

Spielvogel ousted as LMC president

Board terminates contract for behavior, unapproved expenses

By **TONY WITTKOWSKI**
HP Staff Writer

BENTON TOWNSHIP — Jennifer Spielvogel is out as president for Lake Michigan College.

Three months after taking office, LMC's Board of Trustees terminated Spielvogel's contract following a nearly two-hour just cause hearing Thursday morning. Trustees cited policy violations, improper conduct, improper management behavior, a lack of professionalism, providing inadequate goals and incurring \$20,625 in unauthorized costs charged to LMC.

The hearing was in the Hanson Theatre at LMC's Mendel Center to accommodate the more than 100 people in attendance. Seated at a table facing the board with a camera focused on her, Spielvogel remained mostly quiet — occasionally speaking in asides with her lawyer.

Among the board's main concerns was Spielvogel's behavior, which board Chairwoman Mary Jo Tomasini said created a hostile work environment. An investigation conducted after Spielvogel's first two months in office, which included looking over expense documents and interviewing colleagues who had issued complaints on her job performance.

According to witness statements collected at the April 8 special meeting that led to Spielvogel's suspension, LMC's president allegedly made defamatory comments regarding board members, community members, college officers and employees. Tomasini said Spielvogel admitted to making inappropriate comments when asked by the board and LMC's lawyer.

Tomasini said Spielvogel engaged in behavior that could have placed LMC in jeopardy of lawsuits and she intentionally created a hostile environment by altering an employee's job duties to make her to quit. Spielvogel also related a plan to force another employee to quit or



Photos by Don Campbell / HP staff

Lake Michigan College suspended President Jennifer Spielvogel joins her lawyer, Bradley Glazier, during a just cause hearing Thursday before the college's Board of Trustees.

retire, Tomasini said.

"We did not lose anybody, but they were not in good shape," Tomasini said after the hearing. "They were polishing up their resumes."

Spielvogel and her lawyer, Bradley Glazier, were given the stage after opening comments from Tomasini. Glazier said the hearing was a farce because neither he or Spielvogel could cross examine the witnesses that trustees spoke to during the April meeting.

Both Glazier and Spielvogel said their argument was unnecessary because the board had already made its decision.

"Only 17 days after I started as president, members of the board and cabinet began keeping notes on my actions and my words," Spielvogel said during the hearing. "It is still unknown to me who the architect of the undercover work was. Perhaps she or they will one day have the courage to show themselves and offer an explanation."

Spielvogel added: "I was not given the chance to correct or refute the list of misstatements and non-truths

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LMC outlines \$20,000 in Spielvogel's expenses

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BENTON TOWNSHIP — Much of the talk at Jennifer Spielvogel's just cause hearing was about the unauthorized expenses she incurred during her three months as president of Lake Michigan College.

After approving the termination of Spielvogel's contract Thursday, the LMC Board of Trustees approved a motion to seek reimbursement from Spielvogel for \$20,625 in expenses charged to the Benton Township-based college.

An investigation concerning expenses began after board Chairwoman Mary Jo Tomasini noticed Spielvogel had failed to turn in expense reports for two consecutive months. After a further investigation into financial and communication documents, and interviewing college officers and employees, Tomasini said

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Among the more than \$20,000 of unauthorized expenses Jennifer Spielvogel allegedly incurred during her three months as LMC president was a graduation robe and chain of office medallion, which collectively cost \$5,000. Board Chairwoman Mary Jo Tomasini said the price of the robe and medallion was equivalent to a year's worth of student tuition.



Don Campbell / HP staff

Lake Michigan College board Chairwoman Mary Jo Tomasini leads a just cause hearing Thursday for LMC suspended President Jennifer Spielvogel.

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that were created. The notes were twisted to look like (just) cause.”

Spielvogel, who became president Jan. 1, said the board tried to usurp her from office after she allegedly discovered LMC was out of compliance with regulations with the U.S. Department of Education – the federal agency that regulates financial aid for students. Spielvogel said she told Tomasini about the non-compliance issue prior to a March 22 board meeting.

“As a new leader, I thought the best course of action was to address these issues,” she said. “Apparently, it was not in my best interest to pursue corrective action because soon after I told the board chair about the issues, the board’s attorney solicited those notes from members of my cabinet and the board to use as justification of my termination.”

Tomasini said she had no recollection of speaking with Spielvogel about any financial aid compliance issue before the meeting.

“I recall a lot of things about that meeting, but not that. This morning was the first time myself and the board heard there’s any trouble with financial aid,” Tomasini said. “We had hired consultants to advise us and to see what our process looks like. But we haven’t gotten the results of any report and no concerns have been brought to the board yet.”

LMC on Thursday night issued a statement saying it can’t speak directly to Spielvogel’s allegations until it gets more specifics.

“(B)ut LMC has a solid history working with student financial aid programs and resources,” the statement said. “LMC has been in the process of doing routine evaluations and assessments of all our student service functions, and we’re always looking for ways to improve, but we have no reason to believe this morning’s remarks should cause students, families or employees any concern whatsoever.”

Statement said LMC each year participates in a Single Audit, or “A-133,” audit, “a rigorous, organization-wide examination performed by an independent certified public accounting firm for the purpose of providing assurance to the U.S. federal government that we are managing financial aid and other government funds appropriately. It encompasses both financial and compliance components and is submitted to the Federal Audit Clearinghouse.”

LMC said it reviewed the last 15 years of A-133 reports are in accordance with accounting principles and there are no instances of noncompliance.

‘Time to mend’

There have been no conversations about hiring an interim president. Administrative responsibilities will fall on the cabinet and trustees until a new president is selected.

“It allows us to move forward and heal the damage that was done over the last 90 days,” Tomasini said. “The good news is it was only 90 days. We have a team that has been wounded by her leadership. It’s time to mend that.”

Before the board unanimously voted for Spielvogel’s dis-

missal, Trustee Stephen Small asked other board members if the damage was beyond repair between the president and other administrators.

“My concern is with a remedy. Whether this presidency is salvageable or not, people have been hurt,” Small said. “The relationship between the president and the board has been poisoned. My questions is can we get Humpty Dumpty back together again?”

A second motion was later made to commence action seeking reimbursement from Spielvogel for the \$20,625 in unapproved expenses she incurred. Among the documented expenses, the board alleged she was planning a large inauguration, renovations to the president’s office and bought a chain of office medallion. The board first became concerned when reviewing expense requests for Spielvogel.

The board scheduled a 3 p.m. meeting for May 16 to determine its next steps in handling Spielvogel’s termination. Spielvogel is now off the LMC payroll as college officials say the college is fully insured to cover any potential forthcoming legal expenses.

Glazier said his client’s next step is to take the board’s decision to the Court of Claims, where Spielvogel can argue for payment for her contract that ends June 30, 2018. LMC officials have stipulated before that 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.

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the board uncovered evidence reflecting job performance problems, policy violations, communication problems and poor management decisions.

Among the unauthorized expenses Spielvogel incurred was a ceremonial gown and medallion that cost \$5,000, collectively. Tomasini said the price of the gown and medallion was equivalent to a year's worth of a student's tuition.

On stage to the left of where Spielvogel sat during Thursday's hearing, the board stationed a mannequin wearing the gown and medallion for audience members to see.

"If you're a taxpayer that's a big expense. We don't issue doctorate degrees here," Tomasini said. "(The mannequin) was an illustration of the money and what it meant. That will never be worn by anybody ever. If she writes us a check for \$20,625, I will mail that to her home and she can put it in her closet."

While medallions are often worn by high-ranking university and college officials, Tomasini said no former LMC presidents have done so.

At the beginning of the hearing, former LMC President Bob Harrison made an opening statement regarding his involvement with Spielvogel. He said his discussions with Spielvogel began in December and continued until March, which included one-on-one sessions with Spielvogel and individual sessions with her and community members.

Harrison, who had led LMC since 2009 and retired after a 16-year career with the institution, said when he learned of Spielvogel's plan to buy the medallion and hold an inauguration, he advised Spielvogel against doing so.

"I advised her to get the board involved right away in planning the event because it's a big deal," Harrison said at the beginning of the hearing. "I asked her to consider compensating the college for the medallion she'd ordered and suggested payroll deduction."

Spielvogel said she arranged to pay for the medallion out of her pocket.

In a LMC news release sent Thursday shortly after the hearing, college officials said Spielvogel tried to reimburse LMC for the medallion through payroll deductions in \$100 increments from July 2016 through June 2019. Spielvogel's contract was set to end June 30, 2018.

By the numbers

According to the release, Spielvogel spent \$2,779 on architectural design services to remodel her office. Spielvogel said she had only planned to re-paint and re-carpet the president's office. During the hearing, Spielvogel said

the expenses were approved by the board before she arrived and said there are no receipts for renovations because none were done.

By contract, she received \$6,000 toward an executive discretionary fund. However, college officials say she did not use the money for its intended purposes, including covering community organization membership dues, charity events and other activities. Instead, LMC officials allege Spielvogel used the funds to buy personal items, including Kenny Chesney concert tickets for \$1,250 and to make a \$1,000 charitable donation to the college in her own name at the annual college scholarship auction.

Bradley Glazier, Spielvogel's attorney, said LMC's policy statement on the delegation of authority gives the president and other cabinet members the authority to enter into binding agreements for expenditures of up to \$100,000 – without board approval.

Spielvogel spent another \$7,176 planning and buying items for an "elaborate" presidential inauguration, LMC officials say. Tomasini said Spielvogel did not seek approval from the board before planning the event or before ordering material and using staff time for the event.

In response to these accusations, Spielvogel said an inauguration for a new college president isn't unusual, but she still cancelled it in light of ongoing budget conversations related to a possible new millage. The inauguration expenses included \$3,235 for the ceremonial medallion, \$2,185 toward printed invitations and decorations, \$365 toward unapproved use of LMC staff time and \$1,391 for the specially designed cap and gown for her to wear during the event.

Spielvogel allegedly spent \$5,119 in travel and payroll expenses while failing to comply with LMC's travel and expense reimbursement and conflict of interest procedures.

Tomasini said Spielvogel traveled to two different conferences where she presented on behalf of her former employer on topics unrelated to her experience at LMC. Total costs included \$3,153 in wages for five days of travel, \$1,492 for a League of Innovation Conference, \$336 for an Achieve the Dream Conference and a \$137 airline voucher.

"My travel and attendance at the National League for Innovation Conference was also cited as support for my suspension," Spielvogel said. "As an invited speaker at a national conference, I chose to attend and represent LMC. Although my board chair thought I should take vacation days to do that.

"My actions were consistent with the policy and procedures recommended and supported by my cabinet members."

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