A. Purpose

1. To implement Board of Education of Frederick County (Board) Policy 409, *Student Health and Wellness*, and to establish guidelines for promoting student health and well-being within Frederick County Public Schools (FCPS).

2. To fulfill the requirements of the Healthy, Hunger-Free Kids Act of 2010.

B. Background

1. As part of the Board's regular review cycle of the 400 Board Policy series, the Board approved revisions to Board Policy 409, *Student Health and Wellness*, in August 2025. The revised Policy recognizes the importance of implementing health and wellness activities, providing notification and education to students, promotes access to healthy and fresh foods, and adheres to requirements under Maryland law. The Superintendent was accordingly directed to issue regulation supporting these priorities.

2. FCPS promotes whole child development and seeks to be a model school system in strengthening the whole child, which includes cognitive, academic, social emotional, and identity development, as well as, behavioral and physical health.

3. Physical fitness, good nutrition and positive attitudes lead to higher levels of attendance and academic performance and lower levels of anxiety, stress, and illness in children. Schools are one place where children develop lifelong habits and where all are afforded equal access to nutritious meals and physical activity. Schools also link parents and community members to resources for promoting a healthy lifestyle.

4. Maryland laws and regulations governing food and nutrition services, physical education, interscholastic athletics, and student well-being emphasize wellness.

C. Definitions

1. "Adapted Physical Education" is defined as a specialized program designed for students with disabilities to develop essential physical skills for a healthy lifestyle.

2. "Curriculum" is defined to mean the prescribed elements of programs and courses, which state clearly and specifically what students are expected to know and be able to do, how well they will be able to do it, how they will meet the learning objectives, and by what means they will be assessed.

3. "Donation campaign" is defined to mean an organized outreach by an FCPS program, school, team, group, or employee, or by a Parent and Community Group to solicit monetary donations either online, by mail, or in person as part of a fundraising activity.

4. “Extracurricular Activities” is defined to mean FCPS-sponsored activities available to students beyond the regular school day, which are voluntary and not required for satisfactory completion of a particular class.

5. “Food Marketing” is defined to mean any oral, written, or graphic statement that is made for the purpose of promoting the sale of a food or a beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product.

6. “Fundraising Activity” is defined as any activity or event held by the school system or individual schools or parent and community groups that sells goods or services in order to generate money for the school system as well as any activity or event advertised as intended to raise money on behalf of a charitable cause. Fundraising activities encompass a wide range of strategies, including individual donor outreach and events, as well as crowdfunding and other online fundraising platforms.

7. “Health Education” is defined to mean a planned, sequential, age-appropriate preK-12 curriculum that addresses the physical, mental, emotional, and social dimensions of health.

8. “Health Services” is defined to mean a spectrum of interventions including preventative services, educational initiatives, emergency care, referral systems, and the management of both acute and chronic health condition, whose primary objective is to promote student health and well-being, by proactively identifying and mitigating health concerns and facilitating care for students.

9. “Interscholastic Athletics” is defined to mean approved athletic competition between or among two or more high schools.

10. “Intramural Program” is defined to mean an extracurricular activity program within a school that provides students an opportunity to participate in activities that are an extension of the physical education program.

11. “Nutrition Education” is defined to mean a component of comprehensive school health education curriculum that teaches knowledge and skills related to nutrition and physical activity in order to achieve positive changes in dietary and physical activity.

12. “Physical Activity” is defined as any bodily movement produced by skeletal muscles that results in an expenditure of energy.

13. “Physical Education Program” is defined to mean a planned, sequential curriculum that teaches skills, knowledge, and attitudes which are needed to establish and lead a physically active life.

14. “Recess” is defined to mean regularly scheduled periods within the school day for structured and/or non-structured physical activity and play.

15. "School Counseling Services" is defined to mean services that focus on cognitive, emotional, behavioral, and social needs of individuals, groups, and families, whose primary objectives are to prevent and address problems, facilitate positive learning and health behavior, and enhance healthy development.

16. "School Property" or "School Grounds" is defined to mean any school, including a charter school, or other FCPS facility, including grounds owned or operated by FCPS, FCPS buses and other FCPS vehicles, chartered vehicles, and the facility and/or grounds of any FCPS-sponsored activity involving students.

17. "School-Based Wellness Team" is defined to mean an individual or group of individuals at each school who are responsible for wellness program compliance.

18. "Unpaid meal debt" is defined as debt owed to a school by a student for school meals or insufficient funds in the student's meal account.

19. "Wellness Champion" is defined to mean an FCPS employee who has been designated to promote, organize, communicate, and support health and wellness initiatives for FCPS staff and students at their work location.

D. Procedures

1. **Nutrition Education**
   a. FCPS will develop and implement a nutrition education curriculum as part of the comprehensive health education instructional program, in accordance with Code of Maryland Regulations (COMAR) 13A.04.18.01, *Comprehensive Health Education Instructional Programs for Grades Prekindergarten–12*.
   b. Nutrition education will be included in physical education and health education each year for all students in grades kindergarten through 8, and is available in grades 9 through 12.
      i. **Elementary Schools**
         1. Elementary health education is integrated throughout several appropriate curricular areas and taught by a variety of professionals for at least 60 minutes per week, kindergarten through grade 5.
         2. Schools are encouraged to identify one staff member to provide comprehensive health education at least 60 minutes per week to each class, kindergarten through grade 5.
      ii. **Middle Schools.** Middle school health education curriculum is taught for one quarter every year in grades 6 through 8.
      iii. **High Schools.** The high school health education curriculum is one full credit, typically taken as ½ credit in 9th grade and ½ credit in 11th grade.
      iv. Nutrition education is included in the essential objectives in several high school elective courses including Family and Consumer Science and Physical Education.
   c. Staff are encouraged to teach nutrition education through content integration in all classes such as science, mathematics, language arts, and social studies and to

collaborate with Advanced Academics and Student Services in delivering nutrition education through classroom, small group, and individual activities.

i. Students receive nutrition messages throughout the school that are consistent and reinforce each other.
ii. Nutrition education is interactive and teaches the skills needed to adopt healthy eating behaviors.

d. Nutrition education will be aligned with the National Health Education Standards and the Maryland State Department of Education's (MSDE) Comprehensive Health Education State Framework.

2. **Physical Education**
   a. The school system will develop and implement a physical education curriculum as part of the comprehensive physical education program, in accordance with COMAR 13A.04.13.01, *Physical Education Instructional Programs for Grades Prekindergarten –12*, that includes adequate equipment and facilities.
   b. Developmentally appropriate physical education, taught by a qualified physical education specialist, will be provided each year for all students in grades Kindergarten through 8, and in grades 9 through 12 to enable students to meet graduation requirements and as electives. Staff are also encouraged to teach physical education through appropriate content integration in all classes and appropriate programs.
      i. **Elementary Schools**
         1. Elementary school students receive a minimum of 80 minutes of physical education instruction per week.
         2. With the approval from the appropriate directors from the Department of System Accountability and School Administration (SASA) and the Department of Curriculum and Instruction (DCI), identified elementary schools may modify the physical education requirement.
      ii. **Middle Schools**
         1. Middle school students receive a minimum of three quarters (27 weeks) of instruction in each grade 6 through 8.
         2. Students who may require personalized pathways in their educational program are eligible to receive a modified program with a minimum of one quarter of instruction (9 weeks) in each grade 6 through 8, with the approval of the principal and subject to annual reporting.
      iii. **High Schools.**
         1. High school students receive one quarter (nine weeks), 80-minute periods of physical education instruction in the Lifetime Fitness course, which is typically taken in Grade 9.
         2. Elective courses are offered at the high school level as listed in the Course Offering Guide.
   c. Meaningful content is provided by:
      i. Instruction in a variety of motor skills designed to enhance the physical, mental, and social/emotional development of every child.
      ii. Fitness education and assessment to help children understand, improve, or maintain their physical well-being.
      iii. Development of cognitive concepts about motor skills and fitness.

iv. Opportunities to improve emerging social and cooperative skills and to gain diverse perspectives.
v. Promotion of regular amounts of appropriate physical activity now and throughout life.

d. Physical education will be aligned with the Maryland State Physical Education Curriculum and with the National Physical Education Standards and Grade Level Outcomes.
e. Compliant with the Individuals with Disabilities Education Act (IDEA), schools are encouraged to allocate sufficient instructional time for the delivery of Adapted Physical Education as dictated by documented student needs. In this program, teachers collaborate with specialists to develop activities tailored to each student's individual abilities and needs. The goal of adapted physical education is to equip students with lifelong skills, such as playing games with friends/peers or maintaining fitness. It offers additional support to ensure that every student can participate and enjoy physical activities in a manner that is suited to their individual needs.

3. **Physical Activity**
   a. **Elementary Schools**
      i. Each elementary school shall provide a minimum of 20 minutes each day, preferably outdoors in accordance with FCPS Regulation 400-42, *Weather Guidelines for Outside Activities*, and encourage moderate to vigorous physical activity.
      ii. Recess must be supervised.
      iii. Appropriate equipment and space should be made available so that students can be physically active and safe.
      iv. Students are to be encouraged to participate in activities that are both active and inclusive.
      v. Recognizing and supporting the philosophy that physical activity is important to a child's overall well-being, the following guidelines are established:
         1. School staff are encouraged to explore other options, when possible, to avoid consistent use of recess as a time for students to make up missed school work.
         2. School staff are encouraged to judiciously use restriction from recess to administer discipline related to classroom behavior or performance. *See* FCPS Regulation 403-01, *Student Discipline*.
         3. School administrators will take steps to ensure compliance with D(3)(a)(v)(1) and D(3)(a)(v)(2) noted above.
   b. **Middle Schools.** Middle school should provide students with an opportunity for supervised physical activity during their lunch period, time and weather permitting.
   c. **High Schools.** Each high school will offer an Interscholastic Athletic Program.

4. **Food and Beverages and Confidentiality of Student Information / School Meals and Meal Operations**
   a. **Provision of School Meals**
      i. No child can be denied a meal due to inability to pay.
      ii. The Superintendent or their designee shall ensure the meals offered by the school district's food service program meet all legal requirements for participation in the

National School Lunch and School Breakfast Programs. Guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to the Healthy, Hunger-Free Kids Act of 2010, the Richard B. Russell National School Lunch Act, and the Child Nutrition Act of 1966, as they and associated guidelines apply to school nutrition programs.

b. **Nutrition Standards for Meals**
   i. The Department of Food and Nutrition Services (DFNS) will provide approved school meals in all schools, which shall include healthy food choices for each student every day that school is in session. School meals shall meet nutrition standards established by the USDA under 7 Code of Federal Regulations (CFR) §§ 210.10 and 220.8.
   ii. Foods available to students during school hours are to be:
      1. Selected so as to contribute to student's nutritional well-being and the prevention of disease.
      2. Prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits.
   iii. **Main Course Alternatives.** Schools will offer main food course items as an alternative to or in addition to the reimbursable meal with reasonable portion sizes that are consistent with Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025).
   iv. **A La Carte Foods.** A la carte foods will meet the recommended guidance from MSDE from 12:01 a.m. to 30 minutes after the end of the school day. *See* Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025).

c. **Taste Testing.** Schools will provide students with the opportunity for taste testing of healthy foods that appeal to them.

d. **Mealtime Environment.** Every effort will be made to provide adequate space in pleasant surroundings to eat meals as well as appropriate time to eat, relax and socialize, space and scheduling permitting.

e. **Water Access and Hydration**
   i. Students will have access to potable water in the school throughout the school day via drinking fountains, water coolers, and/or hydration stations.
   ii. Unless prohibited due to safety concerns, students will be permitted to bring water bottles in the classrooms for the purpose of hydrating themselves.
   iii. Schools will add reusable water bottles as a suggested item on school supply lists for all grade levels.
   iv. New schools or schools undergoing renovations will have at least two (2) hydration stations installed in the school, in addition to water fountains.
   v. Teachers are encouraged to model appropriate hydration practices in the classrooms by choosing water over other beverage choices.

5. **Student Meal Accounts, Charges, and Debt Collections**
   a. **Student Meal Accounts.** FCPS cafeterias use an electronic Point of Service (ePOS) system to manage student meal accounts and administer Free and Reduced-Price Meal benefits (FARM).
   b. **Charging Meals**

i. Students may charge breakfast and lunch, subject to the charge limits established in Paragraph D(8)(c).
ii. A la carte items (*e.g.*, snacks, drinks, second meals, etc.) may be paid for at the time of purchase with available funds in the student's meal account or cash. If the student does not have sufficient funds available, a la carte items cannot be charged to the student's meal account.
iii. If a student does not have funds available, FCPS will provide breakfast and lunch at all grade levels by allowing students to charge meals, subject to the charge limits established in Paragraph D(8)(c).

c. **Charge Limits for Students Who Do Not Have Funds for Meals**
i. **Elementary and Middle Schools.** The charge limit for grades PreK-8 is four (4) meals (breakfast and/or lunch).
ii. **High School.** In high schools, students are permitted to charge one (1) meal, either breakfast or lunch.

d. **Unpaid Meal Debt**
i. FCPS must collect unpaid charges in accordance with DFNS' Standard Operating Procedure, *Unpaid Meals (Charging)* (Rev. July 22, 2026).
ii. To the extent possible, FCPS staff shall not directly communicate with a student about the student's unpaid meal debt.
iii. Staff shall not communicate with a student's parent about the student's unpaid meal debt in a manner that humiliates, embarrasses, or stigmatizes the student.
iv. For students who carry unpaid meal debt, staff shall not:
1. Require the student to wear a wristband, hand stamp, sticker, or other identifying mark;
2. Require the student to complete chores or tasks;
3. Deny a meal to the student;
4. Dispose of a meal after it has been served to the student; or
5. Restrict a student from access to school records or participation in any school–related extracurricular activity.

e. **Meal Restrictions**
i. Annually, parents may request restrictions on meals, snacks, a la carte items, or second meals by contacting DFNS at food.service@fcps.org or calling 240-586-8152.
ii. A restriction from a prior year(s) will carry forward into the next year.
iii. Parents may also modify any restrictions mid-year by contacting DFNS.
iv. Parents are responsible for informing their child that they have requested a meal restriction and that the child is not to eat school-provided meals.
v. If a student with a parentally requested meal restriction enters the meal service line, DFNS staff will inform the student of the restriction.

f. **Forgotten, Damaged, or Repeatedly Unavailable Lunches.** If a student's parent opts the student out of school meals and the student forgets their lunch or it is damaged, the school will attempt to contact the parent. If the parent cannot be reached or is unable to provide a lunch, the school will provide a meal at the parent's expense. In the event of a pattern of forgotten or damaged lunches, the school kitchen manager will notify the school counselor to determine whether the family is experiencing an inability to pay or if there are concerns of neglect.

g. **Meal Benefit Program**
   i. Families unable to pay, who feel they qualify, or families who are not sure if they qualify are encouraged to apply for Free and Reduced-Price Meal benefits (FARM).
   ii. Applications may be submitted at any point during the school year. Applications may be submitted electronically as outlined in DFNS's Meal Benefits (Free and Reduced-Price Meal) Frequently Asked Questions.
   iii. **Confidentiality of Meal Benefit Status.** Information regarding a student's free and reduced meal benefit status is confidential. The ePOS used at all schools does not disclose a child's meal benefit status on the monitor(s) in the serving lines; however, designated meal benefit coordinators and food service staff are permitted to know a student's meal benefits in the execution of their duties.

6. **Training**
   a. Food and Nutrition Services staff will participate in annual training in accordance with the USDA Professional Standards requirements.
   b. Training topics should align with four key areas:
      i. Nutrition;
      ii. Operations;
      iii. Administration; and
      iv. Communications/marketing.
   c. Training is measured in hours between July 1-June 30 and can be measured in units smaller than an hour.
   d. **Annual Training Requirements.** The annual training requirements are as follows:
      i. Directors: 12 hours.
      ii. Managers: 10 hours.
      iii. Staff working 20 hours or more per week: 6 hours.
      iv. Staff working less than 20 hours per week: 4 hours.
      v. Staff hired on or after January 1 or later: Half of the requirement for their respective job roles.
   e. **Recordkeeping.** Training must be documented and kept so MSDE can review the documents during the administrative review.

7. **Food Safety and Security**
   a. For the safety and security of the food and facility, access to the food service facilities is limited to authorized personnel.
   b. To help ensure the health and safety of the students and staff in our schools the following procedures should be implemented:
      i. All foods made available on school campus or through school-sponsored activities shall comply with state and local food safety and sanitation regulations.
      ii. Sanitation and safety procedures shall comply with COMAR 10.15.03, *Food Service Facilities*.
      iii. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines shall be implemented to prevent food-borne illness.
      iv. The Frederick County Health Department regulations require that food served to the public must be prepared in a licensed facility. The license for DFNS is not transferable to outside caterers or groups applying for use of the facilities.

v. Schools will provide students the opportunity to wash their hands before and after eating meals or snacks.

c. **Food Brought into Schools by Parents, Visitors, and Students**
   i. Students may bring food only for their own consumption.
   ii. Parents and visitors may bring food into a school only for consumption by their individual student, unless the food is donated in accordance with subsection ii below.
   iii. Food donated for a school-sponsored celebration or activity must comply with:
      1. Sections D(9) of this Regulation, if the food is used for an incentive or promotional activity;
      2. Section D(10) of this Regulation, if the food is provided for a celebration or reward;
      3. Sections D(8)(c) and D(13)(c) of this Regulation, and Sections D(3) and D(6) of FCPS Regulation 426-02, *Donations and Gifts*, if the food is associated with a fundraising activity or donation campaign; and
      4. FCPS Regulation 409-03, *Management of Food and Other Allergens* (formerly 400-06).

8. **Foods Marketed, Advertised, and Sold in Schools to Students / Competitive Foods and Beverages**
   a. **Nutrition Standards**
      i. All foods and beverages that are not part of the National School Breakfast or Lunch Programs and that are marketed or advertised on the school campus/grounds must comply with Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025).
      ii. Foods that are not part of the reimbursable school meal but are marketed, advertised, and sold to students on school premises during school hours (12:01 a.m. through 30 minutes after the end of the school day) through vending machines, school stores, fundraising activities, donation campaigns, and other sales will meet or exceed the Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025), which incorporates federal Smart Snack guidelines.
         1. This applies to oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage.
         2. It includes prizes or other premium items given to students to promote a product, such as cups used for beverage dispensing, and various equipment, including the exterior of a vending machine, menu boards, coolers, trash cans, other food service equipment, and any item or equipment on the school campus/grounds.
      iii. Vending machines can remain on at all times, but must comply with Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025).
   b. The Superintendent or their designee shall ensure that food sales by school-related groups and the use of vending machines are in compliance with state and federal law and do not impair student participation in the school district's food service program.
   c. **Fundraising Activities and Donations Campaigns**
      i. **Nutrition Standards.** Food and beverages marketed, advertised, or sold through fundraising activities or donation campaigns must meet established nutrition

standards outlined in the Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025).

ii. In addition to D(7)(c)(i) above, all fundraising activities and donation campaigns involving food must comply with Board Policy 426, *Fundraising, Donations, and Gifts*, FCPS Regulation 426-01, *Fundraising*, and FCPS Regulation 426-02, *Donations and Gifts*.

iii. Fundraising activities and donation campaigns involving food may not occur during the school day.

d. **Exceptions**

i. Vending machines located in the teacher's lounge are not accessible to students and are therefore exempt.

ii. Foods and beverages sold outside of the school day (*e.g.*, more than 30 minutes after the end of a school day or off school property), such as at school sporting events or other events, including fundraising activities outside of the school day, are exempted from the requirements outlined in this section.

9. **Food Use for Incentive and Promotional Activities.** Schools are encouraged to consider wellness issues and student allergies when planning incentive and promotional activities. Healthy food choices (fresh fruits and vegetables, whole grains, dairy products) should be promoted in school activities involving staff, students, and community.

10. **Celebrations and Rewards**

a. School leaders will encourage alternative ways of celebrating holidays, birthdays, and student achievements with non-food, health-minded incentives (*e.g.*, extra recess time).

b. School-based celebrations involving foods that do not meet Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025) are limited to three (3) celebrations per school year.

i. Schools will notify parents in advance of such celebrations so that parents may alert their child's teacher of food allergies and comply with FCPS Regulation 409-03, *Management of Food and Other Allergens* (formerly 400-06).

ii. Schools will designate food items needed for these celebrations.

11. **Student Services and Other Components of Comprehensive Health Programs**

a. **School Health Services**

i. All students will have access to quality school health services.

ii. School health services will be provided by registered nurses, licensed practical nurses, and/or health room technicians.

iii. The School Health staff will actively contribute to a culture of health and wellness within the schools.

b. **School Counseling, Psychological Services, and Community Agency School Services (CASS)**

i. All students will have access to school counseling and psychological services. Additional services for student support may be coordinated through CASS.

ii. Schools will promote these types of services to help ensure a physically and emotionally safe school environment and enhance student learning through academic, career, and personal/social development.

c. **Healthy School Environment.** All schools will establish a safe and inviting environment that fosters learning and character development.
d. **Family and Community Involvement.** All schools will pursue and cultivate partnerships with families, community groups and individuals to promote programs and share resources in order to maximize the healthy development of students and their families.

12. **Public Involvement and Notification**
    a. **Stakeholder Participation**
        i. FCPS encourages parents, students, DFNS staff, teachers of physical education, school health services staff, Board members, school administrators, and the general public to participate in the development, implementation, and periodic review and update of this Regulation.
        ii. **Community Collaboration.** FCPS will partner with the FCPS School Health Council and other community organizations to implement this Regulation.
        iii. **PTA Council of Frederick County**
            1. The Wellness representative of the PTA Council will maintain a seat on the FCPS School Health Council.
            2. In the role of liaison, the Wellness representative will provide any updates or feedback pertaining to this regulation to the FCPS School Health Council as part of community engagement and collaboration.
    b. **Annual Notification.** FCPS will provide annual notification of this Regulation to students and families through the FCPS Student/Parent Calendar Handbook. This Regulation is also available on FCPS's website.
    c. **Triennial Assessment.** FCPS will maintain and publicly post the triennial assessment required by federal regulation, in an accessible and easily understood manner, on the FCPS website at: FCPS / Families & Students / Health Council Wellness Resources.

13. **Compliance, Monitoring, and Expectations**
    a. **Systemwide Oversight.** The Superintendent or their designee shall develop, implement, and monitor a process for the development and review of the school system's curriculum and assessment programs that complies with state and local requirements and provides sufficient academic rigor for students. Such processes are outlined in Board Policy 500, *Approval of Curriculum and Instructional Materials*, Board Policy 505, *Health Education*, and Board Policy 511, *Assessments*.
    b. **Monitoring of the Local Wellness Program**
        i. The Superintendent or their designee will monitor each school's implementation of the local wellness program.
        ii. **School-Level Wellness Leadership.** Each school principal or their designee shall designate a school-based Wellness Champion who: will be a member of the School Improvement Team; and may establish a School-Based Wellness Team to support implementation and monitoring of school-level wellness initiatives.
            1. Schools are encouraged to include representation from instructional staff, student services staff, health or physical education personnel, and stakeholder voice when feasible. This representation may occur within the school's leadership team structure.

2. **Annual Wellness Goals.** The school-based Wellness Champion or the School-Based Wellness Team, as appropriate, shall submit a School Wellness Assurances Form that includes:
    a. Three (3) student-centered wellness goals, consisting of:
        i. One (1) goal promoting nutrition education;
        ii. One (1) goal promoting physical activity; and
        iii. One (1) goal promoting student-centered wellness.
    b. Evidence / artifacts (*i.e.*, supporting documentation).
3. **Submission Requirements.** The School Wellness Assurances Form shall be submitted to SASA as part of the Annual Notifications / Reminders checklist. SASA will then share these forms with DFNS.
4. **Review of Outcomes.** Principals will review outcomes with the appropriate School Administration and Instructional Leadership Director annually.

iii. **Reporting to the Board.** The Superintendent or their designee will report school progress and wellness program compliance to the Board annually.

c. **Curriculum Delivery.** The school-based instructional staff and administrators are responsible for the delivery of the written curriculum in the classroom, including nutrition education and promotion.

a. **Opportunities for Physical Activity.** The Superintendent or their designee will ensure that opportunities for physical activity are provided during the school day in accordance with the program and implementation procedures.

d. **Nutrition Standards Compliance**
    i. The Superintendent or their designee will ensure that food sold to students on school premises during school hours, through vending machines and by student sales will meet or exceed nutritional standards. FCPS will strongly consider and implement, where possible, the nutrition guidelines detailed in Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025).
    ii. The sale of all foods that do not comply with Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025) is prohibited from 12:01 a.m. until 30 minutes after the end of the school day.

b. **Employee Expectations.** All FCPS employees are expected to support the implementation efforts of the local wellness program.

c. **Parent Expectations.** Parents are encouraged to support FCPS' local wellness program efforts by considering nutritional quality when selecting snacks, which they may donate for occasional special events. Donated consumables must comply with sections D(3) and D(6) of FCPS Regulation 426-02, *Donations and Gifts*.

e. **Reporting to MSDE.** The Superintendent or their designee will ensure that any subsequent changes to this Regulation are reported to MSDE.

14. **Documentation.** FCPS will maintain records documenting compliance with this Regulation, which include:
    a. This Regulation, Board Policy 409, *Student Health and Wellness*, Board Policy 316, *Promotion of Health and Wellness – Employees*, and FCPS Regulation 316-01, *Employee Wellness*.
    b. Documentation demonstrating that FCPS has informed the public, on an annual basis, of this Regulation.

c. Documentation demonstrating the most recent assessment on the implementation of the local wellness policy and notification of the assessment results.
d. Documentation of efforts to review and update this Regulation, including who is involved in the review and methods used by FCPS to inform the public about their ability to participate in the review.

15. **Review.** In accordance with federal regulation, this Regulation shall be reviewed at least once every three (3) years, consistent with the required triennial assessment schedule, to assess:
    a. The extent to which FCPS and each school complies with this Regulation;
    b. The extent to which this Regulation compares to other local school wellness policies and regulations; and
    c. The progress made toward attaining the goals set forth in this Regulation.

E. Related Information

1. **Board Policy**
    a. Policy 111, *School and Workplace Safety*
    (https://apps.fcps.org/legal/documents/111)
    b. Policy 409, *Student Health and Wellness*
    (https://apps.fcps.org/legal/documents/409)
    c. Policy 426, *Fundraising, Donations, and Gifts*
    (https://apps.fcps.org/legal/documents/426)
    d. Policy 500, *Approval of Curriculum and Instructional Materials*
    (https://apps.fcps.org/legal/documents/500)
    e. Policy 505, *Health Education*
    (https://apps.fcps.org/legal/documents/505)
    f. Policy 509, *Extracurricular and Co-Curricular Activities*
    (https://apps.fcps.org/legal/documents/509)
    g. Policy 511, *Assessments*
    (https://apps.fcps.org/legal/documents/511)

2. **Code of Federal Regulations (CFR)**
    a. 7 CFR 210.10
    (https://fcps-md.info/7_CFR_210-10)
    b. 7 CFR 220.8
    (https://fcps-md.info/7_CFR_220-8)

3. **Code of Maryland Regulations (COMAR)**
    a. COMAR 10.15.03, *Food Service Facilities*
    (https://fcps-md.info/COMAR_10-15-03)
    b. COMAR 13A.03.02.03, *Enrollment Credit Requirements*
    (https://fcps-md.info/COMAR_13A-03-02-03)
    c. COMAR 13A.04.13, *Program in Physical Education*
    (https://fcps-md.info/COMAR_13A-04-13)
    d. COMAR 13A.04.18, *Program in Comprehensive Health Education*
    (https://fcps-md.info/COMAR_13A-04-18)

e. COMAR 13A.05.05, *Programs of Pupil Services*
(https://fcps-md.info/COMAR_13A-05-05)
f. COMAR 13A.06.01, *Programs for Food and Nutrition*
(https://fcps-md.info/COMAR_13A-06-01)
g. COMAR 13A.06.03, *Interscholastic Athletics in the State*
(https://fcps-md.info/COMAR_13A-06-03)

4. **External Resources**
   a. US Department of Agriculture, Food and Nutrition Service. (December 2020). *Guide to Professional Standards for School Nutrition Programs*
   (https://fcps-md.info/USDA_FNS_Professional_Standards_Guide_Dec2020)
   b. US Department of Agriculture, Food and Nutrition Service. (October 13, 2021). *Smart Snacks in School: Beverage Options*
   (https://fcps-md.info/USDA_FNS_Smart_Snacks_Beverage_Options_Oct2021)
   c. US Department of Agriculture, Food and Nutrition Service Professional Standards Website
   (https://fcps-md.info/USDA_FNS_Professional_Standards)
   d. US Department of Agriculture, Food and Nutrition Service Tools for Schools: Focusing on Smart Snacks Website
   (https://fcps-md.info/USDA_FNS_Tools_for_Schools_Smart_Snacks)
   e. MSDE / School and Community Nutrition / Resources
   (https://fcps-md.info/MSDE_Nutrition_Resources)
   f. Maryland State Department of Education (MSDE), Maryland Nutrition Standards for All Foods Sold in Schools (Rev. Fall 2025)
   (https://fcps-md.info/MD_Smart_Snacks)
   g. USDA Nutrition Standards for CACFP Meals and Snacks
   (https://fcps-md.info/USDA_CACFP_Meals_and_Snacks)

5. **FCPS Regulations**
   a. Regulation 400-42, *Weather Guidelines for Outside Activities*
   (https://apps.fcps.org/legal/documents/400-42)
   b. Regulation 403-01, *Student Discipline*
   (https://apps.fcps.org/legal/documents/403-01)
   c. Regulation 409-03, *Management of Food and Other Allergens* (formerly 400-06)
   (https://apps.fcps.org/legal/documents/409-03)
   d. Regulation 409-04, *Availability and Use of Epinephrine* (formerly 200-39)
   (https://apps.fcps.org/legal/documents/409-04)
   e. Regulation 409-07, *Supporting Students with Diabetes* (formerly 400-80)
   (https://apps.fcps.org/legal/documents/409-07)
   f. Regulation 426-01, *Fundraising*
   (https://apps.fcps.org/legal/documents/426-01)
   g. Regulation 426-02, *Donations and Gifts*
   (https://apps.fcps.org/legal/documents/426-02)

6. **FCPS Resources**
   a. FCPS / About / Calendar Information
   (https://www.fcps.org/about/calendar_information)

b. FCPS / Families & Students / Health Council Wellness Resources / Physical Education & Physical Activity
c. (https://www.fcps.org/families_students/health_council_wellness_resources/physical_education_physical_activity)
d. FCPS / Families & Students / Health Council Wellness Resources / Nutrition Environment & Services
(https://www.fcps.org/families_students/health_council_wellness_resources/nutrition_environment_services)
e. DFNS FCPS Food and Nutrition
(https://www.fcpsnutrition.com)
f. DFNS Meal Benefits (Free and Reduced-Price Meals) Frequently Asked Questions
(https://fcps-md.info/DFNS_Meal_Benefits_FAQ)
g. **Standard Operating Procedures (SOP)**
i. Food & Nutrition Services SOP, *Unpaid Meals (Charging)* (Rev. July 22, 2026)
(https://fcps-md.info/DFNS_SOP_Unpaid_Meals)

7. **Federal Law**
a. Child Nutrition Act of 1966
b. Healthy, Hunger-Free Kids Act of 2010
c. Individuals with Disabilities Education Act (IDEA), 20 USC § 1400, *et seq.*
d. Richard B. Russell National School Lunch Act

8. **Maryland Statutes**
a. Md. Code Ann., Educ. § 7-125
(https://fcps-md.info/MD_Educ_Code_7-125)
b. Md. Code Ann., Educ. § 7-401
(https://fcps-md.info/MD_Educ_Code_7-401)
c. Md. Code Ann., Educ. § 7-409
(https://fcps-md.info/MD_Educ_Code_7-409)
d. Md. Code Ann., Educ. § 7-423
(https://fcps-md.info/MD_Educ_Code_7-423)
e. Md. Code Ann., Educ. § 7-426.1
(https://fcps-md.info/MD_Educ_Code_7-426-1)
f. Md. Code Ann., Educ. T. 7, Subt. 6
g. Md. Code Ann., Educ. T. 7, Subt. 7

F. Regulation History (Maintained by Legal Services)

Responsible Office	Department of Curriculum and Instruction; Department of System Accountability and School Administration; Department of Food and Nutrition Services
Adoption Dates	08/09/06
Review Dates	

Revision Dates	11/16/22; 08/23/24; 08/26/26; 09/14/26; 09/28/26