

## **Solicitation #13-002**

### ***A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up***

**Original**

Presented by:

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A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

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[www.upslopes.com](http://www.upslopes.com)

Response to Solicitation #13-002

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# **A PROPOSAL FOR EFFECTIVE IMPLEMENTATION OF STUDENT & STAFF CODE OF CONDUCT MONITORING AND FOLLOW-UP**

## **TABLE OF CONTENTS**

SECTION A: GENERAL INFORMATION .....	1
LETTER OF INTEREST .....	1
EXECUTIVE SUMMARY .....	3
SECTION B: METHOD OF APPROACH/STATEMENT OF UNDERSTANDING .....	7
BUSINESS REQUIREMENT #1 .....	7
BUSINESS REQUIREMENT #2 .....	7
BUSINESS REQUIREMENT #3 .....	8
BUSINESS REQUIREMENT #4 .....	10
BUSINESS REQUIREMENT #5 .....	10
BUSINESS REQUIREMENT #6 .....	10
PROPOSED IMPLEMENTATION SCHEDULE .....	12
SECTION C: EXPERIENCE .....	13
SECTION D: KEY PERSONNEL .....	15
SECTION E: PRICING SCHEDULE .....	17
SECTION F: OFFER AND ACCEPTANCE FORM .....	19
SECTION G: MISCELLANEOUS .....	21
SECTION H: EXCEPTIONS TO TERMS AND CONDITIONS .....	23
EXHIBIT A: IMPLEMENTATION SCHEDULE .....	25
EXHIBIT B: REFERENCES .....	27
EXHIBIT C: PRICING SCHEDULE .....	29
REFERENCES CITED .....	31

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## **SECTION A: GENERAL INFORMATION**

### **LETTER OF INTEREST**

January 4, 2013

Dr Richard Wilde, Superintendent  
San Carlos Unified School District # 20  
District Office  
San Carlos Avenue  
San Carlos, AZ 85550

Re: An Offer for Solicitation # 13-002

Dear Dr Wilde:

Enclosed in this document is the UpSlope offer for solicitation response for RFP 13-002. It details the structure, product, and deliverables that UpSlope Solutions, LLC, will provide in response to the Scope of Work requirements of the RFP. UpSlope is honored to have received your solicitation. We are excited about this opportunity to work with San Carlos Unified School District # 20 for the "Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up" in accordance with the stated requirements of the RFP.

My partner, Randall Eden, and I, have had several conversations in our office about your solicitation requirements and are confident that the UpSlope scope of work recommendations included in this response will meet your specific needs. We have detailed these recommended solutions to you in this "Notice of Request for Proposal" response.

We believe we are the team to work closely with and execute a research-supported strategy that will provide a positive and consensus-building shift in implementation of student & staff code of conduct monitoring and follow-up, while you continue to build the highest quality school district for your community's kids and staff.

We see this opportunity as a chance to customize and execute a successful research-supported value solution that, over the course of this contract and into the future, will create long-term achievement success and reduce your risk as you manage your human potential for both employees and students. To do this, UpSlope has developed solutions that implement research-supported skills, turning identified goals into successful outcomes. If selected to complete this contract we will support you from day one and forward with focused and unheard of customer service. There is a reason why we have been the risk management solution of choice in over twelve hundred school districts nationwide: The company's level of customer service.

We want to thank you for your willingness to allow us to respond to this RFP. We sincerely hope that you choose us to become your contractor and partner in this offer.

Sincerely,



CEO & Co-founder  
UpSlope Solutions LLC  
P.O. Box 10683  
Glendale, AZ 85318

Response to Solicitation #13-002

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## **EXECUTIVE SUMMARY**

### **ABOUT US**

UpSlope is a company that follows research-supported approaches and solutions based on a belief that real benefits result from interacting with data as part of an ongoing process of educational change. This approach empowers UpSlope and its customers to identify real issues in schools as a way of deciding what to do next. It is our goal to make facts useful rather than burdensome. This proposal and scope of work uses evidence of all kind to increase clarity and reason to move the San Carlos Unified School District forward. This approach utilizes monitoring and follow-up by gathering input, planning for, and implementing change through an action research consensus building approach to program improvement.



UpSlope Solutions is an Arizona-based Limited Liability Corporation founded in 2004. The company is a growing and nationally recognized provider of high quality, research-supported risk management products, multimedia training, software and action research consulting services, using data as a policy lever for justifying professional development support, and accountability-related consulting services in the public education sector.

Together, the company's managing partners have over 38 years of direct classroom, administrative, school board, and state legislative experience in the public service sector. Additionally, the partners have over 25 years of software development, product marketing, and large-scale project management expertise in the private sector.

UpSlope license's products and services to State Departments of Education, Education Service Centers, public and private school districts and charter organizations. To date UpSlope products and services are in over 1,200 plus school districts in 17 states providing researched-supported solutions that influence student growth.

### **UPSLOPE PRODUCTS, SERVICES, & CAPABILITIES**

UpSlope is very experienced and capable of completing this proposal requirements based on the following products & service benefits and features:

#### **1. The Employee Discipline in an Education Environment© - leadership staff development series.**

##### **Features:**

- Integrated best practices from both the legal and education communities
- Activity-based learning in an easy to understand "to-the-point" format
- DVD-based re-enactments of dozens of actual cases from around the country
- Multiple opportunities to practice new skills in an "offline" environment
- Integrated baseline and summative assessments to measure concept and skill attainment

##### **Benefits:**

- Target the actions and behaviors of your "front-line" personnel who are most instrumental to proactive discipline-related risk management
- Increase "leadership capital" in a frequently-cited "problem area" in which most school leaders receive little or no meaningful training
- Create a context for peer collaboration and group problem solving around issues most often described as "pain points" by schools and districts
- Improve the consistency of conduct management efforts within your school or district



## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

- Lay the foundation for a data-driven plan to effect institutional change around a specific area of risk in your school or district
- Provide direct support for your existing/planned accountability-related initiatives intended to increase student achievement
- Make a paradigm shift from reactive incident management

### 2. **Employee Code of Conduct™** - design and implement employee behavior expectations.

#### **Features:**

- Specifically designed guidelines and templates for each state
- Support tools for creating school or district employee codes of conduct
- Matrices for establishing reasonable and appropriate actions based on misconduct level
- Decision support rubrics to aid in the identification of aggravating and mitigating circumstances
- Pre-designed templates to create documentation examples for disciplinary actions.

#### **Benefits:**

- Align disciplinary workflows to federal law, state statute and district policy
- Reduce discipline-related grievances or complaints of unfair labor practices
- Manage misconduct situations in a consistent, equitable and reasonable manner
- Enforce high standards of ethical conduct for employees of all classifications
- Minimize employee conduct issues to maximize student achievement

### 3. **Employee Discipline Support Suite State™** - integrated HR database management system.

#### **Features:**

- Integrated Human Resource Management System (HRMS) platform
- Employee code of conduct, progressive discipline and supervisory relationship maintenance tools
- Digital Official Personnel Files (OPFs) and Unofficial Supervisor Files (USFs)
- Aggravating and mitigating factors-based disciplinary event logging
- Multi-level event and supervisor performance reporting.

#### **Benefits:**

- Standardize case management workflows with a discipline-supporting HRMS with a surprisingly low total cost of ownership
- "Go green" with disciplinary and other HR records in compliance with state environmental laws or board policies (where applicable)
- Grant or restrict access to sensitive data on a "need to know" basis at the group or user levels throughout your organizational hierarchy using your secure network
- Review pending disciplinary decisions or coach newer administrators/supervisors
- Improve productivity of supervisors by minimizing average disciplinary case management time
- Identify and correct potentially ineffective or risky disciplinary trends
- Monitor event activity, prevalence, distribution, decision consistency and code compliance throughout the school or district

### 4. **Student Code of Conduct™** - design and implement student behavior expectations.

#### **Features:**

- Specifically designed guidelines and templates for each state

Response to Solicitation #13-002

## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

- Support tools for creating school or district student codes of conduct
- Matrices designed to establish reasonable and appropriate behavior management actions based on level of misconduct
- Decision support rubrics to aid in the identification of aggravating and mitigating circumstances
- Integrated support for positive behavior management programs and special education concerns

### **Benefits:**

- Develop a comprehensive “game plan” for preventing and managing student behavior issues
- Communicate a common understanding of the school or district behavior management philosophy among all stakeholders
- Address ineffective or indefensible behavior management practices or past allegations of unreasonable, unfair or inconsistent student discipline
- Ensure statutory compliance for IDEA/Section 504/ADA students when actions may impact a Free & Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE)
- Minimize employee conduct issues to maximize student achievement

## **5. Special Education Guidelines™** - state specific regulatory management system.

### **Features:**

- Specifically designed guidelines and templates for each state
- Implementation support tools for creating or updating special education workflows using federal and state standards
- Task-linked catalogue of documentation examples to help district administrators, IEP - team members and teachers properly deliver special education services.

### **Benefits:**

- Communicate a common understanding of the school or district special education process among all stakeholder groups
- Ensure statutory compliance before, during and after service delivery with pre-loaded cross-references to federal and state law
- Identify potentially ineffective or indefensible service delivery practices
- Address past allegations of unreasonable, unfair or inconsistent service delivery/denial
- Provide clear procedural workflows, case evaluation considerations and decision support to “front line” staff

## **6. Action Research Consulting™** – comprehensive collaborative solutions for schools & districts.

### **Features:**

- Identification of the problem(s) or issue(s) to be investigated
- Consensus building surrounding the reason(s) for the problem(s) or issue(s)
- A research-supported solution plan for the identified problem(s) or issue(s)
- Collection of relevant data and information
- Evaluation of plan effectiveness against established metrics and recommendations for ongoing inquiry.

### **Benefits:**

- Shift cultural paradigms in a way that embraces operational change as a process rather than as an event



## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

- Create or improve goal-focused, solutions-oriented collaboration among multiple stakeholder groups with the assistance of a neutral third party
- Achieve "buy-in" among those employees most directly responsible for actively implementing solutions to the problems they deal with on a daily basis
- Empower staff with the means to make more meaningful and engaged contributions to the mission of the school or district
- Establish the scaffolding needed to implement data-driven decision making until "front-line" personnel are self-sustaining

### **TESTIMONIALS**

*"The Employee Code of Conduct we developed as a result of our work with David Braswell and Upslope has been instrumental in providing our employees with job performance expectations. Documentation of incidences of employee misconduct to the official personnel file have decreased significantly because supervisors have a formalized process for correcting staff misbehavior at the informal level before the behavior escalates to something more serious requiring official discipline."*

Gerald Cox, HR Director  
Trotwood Madison Schools,  
Dayton, OH

*"This program was clear, well-paced and, most of all, worth the investment. It was timely for me and has helped to fill a serious gap in my district. I also recommend it heartily to any and all school districts."*

Dr. John McEwan  
Superintendent  
Whitman, MA

*"I have found the progressive discipline rubrics invaluable and have been using them to "check" my evaluative skills regarding various discipline measures already made (and to be made) and have been very pleased that I have been on target! I greatly appreciate using algorithms as support especially when each criterion is clearly and objectively worth consideration."*

Anne Hanson, Ed.D.  
Classified Employee Relations  
Scottsdale, AZ

*"I am impressed!"*

Lori Nixon  
Supervisor of Special Education  
Columbia, TN

*"This is a great tool to help administrators to understand the process and make consistent and sound decisions about disciplining employees. "*

D. Rex Shumway, Esq.  
In-House Counsel  
Glendale, AZ



## **SECTION B: METHOD OF APPROACH/STATEMENT OF UNDERSTANDING**

### **BUSINESS REQUIREMENT #1**

The successful vendor will provide all requirements for implementation process using research-supported comprehensive, collaborative solutions for facing important policy and/or procedure shifts associated with the goals of Cycle I and Cycle II.

*PROPOSAL: UpSlope-recommended solutions will include research-supported strategies and procedures such as those highlighted in the following reference materials:*

1. Earl, L. M., & Katz, S. (2006). *Inquiry habit of mind. In Leading schools in a data rich world Harnessing data for school improvement.* Thousand Oaks, CA: Corwin Press.
2. Elder, C. H. (2004). *Discipline doesn't have to be difficult.* Lanham, MD: Scarecrow Education.
3. Herr, K. G., & Anderson, G. L. (2005). *The action research dissertation: A guide for students and faculty.* Retrieved from Argosy University eBooks.
4. Picciano, A. G. (2006). *Data-driven decision making for effective school leadership.* Upper Saddle River, NJ: Jeffery W. Johnston.
5. Sergiovanni, T. J. (1992). *Moral Leadership Getting to the heart of school improvement.* 989 Market St. San Francisco CA: Jossey-Bass.
6. Stringer, E. T. (2007). *Action research (3rd ed.).* Thousand Oaks, CA: Sage Publications, Inc.

### **BUSINESS REQUIREMENT #2**

The services provided will utilize change theory, data-driven decision-making research supported design and implementation. Only researched-supported proven strategies will be considered for implementation to ensure and assure that all key stakeholders understand and implement the required Cycle I and Cycle II monitoring guidelines in a thoughtful and supportive way.

*PROPOSAL: UpSlope-recommended solutions will include the use, design and implementation of:*

1. *Innovation Configurations and implementing change (Hall & Hord, 2011, p. 90-112) to:*
  - Clarify Change.
  - Guide Construction of a Professional Learning Community.
  - Plan and implement diagnostic supports for planning needed future professional development.
  - Creation of coaching Innovation Configuration maps to guide refinement of Cycles I & II implementation.
  - Creation of self-reflection Innovation Configuration maps to encourage self-assessment.
  - Stages-of-Concern about the recommended innovations for Cycles I & II implementation.
  - Create a DIP component analysis flowchart.
  - Create a SWAT analysis flowchart.
  - Create a SWOT analysis flowchart.
2. *Harnessing and Using Data for School Improvement and Informed Decision Making: (Earl & Katz, 2006, p. 17-22, 101-108)*
  - *Sustaining the Process: The Cycle-of-Inquiry identifying the current picture for three months and then reevaluating through input, planning and refined implementation for the final three months of the contract.*
3. *Reinventing Leadership when dealing with behavior management issues will include: (Sergiovanni, 1992, p. 1-57)*
  - *Identifying and discussing with participants what motivates effective leaders.*

Response to Solicitation #13-002

## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

- *The sources of authority.*
- *Leadership as Stewardship.*
- *Leadership that results in others enjoy following and refinement.*
- *Leadership that removes obstacles, provides materials and emotional support, taking care of management details that make the implementation of Cycles I & II easier and growth oriented (Sergiovanni, 1992, p. 43).*

### **BUSINESS REQUIREMENT #3**

The monitoring, reporting and assistance provided will be to help key stakeholders participate in finding solutions and understand their role in implementation and ongoing monitoring of the outcomes.

#### Sub-requirement #3a: Identify the issues with key stakeholder(s) participation.

*PROPOSAL: UpSlope-recommended solutions will provide a qualified UpSlope Action Research consultant to work with all district leadership to identify key stakeholder issues associated with the implementation of Cycle I and Cycle II as presented in the District RFP. The facilitator will use research reference recommendations (Hall & Hord, 2011).*

1. *The deliverables provided will include identifying current staff levels of use with program requirements of Cycle I and Cycle II. (Hall & Hord, 2011, p. 94-98).*
2. *Create a final evaluation of Levels of Use that will include identification of levels of nonusers and classify each into the following categories:*
  - *Level of Use 0 – Nonuse-requiring retraining of Cycles I & II of users knowing nothing about the innovation.*
  - *Level of Use I – Orientation-orientate and reintroduce concept requirements to individuals showing willingness to learn more about Cycles I & II implementation.*
  - *Level of Use II – Preparation-Use has not started yet but user intends to use the Cycle I and II requirements.*
  - *Level of Use III – Mechanical-Use of the Cycles I & II requirements are disjointed and inefficient.*
  - *Level of Use IVA – Routine-Has mastered the innovation of Cycles I & II and its use and has established a regular way of working with it.*
  - *Level of Use IVB – Refinement-Users make adaptations in the innovation of Cycles I & II and in their use of it with the intention of increasing client benefits.*
  - *Level of Use V-Integration-Renewal-These users are identified as refining the Cycles I & II implementation requirements in a satisfactory manner and does so by collaborating with others. This modification may constitute one significant addition or adjustment, or it may comprise multiple small adaptations that may add up to a significant and positive change in the implementation and outcome of Cycles I & II.*

#### Sub-requirement #3b: Strive to reach consensus around the issues.

*PROPOSAL: UpSlope-recommended solutions will follow the research as presented in (Stringer, 2007) and will include:*

1. *Setting the stage and facilitate to seek consensus by:*
  - *Identifying Stakeholder Groups.*
  - *Identifying Key Participants.*
  - *Establishing Roles of Key Participants.*
  - *Constructing a Preliminary Picture.*
  - *Gather Data.*
  - *Interview through guided reflection key participants.*

Response to Solicitation #13-002



## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

- Create focus groups.
- Gather documents, records surveys, and reports.
- Create a school culture profile with recommendations.
- Analyze key concerns and make recommendations for consensus-derived solutions.
- Identify priorities for action.
- Create action plans.
- Support, model and linking.

Sub-requirement #3c: Design 'innovation configuration(s)' highlighting where the issue(s) begin and when the issue(s) have been resolved to the satisfaction of administration and all key stakeholders.

*PROPOSAL: UpSlope-recommended solutions will include design of the following:*

1. An Innovation Configuration that will serve as a record of how the innovation of Cycles I & II is being used by key participants. It will contain descriptive word pictures for each implementation requirement for Cycles I & II.
2. Key components of the Innovation Configuration Map will be completely dependent on key participant consensus.
3. The IC map is to present carefully developed consensus descriptions of different units and activities to complete the requirements of Cycles I & II implementation (Stringer, 2007, p. 48).

Sub-requirement #3d: Achieve goal-focused, solutions-oriented collaboration among stakeholders with neutral third party support.

*PROPOSAL: UpSlope-recommended solutions will (Stringer, 2007, p. 57):*

1. Assure all key participants that their opinion is valued and recommended solutions will only come from consensus.
2. Use research procedures that are clearly defined to all key participants and open to scrutiny.
3. Use evidence that the procedures described by key participants and peer reviewed solutions actually took place.

Sub-requirement #3e: Create "buy-in" consensus among all key staff most directly responsible for implementing solutions to operational problems and issues.

*PROPOSAL: UpSlope recommended solutions will work with key participants in reaching critical mass such that at a certain point, activity and rate of adoption of Cycle I and II requirements becomes self-sustaining (Hall & Hord, 2011, p. 223).*

Sub-requirement #3f: Empower the key stakeholders to make meaningful and engaged contributions to the districts success when addressing operational problems and issues.

*PROPOSAL: UpSlope-recommended solutions will (Earl & Katz, 2006, p. 14):*

1. Facilitate the evaluation of effectiveness.
2. Describe high-quality performance.
3. Provide feedback about appropriate performance.
4. Provide measurement of program effectiveness of Cycles I & II.
5. Encourage and convince stakeholders for the need for meaningful change by orchestrating a consensus derived solution to concerns.

## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

Sub-requirement #3g: Establish key stakeholder 'refocusing' by allowing them to collaborate and willingly explore more universal benefits from the innovation(s) implemented, including their willingness to consider the further possibility of major changes or replacement of existing solutions initially put in place with a more powerful alternative.

*PROPOSAL: UpSlope recommended solutions will (Earl & Katz, 2006, p. 13-14):*

1. *Implement the requirements by seeking input from key participants and discover issues to reveal problems that may otherwise remain hidden.*
2. *Ascertain the needs of the key participants and identify Cycles I & II strengths and weaknesses.*
3. *Diagnose the situation by determining the root cause of potential areas of concern.*
4. *Target specific areas for improvement based on the feedback.*
5. *Provide criteria for focusing on high priority goals.*
6. *Forecast future Conditions and needs and report suggested solutions and concerns to key participants.*
7. *Improve policy and practice.*
8. *Reach consensus with key stakeholders to reform and refine Cycles I & II process.*
9. *Facilitate the building of a culture of inquiry and continuous improvement.*

### **BUSINESS REQUIREMENT #4**

Provide research-supported products and services enhancing the ongoing leadership staff development skills as presented during Cycle I, Phase I.

*PROPOSAL: UpSlope-recommended solutions will include one-on-one practice using the skills presented in Cycles I & II.*

### **BUSINESS REQUIREMENT #5**

Provide research-supported enhancement and revision of the San Carlos Employee, Student, and SPED codes of expectations as designed and developed during in Cycle II, Phase II.

*PROPOSAL: UpSlope recommended solutions will include changes and edits to existing employee and student code upon recommendation by either vendor or key participants through consensus will be provided in person during contract by phone, email and/or the web.*

### **BUSINESS REQUIREMENT #6**

Provide the training for use of the San Carlos Employee Discipline Support Suite in the following areas:

Sub-requirement #6a: Ongoing support of the Employee code of conduct, progressive discipline, and supervisory relationship maintenance tools.

*PROPOSAL: UpSlope will provide ongoing support in these areas for the duration of the contract.*

Sub-requirement #6b: Ongoing support in the use of digital office personnel files and unofficial supervisor files in electronic and print format.

*PROPOSAL: UpSlope will provide this support within the context of its Cycles I & II database management system currently installed at San Carlos for the duration of this contract.*

Sub-requirement #6c: Ongoing support in event logging of identified aggravating and mitigating factors rubric and provide ongoing support in how to determine the appropriate level of disciplinary action using the existing San Carlos Employee, Student, and SPED Codes as designed and implemented in previous cycles.



A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

*PROPOSAL: UpSlope will provide this support as required for the duration of this contract.*

Sub-requirement #6d: Ongoing support in the effective use of multi-level event and supervisor performance reporting.

*PROPOSAL: UpSlope will provide this support as required for the duration of this contract.*

Sub-requirement #6e: Ongoing support and researched-based suggestions on how to go 'Green' with disciplinary and other HR records.

*PROPOSAL: UpSlope will provide this support within the context of using its current HR management system for the duration of this contract.*

Sub-requirement #6f: Ongoing support on reviewing pending disciplinary decisions and continuous coaching of newer and struggling key stakeholders.

*PROPOSAL: UpSlope will provide this support within the context of using its current HR management system for the duration of this contract. Per previous requirement, all key participants will be identified as to the Level of Use they are operating and support and additional training will be provided accordingly.*

Sub-requirement #6g: Ongoing support improving productivity of administrators, supervisors, (employee discipline techniques), by minimizing average case management time.

*PROPOSAL: UpSlope will work with key participants in large, medium and small group settings to practice key elements of the Cycles I & II elements. UpSlope will model and facilitate improvement of case management time.*

Sub-requirement #6h: Ongoing support improving productivity of teachers and administrators, (student discipline techniques), by minimizing average case management time.

*PROPOSAL: UpSlope will work with key participants in large, medium and small group settings to practice key elements of the Cycles I & II student discipline techniques and use of the product elements. UpSlope will model and facilitate improvement of case management time.*

Sub-requirement #6i: Ongoing support improving productivity of key stakeholders following SPED guidelines and requirement implementation.

*PROPOSAL: UpSlope will work with key participants in large, medium and small group settings to practice key elements of the Cycles I & II student discipline techniques and use of the product elements. UpSlope will model and facilitate improvement of case management time.*

Sub-requirement #6j: Monitor, report and track Employee Discipline, Student Discipline and SPED code requirements event activity, prevalence, distribution, decision consistency and code compliance throughout the contract period.

*PROPOSAL: UpSlope will use or develop an event activity template for each of the requirements as stated for the duration of the contract.*

Sub-requirement #6k: Design event activity tracking templates for use after the ongoing support has expired on June 30, 2012.

*PROPOSAL: UpSlope will leave the designed event tracking templates for use by the district.*



## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

Sub-requirement #6l: Ongoing support providing a researched-based plan for preventing and managing student behavior and employee behavior issues.

*PROPOSAL: UpSlope will provide this researched-based support plan as currently in place in Cycles I & II.*

Sub-requirement #6m: Design and communicate a district approved common understanding of the districts behavior management philosophy among all stakeholders.

*PROPOSAL: UpSlope will work with key participants in the development of a consensus derived 'Ethical Philosophy' and District-Behavior Management Vision and Mission Statement.*

Sub-requirement #6n: Monitor, report, and assist in providing researched-supported intervention to address identified ineffective behavior management practices that can increase legal risk to the district and can negatively impact student achievement.

*PROPOSAL: UpSlope will make daily reports to the superintendent and/or his designee and make documented recommendations regarding the findings.*

Sub-requirement #6o: Monitor, report, and assist in providing adherence to statutory compliance for IDEA, Section 504/ADA.

*PROPOSAL: UpSlope will provide ongoing practice in use of the UpSlope IDEA and Section 504/ADA guidelines currently in effect. UpSlope will only make one-on-one recommendations for guideline use improvement within the scope of the UpSlope materials currently in place.*

Sub-requirement #6p: Monitor, provide, and assist in providing clear research-supported behavior management workflows for administrators, teacher(s), and other key stakeholder(s) where appropriate.

*PROPOSAL: UpSlope will design with key participants flow charts for administrators, teachers and other key participants in the use of the currently installed Cycle I & II products.*

Sub-requirement #6q: Review with key stakeholder staff a common understanding of the district special education process.

*PROPOSAL: UpSlope will meet this requirement as stated in either large, medium or small group settings during the duration of the contract.*

Sub-requirement #6r: Monitor, report, and assist in providing a clear procedural workflow and case evaluation considerations with all key stakeholders.

*PROPOSAL: UpSlope will design with key participant's user and decision making flow charts for administrators, teachers and other key participants in the use of the currently installed Cycle I & II products. UpSlope will gather reports of use be submitted for review and evaluation for the duration of this contract and report findings to superintendent or his designee.*

## **PROPOSED IMPLEMENTATION SCHEDULE**

RFP #13-002 requires the successful vendor to spend three-days per month onsite fulfilling the requirements as stated herein and one-day per month devoted to offsite work follow-up research, and preparation for the next visit. UpSlope has proposed a schedule for these deliverables through the contract pending finalization of specific dates with the district (see [Exhibit A](#)). The company recommends that the first month implementation be scheduled during last week of January 2013 (ideally January 28-30, 2013) to ensure maximum benefit for the district under this proposal. The company suggests, but does not require, that the subsequent month's schedule be finalized in concert with the superintendent and his designated leadership team.

Response to Solicitation #13-002



## SECTION C: EXPERIENCE

UpSlope has worked with several, on- and off-reservation schools and districts, serving high need student populations. In this capacity, the company has worked in the area of training, employee code development, student code development, and HR database management in the following Native American schools and districts:

Off-Reservation Native American Schools	
District/School	Product Implementations
Wingate Elementary and Middle School Diane Owens, Superintendent 565 Dineh Ft. Wingate, NM 87316	Employee Discipline in an Education Environment Employee Code of Conduct
On-Reservation Native American Schools	
District/School	Product Implementations
Window Rock Unified School District Dr. Deborah Dennison-Jackson, Superintendent Navajo Route 12 Fort Defiance, AZ 86504	Employee Discipline in an Education Environment Employee Code of Conduct Employee Discipline Support Suite Student Code of Conduct
Pinon Unified School District Larry Wallen, Superintendent 1 Mile North of Pinon Hwy. Pinon, AZ 86510	Employee Discipline in an Education Environment Employee Code of Conduct UpSlope-Certified Training Site
Tuba City Unified School District Bill Higgins, Superintendent 67 N. Spruce Drive Tuba City, AZ 86045	Employee Discipline in an Education Environment Employee Code of Conduct
Tiospa-Zina Tribal School Ted Hamilton, Superintendent 2 Tiospa Zina Drive Agency Village, SD 57262	Employee Discipline in an Education Environment Employee Code of Conduct Employee Discipline Support Suite
Enemy Swim Day School Debra Rumpza, Superintendent 13525 446th Avenue Waubay, SD 57273	Employee Discipline in an Education Environment Employee Code of Conduct

Arizona-based references for these implementations are included with this proposal (see [Exhibit B](#)).

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## **SECTION D: KEY PERSONNEL**

Each of the following managing partners of UpSlope will be assigned to this project and have authority to make decisions on behalf of the company, and no subcontractors will be assigned by the company to this project:

### **David Braswell, CEO and Co-founder UpSlope Solutions**



David Braswell is a retired Arizona State Senator, award-winning educator, education researcher, businessperson, devoted husband of 27 years, and, most importantly, the father of three daughters, one granddaughter, and one grandchild on the way.

As a retired Arizona State Senator, CEO & Co-founder of UPSLOPE Solutions LLC, Braswell has more than 33 years of experience in educational practice and research. He has spent over two decades designing curriculum management software that has helped educators plan and focus on standards-driven curriculum management and research-based professional development programs. Educated at Western Carolina University, Braswell received a Bachelor of Science in Education in 1979, followed by a Master of Education in Administration in 1986. He currently is a doctoral student completing his Ed.D in Advanced Educational Leadership at Argosy University. He has held positions as a teacher, principal and chief school district administrator in Georgia, North Carolina, South Dakota, and New Mexico. Born in Robbinsville North Carolina near the Cherokee Qualla Boundary, Braswell spent more than ten years as chief school administrator with the Bureau of Indian Affairs. During his tenure, he served as one of six administrative negotiators representing the US Dept. of Interior in contract negotiations with the National Federation of Education Employees.

Braswell's standards reform research and technology driven solutions have been made available worldwide through PLATO Learning Company, McREL, Mid-continent Research Education Lab, and the Association for Supervision and Curriculum Development (ASCD). His co-founded research-based Legal Issues & Risk Management professional development programs are have been sold nationally through sponsorship agreements with state-to-state Administrator Associations in Arizona, Idaho, Kentucky, Iowa, Illinois, Ohio, West Virginia, Massachusetts, North Carolina, Tennessee and Vermont.

Braswell is the author/co-author & co-designer of numerous instructional, curriculum and standards assessment management software systems that currently include *Legal Issues & Risk Management in Education Professional Development Series*, *TeachMaster: Polaris*, *Standards Toolkit*, *Standards Record Keeping & Reporting*, *Standards Reference Master*, *Standards Design Master*, *Standards Vocabulary Master*, *Standards Assessment Resource Library*, and *Standards Teaching Activities and Plans*.

### **Randall Eden, President & Co-founder UpSlope Solutions**



Randall Eden is a pioneering educator, instructional designer and operations analyst. He and his wife of 10 years, Randi, have lived in the Phoenix metropolitan area for sixteen years.

Eden is currently the President & Co-Founder of UpSlope Solutions and co-author of the Risk Management in Education (RME) Series. Prior to co-founding UpSlope, Randall served as the Director of Learning Management Systems (LMS) Development at PLATO Learning and as the Director of Operations at TeachMaster Technologies.

## A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

Randall has 18 years of experience in the public education and business sectors and has led the standards and accountability movement in K-12 education from theory into practice on multiple fronts. Since his transition from the classroom to the private sector in 2000, Eden has overseen the design, development and implementation of the Polaris® standards-referenced curriculum management system for K-12 school districts, the Publisher's Edition of the Orion® AIS Editor, customized LAN-based standards-referenced instructional management systems for dozens of school districts in the U.S. and abroad.

Educated at the University of Colorado and Colorado State University, Randall graduated Phi Beta Kappa with a Bachelor of Arts degree in Molecular, Cellular and Developmental Biology in 1985 and was certified as a secondary science educator in 1994. During his tenure as a teacher of sixth to twelfth grade students in multiple content areas within the Cherry Creek School district in suburban Denver and the Glendale Union High School District of urban Phoenix, Eden designed and piloted several accountability-driven assessment and evaluation tools, including an early state proficiencies-based portfolio system in 1994 and served on two site-based management teams.

Randall served as a founding Council Member of the Open Source Portfolio Initiative (OSPI) from 2003 to 2004, a university-based project that provided alternative assessment products and services to K-12 and university students in the U.S. and abroad. Eden was also elected to a three year term as President of the Eagle Cove Homeowner's Association in 2006 and remains active in community affairs.

Currently, Randall is encouraging public school districts and charter organizations to expand their use of data-driven decision making into traditionally "high risk" operational areas that are often overlooked. Eden's decision support and risk systems modeling tools for this purpose have received wide acclaim among school leaders across the country seeking to reduce the potential for disciplinary bias and subjectivity over time and between schools.



## SECTION E: PRICING SCHEDULE

A summary of the costs incurred by the district under this proposal is as follows:

#	LINE ITEM	RATE	SUBTOTAL
18	Onsite days	\$1,895.00	\$34,110.00
6	Offsite days	\$1,695.00	\$10,170.00
TOTAL:			\$44,280.00
SALES TAX @ 9.3%			\$0.00
GRAND TOTAL:			\$44,280.00

A line item breakdown is included with this proposal (see Exhibit C). Differential onsite and offsite rates apply. Related travel, lodging and per diem will be billed separately for each preceding month per rates in pricing schedule.

Terms: Net 30 (thirty).

A copy of the company's W-9 is already on file with the district.

\$1,845

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## SECTION F: OFFER AND ACCEPTANCE FORM

### OFFER AND ACCEPTANCE

Student and Staff Code of Conduct Monitoring and Follow-Up  
RFP 13-002

The Undersigned hereby offers and agrees to furnish the material, service or construction in compliance with all terms, conditions, specifications, and amendments in the Solicitation and any written exceptions in the offer.

Arizona Transaction (Sales) Privilege Tax License No.:

20065223

Federal Employer Identification No. 56-2454190

Tax Rate: 9.3%; DOES NOT APPLY TO PROJECT %

UPSLOPE SOLUTIONS LLC

Company Name  
P.O. BOX 10683

Address  
GLENDALE, AZ 85318

City State Zip

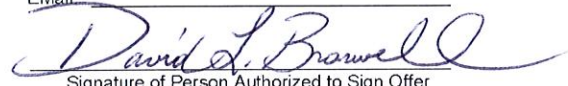
For clarification of this offer, contact:

Name: DAVID BRASWELL

Phone: (800) 599-0350 x1

Fax: (623) 374-4881

E-Mail: DBRASWELL@UPSLOPES.COM



Signature of Person Authorized to Sign Offer

DAVID BRASWELL

Printed Name  
CEO & CO-FOUNDER

Title

### CERTIFICATION

By signature in the Offer section above, the offeror certifies:

1. The submission of the offer did not involve collusion or other anti-competitive practices.
2. The offeror shall not discriminate against any employee or applicant for employment in violation of State Executive Order 99-4, 2000-4 or A.R.S. §§ 41-1461 through 1465.
3. The offeror complies and maintains compliance with FINA, ARS § 41-4401 and § 23-214, which requires compliance with federal immigration laws by State employers, State contractors and State subcontractors in accordance with the E-Verify Employee Eligibility Verification Program.
4. The offeror shall comply with fingerprinting requirements in accordance with ARS § 15-512, unless otherwise exempted.
5. In accordance with ARS § 35-397, the offeror hereby certifies that the offeror does not have scrutinized business operations in Iran and/or Sudan.
6. By submission of the offer, the offeror acknowledges ARS § 35-391, which prohibits the State and its political subdivisions from purchasing from companies that are in violation of the Export Administration Act.
7. The offeror has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted offer. Failure to provide a valid signature affirming the stipulations required by this clause shall result in rejection of the offer. Signing the offer with a false statement shall void the offer, any resulting contract and may be subject to legal remedies provided by law.

### ACCEPTANCE OF OFFER

The offer is hereby accepted.

The Contractor is now bound to sell the materials or services listed by the attached contract and based upon the solicitation, including all terms, conditions, specifications, amendments, etc., and the Contractor's Offer as accepted by the San Carlos Unified School District/public entity.

This contract shall henceforth be referred to as Contract No. 13-002.


The Contractor has been cautioned not to commence any billable work or to provide any material or service under this contract until Contractor receives purchase order, contract release document, or written notice to proceed.

Awarded this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

AUTHORIZED SIGNATURE

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## SECTION G: MISCELLANEOUS

ACORD		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 02/17/2012			
<p>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.</p> <p>IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).</p>							
<b>PRODUCER</b> Phone: (480) 348-2200 Fax: (480) 348-2199 <b>DESERT MOUNTAIN INSURANCE SERVICES, INC.</b> 2918 N. 67TH PLACE SCOTTSDALE AZ 85251			<b>CONTACT NAME:</b> DESERT MOUNTAIN INSURANCE SERVICES, INC. <b>PHONE (A/C, No. Ext):</b> (480) 348-2200 <b>FAX (A/C, No.):</b> (480) 348-2199 <b>E-MAIL ADDRESS:</b> <b>INSURER(S) AFFORDING COVERAGE:</b> INSURER A : Zurich / Maryland Casualty Company NAIC # 19356 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :				
<b>INSURED</b> Upslope Solutions, LLC 5833 W. Desperado Way Phoenix, AZ 85083							
<b>COVERAGES</b> <b>CERTIFICATE NUMBER: 32061</b> <b>REVISION NUMBER:</b>							
<p>THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.</p>							
INSR	TYPE OF INSURANCE	ADD'L	SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
LTR		INSR	WVD		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO <input type="checkbox"/> LOC <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> SCHEDULED <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> NON-OWNED <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> AUTOS <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			PAS002248567	03/16/12	03/18/13	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED. EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ Excluded GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$ WC STATUTORY LIMITS \$ OTH ER \$ E.L. EACH ACCIDENT \$ E.L. DISEASE-EA EMPLOYEE \$ E.L. DISEASE-POLICY LIMIT \$
A	<b>Business Personal Property</b> Computers			PAS002248567	03/16/12	03/18/13	\$25,300 / \$1,000 Deductible \$10,000 / \$1,000 Deductible
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) <b>EDUCATIONAL CONSULTANT</b>							
<b>CERTIFICATE HOLDER</b> For Information Purposes Attention:				<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  Sara Sittler-Vermilya			

Response to Solicitation #13-002

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## **SECTION H: EXCEPTIONS TO TERMS AND CONDITIONS**

Company software, algorithms and event tracking templates are not considered “Works for Hire”, and in most instances have been licensed to this district already. Derivatives of all deliverables referenced in this proposal will be perpetually and non-transferably extended to the district.

As such, the following exceptions to Uniform Terms and Conditions §3.G and §7.B through §7.F shall apply to this proposal:

1. **COMPANY OWNERSHIP.** Materials are protected by United States copyright and are licensed, not sold, to Licensee. Company holds and retains all intellectual property rights associated with the Materials. Materials have neither been represented as, nor do they constitute, works for hire. Licensee agrees to accept responsibility both to protect this copyright and to cooperate with efforts by Company to monitor compliance.
2. **EXTENSION OF USE LICENSE.** In consideration of payment received, Company grants Licensee a perpetual, royalty-free, non-exclusive and non-transferable license to access and use the Materials. This license affords Licensee with no rights or privileges associated with other products or services within the Risk Management in Education Series.
3. **DISPLAY, ACCESS, USE AND TRANSFER RESTRICTIONS.** Materials may not be repurposed, shared, distributed, disseminated, rented, leased, loaned, exchanged, sold or transferred to non-licensed entities under any circumstances.
4. **DISCLAIMERS AND WARRANTIES.** THE SERVICES REPRESENT A SYNTHESIS OF RESEARCH-SUPPORTED BEST PRACTICES DERIVED FROM MULTIPLE DOMAINS AND ARE PROVIDED TO THE INSTITUTION ON AN “AS-IS” BASIS. THE OPINIONS EXPRESSED NEITHER CONSTITUTE, NOR SHOULD THEY BE CONSIDERED AS SUBSTITUTES FOR, PROFESSIONAL LEGAL ADVICE. THE INSTITUTION IS URGED TO CONSULT WITH COUNSEL IN THE MANNER DICTATED BY LOCAL CUSTOM OR POLICY REGARDING SPECIFIC QUESTIONS PERTAINING TO THE SUBJECT MATTER INVOLVED. COMPANY HEREBY DISCLAIMS ALL WARRANTIES WITH REGARD TO SERVICES, WHETHER EXPRESSED, IMPLIED, OR STATUTORY, INCLUDING, BUT NOT LIMITED TO, CLAIMS OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, ACCURACY, COMPLETENESS, RELIABILITY OR RESULTS. IN NO EVENT SHALL COMPANY BE LIABLE FOR CLAIMS, DAMAGES OR OTHER FORMS OF LIABILITY, WHETHER BY ACTION OF CONTRACT, TORT OR OTHERWISE, ARISING FROM, OUT OF, OR IN CONNECTION WITH THE SERVICES OR THEIR USE BY THE INSTITUTION.

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## EXHIBIT A: IMPLEMENTATION SCHEDULE

San Carlos RFP 13-002 Work Schedule	January 2013	February 2013	March 2013	April 2013	May 2013	June 2013	# Days
Onsite Monthly Day 1 Date	Monday, January 28, 2013	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	6.00
Onsite Monthly Day 2 Date	Tuesday, January 29, 2013	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	6.00
Onsite Monthly Day 3 Date	Wednesday, January 30, 2013	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	TBA by Supt. and Consultant	6.00
Offsite Monthly Date	Prior to January 28, 2013	1 wk. before Feb. Onsite Visit	1 wk. before March. Onsite Visit	1 wk. before March. Onsite Visit	1 wk. before March. Onsite Visit	1 wk. before March. Onsite Visit	6.00
Total Days Scheduled							24.00
RFP Requirement # 1	X	X	X				3.00
RFP Requirement # 2	X	X	X	X	X		5.00
RFP Requirement # 3		X	X	X	X	X	5.00
Total Days Required							15.00
Onsite Consultant Day 1 (Braswell)	X	X	X	X	X	X	6.00
Onsite Consultant Day 2 (Braswell)	X	X	X	X	X	X	6.00
Onsite Consultant Day 3 (Braswell)	X					X	2.00
Total Days (Braswell)							14.00
Onsite Consultant Day 1 (Eden)							0.00
Onsite Consultant Day 2 (Eden)							0.00
Onsite Consultant Day 3 (Eden)		X	X	X	X		4.00
Total Days (Eden)							4.00
Offsite Consultant (Braswell/Eden)	X	X	X	X	X	X	6.00
Total Offsite Days							6.00

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## EXHIBIT B: REFERENCES

### REFERENCES

Implementation of Student and Staff Code of Conduct Monitoring and Follow-Up  
RFP 13-002

<b>Company Name</b>	<b>Pinon Unified School District</b>
<b>Address</b>	<b>Navajo Highway 41, Pinon, AZ 86510</b>
<b>Telephone No.</b>	<b>928-725-3450</b>
<b>Contact Person</b>	<b>Larry Wallen, Superintendent</b>
<b>Brief Scope</b>	<b>UpSlope trained all administrative personnel in Risk Management in Education Series. Certified the superintendent to provide trainings at Pinon location. UpSlope provides ongoing support.</b>
<b>Company Name</b>	<b>Window Rock Unified School District</b>
<b>Address</b>	<b>Navajo Route 12, Ft Defiance, AZ 86504</b>
<b>Telephone</b>	<b>928-301-8250</b>
<b>Contact Person</b>	<b>Dr Debra Jackson-Dennison, Superintendent</b>
<b>Brief Scope</b>	<b>UpSlope trained all administrative personnel in Risk Management. UpSlope developed Employee and Student Code of Conduct guide and has provided ongoing support post implementation.</b>
<b>Company Name</b>	<b>Fowler Elementary School District</b>
<b>Address</b>	<b>1617 S. 67<sup>th</sup> Ave., Phoenix, AZ 85043</b>
<b>Telephone</b>	<b>623-707-4500</b>
<b>Contact Person</b>	<b>Marvene Laboto, Superintendent</b>
<b>Brief Scope</b>	<b>UpSlope trained all administrative personnel in Risk Management. UpSlope is in process of installing its HR Risk Management database.</b>



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**EXHIBIT C: PRICING SCHEDULE**

**PRICING SECTION**

Implementation of Student and Staff Code of Conduct Monitoring and Follow-Up  
RFP 13-002

The firm shall indicate how charges are configured, whether daily rates or hourly rates are used. Please indicate any minimum charges that apply, as well as any other charges that apply.

**SERVICE PROVIDED: San Carlos Requirements # 1-6 (ONSITE)**

Rates per day	ONSITE	\$ 1,895.00
Rates per half day:		\$ N/A
Rates per hour		\$ N/A
Minimum charge, if applicable:		\$ N/A
Other charges: Mileage per trip mile		\$ 0.555
Other charges: Hotel per night stay		\$ 90.00
Other charges: Food per day		\$ 46.00

Firm will indicate how other charges are arrived at:

Day rate for onsite work depicted above. Mileage charged per trip. Lodging and per diem charged per day. Expense reports to be submitted with each monthly invoice. Per diem not charged for Offsite work. Onsite day rates are based on a standard 8-hour work day. No hourly rate charge will be billed for work extending beyond the standard work day.

**SERVICE PROVIDED: San Carlos Requirements #1-6 (OFFSITE)**

Rates per day	OFFSITE	\$ 1,695.00
Rates per half day:		\$ N/A
Rates per hour		\$ N/A
Minimum charge, if applicable:		\$ N/A
Other charges		\$ _____

Firm will indicate how other charges are arrived at:

Day rate for offsite Phoenix Office work depicted above. Day rate is based on a standard 8-hour work day. NOTE: Firm will not charge for additional work performed in excess of the contracted day rate for offsite work per contract requirements. Travel, lodging and per diem costs do not apply to Offsite work performed when not in travel status away from UpSlope corporate.

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## REFERENCES CITED

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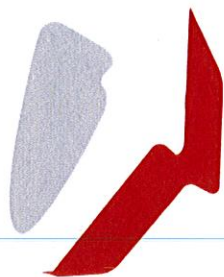
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A Proposal for Effective Implementation of Student & Staff Code of Conduct Monitoring and Follow-Up

Response to Solicitation #13-002

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