Wednesday, January 25, 2023 Public Meeting - Agenda

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
PUBLIC MEETING AGENDA

Link to join Zoom Meeting ∙ By phone: 301-715-8592 ∙ Webinar ID: 948 5157 0184

BOARD OF TRUSTEES

Michael A. Brinntall, Ph.D.
Chair
TERM ENDS JUNE 30, 2023

Frieda K. Lacey, Ed.D.
First Vice Chair
TERM ENDS JUNE 30, 2024

Gloria Aparicio Blackwell
Second Vice Chair
TERM ENDS JUNE 30, 2026

Annice Cody
TERM ENDS JUNE 30, 2028

Kenneth J. Hoffman, M.D.
TERM ENDS JUNE 30, 2023

Michael J. Knapp
TERM ENDS JUNE 30, 2024

Omar A. Lazo
TERM ENDS JUNE 30, 2027

Robert F. Levey
TERM ENDS JUNE 30, 2025

Maricé I. Morales
TERM ENDS JUNE 30, 2025

Deepica Premaratne
Student Trustee
TERM ENDS JUNE 30, 2023

PRESIDENT AND
SECRETARY-TREASURER

Dr. Jermaine F. Williams

Wednesday, January 25, 2023

6:45 p.m.

1. Call to Order ..............................................................Procedural
2. Roll Call .................................................................Procedural
3. Approval of Agenda.....................................................Procedural
4. Public Hearing of the FY24 Proposed Operating Budget ................. Information
5. Approval of Minutes .....................................................Action
   A. December 12, 2022 Public Vote and Closed Session Minutes
   B. December 12, 2022 Workforce Development Review Committee Meeting Minutes
   C. December 12, 2022 Audit Committee Meeting Minutes
   D. December 12, 2022 Public Meeting Minutes
6. Consent Agenda .............................................................Action
   A. Personnel Actions Confirmation Report
   B. Modification of Policy 31001—Sexual Misconduct
7. Reports........................................................................Information
   A. Conversation with Constituents
   B. President’s Report
   C. Committee and Liaison Reports
      i. Budget Review and Financial Sustainability Committee
      ii. Montgomery College Alumni Association Board
   D. Chair’s Report
8. Award of Contract (Sole Source) ........................................Action
   Sole Source Award of Contract, Ellucian Customer Relationship Management Advance Software
9. Budget Matter 

The Proposed FY24 Current, Enterprise, and Other Funds Budgets

10. New Business

11. Trustee Comments

12. Adjournment

NOTICES

BOARD OF TRUSTEES INFORMATION. The Board’s meeting schedule, agendas, meeting minutes, and records of resolutions are available at www.montgomerycollege.edu/bot.

WRITTEN COMMENTS. The Board of Trustees welcomes written comments, which can be sent to trustees@montgomerycollege.edu or to Montgomery College, 9221 Corporate Blvd, Rockville, Maryland 20850, ATTN: Board of Trustees.

ALTERNATIVE AGENDA FORMAT. This agenda is available in an alternative format upon request, in accordance with the Americans with Disabilities Act, by contacting 240-567-5272 or trustees@montgomerycollege.edu at least two weeks prior to the scheduled board meeting.

COMMUNICATIONS ACCOMMODATIONS. For special accommodations in communicating with the Board, contact 240-567-5272 or trustees@montgomerycollege.edu.
PERSONNEL ACTIONS CONFIRMATION REPORT

BACKGROUND

The Board of Trustees by state law has the authority and the responsibility for appointments to the College. Each month the Board receives a summary of personnel actions from the Office of Human Resources and Strategic Talent Management on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACKUP INFORMATION

Board Resolution
Personnel Actions Confirmation Report
Policy 34001–Changes in Employee Status

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSON

Ms. Leitch Walker
WHEREAS, By state law the Board of Trustees has the authority and responsibility for appointments to the College; and

WHEREAS, The attached summary indicates related personnel actions taken by the College during the period November 1, 2022, through November 30, 2022; and

WHEREAS, The president of the College recommends that the Board adopt the following resolution; now therefore, be it

Resolved, That the Board of Trustees accepts the attached reports and confirms the actions of the president.

Attachments
# STAFF EMPLOYMENTS

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Name</th>
<th>Position Title</th>
<th>Grade</th>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/14/2022</td>
<td>Faccone, Francesca</td>
<td>Library Access Svcs Spec I</td>
<td>17</td>
<td>Library TP/SS</td>
</tr>
<tr>
<td>11/14/2022</td>
<td>Fiora, Anthony</td>
<td>Program Coordinator</td>
<td>23</td>
<td>WDCE Central Admin</td>
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<tr>
<td>11/14/2022</td>
<td>Holt, Thio</td>
<td>Achv the Promise Prog Coord</td>
<td>29</td>
<td>Sr. VP for Academic Affairs</td>
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<tr>
<td>11/28/2022</td>
<td>McKoy, Chantelle</td>
<td>Human Resources Manager</td>
<td>33</td>
<td>HRSTM – Strategic Talent Mgmt</td>
</tr>
<tr>
<td>11/28/2022</td>
<td>Corea, Yeslin Cristina</td>
<td>Accountant II</td>
<td>27</td>
<td>OACE</td>
</tr>
<tr>
<td>11/28/2022</td>
<td>Ehart, Michael</td>
<td>Library Access Svcs Spec I</td>
<td>17</td>
<td>Library TP/SS</td>
</tr>
<tr>
<td>11/28/2022</td>
<td>Gorman Urrutia, Keren</td>
<td>Administrative Aide II</td>
<td>19</td>
<td>Business/Computer Apps Dean</td>
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<tr>
<td>11/28/2022</td>
<td>Vaughan, Michael</td>
<td>Administrative Aide II</td>
<td>19</td>
<td>Business/Computer Apps Dean</td>
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# STAFF SEPARATIONS

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Name</th>
<th>Position Title</th>
<th>Grade</th>
<th>YOS</th>
<th>Department</th>
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<tbody>
<tr>
<td>11/14/2022</td>
<td>Grady, Sandra¹</td>
<td>Instructional Associate</td>
<td>25</td>
<td>25</td>
<td>Humanities Dean</td>
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<tr>
<td>11/29/2022</td>
<td>Hayward, Dustin</td>
<td>Public Safety Shift Sup</td>
<td>25</td>
<td>8</td>
<td>Public Safety – RV</td>
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<tr>
<td>11/30/2022</td>
<td>Jackson, Ronald¹</td>
<td>Grounds Maintenance Worker</td>
<td>15</td>
<td>16</td>
<td>Facilities Operations - RV</td>
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## STAFF EMPLOYMENTS: Ethnicity and Gender

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<tr>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian</th>
<th>American Indian</th>
<th>Other/2 or More</th>
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<td>9</td>
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## STAFF SEPARATIONS: Ethnicity and Gender

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<thead>
<tr>
<th>White</th>
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<th>American Indian</th>
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<th>TOTAL</th>
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</thead>
<tbody>
<tr>
<td>Female</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
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<tr>
<td>Male</td>
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<td>2</td>
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<td>0</td>
<td>0</td>
<td>2</td>
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<tr>
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¹ Retirement
MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From November 1, 2022, through November 30, 2022

FACULTY

FACULTY EMPLOYMENTS - None

FACULTY SEPARATIONS - None
MODIFICATION OF POLICY 31001–SEXUAL MISCONDUCT

General Information

<table>
<thead>
<tr>
<th>Policy Number:</th>
<th>31001</th>
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<tbody>
<tr>
<td>Contained in Chapter:</td>
<td>Chapter Three</td>
</tr>
<tr>
<td>Policy Title:</td>
<td>Sexual Misconduct</td>
</tr>
<tr>
<td>Policy Creation Date:</td>
<td>December 15, 2014</td>
</tr>
<tr>
<td>Most Recent</td>
<td>June 22, 2020</td>
</tr>
<tr>
<td>Modification Date:</td>
<td></td>
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</tbody>
</table>

Changes, Additions, Deletions

<table>
<thead>
<tr>
<th>Line Number</th>
<th>Purpose</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Deleted the footnote referencing the August 14, 2020 effective date for updates to the Title IX regulations, and prospective authorization for the president to make any modifications to this policy if necessitated by then-pending court actions regarding the 2020 regulations.</td>
</tr>
<tr>
<td>29-30</td>
<td>Grammatical edits: removal of misplaced comma, insertion of a missing comma.</td>
</tr>
<tr>
<td>64-67</td>
<td>Removed name of previous Title IX coordinator. Contact information for Title IX coordinator updated. Regulations do not require that the Title IX coordinator be named; it is sufficient to identify there is a designated Title IX coordinator and to publicize the coordinator’s contact information.</td>
</tr>
<tr>
<td>115</td>
<td>Section heading updated to clarify that the section addresses sanctions.</td>
</tr>
<tr>
<td>161</td>
<td>Removed language mentioning Policy 39003 as a reference point for retaliation, in order to ensure closer alignment with the specific definition for retaliation mandated by the Title IX regulations (see 34 C.F.R. § 106.71(a)).</td>
</tr>
</tbody>
</table>

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 31001–Sexual Misconduct.
BACKUP INFORMATION

Resolution
Policy 31001–Sexual Misconduct (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

RESOURCE PERSON

Ms. Roe
WHEREAS, The Board of Trustees created Policy 31001–Sexual Misconduct in 2014; and

WHEREAS, The policy has served an important purpose in establishing expectations for maintaining a safe and secure environment where all members of the College community can work or participate in College programs and activities free from all forms of sexual misconduct; and

WHEREAS, The policy has been reviewed by the appropriate College community stakeholders for their feedback and has been updated; and

WHEREAS, The president recommends that the Board adopt the modifications; now therefore be it

Resolved, That Policy 31001–Sexual Misconduct be modified as indicated in the attached draft; and be it further

Resolved, That the president is authorized to implement these changes.
I. Policy Statement

It is the policy of Montgomery College to establish and maintain an environment in which all members of the Montgomery College community can work or participate in College education programs and activities free from all forms of sexual misconduct. Sexual misconduct is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. In addition, some forms of sexual misconduct violate the criminal laws of the State of Maryland. Sexual misconduct in any form will not be tolerated by Montgomery College. The College will take immediate action to preserve and restore equal educational access when the College has actual knowledge of sexual misconduct.

II. Definitions

For purposes of this Policy, “sexual misconduct” is an umbrella term that encompasses various types of prohibited conduct, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking. The President is authorized and directed to establish procedures to define other terms relevant to this Policy, including but not limited to: “sexual harassment”, “sexual assault”, “domestic violence”, “dating violence”, and “stalking”.

III. Applicability

All students and employees of the College must comply with this Policy. Sexual misconduct is prohibited between students, between employees, between students and employees, and by students or employees against contractors, vendors, or other individuals whose relationship to the student or employee is through the College’s facilities, programs or activities. Similarly, the College will not tolerate sexual misconduct by College contractors, vendors, or other third parties, including visitors and guests to the College whose relationship to the victim is through the College’s facilities, programs, or activities. This Policy applies regardless of the sex, sexual orientation, or gender identity of either the perpetrator or the victim of the sexual misconduct. This Policy applies to sexual misconduct (i) that occurs on College premises, including any property owned or leased by the College (including College buses) or that the College has permission to occupy for purposes of conducting a College-sponsored program or event; (ii) that occurs in connection with any College-sponsored, College-recognized, or College-approved activities within the United States (e.g., off-campus education programs and activities such as College-sponsored field trips, athletic team travel, and events for officially recognized College clubs that occur off-campus, and social activities for employees

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On May 6, 2020, the United States Department of Education released new Title IX regulations, which will be effective on August 14, 2020. These regulations necessitate some modifications to Board policy 31001 (“Sexual Misconduct”) which are being brought to the Board for approval at its June meeting in order to meet the August 14th effective date. However, the ACLU has filed a lawsuit in the United States District Court for Maryland seeking to block some of the provisions in the new Title IX regulations. Absent a court order enjoining or vacating the new regulations, any changes to Board policy 31001 approved at its June meeting will become effective on August 14, 2020. Should any court strike down, either temporarily or permanently, any portion of the 2020 Title IX regulations, the Board authorizes the President to make any necessary modifications to this policy which will become effective immediately upon distribution to the College community through publication on the College’s web page. The President will apprise the Board of any such action in a timely manner.
sponsored by the College or relating to the business of the College); (iii) that occurs
during business travel in the United States or otherwise in connection with College-
related business; or (iv) sexual harassment on- or off-campus during any college-
sponsored activity that impacts equal educational opportunity or access. All incidents of
sexual misconduct should be reported so that the College may determine whether the
conduct falls within the scope of this Policy.

IV. Reporting and Confidentiality

All members of the Montgomery College community may report allegations of sexual
misconduct at any time, but are encouraged to make such reports promptly in order to
maximize the College’s ability to respond and take appropriate action, including to obtain
evidence and to conduct a prompt and equitable investigation.

Students may report alleged sexual misconduct to the Title IX Coordinator or to any
“Mandated Reporter,” which includes any College administrator, supervisor, faculty
member, public safety officer, coach, or trainer. Employees and other members of the
College community may report sexual misconduct to the Title IX Coordinator or the
Director of Employee and Labor Relations, and employees may also report sexual
misconduct to their supervisor. A Mandated Reporter, the Director of Employee and
Labor Relations, and any other employee who receives a report of sexual misconduct
must promptly relay such report to the Title IX Coordinator. No employee is authorized to
investigate or resolve reports of sexual misconduct without the involvement of the Title IX
Coordinator.

Christopher Moy is the College’s designated Title IX Coordinator and can be reached
at any time in person in Room 315-G of the Mannakee Building, by telephone at 240-567-
5412, or by e-mail at christopher.moy.TitleIX@montgomerycollege.edu. The Title IX
Coordinator is available to meet on any campus by appointment. Members of the
College community may contact the Title IX Coordinator in order to seek information
about courses of action available to resolve reports or complaints that involve sexual
misconduct; to file a formal complaint; to get information about available resources and
supports services available to victims of sexual misconduct; and, to ask any questions
concerning College Policies and Procedures relating to sexual misconduct.

Certain College employees will be designated Confidential Resources for purposes of
this policy. Confidential Resources are not considered to be Mandated Reporters – that
is, upon receipt of a report of alleged sexual misconduct, Confidential Resources are not
required to notify the Title IX Coordinator. An individual seeking support or guidance with
respect to an alleged incident of sexual misconduct may contact any Confidential
Resource, who will normally keep private the individual’s identity and any other
information concerning the incident.

The College recognizes that allegations of sexual misconduct are a sensitive subject for
all parties involved and is committed to maintaining the privacy of the parties involved to
the fullest extent possible, consistent with applicable law and the need for investigation

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2 The President is authorized to change the designation of the Title IX Coordinator by a procedure that provides the name and contact information of the Title IX Coordinator similar to the information provided in this Policy. Upon adoption of the procedure with this information and the posting of notice of the change to the College’s website, this Policy may be modified by direction of the President to substitute the new information about the Title IX Coordinator without the need for further action of the Board of Trustees.
and resolution. The College, through the Title IX Coordinator, may sign a formal complaint to initiate the investigation and formal resolution process even when the individual making a report of sexual misconduct requests anonymity or requests that no action be taken. Thus, absolute confidentiality cannot be guaranteed. In all cases, the College will take care to protect the identity of the parties through processes that provide for discussion of the allegations only among those who have a legitimate administrative, investigative, or legal need to know.

V. College Aid to Victims of Sexual Misconduct

The President is authorized and directed to establish procedures to provide victims of sexual misconduct with reasonable accommodations (e.g., changes in academic, transportation and/or working situations) and/or supportive measures that will be made available upon a report of sexual misconduct to a victim of sexual misconduct, regardless of whether the victim chooses to report the sexual misconduct to campus security or local law enforcement.

VI. Investigation

All reports of sexual misconduct will be taken seriously and investigated as appropriate. The President is authorized and directed to establish procedures for the investigation of such reports, which shall provide for a prompt, thorough, and impartial process.

VII. Time Frame

The College strives to investigate all complaints within sixty (60) days after the filing of a complaint. Actual resolution time may vary depending on many factors, including but not limited to, the complexity of the investigation and the severity and extent of the alleged misconduct.

VIII. Grievance; Resolution; Sanctions

It is presumed that a Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. Individuals found to have committed sexual misconduct in violation of this Policy will be subject to disciplinary action in accordance with applicable College policies and procedures and/or collective bargaining agreements.

Employees found in violation of this Policy are subject to disciplinary action in accordance with the applicable College policies and procedures for disciplinary action and discharge (34002 and 34003), or, for bargaining unit members, the applicable procedures in the collective bargaining agreement. Sanctions will be based on the circumstances and nature of the violation, ranging from a reprimand up to and including termination of employment. Students found in violation of this Policy are subject to disciplinary action in accordance with procedures set forth in the Student Code of Conduct (42001). Sanctions will be based on the circumstances and nature of the violation and include, but are not limited to, a warning, disciplinary probation, community service, participation in sexual misconduct education programming, suspension and dismissal from the College. In the event of sexual misconduct by a third party against a College student or employee, the College will take appropriate action within its control to address the misconduct and prevent its recurrence, including but not limited to, referring to local law enforcement to issue a “No Trespass” notice denying access to the College’s buildings and grounds.
As required or appropriate, parties will be informed of the outcome of any resolution process based on a violation of this Policy.

Persons who commit sexual misconduct in violation of federal, state, or local law may also be subject to criminal charges and penalties as a result of related legal proceedings.

IX. Evidentiary Standard

In any investigation and/or disciplinary proceeding concerning an alleged violation of this Policy, the finding will be determined by a preponderance of the evidence. The burden of collecting evidence and proving a violation of policy is the responsibility of the College and not the individuals.

X. Good Faith Reporting

Allegations of sexual misconduct are extremely serious, with potential for great harm to the accused if ill-conceived or made with malice. An individual found to have knowingly filed a false allegation may be subject to separate appropriate disciplinary action. A complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct.

XI. Retaliation

Pursuant to College Policy 39003-Protection Against Retaliation, this Policy prohibits retaliation by anyone in the College community against an individual because the individual reports or complains about sexual misconduct or participates in the College’s investigation or proceedings related to an allegation of sexual misconduct. When the College is aware of possible retaliation, it will take immediate and appropriate steps to investigate. Students or employees who commit retaliation in violation of this Policy are subject to appropriate disciplinary action. The Complainant or participants in any report or investigation of sexual misconduct who believe they have experienced retaliation in violation of this Policy should immediately report such conduct to the Title IX Coordinator.

XII. Education

Education is a key element of this Policy. Notice of this Policy will be provided to all students during admissions and all employees during onboarding. The College will provide education and information, as appropriate, for students and employees to enhance understanding and increase awareness of the College’s Sexual Misconduct Policy and Procedures. Sufficient periodic training will be conducted for Mandated Reporters and for those involved in the investigation and resolution of complaints and appeals, as determined by the President. Records and verification of all training will be maintained by the Title IX Coordinator and published on the Title IX website. Any mandatory education requirements will be announced and posted on the College’s website. The President is authorized to provide institutional leadership and guidance for developing education programs to increase knowledge and share information and resources to prevent sexual misconduct, promote safety, and reduce perpetration. Some goals to be achieved through education are: (a) ensuring that all individuals are aware of their rights; (b) notifying individuals of conduct that is proscribed; (c) informing employees, students, and other members of the college community, including contractors, about the proper way to recognize and address complaints involving a violation of this Policy; (d) preventing issues that this Policy addresses, and; (e)
identifying the necessary steps for preventing sexual misconduct and addressing its effects.

XIII. The President is authorized and directed to establish procedures to implement this Policy.

Board Approval: December 15, 2014; September 21, 2015; June 17, 2019 (Administrative correction); June 22, 2020; _________, 2023
SOLE SOURCE AWARD OF CONTRACT
ELLUCIAN CUSTOMER RELATIONSHIP MANAGEMENT ADVANCE SOFTWARE

BACKGROUND

<table>
<thead>
<tr>
<th>Request:</th>
<th>Replacement of existing Banner Advancement software module</th>
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</thead>
<tbody>
<tr>
<td>Office/SVP Originating Request:</td>
<td>Senior Vice President for Administrative and Fiscal Services and Acting Vice President for Development and Alumni Relations</td>
</tr>
<tr>
<td>Award Type:</td>
<td>Sole Source</td>
</tr>
<tr>
<td>Bid Number:</td>
<td>NA</td>
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<tr>
<td>Explanation of Request:</td>
<td>The senior vice president for administrative and fiscal services and the acting vice president for development and alumni relations are requesting a sole source award of contract to replace the existing Banner Advancement software module. The College originally purchased the Banner Enterprise Resource Planning solution in 1998. Included in this software purchase is the Banner Advancement module, which is currently utilized by the College’s Advancement department for fundraising campaigns and tracking of internal and external gifts. Ellucian, the Banner software developer, is no longer creating enhancements, or introducing any new features for this software module. Ellucian has created an upgraded solution called Customer Relationship Management (CRM) Advance, which is a purpose-built higher education-focused software package for donor cultivation, retention, and gift contribution processing. This product helps the advancement staff in building and managing donor relationships, gift processing, and gift campaign automation. The efficiency gained from utilizing Ellucian CRM Advance will help the advancement staff reach fundraising goals faster and build better donor relationships for future endeavors. Donor contributions ultimately have a direct impact on supporting students with needs and funding.</td>
</tr>
</tbody>
</table>
projects/ initiatives that enable students to achieve their academic and career goals. If the purchase request is not approved, advancement staff will have to rely on inefficient manual processes and numerous spreadsheets to track and manage donors and gifts. Lack of automation and efficient management will severely impact the potential to support student success.

<table>
<thead>
<tr>
<th>Reason Being Brought to Board:</th>
<th>Board approval is required for sole source awards valued at $100,000 and above.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certification:</td>
<td>The director of procurement certifies that the requested product can only be obtained from software developer Ellucian, Inc., and the chief business/financial strategy officer certifies that funds are available in the FY23 capital budget.</td>
</tr>
<tr>
<td>Annual Dollar Amount:</td>
<td>$642,136 (Year One)</td>
</tr>
<tr>
<td>Vendor Name:</td>
<td>Ellucian, Inc.</td>
</tr>
<tr>
<td>Vendor Address:</td>
<td>4 Country View Road Malvern, Pennsylvania 19355</td>
</tr>
<tr>
<td>Minority Status:</td>
<td>Non-minority</td>
</tr>
<tr>
<td>Term of Contract:</td>
<td>One year with four one-year renewal options</td>
</tr>
</tbody>
</table>

**RECOMMENDATION**

It is recommended that the Board of Trustees approve a one-year sole source award of contract for the Ellucian CRM Advance software license, to Ellucian, Inc., of Malvern, Pennsylvania, for a total, not-to-exceed amount of $642,136.

It is further recommended that the software license be renewed for four additional one-year periods, provided funding is available, and renewals are in the best interest of the College. The total, five-year software license fee not-to-exceed amount is $1,126,579.

**BACKUP INFORMATION**

Board Resolution

**RESPONSIBLE SENIOR ADMINISTRATOR**

Mr. Collette

**RESOURCE PERSONS**

Mr. Johnson
Ms. Matthews
WHEREAS, The senior vice president for administrative and fiscal services and the acting vice president for development and alumni relations are requesting a sole source award of contract for the Ellucian Customer Relationship Management (CRM) Advance software; and

WHEREAS, The College originally purchased the Banner Enterprise Resource Planning solution in 1998, and included in this software purchase is the Banner Advancement module, which is currently utilized by the College’s Advancement department for fundraising campaigns, and tracking of internal and external gifts; and

WHEREAS, Ellucian, the Banner software developer, will no longer create enhancements or introduce any new features for this software module; and

WHEREAS, Ellucian CRM Advance is a purpose-built higher education-focused software package for donor cultivation, retention, and gift contribution processing; and

WHEREAS, The director of procurement certifies that the requested software is only available from the software developer, Ellucian, Inc., and the chief business/financial strategy officer certifies that expenditures are planned for and available in the FY23 capital budget; and

WHEREAS, Sole source contract awards valued above $100,000 require Board of Trustees approval; and

WHEREAS, College policy states that the formal bidding process may be dispensed with in the event of a sole source procurement; and

WHEREAS, The president of the College recommends the following action; now therefore be it

Resolved, That a sole source award of contract for Ellucian CRM Advance software license be awarded to Ellucian, Inc., of Malvern, Pennsylvania, for a one-year term, for a total, not-to-exceed amount of $642,136; and be it further

Resolved, That the software license be renewed for four additional one-year periods, provided funding is available, and renewals are in the best interest of the College, where the total, five-year software license fee not-to-exceed amount is $1,126,579; and be it further

Resolved, That the president is authorized to sign the contract on behalf of the Board of Trustees.