

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: CNA-RA, CNA-RB, CND-RA, EEA-RA, IGP-RA, ISB-RA, JPG, JPD-RA, JPD-RB

Responsible Offices: Chief Operating Officer
Chief Academic Officer
Deputy Superintendent of School Support and Improvement

Wellness: Physical and Nutritional Health

I. PURPOSE

To implement Montgomery County Board of Education Policy JPG, *Wellness: Physical and Nutritional Health*, and to comply with state and federal laws and standards

To set forth procedures to:

- A. Affirm that wellness is an important aspect of social-emotional well-being;
- B. Support a school environment in Montgomery County Public Schools (MCPS) that promotes physical and nutritional health and social-emotional well-being; teaches and models behaviors and activities that may contribute to a healthy lifestyle;
- C. Establish goals and objectives for providing opportunities for all students and employees to practice healthy eating and physical activity;
- D. Encourage students to take responsibility for their own health, adopt healthy eating habits, and incorporate physical activity into their daily lives;
- E. Assign responsibility among MCPS offices and operating units for the MCPS school meals program, nutrition education, and physical education and physical activity, as well as other elements of wellness, in support of healthy eating and lifestyle choices; and
- F. Coordinate MCPS wellness efforts among key stakeholders and the MCPS community.

II. BACKGROUND

Research shows that good nutrition and physical activity before, during, and after the instructional day are strongly associated with positive student outcomes. For example, students who participated in the United States Department of Agriculture's (USDA's) School Breakfast Program exhibited higher grades and higher standardized test scores, lower absenteeism and better performance on cognitive tasks, compared to students who did not participate.

Schools and families share the responsibility for guiding students toward healthy choices. The MCPS curriculum includes health education, nutrition education, and physical education. Schools can create healthy learning environments by providing physical activity, as well as a variety of healthy food and beverage options. Parents/guardians can participate in, support, and encourage wellness activities and instruction.

III. PROCEDURES

Students will have opportunities to practice and develop health and physical literacy skills to enhance lifelong wellness aligned with national and state standards.

A. Nutrition Education

Nutrition education will be part of the health education and physical education curriculum, as set forth in MCPS Regulation IGP-RA, *Comprehensive Health Education Instructional Program*.

1. Nutrition education instruction will be provided in both the comprehensive health education program and the physical education program in the nutrition and fitness units, and integrated into classroom instruction in other subject areas, as appropriate.
 - a) In prekindergarten through Grade 5, it will be integrated into the health education and physical education programs.
 - b) In Grades 6 through 8, it will be provided as part of the nine-week comprehensive health education curriculum, the Grade 7 science curriculum, the Family and Consumer Sciences curriculum, and the physical education curriculum.
 - c) In high school, nutrition education will be provided within the required comprehensive health education course and required physical education courses.

2. Nutrition education will include and reflect, as appropriate, the cultural diversity of the MCPS community.

B. Physical Education

Physical education teachers will be appropriately certified to teach movement skills and wellness behaviors emphasizing physical activity and good nutrition as cornerstones of living a healthy life. MCPS will provide students with physical education using an age-appropriate and developmentally sequential physical education curriculum that is consistent with national and state standards for physical education and culturally relevant, as appropriate.

1. Student involvement in other activities involving physical activity will not be substituted for meeting the physical education requirement.
2. All students will be provided equal opportunity to participate in physical education classes. MCPS will make adjustments to allow participation for all students by adapting or modifying physical education activities and equipment, as appropriate.
3. The standards-based physical education curriculum seeks to develop physically literate individuals who enjoy a lifetime of physical activity. In order to achieve this physical literacy goal, physical education instruction, for students in prekindergarten through Grade 12 will include:
 - a) Age-appropriate instruction to develop movement skills and concepts, health related fitness, and personal and social responsibility
 - b) Moderate to vigorous physical activity
 - c) Development of knowledge, motor skills, concepts, and positive collaboration with others
 - d) Promotion of physical activity and lifelong wellness through participation in sports and the wide variety of community recreational activities available across the diverse cultures of the MCPS community
4. Physical education instruction will promote understanding of the components of fitness and healthy lifestyles. The curriculum will include the following:

- a) Developmentally appropriate instruction in a variety of motor skills designed to enhance the physical and social-emotional development of every student
 - b) A fitness education/assessment/reflective goal setting cycle that helps all students understand, improve, and/or maintain their physical well-being and develop their individual fitness plans
5. Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity, and applying and investigating movement skills and concepts and health-related fitness standards.
 6. Students in prekindergarten through Grade 8 will be provided physical education each year.
 7. High school students will complete a 1.0 physical education graduation requirement with the opportunity to take additional credits of physical education.

C. Physical Activity

Physical activity will be strongly encouraged for students, staff, and community members before, during, and after the instructional day.

1. Kinesthetic learning approaches or tasks, and movement activities will be integrated into all content areas as appropriate.
2. Physical activity during the instructional day is strongly encouraged.
 - a) Students may possess and use sunscreen¹ on school property, or at a school-sponsored activity, without written permission from a health care provider.
 - b) Recess may be withheld, at the discretion of the principal/designee, only when students' safety is a concern (e.g., equipment or facility repairs, or severe weather) and/or a child is at risk of harm to self or others.
3. Recess will be scheduled for kindergarten through Grade 5 prior to or after

¹Sunscreen is a topical sunscreen product that is used to prevent the effects of overexposure to the sun and not for medical treatment of an injury or illness. It must be approved by the Federal Food and Drug administration for over-the-counter use.

lunch, as scheduling permits. Middle and high school principals should consider physical activities during lunch, such as open gymnasium or blacktop activities, as space and supervision are available.

4. MCPS elementary, middle, and high schools are encouraged to offer opportunities for all students to participate in physical activity before and/or after the instructional day by providing physical activity programs, such as physical activity clubs, intramural programs, corollary sports, and/or interscholastic sports programs.
5. The Department of Transportation assesses and makes information available regarding safe routes for walking or biking to school. MCPS Regulation EEA-RA, *Student Transportation*, encourages students and families to model wellness by walking for exercise.

D. Food and Nutrition Services and Nutritional Standards

1. All Division of Food and Nutrition Services (DFNS) directors, managers and staff will meet or exceed hiring and annual continuing education/professional development requirements in USDA standards for child nutrition professionals.
2. School Meals

Meals served as a part of the reimbursable school meals program will meet, at a minimum, the current nutritional standards defined by applicable laws.

- a) Students will have access to a variety of appealing, quality, nutritious meals that promote growth and development, pleasure in healthy eating, and prevent school-day hunger and its consequent lack of attention to learning.
- b) The school meals program will offer a variety of fruits and vegetables, offer whole grain products, and serve only low-fat (1 percent) and fat-free milk.
- c) Nutritional information pertaining to foods and beverages included in the reimbursable meals is available on the DFNS website.
- d) Information relating to food allergies is available on the DFNS website as follows:
 - (1) Nutrient and allergen information about foods offered in the

school meals program, as well as guidance regarding students with potentially life-threatening peanut and tree nut allergies.

- (2) For additional detail about DFNS information distributed to the community, see section III.I.
- e) Evidence-based strategies are utilized to promote healthy food and beverage choices:
- (1) Students will be involved in the taste testing of food and beverage products being considered as additions to the student meal menu. Additionally, DFNS will conduct focus groups with students and/or parents/guardians to obtain feedback on the school meals program, in order to provide appealing menu choices, as appropriate.
 - (2) The cafeteria provides a setting where students can practice the healthy eating skills taught in nutrition education and physical education.
 - (3) DFNS staff are trained to prompt students to select balanced meals among foods and beverages offered.
 - (4) Foods and beverages are displayed attractively to encourage students to make balanced selections.
 - (5) Lunch cannot be scheduled prior to 10:00 a.m.
 - (6) Water will be available to students at no charge in the place where lunch meals are served during the meal service. Schools may satisfy this requirement by offering water pitchers and cups on lunch tables, a water fountain, or a faucet that allows students to fill their own bottles or cups with drinking water.
- f) Schools shall have clean and safe drinking water available throughout the instructional day. Schools may choose to permit students to carry water bottles (filled with only water) in accordance with local school policies.
- g) Students will have access to hand washing or hand sanitizing before and after they eat meals.

- h) Students and/or schools may be eligible for free or reduced-price meals based on household economic factors or other information provided to DFNS.
- i) There will be no overt identification of students who are eligible for free or reduced-price meals.
- j) DFNS and OSSI will collaborate to develop and publish procedures for resolving concerns regarding student meal program accounts. Parents/guardians are informed annually about each school's procedures to manage accounts and account overcharges.

3. Nutritional Standards of Other Foods and Beverages Available at Schools

Foods and beverages available to students outside of the school meals program, including but not limited to the à la carte cafeteria program, school stores, athletic departments, fund-raising activities, and vending machines operational during the instructional day must meet the USDA "Smart Snacks" standards and the Maryland Nutrition Standards for All Foods Sold in School.

- a) The USDA "Smart Snacks" standards and the Maryland Nutrition Standards are in effect from 12:01 am until 30 minutes after the end of an instructional day.

These standards for foods available to students outside the reimbursable school meals program must fall into one of the following categories:

- (1) A "whole grain rich" grain product ($\geq 50\%$ whole grain by weight, or listed as first ingredient);
- (2) A product of which the first ingredient is a fruit, vegetable, dairy product, or protein food; or
- (3) A combination food that contains at least $\frac{1}{4}$ cup of fresh fruit and/or vegetable.

- b) The following also apply:

- (1) Portion size/Calories: An entrée item must be ≤ 350 calories per serving. A snack item must be ≤ 200 calories per serving.

- (2) Total fat: Calories from total fat must be at or below 35% per serving.
 - (3) Trans fat: Trans fat free (defined by USDA as less than 0.5 grams per serving).
 - (4) Saturated fat: Calories from saturated fat must be less than 10% per serving.
 - (5) Sugar: Total sugar content must be less than or equal to 35% sugar by weight. There can be no added aspartame or acesulfame potassium. Beverages served in elementary schools cannot contain added sweeteners. The only exception is flavored milk.
 - (6) Sodium: An entrée item must be ≤ 480 mg. per serving. A snack item must be ≤ 200 mg. per serving.
 - (7) Soda, candy of any type, and donuts are prohibited from sale to students regardless of their nutritional profile.
- c) Nutritional requirements for beverages available to students outside the reimbursable school meals program are as follows:
- (1) Milk: Only low-fat (1 percent) and fat-free, flavored or unflavored fluid milk; serving size is limited to a maximum of 8 fluid ounces in elementary school, and 12 ounces in middle and high schools; sugar content is limited to 21 grams, if a vendor is identified who will develop a product that meets this requirement (which is a lower sugar content than the market standard)
 - (2) Fruit and vegetable juices: 100 percent juice with no sweeteners (nutritive or non-nutritive); serving size is limited to a maximum of 8 fluid ounces in elementary schools, and 12 ounces in middle and high schools
 - (3) Water: Plain water with or without carbonation; no flavored water is served in elementary schools
 - (4) Soda is not allowed
 - (5) Other flavored and/or carbonated or sparkling beverages are permitted in high schools only. The criteria developed by

the USDA are as follows:

- (a) in a ≤ 12 ounce beverage container, there can be no more than 40 calories per 8 ounces, or no more than 60 calories per 12 ounces.
 - (b) in a ≤ 20 ounce beverage container, there can be no more than 5 calories per 8 ounces, or no more than 10 calories per 20 ounces
- (6) Caffeine is not allowed at any grade level.

E. Fund-raisers and marketing

1. Food and beverages offered for sale on school property from midnight the night before until 30 minutes after the end of an instructional day must meet the nutritional standards set forth in section III.D.3 above.
2. Vending machine fronts, regardless of the hours of operation, will promote activity or consumption of approved beverages.
3. Any other advertising, marketing, or promotion of food or beverages on school property must be consistent with MCPS Regulation CNA-RB, *Advertising*. In addition, such advertising, marketing, or promotion of foods and beverages is restricted to those foods and beverages that may be sold on the school campus from midnight the night before the beginning of an instructional day until 30 minutes after the end of an instructional day (i.e., those foods and beverages that meet the requirements set forth in section III.D.3). This restriction does not apply to brand names, separate from references to particular food or beverage items. The marketing restrictions also do not apply to materials used for educational purposes in the classroom, such as teachers' use of advertisements as an educational tool, as well as items of personal expression such as clothing, and the packaging of products brought from home for personal consumption.
4. Contracts that do not currently meet the requirements of this regulation must be brought into alignment with this regulation at the first opportunity or when they are up for renewal.
5. Foods and beverages sold outside of the instructional day (e.g., more than 30 minutes after the end of an instructional day or off school property), such as school sporting or other events, including fund-raising events, are exempted from these requirements.

F. Celebrations and Rewards

Schools are strongly encouraged to consider student health and well-being when foods and beverages are made available at school-sponsored celebrations and other activities during the instructional day.

1. Staff are encouraged to offer non-food related incentives and should avoid using candy or other foods of minimal nutritional value as a classroom reward.
2. Staff may not withhold food or food related incentives as a disciplinary consequence.

G. Assessment

Every three years, MCPS will assess the implementation of goals and objectives set forth in this regulation, regarding topics to include, but limited to:

1. Information provided to the community about MCPS wellness efforts for students and staff
2. Activities of school wellness councils/wellness teams
3. Efforts to promote healthy food and beverage choices
4. Efforts to encourage physical activity
5. Required certifications and professional development of MCPS staff responsible for programming and services related to wellness

H. Responsibility for oversight of MCPS wellness activities, required recordkeeping, coordination of the triennial assessment, and school-level implementation are shared among the following:

1. Wellness and Nutrition Initiatives, MCPS Division of Food and Nutrition Services (DFNS), at 301-284-4900
2. Wellness Initiatives, MCPS Employee and Retiree Service Center (ERSC), at 301-517-8100
3. Prek-12 Health and Physical Education, MCPS Office of Curriculum and Instructional Programs (OCIP), at 301-279-3411

4. Office of School Support and Improvement (OSSI), at 301-315-7377

I. Stakeholder Communication

MCPS informs and regularly updates wellness information for students, parents/guardians, staff and other stakeholders through a variety of means, including but not limited to the following:

1. MCPS Regulation JPG-RA, *Wellness: Physical and Nutritional Health*, is developed and adopted by the superintendent of schools to implement Board Policy JPG, *Wellness: Physical and Nutritional Health*, and all relevant federal and state requirements. Both are published on the MCPS website, along with all updates to the policy and regulation.
2. OCIP will, at least annually, publicize information about the MCPS nutrition education, physical education, and health education curricula, which includes, but is not limited to literature distributed during units of instruction, as appropriate.
3. ERSC will, at least annually, publicize wellness information for staff, including, but not limited to staff events and activities related to wellness.
4. DFNS will, at least annually, publicize wellness information for students, parents/guardians, and the community, which includes, but is not limited to
 - a) the availability of child nutrition programs and how to apply, and
 - b) information regarding the reimbursable school meals program, and the nutritional content of the planned meals, including the school menu which is
 - (1) available monthly on the MCPS website,
 - (2) translated into those languages for which translation and interpretation services are most frequently requested by parents/guardians of MCPS students, and
 - (3) distributed by the local school at the elementary school level;
 - c) the Summer Food Service Program, and nutrition and allergen information on foods and beverages available to students, and

- d) resources in additional areas of interest, which are communicated on the DFNS website and through other methods of communication as appropriate.
5. The Office of the Chief of Staff will include wellness information in their communication updates to principals, with suggested language for providing information to parents/guardians through means of communication to include school websites, school social media accounts, school newsletters, parent/staff meetings, back-to-school nights, parent- or staff-specific webpages, or school bulletin boards.
6. Additional information to support parents'/guardians' efforts to provide their children with opportunities to be physically active before and after the instructional day is displayed and distributed in accordance with MCPS Regulation CNA-RA, *Display and Distribution of Informational Materials and Announcements*.

J. Stakeholder Participation

Representatives of students, staff, parents/guardians, and other stakeholders participate in the development, implementation and periodic review of MCPS wellness activities through school-level wellness councils/teams, the MCPS districtwide wellness committee, and other community partnerships.

1. The MCPS districtwide wellness committee provides input to districtwide wellness activities.
2. Each school must establish a wellness council/wellness team to contribute to the integration of wellness measures as an element of social-emotional well-being in school improvement plans.
 - a) School wellness councils/wellness teams are coordinated through the principal/designee.
 - b) Information about this regulation and Board Policy JPG, *Wellness: Physical and Nutritional Health*, will be distributed to school wellness councils/wellness teams.
 - c) Appropriate OSSI associate superintendents are responsible for oversight of school improvement plans and school-level wellness councils/teams.

Related Sources: 42 U.S. Code, Chapter 13 §1751 et seq; P.L. 111-196, Healthy and Hunger-Free Kids Act of 2010; 7 CFR Parts 210 and 220; 81 Federal Register 50156; Maryland State Department of Education, *Maryland Nutrition Standards for All Foods Sold in School*

Regulation History: New Regulation, July 22, 2006; revised March 2, 2012; revised November 11, 2015; revised June 29, 2017; revised August 20, 2018; revised April 21, 2022.