

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H4/12/21

# A Bill

HOUSE BILL 1848

5 By: Representative Bentley  
6

## For An Act To Be Entitled

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

### Subtitle

12 TO CREATE THE HEALTHY ACTIVE ARKANSAS  
13 SCHOOLS ACT.  
14

15  
16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

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

21 6-18-717. Healthy Active Arkansas Schools Act.

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

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

30 (1)(A) Physical and built environment.

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

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

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



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

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

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

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

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

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

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

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

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

20 (2) Is served by a public school  
21 district or open-enrollment public charter school that has implemented a  
22 farm-to-school and early childhood education program as described under § 6-  
23 18-2101 et seq.;

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

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

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

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

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

36 (c) The Arkansas Educational Television

1 Network may support the delivery of the virtual nutrition education for  
2 students required under this subdivision (b)(2)(B)(iii);  
3 (iv) Information regarding the United States  
4 Department of Agriculture HealthierUS School Challenge criteria bonuses;  
5 (v) The importance for public schools to implement  
6 policies that promote healthy options, including without limitation access to  
7 drinking water;  
8 (vi) Information regarding barriers to accessing  
9 nutrition;  
10 (vii) Appropriate guidance with respect to access to  
11 water stations in public schools;  
12 (xiii) Means by which public schools may promote the  
13 reduction in the consumption of sugar-sweetened beverages;  
14 (ix) The requirement that public school districts  
15 and open-enrollment public charter schools implement the nutrition and  
16 physical activity standards that are required and developed by the Child  
17 Health Advisory Committee under § 20-7-135;  
18 (x) Information regarding the development and  
19 implementation of a farm-to-school and early childhood education program as  
20 described in § 6-18-2103; and  
21 (xi) Information regarding breastfeeding as healthy  
22 nutrition for all infants;  
23 (3)(A) Physical education and activity.  
24 (B) The physical education and activity priority may  
25 include without limitation the following:  
26 (i) A statewide standard for the minimum activity  
27 per school day;  
28 (ii) The implementation of best practices to  
29 increase physical activity during the school day, which shall include without  
30 limitation studying the implementation of offering recess for elementary  
31 public school students before lunch during the school day;  
32 (iii) The promotion and advertisement of joint-use  
33 agreements for community resources; and  
34 (iv) The development of age-appropriate marketing  
35 education designed to promote better health and address the effects of  
36 sedentary activity; and

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

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

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

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

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

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

13                   (1) Promulgate rules to implement this section; and

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

17  
18  
19                   /s/Bentley

20  
21  
22                   **APPROVED: 4/30/21**