

DTSD Board of Directors Summary Minutes XV - February 25, 2019 \_ 2  
Sign-In Sheet February 25, 2019 \_\_\_\_\_ 13  
SchoolCafe Service Agreement \_\_\_\_\_ 14

**Derry Township School District  
Board of Directors Meeting  
February 25, 2019  
Summary Minutes - XV**

---

**1. OPENING ITEMS**

**a. Call to Order**

**Minutes**

Mrs. Sicher called the meeting to order at 7:00 pm.

**b. Roll Call**

**Members in Attendance:** John Abel, Kathy Sicher, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Tricia Steiner, Terry Singer

**Member Absent:** None

**Non-Voting Members in Attendance:** Joe McFarland, Mike Frentz

**Staff/Public in Attendance:** Dan Tredinnick, Jason Reifsnnyder, Dr. Stacy Winslow, Marlene Kanuck, Theodore Vedock, Tracy Brown

**c. Flag Salute**

**d. Approval of Board of Directors Agenda**

Approval of the February 25, 2019 Derry Township School District Board of Directors Agenda.

**Minutes**

Following a motion by Mrs. Memmi and a second by Ms. Drew the agenda for the evening's meeting was approved.

*Vote Results*

<b>Yea:</b>	9	John Abel, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner
<b>Nay:</b>	0	
<b>Abstain:</b>	0	
<b>Not Cast:</b>	0	

**2. INFORMATIONAL AND PROPOSALS**

**a. Students of the Month Recognition**

**Minutes**

Mr. Smith introduced students of the month of February:

- Madeline Barto
- Levent Batakci

**b. President Communications**

**Minutes**

Mrs. Sicher announced that the Board met in Executive Session prior to this meeting to discuss:

- Matters of personnel

**c. Recognition of Citizens (Agenda Items)**

This is an opportunity for residents and taxpayers to address the Board on matters related to the agenda. Those who speak are asked to come to the microphone and state your name and address for the record. To provide other residents with an opportunity to speak, each speaker during the public comment portion is limited to five (5) minutes of speaking time once recognized and limited to one opportunity to address the Board during each of the public comment periods. If necessary, the Board may set a maximum time for the public comment portion of any meeting. Speakers are asked to review the protocol for addressing the Board which can be found at the sign in table prior to speaking. Those wishing to present private concerns or questions needing follow-up outside of the Board meeting are asked to fill out a contact card, which can be found at the podium. Completed cards may be turned in to members of the administration to facilitate a reply.

**Minutes**

The following citizens were recognized by the Board of Directors:

- None

**d. Standing Committee Meeting Report**

**Minutes**

Mrs. Sicher reported that the Curriculum Committee met on February 18, 2019 and the following was discussed:

- Mrs. Sicher was elected chair of the committee;
- Committee received a full day kindergarten update from Mrs. Schmidt;
- High School grading updated provided by Mr. Smith;
- Information on Middle School students receiving high school credits;
- Two textbooks approved for 30-day review

Mr. Singer reported that the Finance Committee met prior to this meeting to discuss:

- Update on budgeted 2019-2020 revenue;
- Presentation by Mr. Sweigert and Mrs. Landry on renewing copier lease;
- Vendor Fair

**e. Student Representatives' Report**

As per Board Policy 004.1, the purpose of having two non-voting Student Representatives on the Board is to establish a communication link between the Board of School Directors and the student body of Hershey High School. The position will serve in presenting the students' viewpoints to the Board.

**Minutes**

Mr. Mongia and Miss Carrasco reported on activities that occurred in the District over the last two weeks.

**f. Anticipated Agenda Items for the Next Board of Directors Meeting**

The following items will be on the Agenda for the March 11, 2019 Public Board of Directors Meeting:

1. Approval of February 25, 2019 Board of Directors Summary Minutes
2. Presentation: AIA Update

3. Presentation: Link Crew
4. Presentation: Proposed 2019-2020 School Calendar
5. Requests for the Use of Facilities
6. Personnel
7. Staff Development

**Minutes**

The anticipated agenda items for the March 11, 2019 Public Board of Directors Meeting were reviewed.

**3. UNFINISHED BUSINESS**

**a. 322 Field Concession Stand**

**Minutes**

Following a motion by Ms. Drew and a second by Mrs. Memmi the Board approved to proceed with the 322 field structure project up to \$200,000 through a cooperative purchasing network.

*Vote Results*

---

<b>Yea:</b>	8	Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner
<b>Nay:</b>	1	John Abel
<b>Abstain:</b>	0	
<b>Not Cast:</b>	0	

**4. CONSENT AGENDA ITEMS**

Adoption of items of routine nature and those that normally do not require public deliberations on the part of the Governing Board. A Board Member may pull items which will then be discussed and voted on separately.

**Minutes**

Following a motion by Mrs. Memmi and a second by Mrs. Steiner the consent agenda items were approved.

*Vote Results*

---

<b>Yea:</b>	9	John Abel, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner
<b>Nay:</b>	0	
<b>Abstain:</b>	0	
<b>Not Cast:</b>	0	

**a. Approval of February 11, 2019 Summary Board of Directors Meeting Minutes**

**b. Approval of January 2019 Finance Report**

1. The Treasurer's Report for the month ending January 31, 2019 is summarized as follows:

General Fund Revenue	\$1,623,525
General Fund Expenditures	2,367,459
Balance of Cash Plus Investments	36,255,783

(Includes Capital Reserve)

- The listed schedule of investment transactions for the period beginning January 1, 2019 through January 31, 2019, has total interest earnings of \$32,514 comprised of the following:

General Fund	29,694
Capital Reserve	2,533
Granada Property	287

The average interest rate for January 2019 was .97%

- The January 2019 expenditures for the paid bills for all funds total \$1,568,116 excluding net payroll, retirement contributions, and debt service.

The February 2019 expenditures for the unpaid bills for all funds

- total \$1,042,555 excluding net payroll, retirement contributions, and debt service.

- Estimated expenditures of the General Fund for the month of February 2019 are in the following amounts:

Operating Expenses	\$1,000,000
Utilities	112,300
Net Payroll (2 pays)	1,449,661
Employer Provided Insurance	421,400
Payroll Deductions	747,000
Employer Payroll Taxes (FICA/RET)	176,000
Debt Service	0
Total Estimated Expenditures	\$3,906,361

**c. Approval of Budget Transfers**

Section 687 (d) of the Public School Code provides: The Board of School Directors shall have the power to authorize the transfer of any unencumbered balance, or any portion thereof, from one class of expenditures or item, to another, but such action shall be taken only during the last nine (9) months of the Fiscal Year.

The Administration recommends the Board authorize the January 2019 budget transfers.

**d. Approval of Field Trip/Excursion - Youth & Government Club**

The Administration recommends the approval of the proposed overnight field trip/excursion as listed:

<b>Group:</b>	<b>Youth &amp; Government Club</b>	<b>Youth &amp; Government Club</b>
<i>Number of Participating Students:</i>	30	90

<i>Grade Level:</i>	8-12	8-12
<i>Destination:</i>	Harrisburg PA	Harrisburg, PA
<i>Purpose:</i>	Model Conference	Model Conference
<i>Depart:</i>	April 11, 2019 10:00 a.m.	April 11, 2019 6:00 p.m.
<i>Return:</i>	April 14, 2019 2:00 p.m.	April 14, 2019 2:00 p.m.
<i>Trip Leaders:</i>	Chris Boggess Lindsey Nester	Chris Boggess Lindsey Nester

The District reserves the right to cancel the excursion based on events that could pose a heightened safety or security risk.

**e. Approval of Thirty-Day Review of Policies**

The Administration recommends the approval of a Thirty-Day Review of the following policies of the Derry Township School District Policy Manual:

- 103 Nondiscrimination/Discriminatory Harassment in School and Classroom Practices
- 103.1 Nondiscrimination/Discriminatory Harassment - Qualified Students with Disabilities
- 104 Nondiscrimination/Discriminatory Harassment in Employment/Contract Practices
- 221 Dress and Grooming
- 222 Tobacco/Nicotine
- 247 Hazing
- 248 Discriminatory Harassment
- 249 Bullying/Cyberbullying
- 323 Tobacco/Nicotine
- 348 Discriminatory Harassment
- 904 Public Attendance at School Events

The following policies are being updated to reflect changes to the list of protected classes:

- 140 Charter Schools
- 202 Eligibility of Nonresident Students
- 218 Student Discipline
- 808 Food Services
- 808.1 Free Reduced-Price Meals and Free Milk
- 913.1 Commercial Partnerships

The policies will be on display in the following locations: Hershey Public Library, District Office, and the Derry Township School District Website.

**f. Approval of Thirty-Day Review of New Policy**

The Administration recommends the approval of a Thirty-Day Review of the following new policy of the Derry Township School District Policy Manual:

- 103.3 Nondiscrimination - Transgender and Gender Nonconforming Students

The policy will be on display in the following locations: Hershey Public Library, District Office, and the Derry Township School District Website.

**g. Requests for the Use of School Facilities with Waiver**

The Administration recommends the approval of the following Requests for the Use of School Facilities with waiver:

**Group:** Hershey Little League  
**Date/Time:** March 1 – November 1, 2019  
Monday – Friday  
5:00pm – 10:00pm (during school year)  
9:00am – 10:00pm (after school year)  
Saturday  
9:00 a.m. - 10:00 p.m.  
Sunday  
Noon - 10:00 p.m.  
**Requested Facility:** North Field (Little League), South Field (Softball), Memorial Field Varsity Baseball Field  
**Event:** Little League Baseball Practices & Games  
**\*Fees:** North Field, South Field, Memorial Field - \$25.00/hr (Approximately \$90,450.00)  
\* Request for Facilities Waiver Letter attached: Approximately \$90,450.00

**Group:** Hershey Little League  
**Date/Time:** March 9, 2019  
8:00 a.m. - Noon  
**Requested Facility:** ECC Gym  
**Event:** Colts Clinic  
**\*Fees:** Gym Rental: \$80.00/hr (Approximately \$320.00)  
Custodian Fee: \$39.95/hr if needed (Approximately \$159.80)  
\* Request for Facilities Waiver Letter attached: Approximately \$320.00

#### h. Announcement of Staff Development Conferences

<b>Staff Member:</b>	<b>Michelle Kindt</b>
<i>Conference:</i>	Central States Conference on the Teaching of Foreign Language
<i>Location:</i>	Columbus, OH
<i>Dates:</i>	March 14-16, 2019
<i>Expenses:</i>	\$250.00
<b>Staff Members:</b>	<b>Molly Felty, David Lillenstein</b>
<i>Conference:</i>	ADOS-2 Clinical Workshop
<i>Location:</i>	Los Angeles, CA
<i>Dates:</i>	March 14-15, 2019
<i>Expenses:</i>	\$1,785.00 (each)
<b>Staff Members:</b>	<b>Julee Brown, Carolyn Merrill, Angela Persing, Amanda Peters, Leanne Shoemaker</b>
<i>Conference:</i>	Schooling Social Brains
<i>Location:</i>	New York, NY
<i>Dates:</i>	May 3-5, 2019
<i>Expenses:</i>	\$1,421.00 (each)
<b>Staff Member:</b>	<b>Michelle Krolczyk</b>
<i>Conference:</i>	LRP Publications National Institute Conference
<i>Location:</i>	Orlando, FL
<i>Dates:</i>	May 6-7, 2019
<i>Expenses:</i>	None
<b>Staff Member:</b>	<b>Christen Manari</b>
<i>Conference:</i>	International Society for Technology in Education Conference (ISTE)
<i>Location:</i>	Philadelphia, PA
<i>Dates:</i>	June 23-26, 2019
<i>Expenses:</i>	\$1,846.00



**i. Announcement of School Board Development Conference**

**Board Members:** Lindsay Drew, Tricia Steiner, Judy Haverstick

**Conference:** National School Board Association Conference

**Location:** Philadelphia, PA

**Dates:** March 29 through April 1, 2019

**Expenses:** \$1,330.00 (each)

**5. NEW BUSINESS**

**a. Approval of In-Service/Workshop Speaker Agreements**

The Administration recommends the Board approve the listed speaker agreements for the listed workshops:

<b>Speaker</b>	<b>Date of Workshop</b>	<b>Cost</b>
Marcia L. Neil	June 6-7, 2019	\$3,000.00
A. J. Juliani	July 23, 2019	\$5,000.00

**Minutes**

Following a motion by Ms. Drew and a second by Mrs. Memmi the listed speaker agreements for the listed workshops were approved.

*Vote Results*

---

**Yea:** 9      John Abel, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner

**Nay:** 0

**Abstain:** 0

**Not Cast:** 0

**b. Approval to Solicit Bids - Granada Property Project**

The Administration recommends the Board approve the Administration to work with Warehaus, LLC to solicit bids for the Granada Property Project.

**Minutes**

Following a motion by Ms. Drew and a second by Mrs. Memmi the Board approved for the Administration to work with Warehaus, LLC to solicit bids for the Granada Property Project.

*Vote Results*

---

**Yea:** 9      John Abel, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner

**Nay:** 0

**Abstain:** 0

**Not Cast:** 0

**c. Approval of Primero-Edge Cybersoft Point of Sale Upgrade**

The Administration recommends the Board approve the Primero-Edge Cybersoft Point of Sale Upgrade Agreement as attached.

**Minutes**

Following a motion by Dr. Cronin and a second by Ms. Drew the Primero-Edge Cybersoft Point of Sale Upgrade Agreement was approved.

*Vote Results*

<b>Yea:</b>	9	John Abel, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner
<b>Nay:</b>	0	
<b>Abstain:</b>	0	
<b>Not Cast:</b>	0	

**d. Personnel - Resignations**

The Administration recommends the approval of the following resignations:

**Professional:**

**Dilger, Scott**

Social Studies

High School

Reason: Retirement

Effective: At the end of the 2018-2019 school year

**McCauley, Karen**

Special Education Teacher

Primary Elementary School

Reason: Retirement

Effective: At the end of the 2018-2019 school year

**Seip, James**

Technology Education Teacher

High School

Reason: Retirement

Effective: At the end of the 2018-2019 school year

**Walker, Amelia**

English as a Second Language Teacher

Early Childhood Center

Reason: Personal

Effective: 03/04/2019

**Minutes**

Following a motion by Mrs. Memmi and a second by Ms. Drew the Personnel - Resignation items were approved.

*Vote Results*

<b>Yea:</b>	9	John Abel, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner
<b>Nay:</b>	0	
<b>Abstain:</b>	0	
<b>Not Cast:</b>	0	

**e. Personnel - General**

1. The Administration recommends the approval of the following appointments and recognition of the following transfers:

**Professional:**

**Robb, Hannah\*** (for Amelia Walker)

English as a 2nd Language Teacher

Early Childhood Center

Long Term Substitute

Bachelors, Step 1

Salary: \$50,794 (pro-rated)

Effective: extended 03/04/2019 through the end of the 2018-2019 school year

**Classified:**

**Doutrich, Paul**

Substitute Bus Driver

District-wide

Salary: \$17.86 per hour

Effective: 02/26/2019

**Limited Service Contract:**

**Hesel, Taylor\***

Assistant Varsity Boys' Tennis Coach

High School

Group G, Step 8

Salary: \$2,395

Effective: 02/26/2019

**\* This individual is currently an employee. Clearances are on file.**

**Minutes**

Following a motion by Mrs. Memmi and a second by Ms. Drew the Personnel - General items were approved.

*Vote Results*

<b>Yea:</b>	9	John Abel, Donna Cronin, Lindsay Drew, Judy Haverstick, Maria Memmi, Lewis Shaw, Kathy Sicher, Terry Singer, Tricia Steiner
<b>Nay:</b>	0	
<b>Abstain:</b>	0	
<b>Not Cast:</b>	0	

**6. SPECIAL REPORTS**

**a. Board Members' Report**

**Minutes**

The following Board members provided reports:

- Ms. Drew reported that the Taste Of Hershey will be held on March 10 at the Hershey Lodge
- Dr. Cronin thanked the retirees for their service
- Mr. Able reported on the Parks and Recreation meeting

- Mrs. Haverstick invited Board members to an informational session on the Dauphin County Technical School
- Mrs. Steiner reported that the PSBA sectional meeting was rescheduled to March 20, 2019

#### **b. Superintendent's Report**

##### **Minutes**

Mr. McFarland provided the following report to the Board:

- Thank you to retirees
- Board member ethics statements
- Hershey HS musical
- Senator DiSanto visit-March 7

#### **c. Board President's Report**

##### **Minutes**

Mrs. Sicher reminded Board members to RSVP to the March 30 event.

### **7. RECOGNITION OF CITIZENS**

This is an opportunity for residents and taxpayers to address the Board on matters related to the agenda or matters of District Governance not on the agenda. Those who speak are asked to come to the microphone and follow the same guidelines outlined at the initial public comment portion of our meeting.

##### **Minutes**

The following citizens were recognized by the Board of Directors:

- None

### **8. ADJOURNMENT**

##### **Minutes**

Following a motion by Mrs. Memmi and a second by Ms. Drew the meeting was adjourned at 8:20 pm.

Respectfully submitted,

---

Michael Frentz  
Secretary to the Board  
Approved March 11, 2019

---

Kathy Sicher  
President of the Board of Directors

Derry Township School District  
School Board Meeting  
February 25, 2019

Please Sign In AND Print Your Name

Signature

Printed Name

*Daniel B Tredinnick*

Dan Tredinnick

*Martene Kanuck*

Martene Kanuck

Signature

Printed Name

*Thomas Veck*

Theodore Veck

Signature

Printed Name

*Tracy Brown*

Tracy Brown

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

# SchoolCafé Service Agreement

This SchoolCafé Service Agreement ("Agreement") is by and between Cybersoft Technologies, Inc. ("Cybersoft"), a Texas corporation, with its principal location at 4422 Cypress Creek Parkway, Suite 400, Houston, TX 77068 and **Derry Township School District ("The School District")** with its administrative offices at 30C East Granada Avenue, Hershey, PA 17033.

SchoolCafé is an online payment service provided by Cybersoft that enables parents/guardians of The School District students to register and make credit card or check card payments to their student accounts over the internet. Cybersoft built this online service using technology viewed by Cybersoft to be suitable for achieving speed and accuracy. To protect personal information, SchoolCafé uses various forms of Internet security, including data encryption, Secure Sockets Layer (SSL) protocol, user names and passwords, and other tools.

Eligible individuals registered with SchoolCafé (SchoolCafé User) will also be able to view information about the student account that has been provided and regularly updated by The School District. Such information will include account balance, payment details, usage history and details about the registered individuals.

Authorized personnel of The School District will have access to data and reports pertaining to The School District accounts to facilitate maintenance and administration of the system in specified areas defined by Cybersoft. Authorized personnel of The School District will assist registered users of the SchoolCafé system that require help managing and viewing student accounts maintained within The School District.

The School District shall provide uninterrupted access of information and data files that are required to update student account records on SchoolCafé. [AN1] Cybersoft declares that all content on the SchoolCafé website is provided on an "AS IS" and "AS AVAILABLE" basis from The School District without warranty of any kind, either expressed or implied, and that Cybersoft or any of its representatives is not liable for any direct, indirect, incidental, consequential, or specific damages arising out of or in any way connected with the access to or the use of this service.

Hyperlinks or icons of SchoolCafé may be included as links to this service on suitable locations within the web pages of The School District website. The School District may not use, distribute, modify, transmit, or post the content of the SchoolCafé web site for public or commercial purposes, including any text, images, audio, or video without Cybersoft's written permission.

The SchoolCafé web site and its contents are owned by Cybersoft or its affiliates or agents and are protected by United States copyright laws and international treaty provisions. All content, trademarks, services marks, trade names, logos, and icons are proprietary to Cybersoft or its affiliates or agents. Nothing contained on the SchoolCafé web site should be construed as granting, by implication, estoppels, or otherwise, any license or right to use any trademark displayed on this web site without the express written permission of Cybersoft or any such third party that may own the trademarks displayed on this web site. Your use of the trademarks displayed on this web site, or any other content on this web site, except as provided herein, is strictly prohibited.

SchoolCafé will process and accept payments as outlined in Exhibit A.

Individuals registered with SchoolCafé and/or The School District shall be charged a convenience fee as specified in Exhibit A for each transaction made using this service. This fee will be charged to the SchoolCafé User's credit card or check card at the time of the transaction and/or to the School District at the time of funds transfer to The School District's account, as indicated in Exhibit A. Cybersoft also reserves the right to change such convenience fees by providing a 30 day notice in writing, e-mail or website posting on the SchoolCafé website. Cybersoft will prominently notify individuals registering with SchoolCafé of any fees or charges the individual will incur by using the SchoolCafé service.

For payments made via the SchoolCafé system the student balances will be updated within 24 hours from the time of transaction. The School District agrees that Cybersoft will not be held responsible if such updates are not possible due to circumstances beyond Cybersoft's control. The School District agrees to accept the payments received at

# SchoolCafé Service Agreement

SchoolCafé as monies available to owners of the relevant student account even if actual transfer of such funds has not yet taken effect.

As a policy SchoolCafé does not allow sharing of any personal information to any third-party and affirms that the information will be used for the sole purpose of completing payment transactions and displaying the students' information to authorized users. The only exception to the rule is when it is required to disclose the information by law.

Cybersoft will make best efforts to transfer payments received by SchoolCafé (transferable funds) on behalf of The School District on a weekly basis to a bank account specified and authorized in Exhibit A of this agreement. Cybersoft will not be held responsible if there is a delay in such transfers of funds due to circumstances beyond Cybersoft's control. Other than the amounts to be transferred by Cybersoft, collecting any funds owed to The School District is the responsibility of The School District.

[This Agreement commences on the date of acceptance by The School District and continues until terminated by either party for any reason by providing a 30 days written notice to the other party.]<sup>[AN2]</sup>

**Disclaimer of Warranties.** ALL CONTENT ON THIS WEB SITE IS PROVIDED TO YOU ON AN "AS IS" and "AS AVAILABLE" BASIS WITHOUT WARRANTY OF ANY KIND EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, ACCURACY, AND NON-INFRINGEMENT. Cybersoft will present on the SchoolCafé website relevant information as captured by The School District staff and made available to Cybersoft. However, The School District will not hold Cybersoft responsible for disruption of SchoolCafé services caused by events beyond Cybersoft's control. Cybersoft makes no warranty as to the accuracy, completeness, currency, or reliability of any content that might have been tampered with or altered by anyone or any other event beyond Cybersoft's control. Cybersoft makes no representations or warranties that use of the service will be uninterrupted or error-free. The School District and SchoolCafé Users are responsible for taking all necessary precautions to ensure that any content obtained from the web site is free of viruses.

**Limitation of Liability.** Nothing in this Agreement shall be deemed a direct or indirect waiver of or limitation to any sovereign or governmental immunity, in any respect, applicable to the School District (including, without limitation, under the Pennsylvania Political Subdivision Tort Claims Act) or impose liability, directly or indirectly, on the School District from which it would otherwise be immune under applicable law.

**Violations and Additional Policies.** Cybersoft reserves the right to seek all remedies available at law and in equity for violations of the rules and regulations set forth in this web site, including the right to block access from a particular Internet address to the web site.

**Force Majeure.** Neither party shall be in default or otherwise liable for any delay in or failure of its performance under this Agreement, if such delay or failure arises by any reason beyond its reasonable control, including any acts of God, events of war, acts of terrorism, riots, fire, flood, earthquake, explosion or other natural disasters. Such obligation that cannot be performed shall be delayed until it can be performed, including interruption or termination of service by the Internet access provider being used by The School District. The party claiming excusable delay must promptly notify the other party, in writing, of such delay. If the delay continues for more than forty-five (45) days, the other party may terminate this Agreement by giving fifteen (15) days' written notice to the delaying party, provided, however, that this Agreement will not terminate if the party claiming excusable delay substantially performs the material obligation which has been delayed within such fifteen (15) days.

**Entire Agreement.** This Agreement, and any addendums to this agreement, together with any attachments referred to herein, constitutes the entire agreement between the parties with respect to its subject matter, and supersedes all prior agreements, proposals, negotiations, representations or communications relating to the subject matter. Both parties acknowledge that they have not been induced to enter into this Agreement by any representations or promises not specifically stated herein.

# SchoolCafé Service Agreement

**Governing Law.** These terms and conditions shall be governed and construed in accordance with the laws of the State of Pennsylvania, USA, without regard to conflict-of-laws provisions.

**Severability.** If any part of these Terms and Conditions of Use is unlawful, void or unenforceable, that part will be deemed severable and will not affect the validity and enforceability of any remaining provisions.

FOR: CYBERSOFT TECHNOLOGIES, INC.

NAME: BHASKAR PATEL

TITLE: VICE PRESIDENT

SIGNATURE:

DATE:

FOR: DERRY TOWNSHIP SCHOOL DISTRICT

Federal Tax Identification Number:

NAME: *Kathyl Sicker*

TITLE: *President*

SIGNATURE: *Kathyl*

DATE: *2/26/19*



# SchoolCafé Service Agreement

## Exhibit A

### Derry Township School District

**CONVENIENCE FEE:**

Convenience Fee at the rate of \$2.25 for each transaction will be assessed as follows:

FEE ASSESSED TO THE SCHOOLCAFÉ USER AT THE TIME OF THE TRANSACTION: \$ 2.25

FEE ASSESSED TO THE SCHOOL DISTRICT, DEDUCTED FROM THE TRANSFERABLE FUNDS: \$ 0

**PAYMENT LIMITS FOR EACH TRANSACTION:**

MINIMUM AMOUNT (NOT LESS THAN \$0): \$ 0.00

MAXIMUM AMOUNT (NOT MORE THAN \$100): \$ 100.00

**BONUS APPLICATION RULES:**

To encourage SchoolCafé Users to make electronic payments The School District offers bonuses on eligible payments as follows:

PERCENTAGE OF TRANSACTION AMOUNT TO BE CREDITED AS BONUS:   %

THE BONUS IS ONLY APPLICABLE ON TRANSACTION AMOUNTS GREATER THAN: \$           

**BANK INFORMATION**

BANKING INSTITUTION:

---

BANK ACCOUNT NAME:

---

BANK ROUTING NUMBER:

---

BANK ACCOUNT NUMBER:

---

BANK ACCOUNT TYPE: CHECKING/SAVING

---

I authorize Cybersoft Technologies, Inc. to transfer funds received through SchoolCafé on behalf of The School District into the bank account listed above. However, Cybersoft is not authorized to debit, deduct or otherwise withdrawal or transfer funds from the bank account of the School District listed above.

NAME:

---

TITLE:

---

SIGNATURE:

---

DATE:

---