

# Middle/Jr High & High School Nutrition Standards Quick Reference

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| <p>School Environment<br/>Nutrition Standards</p>  | <p><b>Excerpts from Act 1220 of 2003 and the Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools:</b></p>   |
| <p><b>*Numbering of the outline below does not reflect/coincide with the Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools as passed by the Arkansas Board of Education on August 8, 2005. However, excerpts from Rule are indicated by section of rule in parenthesis.</b></p> |  |
| <p><b>I. ACCESS TO FOODS AND BEVERAGES IN PUBLIC SCHOOLS</b></p>   | <p><b>A. <u>MIDDLE/JUNIOR HIGH/HIGH SCHOOL STUDENT ACCESS</u></b></p> <p>1) During the declared school day a middle, junior high and high school site <b>SHALL NOT</b> serve, provide access to, through direct or indirect sales, or use as a reward any Foods of Minimal Nutritional Value (FMNV) or competitive food to students anywhere on school premises <b><u>until 30 minutes after the last lunch period has ended</u></b>. This includes FMNV and competitive foods given, sold, or provided by school administrators, or staff (principals, coaches, teachers, club sponsors, etc.) students or student groups, parents or parent groups, or any other person, company or organization associated with the school site. (5.01.4)</p> <p><b><u>Definitions:</u></b></p> <ol style="list-style-type: none"> <li>1. <b>Middle School</b> – public school(s) having some combination of grades 5-8. (3.15)</li> <li>2. <b>Junior High</b> - public school(s) having some combination of grades 7-9. (3.13)</li> <li>3. <b>High School</b> - public school(s) having some combination of grades 9-12. (3.13)</li> <li>4. <b>Declared School Day</b> – the official schedule as required for students and staff in a specific Local Education Agency (LEA) location. (3.07)</li> <li>5. <b>Foods of Minimal Nutritional Value (FMNV)</b> - the four categories of foods and beverages (soda water, water ices, chewing gum, and certain candies) that are restricted by the United States Department of Agriculture (USDA) under the Child Nutrition Programs. (3.09)</li> <li>6. <b>Child Nutrition Programs</b> - 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 Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 (as amended through PL-108-269, July 2, 2004). (3.05)</li> <li>7. <b>Competitive Foods</b> - foods and beverages sold or made available to students that compete with the school’s operation of the National School Lunch Program, School Breakfast Program and/or provided in vending venue (machines, ice chests, cabinets) in school stores or as part of school fundraisers to students on school premises during the declared school day. (3.06)</li> </ol> |

## Middle/Jr High & High School Nutrition Standards Quick Reference (continued)

### I. ACCESS TO FOODS AND BEVERAGES IN PUBLIC SCHOOLS (Continued)

8. **Regular Basis** - A regularly repeated or continuing occurrence at a specific school site. For example: every day, or on a particular day each week, or repeated on a defined schedule. (3.18)
9. **Vending** – Means to sell or give away foods and beverages anywhere at a school site on a regular basis, including but not limited to a classroom, school store or concession stand, or equipment such as heated cabinets, hot or cold vending machines, ice chests coolers, etc. (3.25)
10. **School Site** - any and all locations associated with a Local Education Agency (LEA) number. (3.24)

### B. EXCEPTIONS TO LIMITED ACCESS

- 1) The following are exceptions to the access limitations identified in the above requirements (5.02.1-6):
  - a) **Parents Rights** – This policy does not restrict what parents may provide for their own child’s lunch or snack. Parents may provide FMNV or candy items for their own child’s consumption, but they may not provide restricted items to other children at school. (5.02.1)
  - b) **School Nurses** – This policy does not apply to school nurses using FMNV or candy during the course of providing health care to individual students. (5.02.2)
  - c) **Special Needs Students** – This policy does not apply to special needs students whose Individualized Education Program (IEP) plan indicates the use of an FMNV or candy for behavior modification (or other suitable need). (5.02.3)
  - d) **School Events** – Students may be given any food and/or beverage items during the school day for up to nine (9) different events each school year to be determined and approved by school officials. These items may not be given during meal times in the areas where school meals are being served or consumed. (5.02.4)

#### **Definitions:**

11. **School Event** - any occasion such as field day, holiday, school recognition activities, end of school vents, etc. designated at the discretion of the school administration. (3.20)
- e) **Snacks During the Declared School Day** – Snacks may be provided or distributed by the school as part of the planned instructional program, for example, afternoon snack for kindergarten students who eat early lunch. Snacks shall meet the United States Department of Agriculture (USDA) Child and Adult Care Snack Patterns. (5.02.5)
- f) **Foods for Instruction Purposes** – Foods integrated as a vital part of the instructional program are allowed at any time. Examples include edible manipulatives such as a square of cheese to teach fractions, a nutrition food experience, food production in family and consumer science units, and food science units. (5.02.6)

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| <p><b>I. ACCESS TO FOODS AND BEVERAGES IN PUBLIC SCHOOLS (Continued)</b></p> | <p><b>C. <u>FOODS OF MINIMAL NUTRITIONAL VALUE (FMNV) AND COMPETITIVE FOODS</u></b></p> <ol style="list-style-type: none"> <li>1) All FMNV or competitive food or beverages sold to students will be restricted to no more than 12 ounces per vended container. The only exception for a larger portion size will be unsweetened unflavored water. (6.02.3)</li> <li>2) A choice of two (2) fruits and/or 100% fruit juices must be offered for sale at the same time and place whenever competitive foods are sold. Fruits should be fresh whenever possible. Frozen and canned fruits should be packed in natural juice, water, or light syrup. (6.02.4)             <ul style="list-style-type: none"> <li>o <b>Example:</b> A school store selling items 30 minutes after the last lunch period has ended will sell a choice of fresh apple and 100% orange juice in addition to selected items from the Allowable Competitive Foods and Beverages Maximum Portion Size list. See Commissioner’s Memo FIN-06-016.</li> </ul> </li> </ol> <p><b>D. <u>OFF CAMPUS SALES AND FUNDRAISERS</u></b></p> <ol style="list-style-type: none"> <li>1) Nothing in these rules shall be construed to prohibit or limit the sale or distribution of any food or beverage item through fund-raisers by students, teachers, or other groups when the items are <b><u>SOLD OFF THE SCHOOLCAMPUS.</u></b> (6.02.8)</li> </ol> <p><b>E. <u>CAFETERIA RESTRICTIONS</u></b></p> <ol style="list-style-type: none"> <li>1) In middle, junior high and high schools, the Child Nutrition Program may only sell food items in the cafeteria, during meal periods that are already offered as a component of a reimbursable meal during the school year, including extra milk, fruits, vegetables, unsweetened unflavored water, other food/beverage items that meet standards of maximum portion size and/or an extra meal meeting the same requirements of the reimbursable meal. (5.01.5)</li> </ol> <p><b><u>Definitions:</u></b></p> <ol style="list-style-type: none"> <li>12. <b>Component</b> - item that is part of a reimbursable meal.</li> <li>13. <b>Reimbursable Meal</b> - a meal which meets the USDA criteria for reimbursement for one of the Child Nutrition Programs in Arkansas. (3.09)</li> </ol> |
| <p><b>II. NUTRITION STANDARDS FOR FOODS AND BEVERAGES</b></p>                | <p><b>A. <u>APPLICATION OF NUTRITION STANDARDS</u></b></p> <ol style="list-style-type: none"> <li>1) The Arkansas Child Health Advisory Committee nutrition standards will apply to all foods and beverages served, sold, or made available to students on campus (except the reimbursable school meals, which are governed by United States Department of Agriculture (USDA) federal regulations). (6.01)</li> </ol> <p><b><u>Definitions:</u></b></p> <ol style="list-style-type: none"> <li>14. <b>Arkansas Child Health Advisory Committee</b> – a state level committee that was established by Act 1220 of 2003 to develop nutrition and physical activity standards and make policy recommendations to the Arkansas Board of Education and the State Board of Health (3.02)</li> </ol>   |

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| <b>II. NUTRITION STANDARDS FOR FOODS AND BEVERAGES (continued)</b> | <b>B. <u>VENDING CONTRACTS</u></b> <ol style="list-style-type: none"><li>1) New or renewed vending contracts for carbonated and sweetened non-carbonated beverages will be restricted to no more than 12 ounces per vended container. This requirement does not apply to contracts with an effective date on or before August 8, 2005. (5.03)</li><li>2) All FMNV or competitive food beverages sold to students will be restricted to no more than 12 ounces per vended container. The only exception for a larger portion size will be unsweetened unflavored water. (6.02.3)</li><li>3) At the point of choice, at least 50% of beverage selections in vending machines, school stores and other sales venues shall be 100% fruit juice, low-fat or fat-free milk, and unflavored unsweetened water<ul style="list-style-type: none"><li>o <b>Example:</b> Out of 8 selections, 4 will be filled with 100% fruit juice, low-fat or fat-free milk, and/or unflavored unsweetened water. (6.02.5)</li></ul></li><li>4) Local leaders are encouraged to implement vending policies that encourage healthy eating by students. (6.02.6)</li><li>5) Beginning August 8, 2005, any modification or revisions of vending contracts in existence prior to August 8, 2005, <b>MUST</b> be in full compliance with all sections of the Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools as approved by the State Board of Education. (6.02.7)</li></ol> |
| <b>III. NUTRITION EDUCATION</b>                                    | <b>A. <u>Curricula Implementation</u></b> <ol style="list-style-type: none"><li>1) Implementation of grade-appropriate nutrition education through a comprehensive education program will be included in the school improvement process. (7.03)</li><li>2) School districts may enhance nutrition education activities to include students, parents, and the community. (3.22)</li><li>3) Health Education – The Arkansas Department Education and the Department of Workforce Education will provide technical assistance in helping schools integrate health education curricula that will include the nutrition components. Examples of integration into the curriculum include comprehensive health education courses and Workforce Education courses, which are taught within Family and Consumer Sciences, such as Nutrition and Wellness and/or Foods and Nutrition. (7.01)<br/><b><u>Definitions:</u></b><ol style="list-style-type: none"><li>15. <b>Arkansas Consolidated School Improvement Plan (ACSIP)</b> - a plan of action to address deficiencies in student performance that is reviewed annually and monitored at least every two years. (3.04)</li></ol></li></ol>   |

## Middle/Jr High & High School Nutrition Standards Quick Reference (continued)

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| <p><b>IV. HEALTHY SCHOOL ENVIRONMENT</b></p>                      | <p><b>A. <u>FOOD AS REWARDS</u></b><br/>           1) No food or beverage shall be used as rewards for academic, classroom or sports performances and/or activities. (8.01)<br/>           (See exceptions in Section I above.)</p> <p><b>B. <u>CAFETERIA ENVIRONMENT</u></b><br/>           1) All school cafeterias and dining areas should reflect healthy nutrition environments. (8.02)<br/> <u>Definitions:</u><br/>           16. <b>Healthy School Nutrition Environment</b> - gives the students consistent, reliable health information and ample opportunity to use it. (3.11)</p> <p><b>C. <u>TIME TO EAT</u></b><br/>           1) Schools should ensure that all students have access to school meals. Schools should not establish policies, class schedules, bus schedules or other barriers that directly or indirectly restrict meal access.</p> <p><b>D. <u>WATER AVAILABILITY</u></b><br/>           1) Drinking water via water fountains or other service receptacle should be available without charge to all students on campus according to Arkansas Health Department standards. (8.04)</p>   |
| <p><b>V. SCHOOL NUTRITION AND PHYSICAL ACTIVITY COMMITTEE</b></p> | <p><b>A. <u>SCHOOL WELLNESS</u></b><br/>           1) Schools will have age appropriate representation on the local school wellness policy committee. See Rule Section 4.02 for options.<br/> <u>Definitions:</u><br/>           17. <b>Local Wellness Policy</b> – a policy required for public schools participating in a nutrition program authorized by the Richard B. Russell National School Lunch Act (42 U. S. C. 1751 et seq.) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.). (3.14)</p> <p>2) The School Nutrition and Physical Activity Committee as required by Act 1220 will be the same committee as the Wellness Committee required by the Child Nutrition and WIC Reauthorization Act of 2004 (PL-108-265), and will be referred to as the Wellness Committee.</p> <p><u>Definitions:</u><br/>           18. <b>School Nutrition and Physical Activity Committee – (SNPAA)</b> A local committee that shall help raise the awareness of the importance of nutrition and physical activity and shall include members from school district governing boards, school administrators, food service personnel, teacher organizations, parents, students and professional groups such as nurses and community members. (3.23)</p> <p>3) The Wellness Committee can recommend stricter policies for school districts than either state or federal regulations.</p> |