



**THOMAS P. DiNAPOLI**  
COMPTROLLER

STATE OF NEW YORK  
**OFFICE OF THE STATE COMPTROLLER**  
110 STATE STREET  
ALBANY, NEW YORK 12236

**STEVEN J. HANCOX**  
DEPUTY COMPTROLLER  
DIVISION OF LOCAL GOVERNMENT  
AND SCHOOL ACCOUNTABILITY  
Tel: (518) 474-4037 Fax: (518) 486-6479

September 14, 2009

Mr. Paul Padalino  
Superintendent of Schools  
Watervliet City School District  
1245 Hillside Drive  
Watervliet, New York 12189

Report Number: S9-9-27

Dear Mr. Padalino and Members of the Board of Education:

A top priority of the Office of the State Comptroller is to help school district officials manage their districts efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support district operations. The Comptroller oversees the fiscal affairs of districts statewide, as well as districts' compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished through our audits, which identify opportunities for improving district operations and Board of Education governance. Audits also can identify strategies to reduce district costs and to strengthen controls intended to safeguard district assets.

In accordance with these goals, we conducted an audit of 20 school districts throughout New York State to determine whether school districts are ensuring that all food available to students during the school day and at school activities meets established nutritional guidelines to promote healthy eating habits and proper nutritional goals. We included the Watervliet City School District (District) in our audit. The audit period was from September 1, 2007 to September 30, 2008.

This report of examination letter contains our audit results specific to the District. We discussed the findings and recommendations with District officials and considered their comments, which appear in Appendix A, in preparing this report. District officials generally agreed with our findings and recommendations. Appendix B includes our comments to an issue raised in the District's response letter. At the completion of our audit of the 20 school districts, we prepared a global report that summarizes the significant issues identified at the districts audited.

### **Summary of Findings**

While District officials have taken steps to ensure that students may purchase healthy food and beverages items, the District still offers food and beverages that do not meet established

nutritional guidelines and compete with the healthier choices offered. The District has adopted a wellness policy, established a health and wellness committee, and the most recent State Education Department (SED) review, in 2006, found that the District did not fully comply with Federal guidelines and subsequent to the review, steps were taken to bring the school lunch program into compliance. In addition, no foods or beverages are sold in school stores, and interviews of District personnel that conduct school events indicate that they are aware of the District's wellness policy.

We found that the District could improve its efforts to promote healthy eating habits. The wellness policy does not establish a plan to monitor District compliance, nor does it detail nutritional standards that guide the food and beverage choices provided or sold to students. District officials told us they do not use any comprehensive nutritional standards to guide food and beverage snack and vending choices for students.

There are no prescribed standards in the State regarding competitive foods available in school districts. Based on the lack of guidance, the Comptroller's Office met with various health professionals from NYSHEPA, American Cancer Society, American Heart Association, New York State Nutrition Association and Department of Health. After these meetings, we decided to compare district offerings to the Institute of Medicine (IOM) guidelines. Currently, school districts are not required to follow these guidelines, which were used during our audit for comparison purposes.

An IOM report,<sup>1</sup> conducted with the Center for Disease Control at the direction of Congress, concluded that federally reimbursable school nutrition programs should be the main source of nutrition at schools, and that opportunities during the school day for competitive foods (e.g., snacks and beverages) should be limited. In contrast, the District provides its students with a variety of snacks and beverages in its à la carte and vending machine choices. Since the District does not have nutritional guidelines for competitive foods and beverages, we compared the 10 items to the IOM standards and found that nine of 10 items would not have met the standards.

Finally, District officials adequately prevented students from accessing prohibited foods and beverages before the end of the last scheduled meal period, as required by Education Law and SED guidelines. However, foods and beverages restricted per IOM standards, such as a variety of low calorie sports beverages, were available for purchase during lunch periods. By making such products available to students, District officials are limiting the impact of their efforts to encourage healthy food choices.

## **Background and Methodology**

The District is located in Albany County. There are two schools in operation within the District, with approximately 1,400 students attending during 2008-09. The District's budgeted expenditures for 2008-09 are approximately \$21 million for the general fund and \$700,000 for the cafeteria fund. During 2007-08, 69 percent of the District's students qualified for Free and Reduced Meals, and the District had a 27 percent minority student population.

---

<sup>1</sup> A 2007 report entitled, "Nutrition Standards for Healthy Schools: Leading the Way Toward Healthier Youth" authored by the IOM and the Food and Nutrition Board organizations.

The New York State Department of Health (DOH) has declared childhood obesity a major health problem. The DOH estimates that one in four New Yorkers under the age of 18, or approximately 1.1 million young people, are obese. Over the past 30 years, the obesity rate has nearly tripled for children ages 2 to 5 and youth ages 12 to 19, and it has quadrupled for children ages 6 to 11. According to the United States Centers for Disease Control and Prevention, 28 percent of New York high school students are overweight or at risk of becoming overweight. Further, New York ranks second in the United States in adult obesity medical expenditures, with annual spending estimates at nearly \$6.1 billion. The childhood obesity crisis is fueling a health care cost crisis. Estimated annual health care costs attributed to obese children total \$242 million, which is putting an even greater strain on the New York State budget.

District officials have the responsibility to provide a safe and healthy learning environment for children. That responsibility requires District officials to ensure that all food available to students during the school day and at school activities meets established nutritional guidelines to promote healthy eating habits and proper nutritional goals.

The District has a Food Service Director who oversees the food service program and vending operations, which include 19 employees working in two buildings. There is one elementary school and a junior/senior high school:

- The elementary schools are composed of students in grades K through 6. Lunch periods run for 30 minutes starting at 10:50 am and ending at 1:10 pm.
- The junior/senior high school is composed of students in grades 7 through 12. Lunch periods run for 24 minutes starting at 11:00 am and ending at 12:50 pm.

The District has two cafeterias for student use, which serve approximately 1,000 lunches per day. The daily lunch menu options include an entrée, or an alternative choice of assorted deli sandwiches, a peanut butter and jelly sandwich, chef salad, pizza, with milk (white, 1 percent and 2 percent chocolate, and strawberry), hot or cold vegetables, canned or fresh fruit, hot soup, bread/roll, fruit juice, and macaroni salad.

The District has two vending machines for student use located at the junior/senior high school. District food service personnel stock the beverage machine and an outside vendor stocks the ice cream machine instead of food service personnel. The vendor orders and stocks the machine with food items allowed by the District, with recommendation of products by the District, but sales ultimately determines if the item continues to be offered.

We interviewed District officials to determine if the District had adopted a local school wellness policy and had established a child nutrition committee. We reviewed the District's most recent School Meals Initiative report from the State Education Department, compared the wellness policy to the school's chosen external guidelines if available and/or other standards, and assessed whether the food and beverage choices available to students complied with the District's policies and SED requirements, where applicable.

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

## **Audit Results**

### **Local School Wellness Policy**

The Child Nutrition and WIC Reauthorization Act of 2004 (Reauthorization Act of 2004) provides that not later than the first day of the school year beginning after June 30, 2006, each school district participating in a National School Lunch Program (NSLP) must establish a local school wellness policy that, at a minimum:

- Includes goals for nutrition education, physical activity and other school-based activities that are designed to promote student wellness in a manner that the local educational agency determines is appropriate
- Includes nutrition guidelines selected by the local educational agency for all foods available on each school campus under the local educational agency during the school day with the objectives of promoting student health and reducing childhood obesity
- Provides assurance that nutrition guidelines for the NSLP are met
- Establishes a plan for measuring implementation of the policy
- Involves parents, students, and representatives of the school food authority, school board, and school administrators in the development of the policy.<sup>2</sup>

The District has adopted a local school wellness policy. However, the policy does not establish a specific plan for monitoring to ensure compliance with the policy. District officials stated that the implementation of the policy and continued evaluation was conducted informally by the District Health Coordinator, with no formal written guidelines. In addition, the policy refers to goals to “provide healthier alternatives for snacks” and “provide healthier alternative to selling candy as a fundraiser.” Although the District has these goals in the policy, officials do not have guidelines to use as criteria for its vending, including snacks, beverages, and à la carte items. Additionally, the policy is not specific to a monitoring function to ensure compliance with the policy. Clearly, the policy could be enhanced by including more direction. While we recognize that the Reauthorization Act of 2004 does not establish nutritional standards for District officials to use when adopting their policy,<sup>3</sup> we believe that the more stringent guidelines promoted by the IOM should be considered by District officials to promote healthier eating habits.

---

<sup>2</sup> Section 204 of Public Law 108-265—June 30, 2004 Child Nutrition and WIC Reauthorization Act of 2004

<sup>3</sup> Section 204 of Public Law 108-265—June 30, 2004 Child Nutrition and WIC Reauthorization Act of 2004

The lack of a comprehensive local school wellness policy increases the risk that the food and beverages available to students will not meet established nutritional guidelines to promote healthy eating habits and proper nutritional goals.

### **Child Nutrition Advisory Committee**

Every school district is authorized and encouraged to establish a child nutrition advisory committee.<sup>4</sup> Committee members, who represent all aspects of school nutrition, are encouraged to meet at least quarterly to review topics that relate to the current nutritional policies of the district. The law encourages parents of students to be notified of the committees' existence, ability to participate, and scheduled meeting dates. Lastly, the Committee is encouraged to formally update the Board of Education once a year to give the status of the District's programs to improve student's nutritional awareness and to promote healthy diets.

The District has established a health and wellness committee, which is composed of 10 members including District administrator, health coordinator, food service manager, faculty, students, parents, a social worker, Athletic Director, a coach and guidance counselor. The committee meets approximately four times per year to discuss topics related to nutrition, health, and physical activity. This includes reviewing portion sizes for lunches, planning the Wellness Day and monthly themes, soda and soft drink elimination, fundraisers, activities in physical education class, and cafeteria food. The committee does not report annually to the Board of Education, as recommended.

### **School Lunch Program**

Schools that participate in the NSLP must meet Federal nutrition guidelines as outlined in the Department of Health and Human Services' "Dietary Guidelines for Americans."<sup>5</sup> In March 2008, the State Education Department (SED) issued a memo "Incorporating the 2005 Dietary Guidelines for Americans into School Meals," which instructs school districts to implement the 2005 guidelines within the current meal pattern requirements and nutritional standards. The memo further outlines the promotion of "increased consumption of whole grains, fruits and vegetables, fat-free or low-fat milk, and dairy products."

The SED conducts School Meals Initiative (SMI) reviews for each school district on a five-year rotating basis to determine if the lunch program complies with Federal nutrition guidelines. For these reviews, SED conducts a nutrient analysis test, for at least five menu days, using supporting documentation including menus, production reports, standard recipes and nutritional labels. In addition, an on-site observation is performed to confirm that the reported ingredients and recipes are used, and tests are conducted using nutrition analysis software to compare food products to requirements.

---

<sup>4</sup> Section 918 of NYS Education Law Article 19, Section 918 – School District Nutrition Advisory Committee

<sup>5</sup> For example, the guidelines recommend that no more than 30 percent of calories come from fat, with less than 10 percent from saturated fats. In addition, school lunches should provide one-third of the recommended dietary allowances of protein, vitamins A and C, iron, calcium and calories.

The last SMI review was conducted for the Watervliet Elementary School for the period June 5 through 9, 2006. The review findings, dated September 27, 2007, are summarized into two areas. The first finding area Menus, production records and standardized recipes stated, “No improvement required.” The second area of review was for Nutritional Analysis. The report four recommended improvements:

1. Increase the amount of calories served in the menu to meet the recommended standard (4 through 12-grade group) (without increasing the fat)
2. Increase Amount of Vitamin A in the menu to meet the recommended standard for the 4 through 12 grade group
3. Decrease sodium in your menu to meet the recommended target of less than 1500 mg for the lunch meal
4. Decrease the amount of fat and saturated fat in the menu to meet the recommended standard for all children.

The District responded to the recommended improvements listed above, with the following plan:

1. Adding one grain based dessert weekly, such as apple or cherry crisps, pineapple bread pudding, banana bread, and adding either potato salad or macaroni salad with reduced fat mayonnaise to the deli bar selection
2. Increasing the offerings of vegetables rich in Vitamin A, such as carrot sticks, steamed and fresh broccoli
3. Rinsing canned vegetables to remove salt, eliminate pickles and olives from the menu, change to reduced sodium chicken and beef base for homemade soups, use garlic powder instead of garlic salt and removed recipes that use soy sauce
4. Ordering and serving turkey bologna, turkey salami, and turkey ham, reduced fat salad dressings and eliminated the whole milk from the menu.

## **Vending**

In addition to the foods and beverages provided by the School Lunch Program, “competitive foods”<sup>6</sup> (snacks and beverages) are available to students during the school lunch period from two vending machines for student use and à la carte items in the cafeteria. While such foods and beverages are allowed by the District’s wellness policy, IOM guidance would suggest that federally reimbursable school nutrition programs should be the main source of nutrition at schools, and that opportunities for competitive foods (e.g., snacks and beverages) be limited.<sup>7</sup>

---

<sup>6</sup> Child Nutrition and WIC Reauthorization Act of 2004 section 210.11

<sup>7</sup> A 2007 report entitled, “Nutrition Standards for Healthy Schools: Leading the Way Toward Healthier Youth” authored by the IOM and the Food and Nutrition Board organizations.

Competitive foods are not included in the basic school lunch program and there are no Federal nutrition guidelines for these items. However, in New York State, a District may not serve soda or candy before the last lunch period ends. Education Law, Article 19, Section 915 provides that “from the beginning of the school day until the end of the last scheduled meal period; no sweetened soda water, no chewing gum, no candy including hard candy, jellies, gums, marshmallow candies, fondant, licorice, spun candy and candy coated popcorn, and no water ices except those which contain fruit or fruit juices, shall be sold in any public school within the state.” SED guidelines also provide that beverages labeled as, “aerated” or that bubble and fizz for several minutes after opening are to be categorized as “Soda Water.” However, other than this clarification, the SED has not published or endorsed criteria for competitive foods. An SED official told us “we do not provide an approved listing because it would be too extensive and would change everyday as new products come on to the market.”

Based on the lack of competitive food guidance in New York State, the Comptroller’s Office met with various health professionals from NYSHEPA, American Cancer Society, American Heart Association, New York State Nutrition Association and Department of Health. After these meetings, we decided to compare district offerings to the Institute of Medicine (IOM) guidelines. The IOM standards were not required to be adopted and followed by school districts as part of our audit. The IOM report entitled “Nutritional Standards for Foods in Schools” establishes standards for nutritive food components. The report concludes that if competitive foods are made available, they should consist of nutritious fruits, vegetables, whole grains, and combination products<sup>8</sup> and non-fat or low-fat milk and dairy products. It also recommends imposing restrictions on the sale of foods and beverages with high fat, saturated fat, sodium, etc.

According to the report, snack choices should have no more than 200 calories, and no more than 35 percent of the calories should be from fat while no more than 10 percent of the calories should be from saturated fat. Further, snack choices should have no more than 200 mg of sodium or 480 milligrams of sodium if served à la carte as an entrée portion. They also should be trans-fat-free, and have no more than 35 percent of total calories from sugars. Acceptable beverage choices include water without flavoring, additives or carbonation; low-fat and non-fat milk; portion sized 100 percent fruit juice; and, beverages that are caffeine-free with the exception of trace amounts of naturally occurring caffeine substances. Sports drinks should not be available except when provided for student athletes participating in sports programs that involve vigorous activity of more than one-hour’s duration.

#### Compliance with Policy and IOM Standards

District officials have not adopted guidelines regarding vending and à la carte items; rather the District’s local school wellness plan stated that a District goal was to provide healthier alternatives for snacks. The food service department judgmentally orders items to offer to students in the District.

Based on the lack of detailed District criteria for snack and beverages, we judgmentally selected 10 snack items and compared them with the District’s goal of providing healthier alternatives by

---

<sup>8</sup> Combination products must contain a total of one or more servings as packaged of fruit, vegetables or whole grain products as portioned.

using the IOM standards. We found that nine items did not meet the IOM guidelines, as detailed in the following table:

<b>VENDING AND À LA CARTE ITEMS</b>	
<b>Snack Item</b>	<b>Meets IOM Standards</b>
Ice Cream Cookie	No
Vanilla Ice Cream Sandwich	No
Ice Cream Bar	No
Ice Cream Cookie Bar	No
Strawberry Shortcake Ice Cream Bar	No
Sugar Free Popsicle	No
Multigrain Snack Chip	No
Fruit & Nut Granola Bar	Yes
Baked Nacho Chips	No
Baked Cheddar Crackers	No

Compliance with Education Law and SED Guidelines

We also found that District officials adequately limited access to prohibited foods and beverages until the end of the last lunch period as required by Education Law and SED guidelines. Specifically:

- À La Carte Items — Each school building has a selection of à la carte items available for sale. The selection of à la carte items at the junior/senior high school is more extensive than at the elementary school cafeteria, which has a limited number of items offered. The District students are not restricted as to the quantity that can be purchased of à la carte items that are for sale. The items available during the lunch period included: baked chips, multigrain chips, granola bars, white cheddar popcorn, baked nachos, white cake with vanilla frosting and chocolate morsels, sugar free gelatin with whipped topping, brownies, bagels and cream cheese, and soft pretzels with no salt.
- Vending Machines — We found that all vending machines were operated in accordance with Education Law and SED guidelines (during the lunch period). However, foods and beverages restricted per IOM standards, such as a variety of low calorie sports beverages, were available for purchase during lunch periods. Positively, the vending machines that were available for student use were on timers.

The District offers food and beverage choices that provide minimal nutritional value and compete with school meal options. For example, students can purchase items such as baked chips, granola bars, popcorn, baked nachos, diet flavored iced teas, energy drinks, flavored

waters and a variety of ice cream during lunch period rather than eat the meal that the District is serving. Further, these items generally do not comply with the IOM guidelines.

We asked District officials why such products were offered on school grounds. District officials indicated there is a need to offer refreshments to students outside of the normal cafeteria hours and that vending items generate small commissions, which are used to offset cafeteria expenses. The revenues from vending for the scope period were approximately \$11,000 and the 2008-09 cafeteria budget is \$700,000. While we recognize the District has a need to offer students refreshments outside of normal cafeteria hours, by making such products available to students, District officials are limiting the impact of their efforts to encourage healthy food choices.

### **School Stores and Events**

District personnel that sell or serve food and beverages on school grounds or at school events must be aware of, and comply with, the District's local school wellness policy to ensure that students are offered nutritious food and beverage choices.

The District has a store, located in its elementary school. Items for sale include pencils, pens, erasers, rulers, plastic jewelry, and trinkets. We observed that no food was sold in the store.

In addition, the District conducted school events, such as in-class activities and fundraisers. We judgmentally selected and interviewed two teachers and two principals to determine awareness of, and compliance with the local school wellness policy. Both individuals at the junior/senior high school stated that the school allows no food or drink in hallways or classrooms. However, at the elementary school, the individuals interviewed stated that healthy choices for snacks are encouraged and a focus is put on non-food items at celebrations. Celebration and snack items given as examples included fruit, vegetable platters, apples, muffins, and homemade cupcakes. Fundraiser examples included the sale of oranges, grapefruit, jewelry, gift-wrap and umbrellas.

While such items would generally comply as healthy choices and non-food items, items such as homemade cupcakes would not always comply with the IOM guidelines. By making such products available to students, District officials limiting the impact of their efforts to encourage healthy food choices.

### **Recommendations**

1. District officials should amend the local school wellness policy to establish a plan for measuring implementation of the policy.
2. District officials should amend the local wellness policy to specify which standards should be used to guide food and beverage choices offered to students.
3. District officials should consider adopting the IOM standards for the local school wellness policy.

4. The Nutrition committee should periodically report to the Board of Education as to nutrition topics and potential District direction.
5. District officials should ensure that the traditional school lunch always meet the SED requirements.
6. District officials should ensure that all foods and beverages that are served to students are authorized by the local school wellness policy.
7. District officials should consider limiting the competitive foods available to students.
8. District officials should consider providing only healthy snacks to students for in-classroom activities and fundraisers.

The Board has the responsibility to initiate corrective action. Pursuant to Section 35 of the GML, Section 2116-a (3)(c) of the Education Law and Section 170.12 of the Regulations of the Commissioner of Education, a written corrective action plan (CAP) that addresses the findings and recommendations in this report must be prepared and provided to our office within 90 days, with a copy forwarded to the Commissioner of Education. To the extent practicable, implementation of the CAP must begin by the end of the next fiscal year. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. The Board should make the CAP available for public review in the District Clerk's office.

Sincerely,

Steven J. Hancox  
Deputy Comptroller  
Office of the State Comptroller  
Division of Local Government and  
School Accountability

## **APPENDIX A**

### **RESPONSE FROM DISTRICT OFFICIALS**

The District officials' response to this audit can be found on the following pages.

# Watervliet CITY SCHOOLS

- 1245 Hillside Drive
- Watervliet, NY 12189
- (518) 629-3200

Paul J. Padalino,  
Superintendent of Schools

www.watervlietcityschools.org

May 27, 2009

- **Watervliet Jr./Sr. High School**  
1245 Hillside Drive  
Watervliet, NY 12189  
(518) 629-3300

Lori Caplan, *Principal*

- **Watervliet Elementary School**  
2557 10th Avenue  
Watervliet, NY 12189  
(518) 629-3400

Theresa O'Brien, *Principal*

- **Board of Education Members**

Donna Neary-Hart, *President*  
Mark Scully, *Vice President*  
Christine Chartrand  
Frank McGrouty  
Virginia Mullaney

[Redacted]

Statewide & Regional Projects  
Division of Local Government and School Accountability  
Office of the State Comptroller  
State Office Building, Room 1702  
44 Hawley Street  
Binghamton, NY 13901

Dear [Redacted]:

This letter is in response to the nutritional audit conducted by the Office of the State Comptroller during the 2008/09 school year.

The Watervliet City School District is committed to the safety and health of our students and staff. We have consistently met the standards and regulations put forth by the New York State Education Department and the Federal government for our food service program. However, the District appreciates the additional feedback on our program that this audit provides. We recognize the recommendations of the auditors and will work toward implementation of these recommendations, where they are feasible, in the 2009/10 school year.

It is important to point out that the IOM standards on which this audit is based are not currently part of New York State or Federal regulations regarding school food service and nutrition. Therefore, they are not standards that school districts are familiar with. In fact, we were not even aware of their existence before they were used as guidelines for this audit. The District will continue to look to the State Education Department for guidance and any updated regulations that may occur as a result of the series of nutritional audits conducted throughout New York State.

See  
Note 1  
Page 14

### Corrective Action Plan

**Recommendation 1:** District officials will consult with the Watervliet City School District Wellness Committee to implement policies and procedures to measure the implementation of the District policy.

**Recommendations 2 and 3:** District officials, along with the District Wellness Committee, will review the IOM standards in conjunction with current State and Federal regulations to determine the most appropriate standards to guide our food service policies and practices.

**Recommendation 4:** The District Wellness Committee will be asked to meet with the Clerk of the Board of Education to establish regular presentations to the Board of Education in the 2009/10 school year.

**Recommendation 5:** The district has already implemented this recommendation, and has been consistent with it since 2007.

**Recommendation 6:** District officials will review the Wellness Policy with the Food Service Manager to ensure that the policy is being followed.

**Recommendation 7:** District officials will consult with the Food Service Manager regarding the appropriateness of the options available to students and ask the District Wellness Committee, in conjunction with State and Federal Regulations, to make recommendations regarding these offerings.

**Recommendation 8:** The District will once again follow State and Federal regulations regarding this recommendation. The District Wellness Committee will be asked to review the district's current policy and make recommendations to the Board of Education regarding these offerings.

The Watervliet City School District is committed to battling childhood and adolescent obesity. Over and above our compliance with the State and Federal nutritional regulations, the district offers a comprehensive Physical Education curriculum and a wide array of extra-curricular activities. Greater than sixty five percent of our student body participates in these extra-curricular activities which include a full complement of intramural and interscholastic athletic endeavors.

Sincerely,



Paul J. Padalino  
Superintendent of Schools

## **APPENDIX B**

### **OSC COMMENTS ON DISTRICT OFFICIALS' RESPONSE**

#### Note 1

As mentioned in the report, there is a lack of uniform nutritional guidance from New York State for competitive foods. After consulting with health professionals representing several major medical groups, we selected the IOM standards as performance criteria to evaluate the District's competitive foods because they generally offered healthier food and beverage choices to students.