools participating in a nutrition program authorized by the Richard B. Russell National School Lunch Act (42 U. S. C. 1751 *et seq.*) or the Child Nutrition Act of 1966 (42 U. S. C. 1771 *et seq.*)

- 3.24 Middle School - Public school (s) having some combination of grades five through eight (5-8).
- 3.25 Physical Activity - Any bodily movement produced by skeletal muscles that results in energy expenditure.
- 3.26 Physical Education - A planned, sequential K-12 curriculum that provides cognitive content and learning experiences in a variety of activity areas including basic movement skills; physical fitness, rhythms, and dance; games team, dual, and individual sports; tumbling and gymnastics; and aquatics.
- 3.27 Private - Not openly or in public.
- 3.28 Regular Basis - A regularly repeated or continuing occurrence at a specific school site. For example: every day, or on a particular day each week, or repeated on a defined schedule.
- 3.29 Reimbursable Meal - A meal which meets the U.S.D.A. criteria for reimbursement for one of the Child Nutrition Programs in Arkansas.
- 3.30 School Day - A period, as defined by the federal government or as defined by the State of Arkansas.
 - 3.30.1 Federal School Day - Found in 7 CFR 210 and 7 CFR 220, the period from the midnight before to thirty (30) minutes after the end of the day's classes, during which federal Smart Snacks requirements must be met.
 - 3.30.2 Arkansas School Day ("School Day") - Specific to Arkansas, the period from the start of the first classes of the day to thirty (30) minutes after the end of the day's classes.
- 3.31 School Events - Any occasion such as field day, holiday, school recognition activities, end of school events, etc. designated at the discretion of the school administration.
- 3.32 School Fundraisers - For purposes of this rule, all food and beverage items sold by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.), students or student groups, parents or parent groups, or any other person, company or organization directly associated with the school programs.
- 3.33 School Health Index - The School Health Index (SHI) is a self-assessment and planning guide designed by the Centers for Disease Control (CDC) to help schools identify strengths and weaknesses of the school's health promotion policies and programs, develop an action plan for improving student health, and

involving teachers, parents, students and various members of the community in improving the school's policies and programs.

- 3.34 Stadiometer - An instrument for measuring standing height.
- 3.35 Student Health Report - A written notice to parents with student's health screening information.
- 3.36 School Nurse - A licensed nurse employed by school districts who is qualified and working under the scope set forth by the Arkansas State Board of Nursing School Nurse Roles and Responsibilities Practice Guidelines.
- 3.37 School Nutrition and Physical Activity Advisory Committee - (SNPAA) A committee operating within each public school district that shall help raise the awareness of the importance of nutrition and physical activity and shall include members from the school district's governing board, school administrators, school nutrition personnel, teacher organizations, parents, students and professional groups such as nurses and community members. The SNPAA may also be referred to as the "Wellness Committee."
- 3.38 School Site - Any and all locations associated with a Local Education Agency (LEA) number.
- 3.39 Smart Snacks in School Program ("Smart Snacks") - The program established by amendments to the Healthy Hunger Free Kids Act of 2010 which specify that nutrition standards apply to all food sold:
 - 3.39.1 Outside the school meal programs;
 - 3.39.2 On the school campus; and
 - 3.39.3 At any time from the midnight before to thirty (30) minutes after the end of the day's classes.
- 3.40 Testing Day - A school day that involves one of the state-wide programs for education assessment, in which every student attending an Arkansas public school is required to participate as required in Ark. Code Ann. §§ 6-15-419, 6-15-433, and 6-15-2009, and as established by the State Board of Education.
- 3.41 Vending - Means to sell or give away food and beverages anywhere at a school site on a regular basis, including but not limited to a classroom, school store, or concession stand, or equipment such as heated cabinets, hot or cold vending machines, ice chests coolers, etc.
- 3.42 Weight - A measurement in pounds or kilograms.

- 3.43 Written Refusal - A document to school district requesting a child not be included in assessing BMI.

For the purposes of any protocols developed pursuant to these rules, the following terms mean:

- 3.44 Certificate of Completion - A document provided upon completion of BMI assessment training protocol.
- 3.45 Fried Food - Food that is cooked by total or partial immersion into hot oil or other fat, commonly referred to as “deep fat frying” or “pan frying.”
- 3.46 Recorder - A person who writes down student heights and weights or enters measurements into a database.

4.00 CHILD HEALTH ADVISORY COMMITTEE

- 4.01 There is created a Child Health Advisory Committee to consist of twenty (20) members.
- 4.02 The Committee will consist of the following eleven (11) members appointed by the Director of the Department of Health:
 - 4.02.1 One (1) member to represent the Department of Health;
 - 4.02.2 One (1) member to represent the Arkansas Dietetic Association;
 - 4.02.3 One (1) member to represent the American Academy of Pediatrics, Arkansas Chapter;
 - 4.02.4 One (1) member to represent the Arkansas Academy of Family Practice;
 - 4.02.5 One (1) member to represent they Arkansas Association for Health, Physical Education, Recreation and Dance;
 - 4.02.6 One (1) member to represent jointly the Arkansas Heart Association, the American Cancer Society, and the American Lung Association;
 - 4.02.7 One (1) member to represent the Fay W. Boozman College of Public Health of the University of Arkansas for Medical Sciences;
 - 4.02.8 One (1) member to represent the Arkansas Center for Health Improvement;

- 4.02.9 One (1) member to represent the Arkansas Advocates for Children and Families;
 - 4.02.10 One (1) member to represent the University of Arkansas Cooperative Extension Service; and
 - 4.02.11 One (1) member to represent the Office of Minority Health and Health Disparities of the Department of Health.
- 4.03 The Committee will also consist of the following nine (9) members appointed by the Commissioner of Education:
- 4.03.1 One (1) member to represent the Department of Education;
 - 4.03.2 One (1) member to represent the Arkansas School Food Service Association (now known as the Arkansas School Nutrition Association);
 - 4.03.3 One (1) member to represent the Arkansas School Nurses Association;
 - 4.03.4 One (1) member to represent the Arkansas Association of Educational Administrators;
 - 4.03.5 One (1) member to represent the Arkansas Parent Teacher Association;
 - 4.03.6 One (1) member to represent the Arkansas School Boards Association;
 - 4.03.7 One (1) member to represent the Arkansas Association of School Business Officials;
 - 4.03.8 One (1) member to represent the Arkansas Association for Supervision and Curriculum Development; and
 - 4.03.9 One (1) member who is a classroom teacher.
- 4.04 Terms of the committee members will be three (3) years.
- 4.05 If a vacancy occurs, the officer who made the original appointment shall appoint a person who represents the same constituency as the member being replaced.
- 4.06 The committee will elect one (1) of its members to act as chair for a term of one (1) year.
- 4.07 A majority of the members shall constitute a quorum for the transaction of business.

- 4.08 The committee shall meet at least monthly and will make recommendations to the State Board of Education and the Arkansas Board of Health consistent with the intent and purpose of these rules and with Ark. Code Ann. §§ 20-7-133, 20-7-134, and 20-7-135.
- 4.09 The committee shall develop nutrition and physical activity standards and policy recommendations with consideration of the following:
 - 4.09.1 Food sold individually in school cafeterias but outside the regulated National School Lunch Program;
 - 4.09.2 Competitive foods as defined by the U.S.D.A. as the definition is in existence on January 1, 2015: All food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day;
 - 4.09.3 The continuing professional development of food service staff;
 - 4.09.4 The expenditure of funds derived from competitive food and beverage contracts;
 - 4.09.5 Physical education and activity;
 - 4.09.6 Systems to ensure the implementation of nutrition and physical activity standards; and
 - 4.09.7 The monitoring and evaluating of results and reporting of outcomes.
 - 4.09.8 As the Smart Snacks standards published by the U.S.D.A. will allow schools to offer healthier snack food to children while limiting junk food, the committee shall consider Smart Snacks policies and procedures for identifying appropriate food and beverages for school campuses during the school day. The Smart Snacks regulation applies to food sold a la carte and in the school store, and to vending machines, etc.
- 4.10 The committee shall examine the progress of the Arkansas Coordinated School Health Program and make recommendations to the Department of Education and the Department of Health concerning the implementation of the Arkansas Coordinated School Health Program.

5.00 IMPLEMENTATION OF NUTRITION AND PHYSICAL ACTIVITY STANDARDS

- 5.01 After having consulted the Child Health Advisory Committee and the Arkansas Board of Health, the State Board of Education shall promulgate appropriate rules and regulations to ensure that nutrition and physical activity standards and body mass index for age assessment protocols are implemented to provide students with the skills, opportunities, and encouragement to adopt healthy lifestyles.
- 5.02 Every school district shall:
 - 5.02.1 Prohibit for elementary school students in-school access to vending machines offering food and beverages;
 - 5.02.2 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;
 - 5.02.3 Beginning with kindergarten and then in even-numbered grades, require schools to include as a part of a student health report to parents a body mass index percentile by age for each student; and
 - 5.02.4 Permit any parent to refuse to have his or her child's body mass index percentile for age assessed and reported, by providing a written refusal to the school.
 - 5.02.5 Students in grades eleven through twelve (11-12) are exempt from any policy or requirement of a public school or the state for measuring or reporting body mass index.
- 5.03 The Department of Education shall:
 - 5.03.1 Begin the implementation of standards developed by the committee and approved by the Department of Education; and
 - 5.03.2 Annually monitor and evaluate the implementation and effectiveness of the nutrition and physical activity standards and Smart Snacks requirements.

6.00 SCHOOL NUTRITION AND PHYSICAL ACTIVITY ADVISORY COMMITTEE

- 6.01 Every school district shall 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, teachers of physical education, school health professionals, and professional groups such as nurses and community members.

- 6.02 The school nutrition and physical activity advisory committee will help raise awareness of the importance of nutrition and physical activity and assist in the development of local policies that address issues and goals, including, but not limited to the following:
 - 6.02.1 Assist with the implementation of nutrition and physical activity standards developed by the school nutrition and physical advisory committee with the approval of the Arkansas Department of Education and the Arkansas Board of Health;
 - 6.02.2 Integrate nutrition and physical activity into the overall curriculum;
 - 6.02.3 Ensure that professional development for staff includes nutrition and physical activity issues;
 - 6.02.4 Ensure that students receive nutrition education and engage in healthy levels of vigorous physical activity;
 - 6.02.5 Improve the quality of physical education curricula and increasing training of physical education teachers;
 - 6.02.6 Enforce existing physical education requirements; and
 - 6.02.7 Pursue contracts that both encourage healthful eating by students and reduce school dependence on profits from the sale of competitive foods.
- 6.03 Every school district shall begin the implementation of standards developed by the Child Health Advisory Committee with the approval of the Department of Education and the Arkansas Board of Health.
- 6.04 Every school district shall require that goals and objectives for nutrition and physical activity be incorporated into the annual school planning and reporting process.
- 6.05 The School Nutrition and Physical Activity Advisory Committee shall be structured in a way as to ensure age-appropriate recommendations that are correlated to the current grade configuration of the school district utilizing one of the following options:
 - 6.05.1 Establish a School Nutrition and Physical Activity Advisory Committee at each school in addition to the district committee;

- 6.05.2 Establish subcommittees of the District Committee, representing the appropriate age and grade configuration for that school district; or
- 6.05.3 Include representatives from each appropriate grade level group (elementary, middle, junior and senior high) on the membership of the district committee;
- 6.06 At a minimum, the School Nutrition and Physical Activity Advisory Committee will:
 - 6.06.1 Annually, assess each school campus, using the School Health Index for Physical Activity, Healthy Eating and a Tobacco-Free Lifestyle using the following modules:
 - #1 - School Health Policies and Environment;
 - #2 - Health Education;
 - #3 - Physical Education and other Physical Activity Programs;
 - #4 - Nutrition Services; and
 - #8 - Family and Community Involvement Assessment.
 - 6.06.2 Compare the physical education and health education assessment from the School Health Index to the standards defined by the Arkansas Department of Education Physical Education and Health Curriculum Framework;
 - 6.06.3 Compile the results of the School Health Index and provide a copy to the principal of each school in the district, a general description of which is to be included in the individual school improvement plan (ACSIP);
 - 6.06.4 Provide the annual completed School Health Index assessment results and the physical activity standards comparison to the principal of each school in the district to be maintained and presented to the local school board;
 - 6.06.5 Review and make written recommendations to the district child nutrition director regarding the district's school meal menus.
 - 6.06.6 Assist the schools in implementing the Arkansas Child Health Advisory Committee recommendations for all food and beverages provided or sold anywhere on the school campus, including all food and beverages other than those offered as part of reimbursable meals, including a la carte, vending machines, snack bars, fund raisers, school stores, class parties, and other venues that compete with healthy school meals;
 - 6.06.7 Maintain and update annually a written list of recommended locally available, healthier options for food and beverages available for sale to students;

- 6.06.8 Encourage the use of non-food alternatives for fund-raisers;
 - 6.06.9 Review and make written recommendations to the local school board regarding the components to be included in food and beverage vending contracts; and
 - 6.06.10 Include as part of the district's annual report to parents and the community the amount of funds received and expenditures made from competitive food and beverage contracts.
- 6.07 The Local Wellness Policy is required under the current version of the Richard B. Russell National School Lunch Act (42 U.S.C.1751 *et seq.*) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 *et seq.*).
- 6.07.1 Not later than the first day of the school year each local educational agency participating in a program authorized by the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 *et seq.*) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 *et seq.*) shall establish a local school wellness policy for schools under the local educational agency that:
 - 6.07.1.1 Includes goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the local educational agency determines is appropriate;
 - 6.07.1.2 Includes nutrition guidelines selected by the local educational agency for all food available on each school campus under the local educational agency during the school day with the objectives of promoting student health and reducing childhood obesity;
 - 6.07.1.3 Provides an assurance that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issues by the Secretary of Agriculture pursuant to subsections (a) and (b) of Section 10 of the Child Nutrition Act (42 U.S.C. 1779) and Sections 9(f)(1) and 17 (a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)), as those regulations and guidance apply to public schools;
 - 6.07.1.4 Establishes a plan for measuring implementation of the local wellness policy, including designation of one (1) or more persons within the local educational agency or at each school, as appropriate, charged with the operational responsibility for ensuring that the school meets the local wellness policy; and

- 6.07.1.5 Involves parents, students, representatives of the school food authority, the school board, school administrators, and the public in the development of the school wellness policy.
- 6.08 The Department of Education and the Department of Health 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, the House Interim Committee on Education and the Senate Interim Committee on Education.
- 6.09 The State Board of Education shall submit to the House Interim Committee on Education and the Senate Interim Committee on Education for the committees' review any proposed rules regarding physical education or physical activity standards for grades kindergarten through twelve (K-12).

7.00 PHYSICAL EDUCATION REQUIREMENTS AND STANDARDS

- 7.01 The physical education curriculum and physical activity requirements for every public school student who is physically fit and able to participate are:
 - 7.01.1 Except as provided in Section 7.01.2 of these rules, for students in grades kindergarten through six (K-6):
 - 7.01.1.1 At least forty (40) minutes as determined by the superintendent of the school district, of physical education training and instruction each calendar week of the school year; and
 - 7.01.1.2 Ninety (90) minutes of physical activity each calendar week of the school year, which may include without limitation daily recess, physical education instruction in addition to the requirement of Section 7.01.1.1 of these rules, or intramural sports;
 - 7.01.2 For students in grades five through eight (5-8) who attend a public school organized to teach grades 5-8 or any combination thereof, at least forty (40) minutes as determined by the superintendent of the school district, of physical education training and instruction each calendar week of the school year or an equivalent amount of time in each school year, with no additional requirement for physical activity; and
 - 7.01.3 For students in grades nine through twelve (9-12) one-half (1/2) unit of physical education as required for high school graduation, with no additional requirement for physical activity.

- 7.02 Nothing in these rules prohibits:
- 7.02.1 A public school student's elective enrollment or voluntary participation in physical activity or physical education as a part of public school curriculum or extra-curricular activities; or
 - 7.02.2 A school district's decision to require physical education instruction or physical activity in excess of the amounts identified in Section 7.01 of these rules.
- 7.03 The physical education training and instruction shall be designed to:
- 7.03.1 Improve the health of this state's school children;
 - 7.03.2 Increase knowledge about the health benefits of physical activity and exercise;
 - 7.03.3 Develop behavioral and motor skills that promote a lifelong commitment to healthy physical activity;
 - 7.03.4 Promote health-focused activity among children and adolescents; and
 - 7.03.5 Encourage physical activity outside of physical education.
- 7.04 Suitable modified courses shall be provided for students physically or mentally unable or unfit to take the course or courses prescribed for other pupils.
- 7.05 A student may be exempted from physical education and physical activity requirements by seeking a waiver from the local school board of directors. The local school board of directors may grant such a waiver based upon the following criteria:
- 7.05.1 The student must present a statement by the student's attending physician indicating that participation in physical education and physical activity will jeopardize the student's health or well-being; or
 - 7.05.2 The parent and student must show that attending physical education classes will violate the student's religious beliefs and would not be merely a matter of personal objection. The parent or student must be members of a recognized religious faith that objects to physical education as part of its official doctrine or creed.
 - 7.05.3 The local school board of directors shall encourage a student granted a waiver under Section 7.05 of these rules to take, as an alternative to

physical education, appropriate instruction in health education or other instruction in lifestyle modification if an exemption is granted.

- 7.06 Each school shall develop a physical education program that fits effectively and efficiently into the school's existing organization and into the standards and curriculum frameworks adopted by the State Board of Education, while incorporating the goals of these rules.
- 7.07 Nothing in Section 7.00 of these rules shall be construed to require any school or school district to hire personnel licensed in physical education.
- 7.08 The State Board of Education shall submit to the House Interim Committee on Education and the Senate Interim Committee on Education for the committees' review any proposed rules regarding physical education or physical activity standards for grades kindergarten through twelve (K-12) developed pursuant to Section 7.00 of these rules that exceed the maximums identified in Section 7.01 of these rules.
- 7.09 At a minimum, school districts will work with their local School Nutrition and Physical Activity Advisory Committee to:
 - 7.09.1 Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
 - 7.09.2 Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
 - 7.09.3 Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games;
 - 7.09.4 Encourage the development of and participation in family-oriented community-based physical activity programs; and,
 - 7.09.5 Maintain documentation of strategies to be employed to achieve the requirements set forth in section 7.00 of these rules.
- 7.10 Physical Education Instruction in Grades Kindergarten Through Six (K-6): For grades K-6, physical education classes will have a maximum student to adult ratio of thirty to one (30:1).
 - 7.10.1 At least one of the adults directly supervising the physical education classes must be a licensed physical education teacher or, alternatively, a licensed elementary teacher. The licensed physical education teacher or licensed elementary teacher will be responsible for the delivery of physical

education instruction. A licensed physical education teacher will be responsible for development of the physical education curriculum.

7.10.2 Non-licensed personnel may assist in filling the thirty to one (30:1) student to adult ratio requirement if they are trained and assigned to assist licensed personnel in supervising physical education classes.

7.11 Physical Education Instruction in Grades Seven Through Twelve (7-12): For grades 7-12, physical education instruction must be provided by a licensed physical education teacher with a license that corresponds to the grade levels being taught.

8.00 GENERAL REQUIREMENTS FOR FOOD AND BEVERAGES IN PUBLIC SCHOOLS

8.01 Access to Food and Beverages in Public Schools

8.01.1 Elementary students will not have in-school access to vending machines offering food and beverages.

8.01.2 During the school day, all schools may serve or provide food or beverages that are compliant with Smart Snacks regulations. This includes competitive foods provided by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.), students or student groups, parents or parent groups, or any other person, company, or organization associated with the school site.

8.01.2.1 The school district shall maintain documentation that all food and/or beverages comply by utilizing the Alliance for a Healthier Generation Smart Snacks Calculator, including a copy of the Smart Snacks Calculator product compliance screen and a copy of the nutrition fact label of the product.

8.01.2.2 Outside of meal service, schools shall limit the number of servings per day to one per student.

8.01.2.2.1 Food and beverages provided under Section 8.01.2 shall not be available in the food service area during meal service.

8.01.3 During the school day, all schools are prohibited from selling competitive food or beverages to students anywhere on school premises except:

8.01.3.1 Prior to the start of the first classes of the school day; or

- 8.01.3.2 Thirty (30) minutes after the last lunch period has ended.
- 8.01.3.3 This prohibition includes competitive foods and beverages sold by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.), students or student groups, parents or parent groups, or any other person, company, or organization associated with the school site.
- 8.01.3.4 Food and beverages sold shall be compliant with Smart Snacks regulations, and carbonated and sweetened non-carbonated beverages shall be restricted to no more than twelve (12) ounces per container and fifty-five (55) milligrams of caffeine per serving.
- 8.01.3.5 The school district shall maintain documentation that all food(s) and/or beverage(s) comply by utilizing the Alliance for a Healthier Generation Smart Snacks Calculator, including a copy of the Smart Snacks Calculator product compliance screen and a copy of the nutrition fact label of the product.
- 8.01.3.6 The school district shall maintain documentation that all fundraisers to which Section 8.01.3 of these Rules applies, are approved by district administration.
- 8.01.3.7 Food and beverages sold outside of the non-profit food service shall not be available in the food service area during meal service. This Section 8.01.3.7 does not apply to a la carte items sold in the food service area.

8.01.4 A la carte items sold in the food service area during meal times shall be compliant with Smart Snacks regulations. This includes entrees, side dishes, second trays, and all competitive foods.

8.02 Exceptions to Limiting Access to Food and Beverages in All Schools

- 8.02.1 Parents' Rights - This policy does not restrict what parents may provide for their own child's lunch or snacks. Parents may provide competitive foods and/or beverages or candy items for their own child's consumption, but they may not provide restricted items to other children at school.
- 8.02.2 School Nurses - This policy does not apply to school nurses using competitive foods and/or beverages during the course of providing health care to individual students.

- 8.02.3 Special Needs Students - This policy does not apply to special needs students whose Individualized Education Program (IEP) plan or 504 plan indicates the use of competitive foods and/or beverages for behavior modification (or other suitable need).
- 8.02.4 School Events - Students may be provided any food and/or beverage items during the school day for up to nine (9) different events each school year to be determined and approved by school officials. These items may not be provided during meal times in the areas where school meals are being served or consumed.
- 8.02.5 Food for Instructional Purposes - Food integrated as a vital part of the instructional program are allowed at any time. Examples include edible manipulatives such as a square of cheese to teach fractions, a nutrition food experience, food production in family and consumer science units, and food science units.
- 8.02.6 U.S.D.A. Fresh Fruit and Vegetable Program - Fresh fruits and fresh vegetables may be provided through this program, which is administered by the Arkansas Department of Education Child Nutrition Unit and funded through the Food, Conservation, and Energy Act of 2008 to provide all children in participating schools with a variety of free, fresh fruits and fresh vegetables throughout the school day.
- 8.02.7 Self-Sustaining Fresh Fruit and Vegetable Program - Fresh fruits and fresh vegetables may be provided through this program administered at the local school level and funded through local Child Nutrition Funds (when exceeding an operating balance of three (3) months), school-sponsored groups, and/or entities within the community. Schools participating in this program attest that the intent of the federal Fresh Fruit and Vegetable Program will be followed, including, but not limited to the requirements for only fresh fruits and fresh vegetables, nutrition education, and community involvement.
- 8.02.8 School Testing Days - Students may be given any food and/or beverage items that meet the Alliance for a Healthier Generation Smart Snacks Calculator requirements during the school day on scheduled testing days each school year to be determine and approved by school officials.

9.00 NUTRITION STANDARDS FOR FOOD AND BEVERAGES

- 9.01 The Arkansas nutrition standards will apply to all food and beverages served, provided, or sold to students on elementary, middle, junior high and high school campuses (except the reimbursable school meals, which are governed by U.S.D.A.

federal regulations). All schools will be required to meet federal Smart Snacks regulations and document compliance using the Alliance for a Healthier Generation Smart Snacks Calculator.

- 9.02 A list of the maximum portion size restrictions and nutrition standards will be made available to school districts. This list will apply to all food and beverages served, provided, or sold to students during the school day at any school site with the exception of reimbursable school meals which have nutrition standards governed by the federal law and regulations.
- 9.02.1 Prior to each school year, on or before April 1, the updated list of maximum portion sizes and nutrition standards for food and beverages will be developed by the Arkansas Child Health Advisory Committee and distributed by the Arkansas Department of Education via Commissioner's Memo.
- 9.02.2 Compliance will be monitored by the Arkansas Department of Education in addition to the self-monitoring by the Local School Nutrition and Physical Activity Advisory Committee.
- 9.02.3 A choice of two (2) fruits and/or 100% fruit juices must be offered for sale at the same time and place whenever competitive foods are sold. Fruits should be fresh whenever possible. Frozen and canned fruits should be packed in natural juice, water, or light syrup.
- 9.02.4 At the point of choice, at least 50% of beverage selections in vending machines, school stores and other sales venues shall be 100% fruit juice, low-fat or fat-free milk, and unflavored unsweetened water.
- 9.02.5 At middle school and high school levels, local leaders are encouraged to implement vending policies that encourage healthy eating by students.
- 9.02.6 Any modification or revisions of vending contracts in existence prior to August 8, 2005, must be in full compliance with all sections of the Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools as approved by the State Board of Education.
- 9.02.7 Nothing in these rules shall be construed to prohibit or limit the sale or distribution of any food or beverage item through fundraisers by students, teachers, or other groups when the items are sold off the school campus.

10.00 NUTRITION EDUCATION

- 10.01 The Arkansas Department of Education shall promote grade-appropriate nutrition education as part of a broad based integrated health education program that is aligned with the Arkansas Physical Education and Health Education Framework. The Child Nutrition Unit of the Department of Education shall review nutrition standards prior to implementation. Examples of integration into the curriculum include comprehensive health education courses and Career Education courses which are taught within Family and Consumer Sciences, such as Nutrition and Wellness and/or Food and Nutrition.
- 10.02 The Arkansas Department of Education and the Department of Career Education will provide technical assistance in helping schools integrate health education curricula that will include the nutrition components.
- 10.03 Implementation of grade-appropriate nutrition education through a comprehensive education program will be included in the school improvement process.

11.00 HEALTHY SCHOOL ENVIRONMENT

- 11.01 No food or beverage shall be used as rewards for academic, classroom or sport performances and/or activities. For exceptions to this requirement, see Section 8.02 of these rules.
- 11.02 All school cafeterias and dining areas should reflect healthy nutrition environments.
- 11.03 Schools should ensure that all students have access to school meals. Schools should not establish policies, class schedules, bus schedules or other barriers that directly or indirectly restrict meal access.
- 11.04 Drinking water via water fountains or other service receptacle should be available without charge to all students on campus according to Arkansas Department of Health standards.

12.00 SCREENING PROCESS FOR BMI ASSESSMENT

- 12.01 All children in Kindergarten (K), grade two (2), grade four (4), grade six (6), grade eight (8), and grade ten (10) shall have their height and weight assessed to calculate body mass index for age percentile.
- 12.01.1 This requirement applies to public schools.

- 12.01.2 The responsibility for enforcement of this section rests equally with each school district.
- 12.01.3 Nothing in these rules shall preclude voluntary screening of any educational grade or preclude the referral of any child, regardless of grade, whom the parent, teacher or school nurse feels should be screened or examined unless the school has received written refusal from the student's guardian.
- 12.01.4 Each school district shall follow the approved screening process as outlined in the Height and Weight Measurement Training Manual.
- 12.02 Screening equipment shall include but is not limited to:
 - 12.02.1 Stadiometer;
 - 12.02.2 Scales for measuring weight; and
 - 12.02.3 Carpenter's square.
- 12.03 Training/Assurance:
 - 12.03.1 The Arkansas Department of Education in conjunction with the Arkansas Department of Health shall develop standards for training school nurses or other school designees to perform body mass index for age assessments.
 - 12.03.2 The Department of Health in consultation with the Department of Education shall assign all community health nurses under its supervision to work with schools to assure that body mass index for age assessment protocols are followed by school employees or their designees who conduct body mass index for age assessments and other student health screenings.
- 12.04 Beginning with kindergarten and then in even numbered grades, schools will be required to include, as a part of a student health report to parents, a body mass index percentile by age for each student in a private and confidential manner.

Arkansas Department of Education

Child Nutrition Unit

Smart Snacks in Arkansas Schools: Questions and Answers

1. Do I have to follow Federal Smart Snacks regulations or the Arkansas Nutrition Standards?

Both. Schools are required to implement whichever standard is most restrictive. In some cases, federal standards are stricter (ex: declared school day starts at midnight). In some cases, Arkansas standards are stricter (ex: no vending in elementary schools during the school day). Additionally, schools may have their own local wellness policies that are stricter than either the federal or state requirements.

2. What items are affected by Smart Snacks and Arkansas Nutrition Standards?

Fundraisers, parties, a la carte in the cafeteria, second trays, and “all foods on campus” that are outside of a reimbursable meal or snack within the Child Nutrition Programs

3. Are snacks allowed in all schools?

Yes, snacks are allowed to be provided and/or sold in all schools (elementary, middle, and high school) when certain procedures are followed (see below). The Smart Snacks calculator asks which school level the snack will be provided/sold to and considers separate nutrient guidelines when determining if a product is compliant for each school level (for beverages).

4. Is there a difference between providing and selling snacks?

Yes.

All schools may **serve or provide** food or beverages that are compliant with Smart Snacks regulations when the following procedures are implemented:

- The snacks are not reimbursable through Child Nutrition. The snacks must be funded by non-federal funds.
- Snacks may be provided any time during the school day.
- However, no more than one snack per student per day is allowed.
- The snacks must meet Smart Snacks guidelines by entering into the online Alliance for a Healthier Generation Calculator based on school level (elementary, middle, high school).
- The school must keep documentation, including the nutrient fact label and the calculator printout to confirm the product is compliant.
- Carbonated and sweetened non-carbonated beverages are limited to 12 oz or less per container and 55 mg of caffeine per serving.
- Applies until 30 minutes after school ends.
- Snacks may not be served in food service areas during the meal service.

Schools may **sell** snacks when the following procedures are implemented:

- May be sold prior to the start of the 1st classes of the school day and/or 30 minutes after the last lunch has ended in any school.
- Applies until 30 minutes after school ends.
- No vending machines in Elementary Schools.
- Must meet Smart Snacks guidelines by entering into online Alliance for a Healthier Generation Calculator for the appropriate school level (elementary, middle, high school).
- Must keep documentation including nutrient fact label and calculator printout.
- May not be sold or served in food service areas during meal service.
- Carbonated and sweetened non-carbonated beverages are limited to 12 oz or less per container and 55 mg of caffeine per serving.
- These rules apply to a la carte, entrees, side dishes, second trays and all competitive foods in the cafeteria, as well.
- Fundraisers must be approved by district administration (documentation required).

5. What is a “special event” under the “9 Special Event Days” rule from Act 1220?

ADE Rule 8.02.4 defines School Events - Students may be given any food and/or beverage items during the school day for up to nine different events each school year to be determined and approved by school officials. These items may not be given during meal times in the areas where school meals are being served or consumed.

6. Can one week of a specific celebration (ex: fall festival, homecoming week, etc.) count as one event?

No, each day counts as one of the 9 Special Event Days. Schools may have a week-long celebration and count that as 5 of their 9 Special Event Days.

Note: If a school decides to have a week-long celebration, it is recommended that they inform parents about why so many treats are suddenly available at school.

Note: Some schools have started “snack-free parties.” For example, instead of candy for a fall party, they give spider rings, mini games, bubbles, pencils, erasers, etc.

7. Can my PTO buy snacks for elementary students?

ADE Rule 8.01.2 says, “During the school day, all schools may serve or provide food or beverages that are compliant with Smart Snack regulations. This includes competitive foods provided by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club

sponsors, etc.), students or student groups, parents or parent groups, or any other person, company, or organization associated with the school site.”

- Not more than one snack per day per student may be provided.
- Schools must keep documentation, including nutrient fact label and calculator printout showing the product is compliant

8. Can I give pizza/ice cream/other tickets as a reward for school or activity performance?

No. ADE Rule 11.01 says, “No food or beverage shall be used as rewards for academic, classroom or sport performances and/or activities. For exceptions to this requirement, see Section 8.02 of the ADE Rules.”

9. Can we have a party to celebrate birthdays, holidays, and achievements?

Yes, the party would count toward the school’s 9 Special Event Days.

A non-food party is also an option and would not count as one of the nine days.

A party could include Smart Snacks (with teachers/staff/principals ensuring one snack per student per day) and would not have to count as one of the nine days.

10. Can Ms. Davidson have a party on Monday...Ms. Alsbrook have a party on Tuesday...And Ms. McBride have a party on Wednesday?

No, all teachers in the building must agree to have their parties on the same day and count that as one of the 9 Special Event Days.

11. How do I record our special event days?

On the official school calendar in eSchool maintained by the building principal’s office.

Description: Act1220 Exempt Event Days

Code: 9DY

12. Why am I required to record the special event days?

Recording the days on the school’s calendar serves as documentation that the building has agreed on which days to have special events and that the school is staying within the nine allowed days. This method also helps the building’s Child Nutrition Manager to make adjustments to the number of meals prepared on Special Event Days; therefore, saving the school money by decreasing food waste.

13. What is the “30 minute rule”?

ADE Rule 8.01.3 says, “During the school day, all schools are prohibited from selling competitive food or beverages to students anywhere on school premises except:

- Prior to the start of the first classes of the school day
- Thirty (30) minutes after the last lunch period has ended”

These rules also apply to the 30 minutes after the last school bell of the day.

This is often referred to as the “30 minute rule.”

14. What is a FMNV?

Foods of Minimal Nutritional Value (FMNV) is an obsolete USDA term. The Smart Snacks program went into effect for SY 2014-2015. Therefore, any competitive foods and beverages must meet the nutrition standards of Smart Snacks.

15. Can my students (any grade) sell frozen pizza or cookie dough at school?

Yes, USDA considers these items to be sold in a non-consumable form. Therefore, they may be sold at any school during the school day.

16. Are there restrictions on what can be sold afterschool?

Within the first 30 minutes after school, all foods and beverages given or sold must meet Smart Snacks and Arkansas Nutrition standards (and go through the calculator). Thirty minutes after the last school bell, there are no restrictions.

17. What is limited in concession stands for afterschool activities?

No federal or state standards restrict foods or beverages in concession stands or afterschool activities. Local wellness policies may be more restrictive and include policies that limit items in these locations.

18. Can a parent send competitive foods for their own student?

ADE Rule 8.02.1 Parent’s Rights says, “This policy does not restrict what parents may provide for their own child’s lunch or snacks. Parents may provide competitive foods and/or beverages or candy items for their own child’s consumption, but they may not provide restricted items to other children at school.”

19. Can a parent send competitive foods for other students?

ADE Rule 8.02.1 Parent's Rights says, "This policy does not restrict what parents may provide for their own child's lunch or snacks. Parents may provide competitive foods and/or beverages or candy items for their own child's consumption, but they may not provide restricted items to other children at school."

This does not apply on special event days. When parents bring food for the class on special event days, the items may not be homemade.

A parent or parent group may fund/provide snacks when school officials have met all of the Nutrition Standards and followed procedures for providing regular Smart Snacks. (ex: Kindergarten parents providing afternoon snack).

20. Can I serve any snack in activities or tutoring after school?

If snacks are served within the first 30 minutes after school is dismissed, the snacks must meet Smart Snacks and Arkansas Nutrition Standards requirements.

If snacks are served after the first 30 minutes, there are no restrictions. However, CNU encourages healthy snacks.

21. Can my school serve kindergarten (or other grade) a snack in the afternoon because they eat lunch so early?

Yes, schools must follow the Smart Snacks requirements and the Arkansas Nutrition Standards described in 8.01.2 of the ADE Rules.

22. My middle school and high school students share a common area...which rules should I follow for Smart Snacks?

Middle school has the most restrictive rules, and those more restrictive rules apply to all students accessing the common area.

23. Can I serve snacks to students on testing days?

Yes, snacks must be Smart Snack compliant as described in 8.02.8 of the ADE Rules.

24. What is the Alliance for a Healthier Generation Smart Snacks Calculator?

This is a tool developed by the Alliance for a Healthier Generation to assist schools in identifying products that meet the federal nutrition standards ("Smart Snacks").

https://www.healthiergeneration.org/take_action/schools/snacks_and_beverages/smart_snacks/alliance_product_calculator/

25. Can a teacher use food for instruction?

ADE Rule 8.02.5 says, "Foods integrated as a vital part of the instructional program are allowed at any time."

CNU encourages healthy foods. Teachers should have the use of food documented in their lesson plans.

26. Are nurses limited to what snacks they may serve a student with a health care need?

ADE Rule 8.02.2 says that Arkansas Nutrition Standards do not apply to school nurses using competitive foods and/or beverages during the course of providing health care to individual students.

27. Are special needs students limited in what snacks they may be offered?

ADE Rule 8.02.3 says the Arkansas Nutrition Standards do not apply to special needs students whose Individualized Education Program (IEP) plan or 504 plan indicates the use of competitive foods and or beverages for behavior modification (or other suitable need).