

Lawyer: LMC board and staff torpedoed Spielvogel

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BENTON TOWNSHIP — An active and experienced Board of Trustees will help keep Lake Michigan College on a steady course without a president, officials say.

But that might be the problem.

A lawyer consulting the legal team representing fired President Jennifer Spielvogel said Saturday she was frustrated by board micro-management in her 90-day tenure.

“The board hires only one employee, the president,” Raymond Cotton said in a phone interview. The staff answers to the president. The president answers to the board.

The Washington, D.C.-based Cotton said it’s clear from news stories, meeting accounts and Thursday’s termination hearing that employees and trustees were communicating with each other in violation of the board-president chain of command.

The president, he said, has the right to choose her leadership team. He said he suspects those complaining to the board about Spielvogel’s alleged lack of professionalism and employee abuse are the same people she wanted to demote, reassign or fire.

Cotton, who specializes in representing college and university boards and presidents, said the legal team is preparing to sue the community college for breach of contract.

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The board fired Spielvogel at the end of a just cause hearing Thursday. It cited lack of professionalism, policy violations, unauthorized spending, failure to set goals and even altering a job description to force an employee to quit.

Cotton said the public must keep in mind these are only allegations. The board will have to be prepared

to prove such matters in court. He said trustees will have to offer depositions.

"It will all come out, and we have nothing to hide," Cotton said.

He said the LMC board is on weak ground by threatening to sue Spielvogel to recoup alleged unauthorized expenses of about \$20,625. He said she could spend up to \$100,000 without board authorization. She has offered to reimburse the college the \$3,200 for a chain of office medallion.

Board members said Spielvogel is allotted money for expenses related to her duties, but contend that buying Kenny Chesney concert tickets and medallions and planning inaugurations is beyond the president's scope.

Cotton said it's significant that LMC's two lawyers and Spielvogel's lawyer, Bradley Glazier, took a break in the hearing to discuss a resolution. The lawyers asked the board to table action for a week, but trustees declined and fired

Spielvogel.

Cotton said LMC's insurance carrier could balk at covering legal bills if trustees ignored counsel advice.

Cotton said his client made three errors in her LMC tenure.

The first is she "took people into her confidence before she knew they could be trusted." She didn't realize "people were trying to torpedo her."

He said a second error was presuming the board would act professionally,

in accordance to standards set by the Association of Governing Boards of Universities and Colleges.

The third mistake was not understanding LMC's culture, he said. For instance, medallions are routine in higher education, but raised eyebrows at LMC.

Robert Harrison, who preceded Spielvogel as president, told the board Thursday he advised her against the medallion. Board Chairwoman Mary Jo Tomasini said such me-

dallions are associated with institutions that grant doctorate degrees.

Spielvogel had been an administrator at an Ohio community college when LMC hired her. Cotton said she had a sterling reputation there, but the LMC termination could end her academic career.

He said LMC will have a hard time finding another president if the board gains a reputation for unprofessional behavior.

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