

NOTICE OF INTENT
CLARK COUNTY SCHOOL DISTRICT REGULATION 5157

The Notice of Intent to adopt, repeal, or amend Clark County School District Policies and Regulations is pursuant to Nevada Revised Statutes 386.365. The Clark County Board of School Trustees hereby notices its intent to amend:

Regulation 5157, Student Wellness

A copy of the proposal is available for inspection by the public during normal business hours in the Office of the Superintendent of Schools of the Clark County School District which is located at 5100 West Sahara Avenue, Las Vegas, Nevada, and also on the Clark County School District Web site:
<http://ccsd.net/district/policies-regulations/>.

All persons interested in the proposed changes are invited to submit data, views, or arguments, orally or in writing, prior to the date set for final action.

This matter may be considered at a public meeting to be held on Thursday, May 15, 2025, at 5 p.m., in the Board Room of the Clark County School District located at 2832 East Flamingo Road, Las Vegas, Nevada.

Discussion and possible action on approval of the Notice of Intent to Adopt, Repeal, or Amend Clark County School District Regulation 5157, Student Wellness, prior to submission to the Board of School Trustees for approval on Thursday, May 15, 2025, is recommended.

CLARK COUNTY SCHOOL DISTRICT REGULATION

R-5157

STUDENT WELLNESS

Addition
Addition
The Clark County School District (District) is committed to providing an environment in which students can make healthy food choices and have opportunities to be physically active.

Addition
Deletion
Deletion
This Student Wellness Regulation complies with the Nevada Department of Agriculture (NDA) guidelines as stated in the Nevada's School Wellness Policy and ~~the Child Nutrition Program (CNP)~~, and with the federal statute: Healthy, Hunger-Free Kids Act of 2010.

Deletion/
Addition
I. ~~Nutrition Standards Advisory Group/School Wellness Committee~~

Deletion/
Addition
A. ~~Nutrient and beverage standards will apply to all foods and beverages sold or given away to students during the period from midnight before, to 30 minutes after, the end of the official school day. Only approved snacks and beverages may be offered. The food must be commercially prepared and meet all nutrient and beverage standards with the exception of food grown in school gardens. Food and beverages sold more than one-half hour after regular school hours are exempt from this regulation.~~ In compliance with the Federal and State wellness policies, the District will utilize a diverse team of committed school and community stakeholders to assess the District's needs, continuously monitor and make recommendations that meet the operational realities of the District, and work toward improved health and wellness outcomes for all students.

Deletion/
Addition
B. ~~These standards govern the nutrient value, calories, and portion sizes of foods and beverages sold in all school venues, including, but not limited to, student stores, vending machines, and cafeteria a-la-carte lines. This regulation also applies to fund-raising and all activities sponsored by school organizations (clubs, sports, PTA, etc.) conducted on school property during the school day.~~ This group will meet a minimum of twice annually to update implementation procedures when needs change, goals are met, new information emerges, and the annual review is completed.

Deletion/
Addition
C. ~~Lists of approved foods and beverages will be updated monthly by the Registered Dietitian in the Clark County School District Food Service Department. The approved lists will be posted on the Clark County School District Food Service Department's Web site.~~ School Wellness Coordinator

NOTICE OF INTENT
CLARK COUNTY SCHOOL DISTRICT REGULATION 5157

R-5157 (page 2)

Addition 1. Every principal will designate a school wellness coordinator at their school who will provide an annual status of the school's implementation of this regulation to the Curriculum and Instruction Division wellness coordinator.

Addition 2. The principal will work with the school wellness coordinator to ensure the District wellness goals are met.

Deletion D. ~~All food and beverage choices sold or given to students must meet all of the following nutrient standards (including any condiments):~~

Deletion Calories: ~~Snack/Side Item: Less than or equal to (\leq) 200 calories per item as served (including condiments)~~
~~Entrée: Less than or equal to (\leq) 350 calories per item as served (including condiments)~~

Deletion Sodium: ~~Snack/Side Item: Less than or equal to (\leq) 230 mg per item as served (until 6/30/16)~~
~~Less than or equal to (\leq) 200 mg per item as served (after 7/1/16)~~

Deletion Sodium: ~~Entrée: Less than or equal to (\leq) 480 mg per item as~~
~~(cont.) served~~

Deletion Fat: ~~Total Fat: Less than or equal to (\leq) 35 percent total calories from fat~~

Deletion Saturated Fat: ~~Less than ($<$) 10 percent total calories from saturated fat~~
Trans Fat: ~~Zero (0) calories from trans fat~~

Deletion Sugar: ~~Total Sugar: Less than ($<$) 35 percent of weight~~

Deletion E. ~~In addition to the above nutrient standards, food items must meet at least one of the following criteria:~~

Deletion 1. ~~Be a grain product that contains greater than ($>$) 50 percent whole grains by weight or have whole grains listed as the first ingredient on the food label.~~

Deletion 2. ~~Have listed as the first ingredient on the food label, one of the non-grain main food groups: fruit, vegetable, dairy, or protein foods.~~

Deletion 3. ~~Be a combination food that contains at least one-quarter ($\frac{1}{4}$) cup fruit and/or~~

Deletion

- Deletion vegetable.
If water is the first ingredient listed, the second ingredient must meet one of the above criteria.
- Deletion F. ~~Sugar-free chewing gum is exempt from all competitive food standards and may be sold to students at the discretion of the principal upon approval by the Instruction Unit.~~
- Deletion/
Addition II. ~~Beverage Standards~~ Wellness Policy Coordinator
- Deletion/
Addition ~~Carbonated beverages or beverages containing any dietary supplements that do not have a Recommended Daily Allowance/Adequate Intake (RDA/AI), including herbal supplements, cannot be sold or given away during the school day. The Superintendent of Schools, or designee, will have the authority and responsibility to ensure that each school complies with this regulation.~~
- Deletion/
Addition A. ~~Allowable Beverages Include:~~ Food Service Department Wellness Coordinator
- Addition 1. ~~Plain water: No size limit~~
- Deletion 2. ~~Milk—Unflavored nonfat, unflavored low-fat, or flavored nonfat milk:~~
- Deletion Elementary School: ~~Less than or equal to (\leq) 8 fluid ounces per serving.~~
Middle and High School: ~~Less than or equal to (\leq) 12 fluid ounces per serving.~~
- Deletion 3. ~~Juice—100 percent fruit and/or vegetable juice, 100 percent juice diluted with plain water (no added sweeteners):~~
- Deletion Elementary School: ~~Less than or equal to (\leq) 8 fluid ounces per serving (recommended size is 4 to 6 fluid ounces).~~
- Deletion Middle and High School: ~~Less than or equal to (\leq) 12 fluid ounces per serving (recommended size is 8 fluid ounces).~~
- Deletion Facilitates the development and implementation of this regulation related to nutrition and food services.
- Deletion/
Addition B. ~~Other Allowable Beverages—High School Only:~~ Curriculum and Instruction Division wellness coordinator
- Deletion/
Addition 1. ~~Noncarbonated calorie-free beverages less than or equal to (\leq) 20 fluid ounces per serving and:~~ Facilitates the development and implementation of this regulation related to recess, education, and physical activity.

R-5157 (page 4)

- Deletion ~~Less than (<) 5 calories per 8 fluid ounces; or
Less than or equal to (≤) 10 calories per 20 fluid ounces.~~
- Deletion/
Addition 2. ~~Noncarbonated lower-calorie beverages: Will be responsible for reporting the
status of this regulation's annual implementation to NDA.~~
- Deletion ~~Less than or equal to (≤) 12 fluid ounces per serving and less than or
equal to (≤) 60 calories. Eight (8) fluid ounce servings must be less
than or equal to (≤) 40 calories.~~
- Addition 3. Before September 30, of each school year, will inform NDA of the names,
positions, and contact information for the person(s) responsible at each
school for the oversight of this regulation.
- Addition 4. If the designated Food Service Department wellness coordinator and/or
Curriculum and Instruction Division wellness coordinator change, the District
will notify NDA within 60 days.
- Deletion/
Addition III. Caffeine Recordkeeping
- Deletion ~~All foods and beverages in elementary schools and middle schools must be
noncarbonated and caffeine-free, with the exception of trace amounts of naturally-
occurring caffeine substances (e.g., chocolate milk). Caffeine is permitted at the
high school level at the discretion of the principal upon approval by the Instruction
Unit.~~
- Addition A. The District will retain records demonstrating compliance with this regulation that
includes the following documentation:
- Addition 1. Compliance with advisory group representation.
- Addition 2. Triennial review of this regulation.
- Addition 3. Annual progress reports for each school.
- Addition 4. Documentation of foods sold at each school and proof of compliance with
nutrient and beverage standards as specified in Sections XIII and XIV of this
regulation.
- Addition 5. Compliance with public notification.
- Addition 6. The website address for this regulation.
- Addition 7. A description of each school's progress in meeting the District's wellness
goals.

- Addition 8. A summary of each school's events and activities related to the implementation of this regulation.
- Addition 9. The name and contact information of the designated Food Service Department wellness coordinator and Curriculum and Instruction Division wellness coordinator.
- Addition 10. Name and contact information for the school wellness coordinator at each school.
- Addition 11. Information on how individuals and the public can get involved with the advisory group.

Deletion/
Addition
Deletion IV. ~~Incentives and Rewards~~ School Wellness Policy Goals

~~Schools and teachers are strongly encouraged to utilize forms of incentives or rewards that are not food-based. Any food awards are required to be in alignment with the nutrient and beverage standards as specified in Sections I and II of this regulation.~~

Addition A. The advisory group will develop one annual District goal from each of the following categories: nutrition promotion and education, physical activity, and other school-based activities that promote student wellness.

Addition B. Goals will be measured and progress reported to NDA.

Deletion/
Addition V. ~~Contracts~~ Incentives and Rewards

Deletion/
Addition ~~All vending and food purchasing contracts will include a statement requiring compliance with this Regulation. All vending contracts must be reviewed and approved by District legal counsel prior to being signed by the school principal~~ Schools and teachers are strongly encouraged to utilize forms of incentives or rewards that are not food based. Any food awards are required to be in alignment with the nutrient and beverage standards as specified in Sections XIII and XIV of this regulation. Any food or beverage available during the school day shall not be withheld as a punishment for any reason.

Deletion/
Addition VI. ~~Marketing~~ Fundraising

Deletion ~~Only marketing consistent with the nutrient and beverage standards will be allowed on the school campus. This includes advertising and other promotions on the school campus during the school day (oral, written, or visual). Marketing and advertising on school property that does not currently meet the nutrient and beverage standards~~

R-5157 (page 6)

~~will be eliminated as leases, agreements, or contracts are renewed and/or items replaced.~~

Addition A. During the school day, all items sold to students on the school campus (all areas of the property under the jurisdiction of the school that are accessible to students) must meet the nutrient and beverage standards as specified in Sections XIII and XIV; there are no exceptions for non-curriculum-based activities.

Addition B. Fundraiser exemptions may be allowed if it is part of a curriculum-based activity. These exemptions must be submitted at the discretion of the principal for prior approval by the Superintendent of Schools or designee.

Deletion/
Addition VII. ~~Exempt Areas~~ Special Occasions

Deletion ~~Food and beverages sold in administrative and faculty areas that are not accessible to students are exempt from this regulation.~~

Addition A. All foods for special occasions must be commercially prepared to minimize risks of foodborne illnesses and to avoid known food allergens. The District allows for exceptions to the wellness policy for schoolwide special occasions or holidays, not to exceed twice per month. The following may be considered "special occasions":

Addition 1. Observances of national or state holidays.

Addition 2. School community observances.

Addition 3. As part of a learning experience or learning incentive.

Addition B. The sale of food as a part of a business enterprise or fundraising activity is not allowed unless the food item(s) meet the nutrient and beverage standards as specified in Sections XIII and XIV of this regulation.

VIII. Revenue

Deletion Proceeds from the sale of food and beverages on school grounds must directly benefit school academics, activities, or the ~~Clark County School District Food Service Department~~. Revenue funds must be accounted for and maintained in accordance with CCSDistrict Regulations 3210, District Funds and Fund Control, and 3231, Management of Student Activity and Staff Funds, and the School Banking Manual.

Deletion/
Addition IX. ~~Fund-Raising~~ Meal Consumption

~~During the school day, all items sold to students on the school campus (all areas of the property under the jurisdiction of the school that are accessible to students) must regulation. The school day is defined as the period from midnight regulation. The school day is defined as the period from midnight before, to 30 minutes after, the end of the official school day. Fund-raiser exemptions will not be granted.~~

- Addition A. Students will be allowed adequate time to eat their meals.
- Addition B. Time spent acquiring the meal will not be included in the time allotted to consume the meal.
- Addition C. Provide at least 15 minutes for each student to consume the breakfast meal (providing the school offers a breakfast opportunity).
- Addition D. Provide at least 20 minutes for each student to consume the lunch meal.
- Deletion/
Addition X. ~~Reimbursable Meals~~ Physical Activity
- Deletion ~~Meals provided to students under the National School Lunch Program and School Breakfast Program are exempt from this regulation as they are governed by Federal Regulation (CFR 7 [II] [A] Parts 210 and 220).~~
- Addition A. All schools will provide the opportunity for moderate to vigorous physical activity for at least 30 minutes during each regular school day.
- Addition B. Passing periods do not qualify as physical activity time.
- Addition C. Teachers, school personnel, and community personnel will not use physical activity, or withhold opportunities for physical activity (e.g., recess, physical education), as punishment.
- Addition D. It is recommended that students be given physical activity opportunities for periods of 10 minutes at a minimum.
- Deletion/
Addition XI. ~~Special Occasions~~ Recess
- Deletion/
Addition ~~All foods for special occasions must be commercially prepared to minimize risks of foodborne illnesses and to avoid known food allergens. Foods must meet the nutrient and beverage standards within this regulation with the exception of an activity that is part of a learning experience related to the reinforcement of established lesson plans in the classroom~~ Recess before lunch is recommended but will be left to the discretion of the principal upon approval by the Superintendent of Schools or designee.

NOTICE OF INTENT
CLARK COUNTY SCHOOL DISTRICT REGULATION 5157

Addition R-5157 (page 8)

Deletion/
Addition XII. Recess-Marketing

Deletion/
Addition ~~Recess before lunch is recommended, but will be left to the discretion of the administrator principal~~ Only marketing consistent with the nutrient and beverage standards will be allowed on the school campus. This includes advertising and other promotions on the school campus during the school day (oral, written, or visual). Marketing and advertising on school property that does not currently meet the nutrient and beverage standards will be eliminated as leases, agreements, or contracts are renewed and/or items replaced.

Deletion/
Addition XIII. Meal Consumption-Specific Nutrient Standards for Food and Smart Snacks

Deletion/
Addition A. ~~Students will be allowed adequate time to eat their meals~~ Nutrient and beverage standards will apply to all foods and beverages sold or given away to students during the period from midnight before to 30 minutes after the end of the school day. Only approved snacks and beverages may be offered. The food must be commercially prepared and meet all nutrient and beverage standards with the exception of food grown in school gardens.

Deletion/
Addition B. ~~Time spent acquiring the meal will not be included in the time allotted to consume the meal~~ These standards govern the nutrient value, calories, and portion sizes of foods and beverages sold in all school venues, including, but not limited to, student stores, vending machines, and cafeteria a-la-carte lines. This regulation also applies to fundraising and all activities sponsored by school organizations (clubs, sports, PTA, etc.) conducted on school property during the school day.

Deletion/
Addition C. ~~All schools will designate at least 15 minutes for each student to consume the breakfast meal~~ Lists of approved foods and beverages will be updated monthly by the registered dietitian in the District Food Service Department. The approved lists will be posted on the District Food Service Department's website.

Deletion/
Addition D. ~~All schools will designate at least 20 minutes for each student to consume the lunch meal.~~ To be allowable, a snack or entrée must meet the general nutrition standards and meet at least one of the following criteria:

Addition 1. Be a grain product that contains greater than (>) 50 percent whole grains by weight or have whole grains listed as the first ingredient on the food label; or

Addition 2. The first ingredient on the food label is one of the non-grain main food groups: fruit, vegetable, dairy, or protein foods; or

Addition 3. A combination food that contains at least one-quarter (¼) cup fruit and/or vegetable.

NOTICE OF INTENT
CLARK COUNTY SCHOOL DISTRICT REGULATION 5157

Addition R-5157 (page 9)

Addition If water is the first ingredient listed, the second ingredient must meet one of the above criteria.

Addition E. In addition to the above standards, the food must meet the nutrient standards for calories, sodium, fat, and total sugars:

<u>Nutrient</u>	<u>Entree</u>	<u>Snack</u>
<u>Calories*</u>	<u>350 calories or less</u>	<u>200 calories or less</u>
<u>Sodium</u>	<u>480 mg or less</u>	<u>200 mg or less</u>
<u>Total Fat</u>	<u>35% of calories or less</u>	<u>35% of calories or less</u>
<u>Saturated Fat</u>	<u>Less than 10% of calories</u>	<u>Less than 10% of calories</u>
<u>Trans Fat</u>	<u>0 grams</u>	<u>0 grams</u>
<u>Total Sugars</u>	<u>35% by weight or less</u>	<u>35% by weight or less</u>

Addition *Calories are per item served and include any accompaniments (condiments, toppings, etc.).

Deletion/
Addition XIV. Physical Activity Beverages

Deletion/
Addition A. All schools will provide the opportunity for at least 30 minutes daily for moderate to vigorous physical activity. Allowable beverages vary by grade level and container size. There are no restrictions on the sale of any allowable beverages at any grade level during the school day anywhere on the school campus.

<u>Beverage</u>	<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
<u>Plain water</u>	<u>No Size Limit</u>	<u>No Size Limit</u>	<u>No Size Limit</u>
<u>Flavored water (0 calories, no sweeteners)</u>	<u>≤ 8 fl. oz.</u>	<u>≤ 12 fl. oz.</u>	<u>≤ 20 fl. oz.</u>
<u>Low-fat milk, unflavored*</u>	<u>≤ 8 fl. oz.</u>	<u>≤ 12 fl. oz.</u>	<u>≤ 12 fl. oz.</u>
<u>Non-fat milk, unflavored or flavored*</u>	<u>≤ 8 fl. oz.</u>	<u>≤ 12 fl. oz.</u>	<u>≤ 12 fl. oz.</u>
<u>100% fruit/vegetable juice**</u>	<u>≤ 8 fl. oz.</u>	<u>≤ 12 fl. oz.</u>	<u>≤ 12 fl. oz.</u>
<u>Low/No calorie beverages <5 calories/8 oz.; <10 calories/20 oz.</u>	<u>N/A</u>	<u>N/A</u>	<u>≤ 20 fl. oz.</u>
<u>Lower calorie beverages ≤40 calories/8 oz.; ≤60 calories/12 oz.</u>	<u>N/A</u>	<u>N/A</u>	<u>≤ 12 fl. oz.</u>

NOTICE OF INTENT
CLARK COUNTY SCHOOL DISTRICT REGULATION 5157

Addition R-5157 (page 10)

Addition *Includes nutritionally equivalent milk alternatives, as permitted by the National School Lunch Program/School Breakfast Program.

Addition **May include 100% juice diluted with plain water and with no added sweeteners. It is recommended that juice is offered in smaller portion sizes of 4–6 fl. oz. servings for elementary school and 8 fl. oz. servings for middle and high school.

Deletion/
Addition B. ~~Passing periods do not qualify as physical activity time. All other beverages are unallowable, including soda, pop, soft drinks, juice cocktail or other juice flavored drinks, and any beverage that exceeds size or calorie limits.~~

Deletion C. ~~Teachers, school personnel, and community personnel will not use physical activity, or withhold opportunities for physical activity (e.g., recess, physical education), as punishment.~~

Deletion D. ~~It is recommended that students be given physical activity opportunities in bouts of 10 minutes at a minimum.~~

Deletion/
Addition
Deletion XV. ~~Nutrition and Wellness Education~~ Caffeine

A. ~~Nutrition and wellness information, including tobacco, alcohol, and other harmful substances prevention resources, will be disseminated to students through the health and physical education curricula.~~

Deletion B. ~~Nutrition and wellness information will be available on the District Web site to assist students, teachers, and parents in making healthy lifestyle choices. This information will be updated annually.~~

Deletion C. ~~Nutrition and wellness information will be provided to parents through Clark County School District publications, which are distributed throughout the school year to the homes of all Clark County students.~~

Addition All foods and beverages in elementary school and middle school must be caffeine-free, except for trace amounts of naturally occurring caffeine substances (e.g., chocolate milk). It is recommended that no caffeine be allowed, however, caffeine is permitted at the high school level at the discretion of the principal upon approval by the Superintendent of Schools or designee.

Deletion/
Addition XVI. ~~Monitoring and Accountability~~ Chewing Gum

Deletion A. ~~Advisory Committee~~

Deletion 1. ~~In compliance with the Federal and State Wellness Policies, Clark County School District (CCSD) will utilize a diverse team of committed school and community stakeholders (CCSD School Wellness Committee) to assess the~~

NOTICE OF INTENT
CLARK COUNTY SCHOOL DISTRICT REGULATION 5157

Addition

R-5157 (page 11)

~~District's needs, continuously monitor and make recommendations that meet the operational realities of the District, and work toward improved health and wellness outcomes for all students.~~

Deletion

- ~~2. This group will meet a minimum of twice annually to update implementation procedures when needs change, goals are met, new information emerges, and the annual review is completed.~~

Deletion

- ~~B. The Instruction Unit will have the authority and responsibility to ensure that each school complies with this regulation.~~

Deletion

~~C. District Wellness Coordinator~~

Deletion

- ~~1. The District Wellness Coordinator will facilitate the development and implementation of this regulation.~~

Deletion

- ~~2. The District Wellness Coordinator will be responsible for reporting the status of this regulation's implementation annually.~~

Deletion

- ~~3. The District Wellness Coordinator will inform the Nevada Department of Agriculture (NDA) of the names, positions, and contact information for the person(s) responsible at each school for the oversight of this regulation by September 30 of each school year.~~

Deletion

- ~~4. If the designated District Wellness Coordinator changes, CCSD will notify the NDA within 60 days.~~

Deletion

~~D. School Wellness Coordinator~~

Deletion

- ~~1. Every principal will designate a School Wellness Coordinator at his/her school who will provide an annual status of the school's implementation of this regulation to the District Wellness Coordinator.~~

Deletion

- ~~2. The principal will work with the School Wellness Coordinator to ensure the District's wellness goals are met.~~

Deletion

~~E. Recordkeeping~~

Deletion

~~The District will retain records demonstrating compliance with this regulation that includes the following documentation:~~

Deletion

- ~~1. Compliance with advisory group requirements.~~

Deletion

- ~~2. Triennial review of this regulation.~~

NOTICE OF INTENT
CLARK COUNTY SCHOOL DISTRICT REGULATION 5157

Addition 5157 (page 12)

Deletion 3. ~~Annual progress reports for each school.~~

Deletion 4. ~~Compliance with public notification.~~

Deletion 5. ~~The Web site address for this regulation.~~

Deletion 6. ~~A description of each school's progress in meeting the District's wellness goals.~~

Deletion 7. ~~A summary of each school's events and activities.~~

Deletion 8. ~~The name and contact information of the designated District Wellness Coordinator.~~

Deletion 9. ~~Name and contact information for the School Wellness Coordinator at each school.~~

Deletion 10. ~~Information on how individuals and the public can get involved with the CCSD School Wellness Committee.~~

Deletion F. ~~School District Wellness Regulation Goals~~

Deletion 1. ~~The CCSD School Wellness Committee will develop one (1) annual District goal from each of the following categories: nutrition promotion and education, physical activity, and other school-based activities that promote student wellness.~~

Deletion 2. ~~Goals will be measured and progress reported to the NDA.~~

Addition Sugar-free chewing gum is exempt from all competitive food standards and may be sold to students at the discretion of the principal upon approval by the Superintendent of Schools or designee.

Deletion/
Addition Review Responsibility: ~~Instruction~~ Academic Unit

Adopted: 6/17/04

Revised: 7/13/06; 11/30/06; 5/28/15

Addition Reference: Nevada School Wellness Policy