

Commissioner's Memo
6/17/2016

Smart Snacks in Arkansas Schools: Providing, Selling, and “9 Special Event Days”

Memo Information

Memo Number **CNU-16-044**

Memo Date 6/17/2016

Memo Type Regulatory

Unit Child Nutrition

Regulatory Authority Healthy Hunger-free Kids Act of 2010; Arkansas Act 1220 of 2003; ADE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools (May 2016)

Response Required YES

Attention Federal Programs; Superintendents; Principals; General Business Manager

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Memo Text

The United States Department of Agriculture published practical, science-based nutrition standards in 2014 for snack foods and beverages sold to children at school during the school day. The standards, required by the Healthy, Hunger-Free Kids Act of 2010, allow schools to offer healthier snack foods to children, while limiting junk food.

Arkansas Act 1220 of 2003 and the *ADE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools (May 2016)* expand Smart Snacks requirements to include foods and beverages provided to students and other nutrition standards specific to Arkansas Public Schools.

The combination of these two sets of standards, in addition to any local school wellness policy standards, is designed to provide students with the best possible healthy school environment, which is ultimately tied to student achievement.

The purpose of this memo is to provide guidance to schools who wish to provide and/or sell snacks during the school day.

Procedures for Providing Smart Snacks

- Snacks are not reimbursable through any Child Nutrition Program. Snacks must be funded by non-federal funds.
- Snacks may be provided to any school during any part of the school day.
- Each student may not receive more than one snack per day.
- Provided snacks must meet Smart Snacks guidelines (based on school level: elementary, middle, and high school) by entering into the online Alliance for a Healthier Generation Calculator found

at: <https://foodplanner.healthiergeneration.org/calculator/>

- Schools must keep documentation, including the nutrient fact label and the calculator printout showing the product is compliant.
- Carbonated and sweetened non-carbonated beverages are limited to 12 oz or less per container and 55 mg of caffeine per serving, in addition to meeting the Smart Snacks requirements based on school level.
- These procedures also apply to the 30 minutes after the last school bell of the day.
- Snacks may not be provided in food service areas during meal service.

Procedures for Selling Smart Snacks

- Snacks may be sold prior to the start of the 1st classes of the school day and/or 30 minutes after the last lunch period has ended in any school.
- These procedures also apply to the 30 minutes after the last school bell of the day.
- Vending machines are not allowed at Elementary Schools.
- Sold snacks must meet Smart Snacks guidelines (based on school level: elementary, middle, and high school) by entering into the online Alliance for a Healthier Generation Calculator found at: <https://foodplanner.healthiergeneration.org/calculator/>
- Schools must keep documentation, including the nutrient fact label and the calculator printout showing the product is compliant.
- Carbonated and sweetened non-carbonated beverages are limited to 12 oz or less per container and 55 mg of caffeine per serving, in addition to meeting the Smart Snacks requirements based on school level.
- Two fruits and/or 100% fruit juices must be offered for sale at the same time and place as competitive foods.
- At least 50% of beverages for sale shall be 100% fruit juice, low-fat/fat-free milk, and unflavored unsweetened water.
- Fundraisers must be approved by district administration.
- These rules apply to a la carte, entrees, side dishes, second trays and all competitive foods in the cafeteria, as well.
- These rules apply to student managed entrepreneurial enterprises (coffee shops, smoothie bars, etc.) that sell foods and beverages.
- Foods and beverages sold outside of the non-profit food service may not be provided in food service areas during meal service.

Exceptions to these rules include: Parents' Rights, School Nurses, Special Needs Students, School Events, Food for Instructional Purposes, USDA Fresh Fruit and Vegetable Program, Self-Sustaining Fresh Fruit and Vegetable Program, and School Testing Days. For more information, please refer to the *ADE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools (May 2016)*.

Procedures for School Events or "9 Special Event Days"

- Schools may provide any snack or beverage deemed appropriate by school officials on nine (9) days during the school year.
- The nine (9) days apply to the entire school (LEA/Building) and not to individual classrooms.
- The "Special Event Days" should be planned in advance. If a "Special Event Day" is likely to impact the number of students eating breakfast or lunch, notify the school's cafeteria manager so the number of meals produced may be adjusted.
- Enter the "Event Day" into the eSchool Calendar. The description is "Act1220 Exempt Event Days", and the code is "9DY."
- Per Arkansas Food Code, items brought from home must be commercially prepared and packaged.
- These items may not be given in the food service areas during meal service.

Nothing in these rules shall be construed to prohibit or limit the sale or distribution of any food or beverage item through fundraisers by students, teachers, or other groups when the items are sold off the

school campus.

Child Nutrition Area Specialists will be asking for all documentation identified in this memo when visiting schools for Administrative Reviews.

For questions or concerns please contact the district's Area Specialist or Stephanie Alsbrook in the Child Nutrition Unit at (501) 324-9502.

Attachments

- [CNU-16-044--ADE_Rules_Governing_Nutrition_and_Physical_Activity_Standards_May_2016.pdf](#)