

LAKE MICHIGAN COLLEGE

Attorney: Board 'poised to terminate'

Spielvogel's just cause hearing set for May 6

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BENTON TOWNSHIP — Lake Michigan College President Jennifer Spielvogel is disappointed with the



SPIELVOGEL

Grand Rapids attorney Bradley Glazier, a who deals with labor and employment disputes, said no documents were provided to Spielvogel at the

suspension handed down by the college's Board of Trustees last week, her lawyer says.

Bradley Glazier, a Grand Rapids attorney who deals with labor and employment disputes, said no documents were provided to Spielvogel at the April 8 special meeting to support the suspension. "She is looking forward to finding out more details and explaining to the board what she did and why she did it," Glazier said in a phone interview Wednesday. "At most, she believes there was a misunderstanding on what the board's interpretation of her ability to make expenditures on behalf of the college were

and what she thought her discretion was."

According to minutes from the meeting, the board alleged Spielvogel made unapproved and unauthorized expenses, including renovations to the president's office. Among the expenses, the board alleged she was planning an inauguration and bought a chain of office medallion.

The medallions are often

worn by high-ranking university and college officials.

The board further alleged she showed improper management behavior, made improper comments and demonstrated a lack of professionalism. She allegedly violated policies and offered inadequate goals and objectives.

Reasons for the suspension focused on expenditures incurred by Spielvogel

during her first 90 days in office, Glazier said. Spielvogel became president Jan. 1.

He said the board was especially critical that Spielvogel incurred travel expenses for attending a national higher education conference, where she was an invited presenter.

"The board was also critical of typical

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expenditures related to establishing the office of the president,” Glazier said. “Instead of denying the expense items or reviewing the college’s travel expense policy, the board appears poised to terminate Spielvogel’s employment.”

At the beginning of the meeting, Glazier said he and Spielvogel were told the board would hear a report in closed session from the college’s attorney and might speak to other members of the president’s cabinet about Spielvogel.

According to the meeting’s minutes, the closed session lasted about two hours. Discussions are not documented during closed sessions.

Glazier said his client was not offered a chance to respond to the board’s concerns before or during the special meeting.

“(Termination) normally occurs after some sort of serious misconduct takes place, which requires an employee be given some notice they have violated a policy or an opportunity to improve it, if it is a performance-related issue,” Glazier said.

Spielvogel received an email copy of the notice for the special meeting regarding her employment April 6 – two days before the meeting. Glazier said she was then given a hand-delivered copy a day later.

Glazier said Spielvogel was referred to him the day she found out about the hearing.

Spielvogel’s options

Spielvogel’s contract dictates she is entitled to be paid through the end of the contract unless LMC can prove that it had “just cause” for termination, Glazier said.

LMC highlighted this in its

press release, stating if the college should terminate Spielvogel for just cause, then the institution is under no obligation to award severance compensation or continue any fringe benefits provided by her contract, which would expire June 30, 2018.

That would be in contrast to the 2009 dismissal of President Randall Miller. LMC had to pay Miller for the two years remaining on his contract. Furthermore, the board offered no reason for his firing.

Glazier said there’s one paragraph in her contract in reference to a just cause hearing.

“I interpret the contract to allow her to be at the meeting,” he said. “She is allowed to have counsel, but neither she or I will be able to cross examine other witnesses who testify.”

The hearing will be May 6 before the board on the just cause issue.

If the board votes to terminate her employment and fails to pay Spielvogel, Glazier said Spielvogel could sue for breach of contract and seek damages for her wrongful discharge.

The college has not appointed an interim president to serve during Spielvogel’s suspension. She remains suspended with pay as LMC board and cabinet members are directing normal operations.

The board voted in December 2015 to hire Spielvogel among five other candidates to replace longtime president Bob Harrison, who had led LMC since 2009 and retired after a 16-year career with the institution.

Before becoming LMC’s president, Spielvogel was vice president of evidence and inquiry at Cuyahoga Community College in Cleveland.

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