

Title 6. Education

Chapter I. Division of Elementary and Secondary Education

Subchapter G. School District Personnel

Part 184. Rules Governing the Certification and Continuing Professional Development of Child Nutrition Directors, Managers, and Workers

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"2.0 REGULATORY AUTHORITY

2.01 These shall be known as the Arkansas Department of Education Rules Governing Certification and Continuing Professional Development of Child Nutrition Directors, Managers, and Workers.

2.02 These regulations are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 20-7-134, 20-7-135."

"March 14, 2005"

Subpart 1. Generally

6 CAR § 184-101. Purpose.

The purpose of this part is to establish the requirements and procedures for certification and continuing professional development of Child Nutrition:

- (1) Directors;
- (2) Managers; and
- (3) Workers.

Authority. Arkansas Code §§ 20-7-135, 6-11-105.

6 CAR § 184-102. Definitions.

For the purpose of this part, the following terms shall be defined to mean:

(1) "Child Nutrition (CN) Director" means the local education agency or school district employee who administers a school district's federal child nutrition program through the interpretation of state rules and federal regulations;

(2) "Child Nutrition (CN) Manager" means the local education agency or school district employee who directly supervises and manages the federal child nutrition food service program in one (1) or more schools/serving sites;

(3) "Child nutrition programs in Arkansas" means the federal child nutrition programs operated by Arkansas public and 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:

(A) Richard B. Russell National School Lunch Act, Pub. L. No. 89-642; and

(B) Child Nutrition Act of 1966, as amended through Pub. L. No. 108-269, July 2, 2004;

(4) "Child Nutrition (CN) Worker" means the local education agency or school district employee who prepares nutritious food by standardized recipes for specified quantities and serves food to program participants according to state rules and federal regulations;

(5) "Continuing education for Director Certification". The requirements for continuing education are:

(A) Determined by the organization issuing the certification or credential;

and

(B) In two (2) categories:

(i) Maintenance of certification status for Department of Education Certified Child Nutrition Director requires ten (10) hours of continuing education annually based on criteria established by the Department of Education's Child Nutrition Unit; and

(ii) Those Child Nutrition Directors certified or credentialed by the School Nutrition Association (SNA) must meet the continuing education requirements established by SNA to maintain that certification or credential;

(6) "Continuing education for Manager Certification". Maintenance of certification status requires that the Certified Manager must attend a Department of Education Child Nutrition Unit Recertification course:

(A) Within six (6) years of initial certification; and

(B) Every six (6) years thereafter;

(7) "Director Certification" means the credential awarded to persons who complete the requirements for certification by one (1) of three (3) avenues:

(A)(i) Certification by the Department of Education's Child Nutrition Unit for those Child Nutrition Directors with fewer than ten (10) years' experience as a Child Nutrition Director.

(ii) Course content is based on the competencies established through research by the National Food Service Management Institute;

(B)(i) Grandfather.

(ii) Until July 1, 2006, ten (10) years' or more administrative experience as a Child Nutrition Director will be sufficient to meet the Department of Education's Child Nutrition Unit Director Certification requirements; or

(C) Completion of the requirements established by the School Nutrition Association, formerly the American School Food Service Association, for Level 3 Certification or credentialing as a School Food Service Nutrition Specialist;

(8)(A) "Full-time worker" means a food service employee that works a minimum of twenty (20) hours per week.

(B) Source, Arkansas Code § 6-17-2202(2); and

(9) "Manager Certification" means the credential awarded after completion of the requirements of the Department of Education's Child Nutrition Unit Manager Certification Program, which is based on competencies established through research by the National Food Service Management Institute.

Authority. Arkansas Code §§ 20-7-135, 6-11-105.

Codification Notes. Richard B. Russell National School Lunch Act is codified at 42 U.S.C. § 1751 et seq.

The Child Nutrition Act of 1966 is codified at 42 U.S.C. § 1771 et seq.

6 CAR § 184-103. Requirements for obtaining Child Nutrition Director Certification.

(a) Child Nutrition Director Certification requirements.

(1) Department of Education’s Child Nutrition Unit Certification process. Applicant must complete the following steps:

(A) Provide documentation of earning a high school diploma or Graduation Equivalency Diploma (GED);

(B) Provide documentation of successful completion of one (1) of the following advanced trainings:

(i) Manager Certification Training;

(ii) Certification as a dietetic technician;

(iii) Certified dietary manager;

(iv) Registered dietitian;

(v) Associate degree in foods/nutrition or Food Service Management;

or

(vi) Bachelor’s degree in related field, i.e.:

(a) Family and Consumer Sciences;

(b) Food Service Management;

(c) Hotel/restaurant management; or

(d) Nutrition; and

(C) Successfully complete all coursework for the Child Nutrition Unit Director Certification Program.

(2) School Nutrition Association Certification process.

(A) Certification and credentialing by the School Nutrition Association will meet requirements established by that organization.

(B) Submit current documentation to the Department of Education's Child Nutrition Unit from the School Nutrition Association of certification as Director Level 3 or SFNS Credential.

(C) Submit current documentation of required continuing education for national certification or credential.

(3) Grandfather status.

(A) Candidates for grandfather certification status must:

(i)(a) Complete an application including documentation from the school district of at least ten (10) years' service as a Child Nutrition Director as defined in 6 CAR § 184-102(1).

(b) Experience as a Child Nutrition Manager or Child Nutrition Worker will not be eligible to count toward meeting this requirement;

(ii) Submit documentation that the last United States Department of Agriculture Coordinated Review Effort for the district was completed as part of the monitoring system without exceeding Performance Standard Error Thresholds as established by the United States Department of Agriculture; and

(iii) Annually complete continuing education requirements in order to maintain Director Certification status.

(B) Failure to complete annual continuing education requirements will result in loss of Director Certification and the person will be required to achieve certification by one (1) of the other methods.

(C) Those persons with grandfather status will not be required to meet certification requirements listed in subdivisions (a)(1) and (2) of this section.

(D) Grandfather provision can only be used prior to July 1, 2006, to achieve certification status.

(b) General policies pertaining to certification of Child Nutrition Directors.

(1)(A) The CN Director will be responsible for or supervise individuals who perform the following functions:

(i) Nutrition and menu planning/production;

(ii) Procurement;

- (iii) Personnel management and/or financial management; and
- (iv) Accountability.

(B) The Child Nutrition Director coordinates and directs the required training for the child nutrition program personnel.

(C) This Child Nutrition Director can administer either a single site or multisite federal child nutrition program in public and charter schools.

(D) The Child Nutrition Director shall be identified on the agreement between the local education agency and the Department of Education's Child Nutrition Unit.

(2)(A) The CN Director receives general supervision from local school administration.

(B) This person provides administrative supervision over all child nutrition employees, including:

- (i) Managers;
- (ii) Workers; and
- (iii) Clerical staff.

(3) All local education agencies or school districts will be required to employ a certified Child Nutrition Director by July 1, 2006.

(4) No out-of-state certification will be accepted for Arkansas certification of Child Nutrition Directors.

(5) Documentation of certification or credential of the Child Nutrition Director must be submitted annually.

(6)(A) School districts that do not employ a certified Child Nutrition Director cannot pay salary for this position from the nonprofit food service account.

(B) When a noncertified child nutrition professional is currently working toward state certification requirements, subsection (a) of this section, salary may be paid from the nonprofit food service account.

(7)(A) A noncertified Child Nutrition Director has twelve (12) months from the date of hire to begin the Director Certification Training process.

(B) During the twelve (12) months from the date of hire, the Child Nutrition Director's salary may be paid from the nonprofit food service account.

(C) If the certification process is not begun within twelve (12) months of the date of hire, any funds paid from the nonprofit food service account must be refunded to that account from district operating funds.

(8)(A) All information and documentation submitted for certification as a Child Nutrition Director must be:

- (i) Timely;
- (ii) Accurate;
- (iii) Authentic; and
- (iv) Unaltered in any way.

(B) Any certification issued as a result of a violation of the above mentioned will be null and void.

(C) Any certification found to have been issued as a result of the above mentioned will be rescinded.

(9) The Child Nutrition Unit, Department of Education, as authorized by the State Board of Education, reserves the right to amend and/or rescind any certification that has been issued in error.

Authority. Arkansas Code §§ 20-7-135, 6-11-105.

Codification Notes. "SFNS" means School Food Nutrition Services.

6 CAR § 184-104. Requirements for obtaining Child Nutrition Manager Certification.

(a)(1) Child Nutrition Manager Certification requirements:

(A) Must have a high school diploma or Graduation Equivalency Diploma (GED);

(B) Must have the recommendation of the current employer, either the Child Nutrition Director and/or the superintendent;

(C) Must successfully complete the Department of Education's Child Nutrition Unit Manager Certification Program requirements;

(D) Must have completed one (1) school year on-the-job experience after completion of the department's Child Nutrition Unit Manager Certification Program fulfilling the duties and responsibilities as a Child Nutrition Manager or Assistant Manager to be validated by immediate supervisor; and

(E) Must have a recommendation for certification by immediate supervisor.

(2) No out-of-state certification will be accepted for Arkansas certification of Child Nutrition Managers.

(b) General policies pertaining to certification of Child Nutrition Managers.

(1) The job functions of the Child Nutrition Manager include:

- (A) Program accountability;
- (B) Sanitation, safety, and security;
- (C) Equipment use and care;
- (D) Food production;
- (E) Food acceptability;
- (F) Customer service;
- (G) Recordkeeping;
- (H) Marketing;
- (I) Personnel management; and
- (J) Professional development.

(2) The Child Nutrition Manager assists the Child Nutrition Director in delivering required training for the child nutrition personnel.

(3) The Child Nutrition Manager:

- (A) Receives general supervision from the Child Nutrition Director; and
- (B) Directly supervises employees in the school child nutrition food service program.

(4) All local education agencies or school districts will be required to employ a certified Child Nutrition Manager or Managers by July 1, 2006.

(5) Documentation of certification of the Child Nutrition Manager must be submitted annually.

(6) Noncertified child nutrition professionals entering a manager-level position in a food service program must meet state certification requirements within four (4) years of employment in a Child Nutrition Manager position.

(7)(A) School districts that do not employ a certified Child Nutrition Manager cannot pay salary for this position from the nonprofit food service account.

(B) When a noncertified child nutrition professional is currently working on state certification requirements, subsection (a) of this section, salary may be paid from the nonprofit food service account.

(8)(A) A noncertified Child Nutrition Manager must begin the Manager Certification Training process within the first twelve (12) months of employment.

(B) During the first twelve (12) months of employment, the noncertified Child Nutrition Manager's salary may be paid from the nonprofit food service account.

(C) If the certification process is not begun within twelve (12) months, any funds paid from the nonprofit food service account must be refunded to that account from district operating funds.

(9)(A) All information and documentation submitted for certification as a Child Nutrition Manager must be:

- (i) Timely;
- (ii) Accurate;
- (iii) Authentic; and
- (iv) Unaltered in any way.

(B) Any certification issued as a result of a violation of the above mentioned will be null and void.

(C) Any certification found to have been issued as a result of the above mentioned will be rescinded.

(10) The Child Nutrition Unit, Department of Education, as authorized by the State Board of Education, reserves the right to amend and/or rescind any certification that has been issued in error.

Authority. Arkansas Code §§ 20-7-135, 6-11-105.

6 CAR § 184-105. Requirements for Child Nutrition Worker professional development.

(a) The job responsibilities for Child Nutrition Workers include:

- (1) Maintaining a clean, safe, and sanitary work environment; and
- (2) Actively participating in professional development training opportunities provided by the Child Nutrition Director and/or Child Nutrition Manager.

(b) The Child Nutrition Worker receives supervision from the Child Nutrition Manager and Child Nutrition Director.

(c)(1) Training will be based on job functions and skills needed to perform the tasks of a Child Nutrition Worker in federal child nutrition programs.

(2) At a minimum, Child Nutrition Worker professional development should include:

- (A) Basic sanitation;
- (B) Food safety;
- (C) Basic nutrition;
- (D) Food preparation; and
- (E) Nutrition and physical activity concepts for maintaining a healthy lifestyle.

(d)(1) Effective school year 2006-2007, it is required that a minimum of ten (10) hours of professional development training will be required of each full-time Child Nutrition Worker.

(2) The intent of this section is not to add additional days to the contract.

(3) Training may be incorporated into the regular workday in not fewer than fifteen-minute increments.

(4) Failure of a Child Nutrition Worker to complete the ten-hour professional development training may result in personnel action by the local school district.

(e)(1) The school district Child Nutrition Director will be responsible for:

(A) Providing or arranging training opportunities; and

(B) Maintaining a record documenting the professional development.

(2) If the Child Nutrition Director has provided or arranged for the ten (10) hours' annual worker professional development training, the school district will be considered in compliance.

(3) All records must be maintained according to state audit requirements.

(4) The district may provide its own training or arrange for training in cooperation with one (1) or more school districts or educational cooperatives, or training may be provided by:

(A) A state agency;

(B) A cooperative extension service;

(C) A postsecondary education institution;

(D) A state-licensed vocational/technical school;

(E) The National Food Service Management Institute; or

(F) Professional associations (national, state, local) such as the:

(i) School Nutrition Association;

(ii) Academy of Nutrition and Dietetics; or

(iii) Association of Nutrition & Foodservice Professionals.

(f)(1) The required district Child Nutrition Worker professional development training shall not be provided by a private vendor or sponsored by any commercial vendors for the purpose of selling their product.

(2) Vendors may train on the use and care of products if that training is part of the purchase agreement.

(3) Training as specified in subdivision (f)(2) of this section may be counted toward the required worker professional development training hours.

Authority. Arkansas Code §§ 20-7-135, 6-11-105.