

IN OUR OPINION

Conflict of interest

LMC Board ignored policy with under-the-radar purchasing

Lake Michigan College has a clear and concise policy regarding conflict of interest matters, as they relate to Board of Trustees members.

Board members would do well to give the policy a closer read.

The policy calls for avoidance of both "actual conflicts of interest as well as the appearance of any conflicts of interest." The first sub-section, regarding receiving or furnishing goods or services, states: "No member of the Board of Trustees shall furnish goods or services to the College or its agents, employees or subcontractors for remuneration, except under such terms and conditions as are made available to the public in general, and only after public disclosure to and approval by the Board of Trustees."

However, that never happened in the case of former board Chairwoman and current Trustee Mary Jo Tomasini, whose promotional products company, Competitive Edge, did more than \$200,000 worth of business with LMC over a five-year period.

In its statement regarding these issues, LMC said Tomasini "fully disclosed her business" upon joining the board in 2009. It's unclear what that even means, or whether it qualifies as a "public disclosure." And it is certain there was never a board vote regarding the business relationship between Competitive Edge and LMC – a stipulation straight out of the college's own policy.

LMC's prickly response to inquiries about the breach of ethics points out that trustees are not involved with day-to-day purchasing decisions by the college, and that it has a purchasing department charged with making those decisions, and that employees there are expected to uphold ethical practices.

Frankly, this is laughable. Purchasing department employees surely were very aware that Tomasini's company was a major supplier for the college, which could easily have swayed them to favor Competitive Edge over competitors, even if Tomasini herself never did anything to encourage such purchases.

Tomasini and fellow board members should have been very aware of how it would look if word got out of the relationship between Tomasini's company and the college. This is the very reason public institutions draft conflict-of-interest policies – so that obvious or potential conflicts are made public, and presumably kept above board, in full view of the taxpayers who support these institutions.

By ignoring the policy, board members have risked eroding public trust in the very institution they serve.

LMC's defensive response likely says a lot about the initial source of the disclosure – the attorney for fired ex-LMC President Jennifer Spielvogel, who is suing LMC for wrongful termination.

One doesn't have to scratch too deep to see attorney Brad Glazier's motive for releasing the information, since it may cast some doubt on the board's competence, or possibly make the board look hypocritical (Glazier's contention). But the two issues, as we see it, are unrelated.

Going forward, the board can clean this up by redoubling efforts to follow its own policies, and better recognize that as stewards of an important public institution, perception matters a great deal.