

Summary of Proposed Changes to DESE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools

Act 1070 requires school offering vending machines to grades 7-12 to have in-school access to vending machines offering food and beverages that meet the nutrition standard of the Smart Snacks in School program and ensure that there are not restrictions regarding the times such vending machines are powered on or off.

Act 1074 is the Healthy Active Arkansas School Act which requires public schools to address opportunities for physical activity, promoting public school gardens, nutritional standards, access to healthy foods, physical education, and breastfeeding in its health and wellness priorities.

In amending the Rules to incorporate these Acts, DESE also cleaned up the Rules by removing outdated language, adding clarification where necessary, reorganizing sections, ensuring consistent language/acronyms, and removing unnecessary federal citations and language. The definitions section was updated to add new terms from the above-mentioned Acts, as well as Ark. Code Ann. § 6-16-102, make the definition of “school day” (regarding start time) match the federal definition, replace terms that are no longer used with the current terms, and add clarification and consistency in the language.

Post-Public Comment Summary

Following public comment, only non-substantive clarifying, and technical changes were made.