

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/12/21  
**A Bill**

HOUSE BILL 1848

By: Representative Bentley

### **For An Act To Be Entitled**

AN ACT TO CREATE THE HEALTHY ACTIVE ARKANSAS SCHOOLS  
ACT; AND FOR OTHER PURPOSES.

### **Subtitle**

TO CREATE THE HEALTHY ACTIVE ARKANSAS  
SCHOOLS ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended to add an additional section to read as follows:

6-18-717. Healthy Active Arkansas Schools Act.

(a) This section shall be known and may be cited as the "Healthy Active Arkansas Schools Act".

(b) By the 2022-2023 school year, the Division of Elementary and Secondary Education shall, in consultation with the Department of Health, develop guidance for public schools and open-enrollment public charter schools to address the following priorities and require that the following priorities be included in the public school's or open-enrollment public charter school's health and wellness priority:

(1)(A) Physical and built environment.

(B) The physical and built environment priority may include without limitation:

(i) The increase in the number of opportunities for public school students to:

(a) Walk for more than five (5) minutes between classes; or



(b) Participate in activities that require the public school students to be physically active during or between classes;

(ii)(a) The promotion of public school gardens.

(b) The promotion of public school gardens shall include without limitation information regarding grant opportunities for schools to start or maintain public school gardens; and

(iii) A public school challenge with an award for the public school having the most minutes of physical activity amongst its public school students;

(2)(A) Nutritional standards and access to healthy foods.

(B) The nutritional standards priority may address without limitation the following:

(i)(a) Funding for selection of healthier food options.

(b) The Department of Agriculture may make reimbursements to public school districts and open-enrollment public charter schools in an amount not to exceed ten cents (10¢) for each school meal that:

(1) Uses local farm or food products, as defined by § 6-18-2102; and

(2) Is served by a public school district or open-enrollment public charter school that has implemented a farm-to-school and early childhood education program as described under § 6-18-2101 et seq.;

(ii) The development of marketing education to address the effects of obesity and promote better nutrition;

(iii)(a) Virtual nutrition education for students.

(b) The virtual nutrition education for students required under this subdivision (b)(2)(B)(iii)(a) may include without limitation:

(1) The encouragement of the implementation of Arkansas Hunger Relief Alliance's interactive virtual Cooking Matters programming; and

(2) Evidence-based nutrition education for public school district and open-enrollment public charter school personnel.

(c) The Arkansas Educational Television

Network may support the delivery of the virtual nutrition education for students required under this subdivision (b)(2)(B)(iii);

(iv) Information regarding the United States Department of Agriculture HealthierUS School Challenge criteria bonuses;

(v) The importance for public schools to implement policies that promote healthy options, including without limitation access to drinking water;

(vi) Information regarding barriers to accessing nutrition;

(vii) Appropriate guidance with respect to access to water stations in public schools;

(xiii) Means by which public schools may promote the reduction in the consumption of sugar-sweetened beverages;

(ix) The requirement that public school districts and open-enrollment public charter schools implement the nutrition and physical activity standards that are required and developed by the Child Health Advisory Committee under § 20-7-135;

(x) Information regarding the development and implementation of a farm-to-school and early childhood education program as described in § 6-18-2103; and

(xi) Information regarding breastfeeding as healthy nutrition for all infants;

(3)(A) Physical education and activity.

(B) The physical education and activity priority may include without limitation the following:

(i) A statewide standard for the minimum activity per school day;

(ii) The implementation of best practices to increase physical activity during the school day, which shall include without limitation studying the implementation of offering recess for elementary public school students before lunch during the school day;

(iii) The promotion and advertisement of joint-use agreements for community resources; and

(iv) The development of age-appropriate marketing education designed to promote better health and address the effects of sedentary activity; and

(4)(A) Breastfeeding practices, as applicable.

(B) The health and wellness priority of each public school and open-enrollment public charter school shall include without limitation:

(i) Initiatives and age-appropriate education for primary school students on breastfeeding as healthy nutrition;

(ii) The development of support and space in public schools for nursing mother public school employees and public school students; and

(iii) The recognition that public schools should adopt an early culture of breastfeeding and an acknowledgement of its influence on healthy nutrition.

(c) The Division of Elementary and Secondary Education may:

(1) Promulgate rules to implement this section; and

(2) Develop a system by which it shall recognize and reward public schools and public school districts that are creatively implementing this section.

*/s/Bentley*