

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1174

5 By: Representative Anderson  
6  
7

## For An Act To Be Entitled

9 AN ACT TO ALLOW PUBLIC SCHOOLS TO VOLUNTARILY  
10 PROVIDE TO PARENTS STUDENT HEALTH REPORTS WITH  
11 THE BODY MASS INDEX PERCENTILE FOR THE STUDENT  
12 WHO IS THE SUBJECT OF THE STUDENT HEALTH REPORT;  
13 AND FOR OTHER PURPOSES.  
14

## Subtitle

15 TO ALLOW PUBLIC SCHOOLS TO VOLUNTARILY  
16 PROVIDE TO PARENTS STUDENT HEALTH  
17 REPORTS WITH THE BODY MASS INDEX  
18 PERCENTILE FOR THE STUDENT WHO IS THE  
19 SUBJECT OF THE REPORT.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. Arkansas Code 20-7-135 is amended to read as follows:

26 20-7-135. Nutrition and physical activity standards - Implementation.

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

32 (b) The Division of Health of the Department of Health and Human  
33 Services in consultation with the Department of Education shall:

34 (1) Employ one (1) qualified community health promotion  
35 professional with training or experience, or both, in nutrition, chronic  
36 disease, or another related field to be housed within the division to plan,



1 develop, implement, and evaluate pilot or model programs to support schools  
2 and communities if funds are available;

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

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

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

12 (c)(1) Every school district shall:

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

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

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

21 ~~(4)(C) At the request of a parent, Require schools require~~  
22 ~~a school to annually provide parents with to the parent~~ an explanation of the  
23 possible health effects of body mass index, nutrition, and physical activity.

24 (2) At the request of a parent, a school district shall allow a  
25 school to provide to the student's parent a student health report, which may  
26 include the annual body mass index percentile by age for the student who is  
27 the subject of the student health report.

28 (d) The Department of Education shall:

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

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

33 (e) Every school district shall:

34 (1) Convene a school nutrition and physical activity advisory  
35 committee that shall include members from school district governing boards,  
36 school administrators, food service personnel, teacher organizations,

1 parents, students, and professional groups such as nurses and community  
 2 members to:

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

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

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

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

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

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

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

19 (vi) Enforcing existing physical education  
 20 requirements; and

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

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

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

30 (f) The Department of Education and the division shall report annually  
 31 on progress in implementing nutrition and physical education standards to the  
 32 chairs of the House Interim Committee on Public Health, Welfare, and Labor  
 33 and the Senate Interim Committee on Public Health, Welfare, and Labor.  
 34  
 35  
 36