

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

As Engrossed: H1/24/07

A Bill

HOUSE BILL 1174

5 By: Representatives Anderson, Adcock, J. Brown, Burkes, Cook, Cooper, Cornwell, S. Dobbins, Dunn, L.
6 Evans, George, R. Green, Harris, D. Hutchinson, Jeffrey, Kenney, Kidd, King, Lamoureux, Lovell,
7 Lowery, Medley, Norton, Pennartz, Petrus, Pierce, Pyle, Ragland, J. Roebuck, Sample, Saunders, Thyer
8 By: Senators Bisbee, Baker, Hendren, Miller, Salmon
9

For An Act To Be Entitled

12 AN ACT TO ALLOW PUBLIC SCHOOLS TO VOLUNTARILY
13 PROVIDE TO PARENTS STUDENT HEALTH REPORTS WITH
14 THE BODY MASS INDEX PERCENTILE FOR THE STUDENT
15 WHO IS THE SUBJECT OF THE STUDENT HEALTH REPORT;
16 AND FOR OTHER PURPOSES.
17

Subtitle

19 TO ALLOW PUBLIC SCHOOLS TO VOLUNTARILY
20 PROVIDE TO PARENTS STUDENT HEALTH
21 REPORTS WITH THE BODY MASS INDEX
22 PERCENTILE FOR THE STUDENT WHO IS THE
23 SUBJECT OF THE REPORT.
24

25
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code 20-7-135 is amended to read as follows:

29 20-7-135. Nutrition and physical activity standards - Implementation.

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

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



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

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

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

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

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

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

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

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

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

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

31 (B) No school district is required to take or report the
32 body mass index of a student unless requested to do so by the student's
33 parent.

34 (d) The Department of Education shall:

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

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

3 (e) Every school district shall:

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

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

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

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

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

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

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

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

25 (vi) Enforcing existing physical education
26 requirements; and

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

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

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

36 (f) The Department of Education and the division shall report annually

1 on progress in implementing nutrition and physical education standards to the
2 chairs of the House Interim Committee on Public Health, Welfare, and Labor
3 and the Senate Interim Committee on Public Health, Welfare, and Labor.

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/s/ Anderson, et al