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 Divisions: Division of School Leadership and Improvement; Division of District Operations; Division of Teaching and Learning

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 for the following:

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; and 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.

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 curricula, 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 the following:

   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 with physical education each year.

7. High school students will complete a 1.0 physical education graduation credit 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. Board Policy IEA, *Framework and Structure of Early Childhood and Elementary Education*, affirms that young students shall have opportunities for play and gross motor physical development.

3. Recess

a) Recess will be scheduled for kindergarten through Grade 5 prior to or after lunch, as scheduling permits. However, in establishing lunch and recess schedules, principals shall consider recess for kindergarten through Grade 5 before lunch, as young students with recess before lunch have been shown to consume more complete nutrition, a component of overall child health.

b) Middle and high school principals should consider physical

activities during lunch, such as open gymnasium or blacktop activities, as space and supervision are available.

c) Recess may be withheld, at the discretion of the principal/designee, only when students' safety is a concern (e.g., equipment or facility repairs, severe weather, or "reasonable safety concerns" as described below).

d) MSDE physical education guidelines require that school staff shall not withhold opportunities for physical activity and recess as punishment. However, it is not considered "punishment" for a principal to address reasonable safety concerns about a child's risk of harm to self or others at recess. "Reasonable safety concerns" are determined at the discretion of the principal. However, a pattern of exclusion from recess, play, and physical activity is not permitted, and targeted student support shall be considered.

4. Students may possess and use sunscreen[1] on school property, or at a school-sponsored activity, without written permission from a health-care provider.

5. 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.

6. The Division of Transportation Services 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 Department 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.

[1] Sunscreen 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.

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, high-quality, nutritious meals that promote growth and development, emphasize 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 offer 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) Ingredient and allergen information about foods offered in the school meals program as well as guidance regarding students with potentially life-threatening allergies, including major food allergens identified in Maryland law as set forth in section III.D.3 below.

(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 taste-testing the food and beverage products being considered as additions to the student meal menu. Additionally, the DFNS will conduct focus groups with students and/or parents/guardians to obtain feedback on the school meals program in order to provide menu choices that appeal to a variety of tastes, as appropriate.

(2) The cafeteria provides a setting where students can practice the healthy-eating skills taught in nutrition education and physical education.

(3) The 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. or after 2 p.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 the DFNS.

i) There will be no overt identification of students who are eligible for free or reduced-price meals.

j) The DFNS and the DSLI 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. Measures to Reduce the Risk of Student Exposure to Food Allergens

The DFNS and the DSLI shall support school-level implement MCPS Regulation JPD-RB, *Risk-reduction and Care of Students with Anaphylactic Allergies*, which includes the following requirements in Maryland law:

a) Designate tables in the cafeteria to be used by students with anaphylactic allergies that are free of foods containing the major food allergens of the student users. Maryland law specifies "major food allergens" as the following:

i) Milk

ii) Eggs

iii) Fish

iv) Crustacean shellfish

v) Tree nuts

vi) Wheat

vii) Peanuts

viii) Soybeans

ix) Sesame

b) Provide guidelines for who may use or accompany students using tables free of major food allergens.

c) Additional procedures to reduce the risk of student exposure to allergens are set forth in MCPS Regulation JPD-RB, *Risk-reduction and Care of Students with Anaphylactic Allergies.*

4. 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.

a) USDA "Smart Snacks" standards are in effect from midnight before until 30 minutes after the end of an instructional day.

The "Smart Snacks" nutritional 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 (≥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 ¼ 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 percent per serving.

(3) Trans fat: Trans-fat-free (defined by the U.S. Department of Agriculture (USDA) as less than 0.5 grams per serving).

(4) Saturated fat: Calories from saturated fat must be less than 10 percent per serving.

(5) Sugar: Total sugar content must be less than or equal to 35 percent 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 during the instructional day and 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; added sugar content of milk sold to students is limited to less than or equal to 10 grams per 8

ounces for elementary school students and less than or equal to 15 grams per 12 ounces for middle and high school students, if a vendor 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 nonnutritive); 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 is allowed at all grade levels. No flavored water is allowable in elementary and middle schools.

(4) Soda is not allowable at any grade level.

(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 $\leq$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 $\leq$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.4 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 either at the first opportunity or when they are up for renewal.

5. Foods and beverages sold outside of the instructional day (i.e., 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 nonfood-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 –

1. this regulation in comparison with model policies;

2. each individual school's compliance with this regulation;

3. implementation of goals and objectives set forth in this regulation;

4. progress made in attaining the goals of the regulation;

5. information provided to the community about MCPS wellness efforts for students and staff;

6. activities of school wellness councils/wellness teams;

7. efforts to promote healthy food and beverage choices;

8. efforts to encourage physical activity; and

9. 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 Division of Teaching and Learning, at 240-740-3970

4. Division of School Leadership and Improvement (DSLI), at 240-740-3068

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.

2. The MCPS website publishes annual updates to this regulation.

3. The DTL 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.

4. ERSC will, at least annually, publicize wellness information for staff, including, but not limited to, staff events and activities related to wellness.

5. The 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;

   b) information regarding the reimbursable school meals program and the nutritional content of the planned meals, including the school menu which is —

      (1) available 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) printed and displayed in all school food serving lines;

   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 superintendent's chief of staff/designee 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 web pages, 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 DSLI 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; Annotated Code of Maryland*, Education Article, §7-426 (ED §7-426) and ED §7-426.1 et seq

Regulation History: New Regulation, July 22, 2006*;* revised March 2, 2012; revised November 11, 2015; revised June 29, 2017; revised August 20, 2018; revised November 18, 2025.

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

(1) Title VI of the federal *Civil Rights Act of 1964*; and

(2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not

(a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;

(b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or

(c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at *www.montgomeryschoolsmd.org/info/nondiscrimination*.

For inquiries or complaints about discrimination against MCPS students* **	**For inquiries or complaints about discrimination against MCPS staff*** **
Director of Student Conduct and Appeals Division of Equity and Organizational Development 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 | SWC@mcpsmd.org	Human Resource Compliance Officer Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 | DCI@mcpsmd.org
For student requests for accommodations under *Section 504 of the Rehabilitation Act of 1973*	**For staff requests for accommodations under the** *Americans with Disabilities Act*
Section 504 Coordinator Division of Specialized Support Services, Department of School Counseling 850 Hungerford Drive, Room 170, Rockville, MD 20850 240-987-8031 | 504@mcpsmd.org	ADA Compliance Coordinator Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 | DCI@mcpsmd.org
For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff* **	
Title IX Coordinator Division of Equity and Organizational Development, Department of Student Conduct and Appeals 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 | TitleIX@mcpsmd.org	

**This notification complies with the federal Elementary and Secondary Education Act, as amended.*

***This notification complies with the Code of Maryland Regulations Section 13A.01.07.*

****Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), 61 Forsyth St. S.W., Suite 19T10, Atlanta, GA 30303, 404-974-9406 and TDD: 800-877-8339, OCR.Atlanta@ed.gov, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.*

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.

October 2025