



Office of the Inspector General
Commonwealth of Massachusetts

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**Review of Spending Practices by
Former Westfield State University
President Evan S. Dobbelle**

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Executive Summary

In July 2013, the Office of the Inspector General (“OIG”) initiated a review of the spending practices by the then-president of Westfield State University (“WSU” or “the University”), Dr. Evan S. Dobelle (“Dobelle”). The OIG launched this review in response to allegations that Dobelle had extensively used WSU credit cards for personal purchases, spent extravagantly on travel and financially crippled the Westfield State Foundation (“WSF” or “the Foundation”), a non-profit affiliated with the University.

These allegations were the subject of earlier separate reviews by a law firm and by an accounting firm hired by WSU. Those reviews established that Dobelle had used University-related credit cards for personal expenses and raised questions about the reasonableness of some of his spending, particularly on travel.

The OIG went well beyond the scope of these earlier reviews. The OIG set out to determine the full extent of Dobelle’s use of University-related funds for personal purposes, including whether his extensive travel had a legitimate University-related purpose and whether Dobelle had given the WSU Board of Trustees an accurate and complete account of his activities.

The OIG found that:

- Dobelle knowingly and willfully violated University and Foundation policies by engaging in the frequent and substantial use of University and Foundation credit cards for personal expenses. When he received a University credit card shortly after becoming president, Dobelle signed WSU’s credit card policy explicitly prohibiting personal purchases with the University credit card. When he received a Foundation credit card in July 2008, he was explicitly told that it was for Foundation business only and that personal charges were forbidden. Almost immediately, he began making personal charges on both credit cards. Over the nearly six years he was president, he self-identified over \$85,000 in personal charges, in violation of those policies. The OIG has identified tens of thousands of dollars in additional charges that Dobelle spent for primarily or exclusively personal purposes.
- Dobelle repeatedly submitted documents portraying personal spending as having a WSU-related purpose, for which the University or the Foundation paid. For example, Dobelle frequently traveled to San Francisco for what he described as fundraising meetings with foundations or prospective donors. The trips were timed to coincide with social events that did not have any WSU-related purpose. Also, Dobelle often portrayed personal friends as prospective donors and claimed to have meetings with foundations that have no record of any contact with Dobelle.
- Dobelle repeatedly made false or misleading verbal and written statements to WSU’s Board of Trustees in order to justify his improper actions and wasteful spending. For example, Dobelle claimed that his foreign travel had attracted 123 international students to WSU in the fall of 2013, bringing in \$1.2 million per year; however, most of those “international students” are non-U.S. citizens who are permanent residents of Massachusetts and pay in-state tuition. Also, in order to get approval for a May 2013 trip

to San Francisco, Dobelle represented that he had appointments with four people he identified as “hi-tech executive alumni.” He did not have appointments with any of the four and, with one exception, they did not work in the technology field. The primary motive for the trip appears to have been to attend the wedding of a friend’s son.

- Dobelle received a significant unwarranted financial benefit from his use of University and Foundation credit cards for personal expenses and from having the University underwrite his travel. By putting personal charges on WSU-related credit cards, he avoided interest charges that would have accrued on his own credit cards. He also collected airline and hotel points and miles worth thousands of dollars in his personal rewards accounts from his WSU-funded travel.
- Dobelle engaged in improper and irresponsible conduct in connection with a trip to Cuba in 2013, putting WSU’s reputation and standing at risk. Dobelle invited people who were not eligible to travel to Cuba under the U.S. Treasury Department’s academic exemption. He also instructed some of these ineligible travelers, including family members and friends, to make the false assertion that they were “adjunct faculty” and “assistant coaches” at WSU.
- Dobelle’s decision to lead a 10-person WSU/WSF trip to Asia and his management of the Speaker Series financially damaged the Foundation and, ultimately, the University while providing little measurable benefit to WSU. The two initiatives together cost the Foundation more than \$700,000 and were a major factor in the Foundation’s financial crisis in 2010. The University was forced to provide more than \$400,000 to keep the Foundation afloat.
- Dobelle engaged in similar spending practices, such as frequent travel to San Francisco and reporting both personal expenses and social meetings as having a business purpose, at his prior positions as president of the University of Hawaii and president of the New England Board of Higher Education.
- Dobelle routinely violated University policy regarding business meals. He often failed to identify all of the individuals at a meal charged on a WSU-related credit card or the University-related purpose of the meal. There were also many instances in which the bill included charges for alcoholic beverages, a violation of University policy.
- Dobelle was imprudent with University money, resulting in the waste of significant amounts of public funds. For example, Dobelle routinely rescheduled or canceled flights, costing WSU thousands of dollars.
- Dobelle used Foundation funds without authorization. For instance, in 2013, Dobelle commissioned a portrait of himself to be unveiled for WSU’s 175th anniversary. Dobelle sent the bill for the portrait and the frame to the Foundation without seeking prior approval.
- Dobelle used University personnel and resources for personal purposes.
- Dobelle purchased two Kindles, a digital camera and a laptop computer with University funds, but the University has never had possession of this equipment.

The OIG concluded that Dobelle knowingly disregarded University policies, misled the WSU Board of Trustees, abused his authority, exploited public resources for his personal benefit and violated the public trust.

While Dobelle bears most of the responsibility for the waste and misconduct uncovered by the investigation, the OIG has identified several ways in which WSU and other public institutions of higher education can improve their internal controls, financial safeguards and board oversight in order to reduce the potential for fraud, waste and abuse within their institutions. The OIG makes the following recommendations:

- WSU should establish an internal audit office that reports to the Board of Trustees;
- The chair of the WSU Board of Trustees should be responsible for overseeing the president's travel and purchases;
- WSU should centralize its travel operations for University staff, faculty and students;
- WSU should reduce the number of University credit cards, switching to a system of expense reimbursements and procurement cards;
- WSU and the Foundation should continue efforts to define the relationship between their two separate entities to ensure compliance with state laws;
- The Board of Trustees should adopt a policy requiring that all University-related email communications be conducted on WSU email accounts;
- The Department of Higher Education ("DHE") should expand opportunities for trustee training, orientation and continuing education in order to ensure that board members understand and fulfill their fiduciary responsibilities;
- DHE should work with each local board of trustees to develop procedures to ensure that the boards have members with diverse backgrounds, including members with experience in business and finance, and that each trustee is properly trained on the technical and legal issues that are vital to each board's oversight of its institution; and,
- DHE should establish guidelines to increase transparency in state university budgetary matters. For instance, DHE should consider requiring the colleges and universities to file their annual audits with DHE to ensure that the Commonwealth is aware of any financial issues identified in the audits.

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Background

I. Westfield State University

Westfield State University (“WSU” or “the University”) is one of nine independent, public institutions that comprise the State University System in Massachusetts. The state universities are “strategically located to facilitate access to baccalaureate and master’s degree programs for Commonwealth residents who meet their high standards for admission.”¹ Each of these universities is governed by a separate and independent board of trustees, made up of people appointed by the Governor. The State University System, along with the University of Massachusetts System and the Community College System, receives limited oversight from the Massachusetts Board of Higher Education and the Executive Office of Education.

WSU traces its history back to 1838, when educational reformer Horace Mann established the first co-educational school for the training of teachers in Barre. The school admitted 20 students into its first class in 1839. It was relocated to Westfield a few years later. WSU now has more than 4,600 undergraduates and another 1,300 graduate and continuing education students each year. The president of WSU is appointed by the Board of Trustees and functions as the chief executive of the school on a day-to-day basis. Financial matters are handled by WSU’s administration and finance office.

II. Westfield State Foundation, Inc.

Each state university in Massachusetts has established a 501(c)(3) foundation pursuant to M.G.L. c. 15A, § 37, in order to collect donations, award scholarships, and otherwise support the university. The Westfield State Foundation, Inc. (“Foundation” or “WSF”) has a Board of Directors, whose members serve on a voluntary basis.

The Foundation is staffed by university personnel and led by an executive director, who also serves as WSU’s chief development officer. Until 2011, the executive director of the Foundation had the title of Associate Vice President of Development and reported to the Vice President for Alumni and University Relations. More recently, the executive director has reported directly to the president of the university. This person is employed as a non-union professional and serves at the will of the president. The executive director and other development staff are hired and paid by the University. By law, University staff can spend no more than 25% of their work hours on Foundation-related work.² The Foundation contracts with Appleton Corporation, a property and asset management firm, for accounting and bookkeeping services.

¹ See Massachusetts Department of Higher Education, *Mission of the State Universities* (<http://www.mass.edu/campuses/missionsc.asp>).

² See M.G.L. c. 15A, § 37 (D).

III. Former President Evan S. Dobelle

Dr. Evan S. Dobelle (“Dobelle”) began his tenure as president of Westfield State University in January 2008. Previously, he had served as president of Middlesex Community College from 1988 to 1990, chancellor of the City College of San Francisco from 1990 to 1995, president of Trinity College from 1995 to 2001, president of the University of Hawaii from 2001 to 2004, and president of the New England Board of Higher Education from 2005 to 2007.

Dobelle’s tenure at the University of Hawaii was cut short by controversies very similar to those that ended his tenure at Westfield State University. His frequent travel and lavish spending, coupled with his failure to document a public purpose for his expenditures, sparked public criticism and triggered outside audits. At the University of Hawaii’s Board of Regents meeting on June 15, 2004, the regents unanimously supported immediately terminating Dobelle’s seven-year contract even though he had only been at the university for three years.³ As recorded in executive session minutes, each regent expressed his or her reasons for firing Dobelle, with his dishonesty being the most common complaint. Board of Regents Chairperson Patricia Lee’s comments were representative of the rest of the regents’ views. As recorded in the minutes:

Chairperson Lee said that the President does not stand by what he says. She added that you can’t “hold his feet to the fire” because he refuses to be held to any accountability standards.... There has been a lack of accountability, lack of fund-raising progress, lack of a sense of stewardship, ignoring the most basic policies and being disconnected from what’s happening. But, most importantly, his dishonesty and lying are most troubling.⁴

The Board of Regents voted that day to fire Dobelle. Several weeks later, the Board of Regents rescinded the vote as part of a settlement with Dobelle after he threatened litigation.

In January 2008, Dobelle assumed the presidency of Westfield State University. In July 2012, a collection of documents pertaining to Dobelle’s credit card use and spending was turned over to the chair of the WSU Board of Trustees. Shortly thereafter, the audit firm of O’Connor & Drew, P.C. (“O&D”) was hired to review Dobelle’s credit card use and spending. O&D began its work in 2012 and completed its review in March 2013, although the release of its report was delayed while awaiting a formal response from Dobelle.

On August 29, 2013, following requests from the OIG, WSU’s Board of Trustees voted to publicly release the O&D report. The O&D report stated that Dobelle and others had used WSU and Foundation credit cards for personal expenses in violation of university policy. In addition, O&D found that Foundation funds had been used indiscriminately and some expenditures of University funds appeared to violate WSU’s requirement that purchases must be “reasonable and not excessive.”

³ *Minutes of the Board of Regents’ Meeting*, University of Hawaii, June 15, 2014, at pg. 12.

⁴ *Id.* at pg. 9.

In a September 19, 2013 letter to the WSU Board of Trustees, the OIG wrote that the O&D report was “accurate and well-supported” by back-up documentation.⁵ The letter also informed the Board of Trustees that the Foundation had run an operating deficit in its unrestricted funds account in 2010 caused, in part, by Dobelle’s spending practices. As a result of this deficit, WSU was forced to transfer more than \$400,000 to the Foundation. In addition, the OIG noted that Dobelle claimed his travel expenditures produced a “return on investment” to WSU in the form of \$3 million in revenue and 123 international students. The OIG said Dobelle’s numbers were “based on generalizations, assumptions and misleading definitions.”

At its October 16, 2013 meeting, the WSU Board of Trustees voted to place Dobelle on paid administrative leave pending the outcome of an investigation by an outside law firm. Eight days later, Dobelle filed suit against several trustees, the University, the head of the Massachusetts Department of Higher Education, the University’s law firm (Rubin & Rudman, P.C.) and O&D. On November 8, 2013, Dobelle resigned as president of Westfield State University.

Dobelle declined to be interviewed under oath by the OIG as part of this investigation.

⁵ See <http://www.mass.gov/ig/publications/reports-and-recommendations/2013/westfield-state-university-president-expenditures-9-19-2013.pdf>.

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Investigative Findings

I. Dobelle knowingly and willfully violated University and Foundation policies by using of University and Foundation credit cards for personal expenses.

As president of WSU, Dobelle charged over \$85,000 in personal expenses to WSU and Foundation credit cards, in violation of WSU and Foundation policies.⁶

A. Dobelle's credit card use

For much of his tenure at WSU, Dobelle had access to corporate credit cards from the University, the Foundation or both. Specifically:

- From January 2008 through November 2010, he had a University credit card in his name with a credit limit as high as \$25,000;
- From July 2008 through September 2010, he had a Foundation credit card in his name with a \$30,000 credit limit; and
- From December 2011 through October 2013, he had a University credit card in his name with a limit as high as \$25,000.

During a 13-month period from November 2010 through November 2011, Dobelle did not have a University-related credit card in his name.⁷ Dobelle surrendered his University credit card to the Finance Department in late October 2010 after repeated requests by the Vice President of Administration and Finance and other WSU administrators to cease use of the card for personal expenses. While Dobelle's WSU credit card was inactive, the President's Office staff pre-charged his travel expenses on then-Executive Assistant Nanci Salvidio's credit card, which they referred to as "the President's Office card."

Throughout Dobelle's tenure as president, making personal charges on a University credit card violated University policy and was grounds for both revocation of the credit card and further disciplinary action, whether or not the charges were subsequently reimbursed. When the University issued the credit card to Dobelle in January 2008, he signed a copy of the University's credit card policy. At that time, the policy (last updated in 2006) read:

The card shall be used only for College authorized expenses.... Personal charges and cash advances are not permitted on this card.... Any unauthorized charges made to the corporate credit card which are deemed to be personal ... shall cause the card to be revoked.⁸ (Emphasis in original.)

⁶ See Finding II for a discussion of additional personal charges that Dobelle diverted to WSU and the Foundation.

⁷ The term "University-related credit cards" refers to the WSU and Foundation credit cards discussed in this section.

⁸ Westfield State University Policy Concerning Corporate Credit Card Use, updated April 2006. A copy signed by Dobelle is attached as Appendix A.

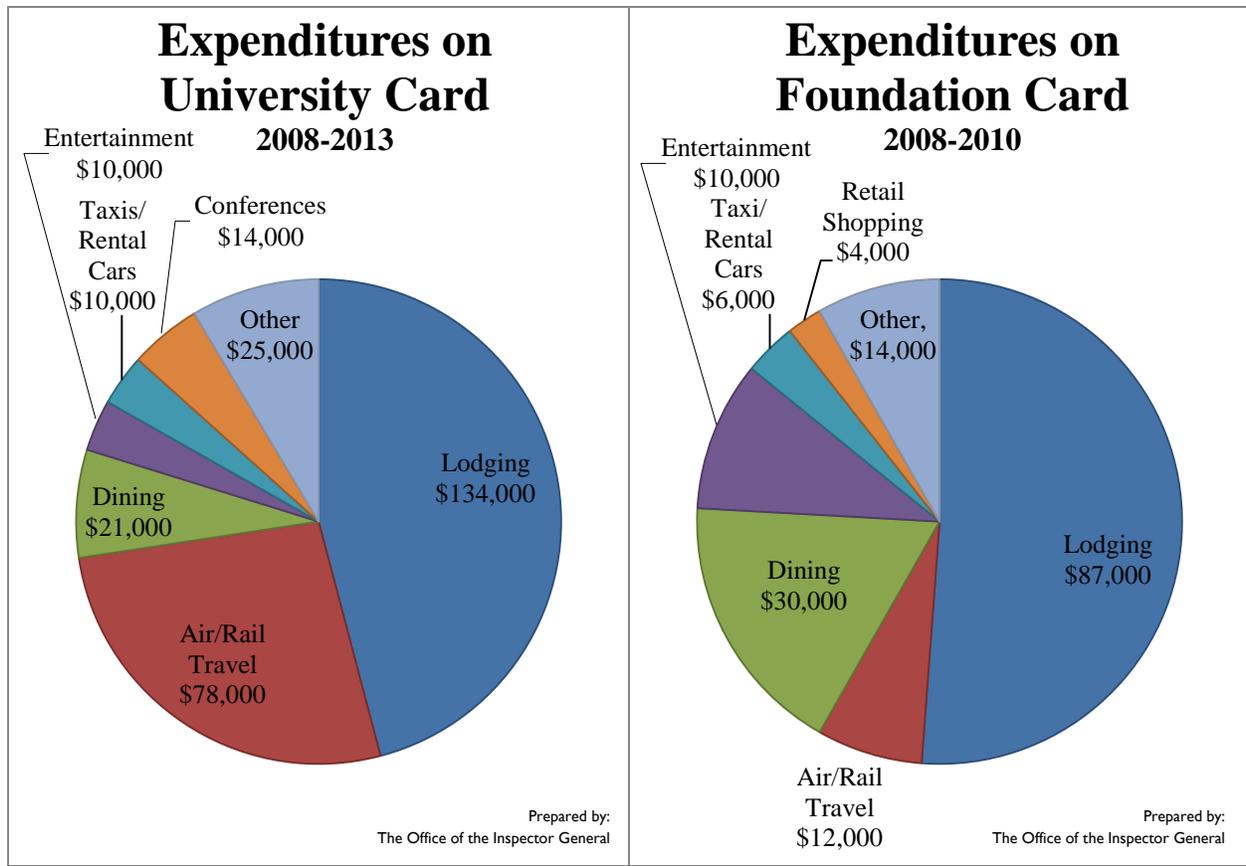


Chart 1. Categories of Expenditures of Dobelle’s University and Foundation Credit Cards⁹

The Board of Trustees revised and strengthened this policy in April 2009, April 2012 and October 2012. The April and October 2012 policy changes formally codified specific restrictions on credit card use (*i.e.*, prohibiting equipment purchases, prohibiting alcohol purchases, and requiring that travel be approved prior to the purchase of airline tickets) and required the vice president of administration and finance to report unauthorized charges by the University president and/or vice presidents to the chair of the Board of Trustees. The University administrators made these revisions in response to credit card misuse by Dobelle and others.

The Foundation also explicitly prohibited the use of its credit cards for non-Foundation purposes. The Foundation executive director provided Dobelle with guidelines on the appropriate use of the credit card when he provided Dobelle with the credit card in July 2008.

Despite the explicit prohibition in the credit card policy, Dobelle made frequent and extensive use of University-related credit cards for personal purchases. In total, between 2008 and 2013, Dobelle spent more than \$450,000 on University-related credit cards. Of that, he self-identified over \$85,000 in charges as personal expenditures.¹⁰ More specifically, between 2008 and 2013,

⁹ Charges categorized as “other” include bank fees, books, convenience store or grocery purchases, electronics, flowers, gifts, framing, internet charges, office supplies, parking and travel agent fees, etc.

¹⁰ As detailed in Finding II, this self-identified total significantly understates the actual amount of personal expenditures charged to University-related accounts.

Dobelle's University credit card incurred \$291,852.13 in charges. This amount includes more than \$44,400 in purchases that he identified as personal expenses. He charged an additional \$153,001.60 on his Foundation credit card, including more than \$28,600 of self-identified personal expenses. Finally, during the 13-month period in which he had no University-related credit card, \$81,967.66 in charges appeared on Salvidio's University credit card, including more than \$11,600 of Dobelle's self-identified personal expenses. It is difficult to classify many of the expenses as "Dobelle's" or "Salvidio's." However, the level of spending on Salvidio's WSU credit card increased significantly during this time period. For perspective, during the preceding 13-month period, Salvidio charged less than \$7,200 on her WSU credit card. Following Salvidio's departure from the President's Office, Dobelle regained access to a University credit card in his name in December 2011. Over the course of his tenure, Dobelle also self-identified over \$600 in personal expenses on two of his secretaries' WSU credit cards.

B. Credit card reconciliation process

During Dobelle's tenure, the President's Office followed a set of procedures to identify personal expenses and obtain reimbursement for WSU and the Foundation, a process the staff referred to as reconciliation. Secretaries in the President's Office handled many of the tasks involved in sorting out the personal expenses on the credit cards. On an ongoing basis, Dobelle, Salvidio and other card-holders gave a secretary receipts and other documentation of expenditures. On a monthly basis, after receiving the credit card statement from WSU's Finance Department, the secretary would meet with Dobelle so that he could identify his personal charges.

The secretary then went through the documentation collected from Dobelle. Some receipts with multiple entries, such as hotel folios, might have individual line items redacted and labeled "personal." These items would be grouped with the charges Dobelle had identified on the credit card statement as personal purchases. This list of personal expenses, often including an outstanding balance from previous months, would be photocopied and presented to Dobelle so that he could write a check to reimburse WSU or the Foundation. It often took multiple requests to Dobelle over a period of weeks or months before the secretary received reimbursement checks from Dobelle.

Any charge Dobelle did not specifically identify as "personal" was presumed to be University-related. For credit card charges that lacked a receipt, the secretary would contact the vendor seeking a duplicate receipt. The secretary would assign each purchase to an accounting category corresponding to the purpose of the expenditure, so that the cost could be reflected in the WSU and Foundation bookkeeping systems. Charges on University cards were assigned to either an encumbrance for a business trip or to a purchase order. Finally, the secretary would forward a completed *Journal Entry Form*, the credit card statement, receipts and any reimbursement checks to the Finance Department.

Secretaries who had been assigned this duty described the process as extremely time consuming and difficult due to the volume and frequency of Dobelle's credit card activity and the fact that Dobelle often did not provide them with receipts. In addition, credit card records often lacked the details needed to determine which charges were personal, leaving WSU reliant solely on Dobelle's self-reporting.

C. Dobelle’s justifications of credit card misuse

After his credit card use came under scrutiny for personal spending, Dobelle publicly offered three main defenses of his actions: (1) that the personal charges were unintentional; (2) that the personal charges were made by his staff, not by him; and (3) that making personal charges and later reimbursing the University was an “accepted practice” at WSU prior to his arrival. Dobelle made statements regarding these three defenses to the Board of Trustees and in recorded media interviews. In each case, the evidence does not support Dobelle’s claims.

1. Dobelle’s claims that the personal charges were unintentional

At the October 16, 2013 WSU Board of Trustees meeting, Dobelle described his personal use of the credit card to the Board of Trustees as “not a calculated decision, but rather an unintended error.”¹¹ He elaborated by saying that his personal credit card was similar in appearance to the University-related cards.

In nearly six years, Dobelle made more than 400 charges for self-identified personal purchases totaling over \$85,000 on University-related credit cards. Over the same period, the OIG found just six charges on his personal credit and debit cards totaling \$290.24 for which Dobelle sought reimbursement from WSU. Four of these six charges, totaling \$276, were associated with Dobelle’s trips to San Francisco.¹²

Virtually all of the ostensible errors follow a pattern – namely, they are personal purchases by Dobelle charged to a University-related credit card. Given this pattern, the OIG considers it reasonable to conclude that the personal purchases made with WSU-related credit cards occurred by design.

Furthermore, the OIG found several instances in which Dobelle explicitly instructed a WSU employee or a travel agent to put a personal charge on a University-related credit card.

For example, in a February 26, 2009 email, Dobelle instructed his travel agent to purchase a personal flight for his son “with Visa ending in 9943,” which was his University credit card. The travel agent replied, “Just want to check; the 9943 is the [Westfield State College] Visa, not personal [American Express], right?” to which Dobelle responded “ok for now.” Dobelle subsequently reimbursed this \$443.20 expense on April 1, 2009 as part of a \$7,220.23 reimbursement from Dobelle for four months’ worth of personal expenses on the University credit card.

¹¹ *Special Meeting of the Board of Trustees of Westfield State University*, October 16, 2013, at pg. 84.

¹² The legitimacy of his travel to San Francisco is discussed in Finding II and Finding V.

2. Dobelle’s claims that personal charges were made by his staff, not him

Dobelle also told the Board that “charges that were made to the card that were personal expenses were not necessarily made by me, but made by my staff.”¹³ Dobelle made similar comments during an audio-recorded interview with the Boston Globe.¹⁴

Dobelle did not cite any examples, nor did the OIG identify any such cases. Dobelle kept his personal credit cards on file with his secretaries so that they could make personal purchases on his behalf. However, President’s Office staff told the OIG that they always sought guidance from him on how to pay for various expenses. They reported that at times Dobelle instructed them to purchase something online – typically a flight for a member of the Dobelle family – and to pay for it with a personal credit card. One secretary recalled an incident when Dobelle asked her to book a transatlantic flight for his son on a personal credit card. When she attempted to do so, the charge was denied. When she reported this to Dobelle, he directed her to put the charge on a University card. Dobelle later marked the charge as personal and reimbursed the cost to WSU.

3. Dobelle’s claims that making personal charges and later reimbursing the University was an “accepted practice” at WSU prior to his arrival

At the October 16, 2013 WSU Board of Trustees meeting, when asked if every personal charge was a mistake, Dobelle responded:

No. You know, it’s not a mistake. It was an acceptance of the practice where you go to a hotel, you charge things, you come back, you redact it and you reimburse. That, to me, is not a mistake. It’s simply an accepted practice.¹⁵

Dobelle stated he “inherited” the practice from preceding WSU presidents. Specifically, in a televised interview, Dobelle stated that he “assume[d] the practice I inherited was policy and that turned out to not be the case.”¹⁶

However, the available evidence contradicts Dobelle’s assertions that this “accepted practice” existed and preceded his arrival. As shown in Appendix A, Dobelle signed a copy of the credit card policy on January 20, 2008, acknowledging the conditions of WSU’s *Policy concerning Corporate Credit Card Use*. This policy clearly prohibited the use of the WSU credit card for personal expenses.

Former Vice President of Administration and Finance Gerald Hayes told the OIG that personal use of University-related credit cards has never been an accepted practice. In 2010, Hayes repeatedly asked Dobelle to stop putting personal charges on the University credit card and even made a guide for what types of expenses should go on each credit card. Hayes reported to the

¹³ *Special Meeting of the Board of Trustees of Westfield State University*, October 16, 2013, at pg. 86.

¹⁴ Interview of Evan Dobelle by Andrea Estes and Scott Allen at approximately 12:35 minutes.

¹⁵ *Special Meeting of the Board of Trustees of Westfield State University*, October 16, 2013, at pg. 85.

¹⁶ *Westfield State President Evan Dobelle Responds to Allegations of ‘Lavish’ Spending (Full Interview)*, WGBH News (October 8, 2013), (<http://www.youtube.com/watch?v=wHn7LbGjn6o>).

OIG that during these conversations, he had never heard Dobelle justify his actions by describing them as an “accepted practice.” Hayes was one of several subordinates who urged Dobelle to refrain from making personal purchases with the University and Foundation credit cards; however, they lacked the authority to force Dobelle to stop this practice.

Also, in 2010 the accounting firm Boisselle, Morton & Associates (“Boisselle”) conducted the fiscal year (“FY”) 2010 annual audit of the Westfield State Foundation. The auditors noted in a September 8, 2010 draft of their management letter that “the President of the college charged over \$20,000 of purchases on his Foundation credit card that were subsequently reimbursed to the Foundation.” However, Dobelle instructed University administrators to work with Boisselle to alter the language of the management letter, the final version of which was given to the Foundation Board, so that it did not specifically name him. A September 15, 2010, email from Dobelle to Vice President of Advancement and University Relations Kenneth Lemanski and Foundation Executive Director Robert Ziomek with the subject line “left letter on desk” stated, “need your help...we need to stand with each other...this is unfair...metivulous [*sic*] effort by [my secretary] and he sets me up?” (Ellipses in original) An hour later, Dobelle replied on the same chain to Lemanski and Hayes, stating “the way i wrote it is fine [*sic*]” and that “the message has been delivered...no reason for it to be in official letter [ellipses in original].” At Dobelle’s insistence, the final version of the management letter was changed to read, “[a]n administrator of the college charged over \$20,000 of purchases.” Had this truly been an “accepted practice,” it is unlikely that Dobelle would have gone to such lengths to remove his identity from this management letter.

Shortly after the FY2010 audit was presented to the Foundation Board, the Board voted to cancel all of WSF’s credit cards, including Dobelle’s, in order to prevent further abuses.¹⁷ Two months later, after repeated conversations with several WSU officials who were critical of his personal purchases, Dobelle surrendered his University credit card. At that point, Dobelle did not have direct, physical access to a University-related credit card. The restrictions on Dobelle’s access to University-related credit cards during this time period run contrary to the assertion that personal use of these cards was an accepted practice.

After restricting Dobelle’s access to credit cards in 2010, University and Foundation officials took additional measures in 2012 and 2013 to restrain his spending and install tighter oversight over his travel. The University and Foundation instituted these measures because the earlier warnings and restrictions in 2010 had not been successful in stopping Dobelle’s personal use of WSU-related credit cards. The fact that these actions were taken contradicts Dobelle’s assertion that his personal spending was customary and acceptable.

Even in the situation Dobelle described to the Board concerning incidental charges on a hotel bill, the proper action has always been to charge incidentals at a hotel on a personal credit card. While there were instances where other employees have reimbursed the University for incidental charges that were accidentally put on a University credit card, they were far less frequent.

Finally, in an attempt to deflect criticism in early August 2013, when his own credit card use was being scrutinized, Dobelle directed his staff to review the credit card records of his predecessor,

¹⁷ See Finding VI for further discussion about the Foundation FY2010 audit.

Vicky L. Carwein, to review how her personal charges were handled.¹⁸ A staff member only located and shared with Dobelle one purchase requiring reimbursement: a \$15 glass of wine ordered at a business dinner.

There is no evidence supporting Dobelle's claim that he acquired this practice from his predecessors at WSU. Rather, the University acquired this practice from Dobelle. An OIG review found that Dobelle often made personal purchases on his business-related credit card issued by his prior employers, the New England Board of Higher Education ("NEBHE") and the University of Hawaii ("UH").¹⁹ An external auditor's report of Dobelle's expenditures at UH indicates that Dobelle charged over \$46,000 in self-identified personal expenses to the UH Foundation between July 2001 and February 2003, which he subsequently reimbursed.²⁰

The overwhelming evidence demonstrates that Dobelle knew that personal use of University-related credit cards was prohibited and that he disregarded or subverted attempts to restrain his inordinate spending on personal purchases.

II. Throughout his tenure, Dobelle repeatedly submitted documents falsely portraying personal spending as having a WSU-related purpose, thereby diverting the costs to WSU and the Foundation.

The OIG has identified numerous personal expenses paid for by the University or the Foundation to which Dobelle ascribed a University-related purpose. This practice was especially prevalent on his travel expenses. Through this practice, Dobelle diverted the costs of multiple personal vacations and meals to the University and the Foundation. Dobelle took at least 110 out-of-state business trips, many of which incorporated personal meals and vacation days. The OIG focused its review on Dobelle's 17 business trips to San Francisco. In total, Dobelle charged the University and Foundation more than \$63,000 for his travel to San Francisco, much of which appears to be personal.

A. Foundation-paid trip to San Francisco in July 2010

Dobelle travelled to San Francisco from July 13, 2010 through August 2, 2010 at a cost to the Foundation of \$2,841.27. That cost included a hotel room for three nights at the Grand Hyatt (July 13, July 14 and August 1), roundtrip airfare, limousines to and from the airport, a rental car and four "business meals."²¹ Dobelle recorded July 13 as a work day, July 14 as a sick day, and the remainder as vacation.

¹⁸ Carwein served as president from 2003 through 2006.

¹⁹ See Finding VII.

²⁰ Deloitte and Touche, LLP, *Independent Accountants' Report on Applying Agreed-Upon Procedures*, June 8, 2004, at pg. 42.

²¹ Dobelle also charged and subsequently reimbursed an additional \$4,327.25 of expenses on the Foundation credit card, including his wife's and son's airfare, a \$130 charge at a beauty salon, several meals and charges at two clothing stores. Dobelle's reimbursement to the Foundation for these expenses occurred in three parts on August 24, 2010, September 21, 2010 and October 13, 2010.

The OIG found that Dobelle did not conduct any business on behalf of the Foundation or the University during this trip. Rather, the evidence indicates that from July 15 to August 1 Dobelle was at the Bohemian Grove, a large camp owned and operated by the Bohemian Club, a private, all-male social club based in San Francisco, of which Dobelle is a member. Dobelle's wife stayed at the Grand Hyatt from July 13 until July 18.

On October 6, 2010, more than two months after taking this trip, Dobelle submitted a *Request to Travel Form*,²² on which he recorded the purposes of the July 13 to August 2 trip as "CUMU Annual Mtg." and "Universities – Fresno + S.F. State." CUMU refers to the Coalition of Urban and Metropolitan Universities. A CUMU administrator reported to the OIG that no meetings were held on the west coast during July 2010. In fact, CUMU's annual meeting took place on October 23, 2010 at California State University in Fresno.

Another University-related purpose Dobelle gave for the trip was cultivating foundations as potential donors. The OIG found no evidence that Dobelle met with any potential donors or conducted any other fundraising activities during this trip. For instance, the Westfield State Foundation paid for four business meals during the two days Dobelle spent in San Francisco. Dobelle wrote "Dunn Family Fdn" on the receipt for a \$239 dinner at the Wayfare Tavern on July 13. A representative of the foundation, which focuses on education issues, told the OIG that nobody at the foundation has ever heard of Dobelle.

The next morning, July 14, 2010, Dobelle, his wife and son had a \$118 breakfast at Scala's Bistro with University of Hawaii history professor Richard Rapson and his wife. Rapson stated to the OIG that they would likely have discussed current events at the University of Hawaii and education reform at WSU, but not fundraising. Rapson reported that Dobelle has not solicited donations to WSU from him.

Also on July 14, Dobelle had lunch at the Grandviews Lounge in the Grand Hyatt. Dobelle indicated he ate with Robert Varni of the "CCSF Fdn." Varni was affiliated with the City College of San Francisco ("CCSF") for about 15 years, first on the CCSF Board of Trustees. He later served on the board of the CCSF Foundation, which he left about a decade ago. Varni said he first met Dobelle in 1990 when Dobelle was named CCSF's chancellor. Since 1995, when Dobelle left CCSF, they have met occasionally when Dobelle comes to the Bay Area. All of the post-1995 meetings, including the one on July 14, were "entirely social," Varni said. He stated that he is not affiliated with any foundations or grant-making institutions that could benefit Westfield State. Further, this is not the first time Dobelle billed WSU for a social meal with Varni. A year earlier, Dobelle had listed the business purpose of another meal with Varni in San Francisco as "IBM Foundation." Varni last worked at IBM in 1969 and told the OIG that he does not know if IBM has a charitable foundation.

Finally, Dobelle submitted a \$180 receipt for a July 15 lunch at Campton Place Restaurant, on which Dobelle wrote "Harris Weinberg et al." Weinberg, a lawyer and friend of Dobelle's, told the OIG that he could not recall the specifics of this meal because they have dined together on

²² From its title and per University policy, the *Request to Travel Form* indicates it was to be used only in advance of a trip; however, Dobelle frequently submitted this document after a trip to apply for reimbursements for out-of-pocket expenses and per diem payments.

many occasions. When asked if their meetings have been business-related, Weinberg said, “It’s hard to discern the line between what’s business-related and what’s not business-related.... It’s all about networking.” The lunch occurred on Weinberg’s birthday. As noted above, Dobelle indicated that July 15 was a vacation day.

In short, Dobelle fraudulently arranged to have the Foundation provide a \$2,841.27 subsidy for a vacation, and the Foundation received nothing in return.

B. Frequent travel to San Francisco with questionable business purposes

In many respects, the July 2010 trip to San Francisco typifies Dobelle’s travel, especially when he went to California. Based on a review of Dobelle’s calendar, he took at least 110 out-of-state trips during his tenure, including nine international trips. Dobelle travelled to San Francisco 17 times for a total of 171 days. Ten of his 17 trips to San Francisco coincided with the Bohemian Club’s annual “Spring Jinks” in late May or its “Encampment” in Monte Rio, California, for two weeks every July. Consistently, Dobelle’s trips to San Francisco during May and July included vacation time bracketed by purportedly University-related meetings, with these meetings providing a pretext for the University to pay for his airfare, hotel costs and other travel expenses.

Dobelle also routinely mischaracterized many of the business meals listed on reconciliation reports, credit card receipts or travel reports as meetings with officials of a foundation. Many are more properly viewed as dinners with long-standing friends, to which Dobelle falsely attached the name of a foundation.

For example, Dobelle met several times in San Francisco with Haig Mardikian, who is an alumnus of Trinity College and was a board member at Trinity during Dobelle’s tenure there. They have remained friends since that time. Mardikian is also a Bohemian Club member. In official WSU travel documents, Dobelle identified Mardikian as an official of the William Saroyan Foundation, created in 1966 by Armenian-American author William Saroyan to be custodian of some of his manuscripts. The Saroyan Foundation turned over custody of these manuscripts to Stanford University in the 1990s. Mardikian said the Saroyan Foundation is largely inactive, although it does make small grants to writers of Armenian heritage or for works about the Armenian-American experience. The Saroyan Foundation does not donate to educational institutions. It has not donated to the University, but the University has donated to the Saroyan Foundation. In 2008, Dobelle donated \$300 to the Saroyan Foundation using his WSU credit card. He did not reimburse WSU for the charge.

Similarly, Dobelle listed the Osher Foundation as a prospective donor in connection with five trips to San Francisco. On two of those trips, Dobelle listed Willie Weinstein as his contact at the Osher Foundation. On the other three, he did not identify anyone by name as the contact, simply listing “Osher Foundation.” The executive administrator of the Bernard Osher Foundation told the OIG that Weinstein is not affiliated with the Bernard Osher Foundation. She also told the OIG that the foundation had no record of any contact with WSU at any point in the recent past and that WSU does not fit the Osher Foundation’s profile for grant recipients.

The Osher Foundation has never donated to WSU. Corporation records show that Weinstein, who is an investment advisor and money manager, is involved in several businesses with

Bernard Osher, who set up the foundation in 1977 and had a long career in the finance and investment industry. The Osher Foundation shares an office suite with Weinstein's and Osher's businesses. OIG staff requested to interview Weinstein about his meetings with Dobelle, but he turned down the request because of their longtime friendship.

Similarly, Dobelle's schedule and travel documents show five meetings with the Louis R. Lurie Foundation. Dobelle identified Patricia Lurie and Albert Guibara, with whom he is friends, as representatives of the Lurie Foundation. In separate filings with WSU, Dobelle identified Guibara, a sculptor and a member of the Bohemian Club, as a Lurie Foundation representative. Dobelle identified Patricia Lurie as president of the Lurie Foundation. However, the organization has no record of being contacted by Dobelle or anyone else about funding for WSU. The administrator of the Lurie Foundation, who has been at the foundation for nearly 30 years, said she had not heard of Dobelle until questions were raised last year about Dobelle's travel and spending. While Patricia Lurie was on the foundation's board of directors until last year, Guibara is not a representative of the Lurie Foundation. In 2012, moreover, the foundation's trustees announced they were shutting it down and had stopped awarding new grants. Guibara and Lurie refused to talk to OIG staff.²³

In October 2009, Dobelle filed a *Missing Receipt Form* for a \$570 purchase on the Foundation's credit card. The *Missing Receipt Form* lists the expense as "Lynmar Foundation." The OIG found no evidence that such a foundation exists. Dobelle's credit card statement shows that the purchase was from Lynmar Winery, a maker of luxury wines in Sonoma Valley. Lynmar Winery is owned by Lynn Fritz, a Bohemian Club member and a friend of Dobelle for more than a decade. Fritz told the OIG that he was unsure if Dobelle had solicited donations from him for Westfield. His main philanthropy is the Fritz Institute, which funds disaster relief and recovery work. Fritz has never donated to WSU.

Dobelle and his wife also took a group of 17 students, faculty and staff to Lynmar Estates for a \$1,352.56 lunch in January 2012; the University paid for this meal. This group was part of a J-term in San Francisco. J-term trips are short-term, faculty-led courses that take place between semesters in either January or early summer. While most J-term trips take place overseas, a few have occurred domestically. During Dobelle's tenure, two took place in San Francisco: January 2 to 18, 2012 and May 26 to June 3, 2013.²⁴ Although not invited, Dobelle accompanied both J-term trips, as well as a May 2011 planning trip conducted by Executive Assistant Nanci Salvidio and Dean of Undergraduate Studies Marsha Marotta. Dobelle's wife also accompanied the January 2012 J-term and the May 2011 planning trip.

Dobelle and his wife's presence on these trips is another example of wasteful spending. For example, Dobelle and his wife traveled to San Francisco from January 11 to 18, 2012 purportedly to attend the inaugural San Francisco J-term. The total cost to the University for Dobelle's airfare, ground transportation and hotel was \$4,399.38. Neither faculty leader invited or asked the Dobelles to attend. Despite that fact, the Dobelles accompanied the group for two

²³ Lurie and Guibara were slated to accompany a WSU delegation to Cuba in March 2013 but canceled on the eve of the trip, purportedly for health reasons. See Finding V.

²⁴ See Finding III for further discussion of Dobelle's travel to San Francisco in May 2013, including the J-Term program.

days and charged the University for three group meals, including the Lynmar Estates meal described above. When questioned by the Finance Department, the President's Office attempted to justify Mrs. Dobelle's charges by claiming that she had been a "guest lecturer" on the trip. Neither faculty leader considered the Dobelles to have been guest lecturers. In fact, WSU had already retained and identified the guest lecturers on the syllabus and itinerary. As was his usual practice, his calendar indicates that he had several social meals with personal friends while on this trip.

At various points, Dobelle has suggested his motive for traveling to San Francisco was to "cultivate" his connections there on behalf of WSU. That assertion does not explain why Dobelle repeatedly took steps to disguise meals with friends and travel structured to coincide with his vacations as having a WSU-related purpose. Citing affiliations with foundations, in most instances falsely, Dobelle made WSU bear a substantial financial burden for his travel. Invoking the names of foundations gave Dobelle a pretext to visit San Francisco and maintain his social ties there, while the University received little, if anything, in return.

III. Dobelle repeatedly made false or misleading verbal and written statements to WSU's Board of Trustees in order to hide his improper actions or to justify wasteful spending.

Beginning in 2010, Dobelle's spending practices and the financial crisis at the Foundation triggered a series of reviews and policy changes. In September 2010, the Foundation cancelled all of its credit cards, including Dobelle's. Two months later, Dobelle surrendered his University credit card following repeated exchanges with WSU staff about his spending habits. For the next 13 months, he no longer had direct access to any University or Foundation credit card. These measures proved inadequate to rein in Dobelle's travel expenses and did not stop his personal use of University-related credit cards.

In 2012, an external audit firm was brought in to review spending by Dobelle and others. While the results of that review were pending, the WSU Board instituted new procedures requiring the Board chair to pre-approve Dobelle's out-of-state travel. Because of this change, Dobelle began having to submit written descriptions of the purpose, itinerary, agenda and potential benefits to WSU of his travel. He was also required to write a post-trip report.

Dobelle filed both a pre-travel authorization request and a post-trip report for a visit to San Francisco in May 2013. In addition, Dobelle extensively discussed this trip with the Board at meetings on August 29, 2013 and October 16, 2013. At the August 29, 2013 board meeting, Dobelle also made specific, quantitative claims about WSU's international student program and the financial benefits associated with it. He attributed these results directly to a 2008 trip he took to Asia.

Before 2012, Dobelle typically provided no details to the Board about his travel. Because of the reporting requirements that the Board placed on Dobelle, the amount of detail that he provided in these written reports and his verbal statements was unprecedented. Dobelle's accounts also came at a period when he was fully aware that his conduct was under scrutiny. For these reasons, the OIG chose to examine the May 2013 trip to California and the international students program in detail to determine the accuracy of his statements. The OIG found that Dobelle's statements to

the Board about the May 2013 trip were blatantly false. Furthermore, Dobelle exaggerated the improvements to WSU's international programs and falsely attributed much of these inflated successes to his travel and expenditures.

A. May 2013 trip to San Francisco

On April 18, 2013, Dobelle submitted a three-page memo to Board Chairman John Flynn seeking authorization to spend university funds on travel to the San Francisco Bay Area in late May. The April 18 document, which Dobelle wrote and signed by hand, states that he and another WSU official, Kandyce Aust, had scheduled a series of appointments with six foundations to secure funding opportunities for WSU. The memo also lists four meetings with "hi-tech executive alumni."

On April 22, 2013, Flynn responded to Dobelle's travel request. The memo states that Flynn spoke with Finance Subcommittee Chairman Kevin Queenin and Foundation Chairman Robert Johnson. The San Francisco trip was "approved as requested," subject to the condition that Dobelle furnish a written account of his trip within 30 days of his return. The memo calls for Dobelle's written account to provide an analysis of his solicitation efforts, describing with whom he met, the agenda for each meeting, the expected short- and long-term financial return from these meetings, and any follow-up actions needed.

During the four days between Dobelle's April 18 travel request and Flynn's April 22 approval, Flynn, Dobelle, Queenin and Johnson communicated by email about the goals and plans for the proposed San Francisco trip. In an April 19 email, Flynn wrote that "the San Fran trip is clearly intended as a funding [*sic*] raising effort with a side bar stop at an ongoing J-Term event." On April 20, Dobelle wrote that his goal was "to take Kandyce and introduce her to several foundations where I have connections." In an email to Aust a month earlier, Dobelle had written, "...realize travel is costly but perhaps you wish to accompany and make the rounds with me... Silicon Valley has the money." (Ellipses in original.)

Dobelle traveled to San Francisco on May 23 and returned to Massachusetts on May 30. Aust traveled to San Francisco on May 27 and left San Francisco on May 30.

Dobelle told Aust he wanted to give Flynn his post-trip report right away. So, on May 31, Aust emailed Dobelle a draft one-page document with two charts on it (*see* Appendix C). One chart listed seven foundations contacted on May 28, with the notation: "Delivered an information packet with personalized letter to each Foundation, introducing myself (Kandyce) and WSU." The second chart listed and briefly described Dobelle and Aust's meetings with people from Apple and two other companies. Dobelle reviewed it and dictated substantial changes to the document (*see* Appendix D). The two charts were combined into a single chart and Dobelle added four foundations to the list. In addition, the notation about delivering the "information packet" was removed and a column called "Follow-Up" was added. In the Follow-Up section for each foundation, Dobelle inserted references to "\$10,000 proposal" or "\$100,000 proposal." As his required post-trip analysis, Dobelle sent this edited chart to the Board that day attached to an email stating, "Kandyce and I have put WSU on the Silicon Valley map...very exciting potential." (Ellipses in original.)

1. Foundations

At Dobelle's instruction, Aust researched foundations in San Francisco and attempted to schedule meetings with them. Dobelle told Aust that he had preexisting meetings with three foundations – the Gensler Family Foundation, the Bernard Osher Foundation, and the Louis R. Lurie Foundation. Aust informed Dobelle in advance of the trip that none of the foundations she contacted had agreed to meet with them, making the likelihood virtually zero that the trip would generate new funding for WSU.

The OIG communicated with officials at all of the 11 foundations listed on Dobelle's post-trip report. Of the 11 foundations, nine had no record of being visited by Dobelle, Aust or WSU during Dobelle's May 2013 travel to California.

Only one foundation, the Gensler Family Foundation, had a record of a pre-arranged appointment with Dobelle. Architect M. Arthur Gensler Jr., who runs one of the largest architectural firms in the world, established the Gensler Family Foundation. Gensler's schedule indicates he and Dobelle had lunch on May 24, 2013. Gensler made annual \$10,000 gifts to WSU for four years, most recently on May 9, 2013, prior to Dobelle's trip to San Francisco. Of the people Dobelle routinely visited in San Francisco, Gensler was the only one who donated to WSU. Gensler told OIG staff that he and Dobelle have been friends since the 1990s, when they were introduced during Dobelle's tenure as chancellor of City College of San Francisco.

Another foundation, the Walter & Elise Haas Fund, received a folder, dropped off by hand without a prior appointment. The folder contained a WSU visitor's guide, four other WSU-related booklets and a cover letter "introducing" WSU to the foundation. Haas Fund staff did not see this as a serious effort. According to the executive director, the Haas Fund focuses exclusively on San Francisco and Alameda counties so a university in Massachusetts would not be a candidate for funding.

Aust prepared the packet received by Walter & Elise Haas Fund. She prepared similar packages for the other foundations listed on Dobelle's post-trip report. Aust said Dobelle and she spent about two hours on May 28 driving to seven foundations, where she went inside to drop off the packets while Dobelle waited in the car. She did not meet with anyone in a position of authority at any of these seven foundations nor did Dobelle introduce her to any of his alleged connections at the other four foundations.

In emails, itineraries and statements to the Board of Trustees, Dobelle claimed to have had his own separate meetings with the other four foundations, with which he has personal connections: the Bernard Osher Foundation, the Gensler Family Foundation, the Louis R. Lurie Foundation and the Lisa and Douglas Goldman Foundation. In emails to trustees as well as to Aust, Dobelle cited his personal connections with principals at these foundations as opening the door to new fund-raising possibilities.

As stated earlier, Dobelle had lunch with Gensler on May 24. The Osher Foundation has no record of any contact from Dobelle or WSU, and the foundation's president, Mary Bitterman, was out of state that week. Weinstein, the friend whom Dobelle listed as his contact at the Osher Foundation, is not affiliated with the organization.

Regarding the Louis R. Lurie Foundation,²⁵ Dobelle's schedule indicates that he had an appointment on Saturday, May 25, 2013 at 4:00 p.m. with Patricia Lurie. His schedule for that day also includes a notation for "Hadar Wedding," without a time listed. This is an apparent reference to the wedding at 4:00 p.m. that day of Hadar Gordon to Ryan Guibara, the son of Albert Guibara.

Also attending the Gordon-Guibara wedding was Douglas Goldman, president of the Lisa and Douglas Goldman Foundation. The OIG found that while Goldman and Dobelle were at the same wedding on May 25, 2013, their paths did not otherwise cross during Dobelle's May 2013 trip to San Francisco, nor did anyone on the foundation's staff meet with Dobelle. The Goldman Foundation has not donated to WSU.

The topic of Dobelle attending a wedding in San Francisco was discussed extensively during the October 16 board meeting. Flynn asked Dobelle, "Was there any portion of this trip that would arguably be personal in nature that would qualify as... requiring some sort of reimbursement?" Flynn followed up with specific questions about May 25, asking whether Dobelle did anything that might suggest a personal motivation for the trip.

Dobelle answered, "A standard day off."

Flynn asked, "Nothing pre-planned that we should be concerned about?"

Dobelle answered, "Nothing necessarily pre-planned. There were opportunities that I took advantage of, but I didn't have any plans solid to absolutely do. But I took advantage of it because it was an opportunity." Following a comment from Flynn, Dobelle disclosed that he attended a wedding on that Saturday that "coincidentally" occurred when he would be in San Francisco.

For several minutes, Dobelle and the Board members discussed whether he should have disclosed the fact that he had been invited to a wedding scheduled to take place while he was in San Francisco. Flynn said he was concerned that the entire trip had been structured around a social event unrelated to WSU.

Dobelle said the trip was planned long before he received the invitation. "Wedding invitation six, eight weeks before, sure, it'll be convenient.... I get two, three invitations to do different things on Saturday nights every day of the year: fortieth birthdays, seventieth birthdays, Hartford, Boston, Washington. It's just the way my life has been."

Flynn answered, "I have a difficult time getting by the fact that there was a planned event, sixty-day, ninety day, whatever the invitation was."

Dobelle responded, "If it was six weeks, I'd be surprised."

The OIG found that on November 23, 2012 – six months prior to his trip and five months before he presented the trip to the Board – Dobelle told his administrative assistant to put the wedding

²⁵ As noted in Finding II, Dobelle is close friends with Lurie and Guibara, both of whom refused to speak to the OIG.

on his calendar. In a March 28, 2013 email, Dobelle informed his wife about the Board tightening the policy on his travel. He wrote that the new restrictions might mean they would be unable to attend the Gordon-Guibara wedding. Dobelle submitted his travel request to Flynn three weeks later, on April 18.

On April 22, 2013, Dobelle sent an email to Patricia Lurie saying, “Hoping in next 2 days to get the calendar right for the wedding.” Flynn approved Dobelle’s request to travel to San Francisco the same day.

It is important to note that at no point did Dobelle disclose to the Board that his “meeting” with Lurie of the Lurie Foundation was at the wedding of Guibara’s son. Nor did he disclose that the foundation’s trustees had announced a year earlier that they were shutting down the fund and had stopped awarding new grants.

2. Alumni

As stated earlier, Dobelle also told the Board that he planned to meet with four “hi-tech executive alumni” during his May 2013 trip to San Francisco. The OIG found that this was false. The alumni were not “hi-tech executives” and Dobelle did not meet with them.

On April 9, 2013, Aust asked her assistant to generate a list of WSU alumni living near San Francisco and Silicon Valley. The next day, the assistant provided a list of alumni to Aust with the top 11 names highlighted, indicating anyone who had donated \$100 or more in total over their lifetime. Dobelle used this list to draft the section of his April 18 memo to Flynn requesting authorization to travel to San Francisco. Early drafts of the memo state Dobelle has “Meetings with alumni in San Francisco area” and lists the top four names on Aust’s list. However, the OIG obtained a copy of the memo that has Dobelle’s handwritten edits. Dobelle inserted the phrase “hi-tech executive” so that the final version of the memo reads: “Meetings with hi-tech executive alumni in San Francisco Bay Area.”

The OIG found that when Dobelle wrote the April 18 memo, he did not have an appointment with any of the alumni, nor did he meet with them during his trip. OIG investigators spoke directly with all four individuals identified as “hi-tech executive alumni” in the memo:

- One, a software engineer, was not contacted in any way.
- A second, who identified himself as “a low-tech real estate broker” rather than a high-tech executive, was not contacted by WSU.
- A third, who is a customer service representative for an airline, received an email in May inviting her to meet with Dobelle, three weeks after his memo claimed to have an appointment with her. She did not respond to the email.
- The fourth, who had once been a vice president of a telecommunications firm, received an email from Aust in May, after Dobelle’s travel request had been approved. She responded that she would not be available when Dobelle was in San Francisco. She retired a few years before Aust emailed her to run a non-profit helping at-risk youth.

According to WSU records, the four have given WSU \$1,195 in total over their lifetimes.

3. Apple, Inc.

Dobelle and Aust visited Apple's headquarters in Cupertino, California, on May 29, 2013. After the trip, Dobelle claimed that his primary purpose for traveling to San Francisco was to cultivate fundraising and educational opportunities with Apple, Inc. ("Apple"). The evidence indicates that this is untrue.

At the October 16 board meeting, Dobelle said that the visit to Apple was "an extraordinary opportunity"²⁶ and that "Apple Corporation was why I went out."²⁷ He also said, "My interest was not to go to these foundations. It was an after interest when I got the Apple Corporation to see me."²⁸ In addition, Dobelle made similar statements in recorded media interviews in October 2013. For example, Dobelle stated in an October 7, 2013 interview on New England Cable News:

[T]he trip to San Francisco was based on two things. One is an opportunity after four years to visit the Apple Corporation. There is not a president in the United States whether at Harvard or MIT when finally given an invitation to go to Apple, [who] wouldn't go. I would have gone just for Apple.²⁹

This is Dobelle re-writing history. His April 18 travel approval memo does not mention the Apple meeting (but it does list the foundations). It does not include Apple because the meeting was not arranged until early May.

At the October 16 Board meeting, Dobelle was also vague about the purpose of this "extraordinary opportunity" with Apple. As he described it, the visit allowed him to propose a collaboration between Apple and WSU, in which Apple would set up WSU-linked teacher education classrooms all over the country.

Apple officials saw it differently. They viewed the meeting as a standard executive briefing for possible customers, not a meeting to discuss a joint venture or collaboration as Dobelle had characterized it. The meeting was set up by the New England manager of Apple's Strategic Initiatives Group. The manager had only spoken with Dobelle once or twice in his life, and he set up the meeting at the request of Apple's Massachusetts lobbyist, who is a long-time friend of Dobelle. The Strategic Initiatives Group works with Apple's sales force, focusing more on executive level decision-makers rather than an organization's information technology personnel. The executive briefing provides an introduction to Apple's education technology. Apple does not treat executive briefings as opportunities to sell products to schools, but it is part of the company's sales strategy. The Apple official who served as primary host of the meeting described it as "inconsequential" and "pro forma." Dobelle did not bring any written proposal, business plans or other materials to the meeting. There was no discussion of fundraising or

²⁶ *Special Meeting of the Board of Trustees of Westfield State University*, October 16, 2013, at pg. 152.

²⁷ *Id.* at pg. 153.

²⁸ *Id.* at pg. 159.

²⁹ *Broadside: Westfield State University Controversy*, NECN (October 7, 2013), http://www.necn.com/10/07/13/Broadside-Westfield-State-University-con/landing_broadside.html?blockID=854549.

internships. The OIG found no evidence of any discussion of collaborating with WSU on teacher education classrooms across the country.

Before visiting Apple, Dobelle met with David Kelley, a founder of the design firm IDEO and a faculty member at Stanford University's design school. In his post-trip report, Dobelle described Kelley as a "significant resource for Apple." Dobelle said he intended to follow up with Kelley by giving him a recap of the meeting with Apple. What Dobelle did not say was that he has been a friend of Kelley for many years, that they were introduced to each other by Guibara, that they were all residents of the same Bohemian Grove camp and that he and Dobelle have met many times over the years. The get-togethers were primarily social in nature. Kelley stated that the two had a short meeting on May 29 during which he described his new design institute to Dobelle. Kelley said he was unaware that Dobelle had any meeting scheduled at Apple.

The same afternoon, Dobelle met with Chuck House, a principal of Innovascapes Institute and a former executive at Hewlett Packard. The meeting was arranged on short notice by Apple's New England manager of the Strategic Initiatives Group. In his post-trip report, Dobelle said he and House "discussed opportunities to create and fund Apple Teacher Education Center" with partners, including the Walmart Foundation, where House's daughter works. In fact, the meeting took place at a coffee shop and consisted of an academic discussion on "distance learning" and MOOCs (Massive Open Online Courses). There was no discussion of fund-raising, although House put Dobelle in touch with his daughter, who had a senior position at the Walmart Foundation.

House's daughter and Dobelle spoke a few days later, although the conversation proved fruitless. In answering one of Dobelle's suggestions, she told him that Walmart already offered education to employees through another institution and did not need an affiliation with WSU. She also said the company would not give up space in its stores for learning labs, another proposal by Dobelle.

4. Conclusion

Dobelle arranged the May 2013 trip in order to attend a wedding at WSU's expense.

Dobelle's claim in the April 18 memo that he had meetings scheduled with several foundations and with WSU alumni who were high-tech executives was false. His statement to the board that he helped "put WSU on the Silicon Valley map" is, at best, grandiose and misleading. At the October 16, 2013 Board meeting, Dobelle's responses to questions about the wedding he attended in San Francisco showed attempts to obfuscate the truth. Like many of his statements to the board, they were factually inaccurate as well as misleading. Likewise, his after-the-fact claim that he had an "extraordinary opportunity" to meet with Apple is misleading.

B. International programs

Dobelle has also justified his international travel by claiming that it increased the University's international educational programs. In an August 29, 2013 letter to the Board of Trustees, for example, Dobelle stated:

[W]e have accomplished game-changing successes. Specifically, we have completely overhauled our international exchange program, growing opportunities for international learning by providing students with access to more than 700 programs around the world... up from a mere 13 programs in 2008. In the fall of 2013, we welcomed 123 international students from over 50 countries around the globe.

Dobelle further stated that “from our initial investments in building the international programs, we have realized over \$3,000,000, and recurring revenue of approximately \$1,200,000 per year.” These improvements, he said, were “in no small measure due to the travel and fundraising I have undertaken.”

Contrary to these statements in his August 2013 letter to the Board, the OIG has determined that Dobelle’s international travel had minimal impact on the growth and direction of international programs at WSU. Furthermore, the OIG found that Dobelle’s claims about the number of international students at WSU and the revenue associated with the international programs were based on faulty assumptions and misleading definitions. The figures underlying Dobelle’s assertion of “game-changing successes” that were “due to [his] travel and fundraising” were substantially inflated.

1. Growth in international programs

Westfield State University’s website lists 681 international exchange programs through which WSU students can pursue study abroad, up from 13 programs in 2008. However, of those 681 programs, the University acquired 673 through a handful of third-party providers that work with many colleges and universities to organize study-abroad opportunities. Signing contracts with these third-party providers, which hundreds of colleges across the United States have done, did not require any travel by Dobelle.

Of WSU’s 681 international exchange programs, only two appear to have a connection with Dobelle’s travel. In 2008, Dobelle led a delegation on a five-nation, 15-day trip to Asia. The trip cost the Foundation about \$135,000 and contributed to its 2010 financial crisis.³⁰ It laid the groundwork for two international exchange programs – one at Capital Normal University in Beijing and the other at United International College in Zhuhai. In total, 24 students came to WSU through these programs while 11 Westfield students studied in China between September 2009 and May 2014. Under the terms of the exchange program, visiting students paid the host institution for room and board only. The students paid tuition to his or her home university.

2. Increase in international student enrollment

The OIG investigated Dobelle’s statement to the Board that “123 international students from over 50 countries” were starting at the University in the Fall 2013 term. WSU documents show that this statistic is based on a misleading definition of “international student.” The standard definition of an “international student” as used by the federal government as well as other universities across the country and other state colleges in Massachusetts is an individual enrolled

³⁰ See Finding VI for an in depth analysis of the financial impact from Dobelle’s 2008 Asia trip.

for credit at an accredited higher education institution who is in the United States on a temporary visa, and who is not a permanent resident, an undocumented immigrant or a refugee. International students generally require an F1 or J1 visa. The OIG requested that each member of the State University System provide its definition of “international student.” All but WSU provided a definition that specified that the student was not a citizen or permanent resident of the United States.

Instead of using the standard definition, WSU officials counted all non-US citizens enrolled at Westfield State as “international students,” including permanent residents of Massachusetts who pay in-state tuition. The vast majority of WSU’s “international students” are Massachusetts residents. The OIG’s review of University records found that of Westfield’s Fall 2013 enrollees, only 19 students from eight countries fit the standard definition of “international student.” WSU officials defended including non-citizen permanent residents in the category of “international students,” stating that although the students live in Massachusetts, the University makes similar advisory and counseling services available to them through the International Programs Office.

This expanded definition might have some utility for WSU administrators for purposes of planning courses or providing student services; however, Dobelle’s travel to Asia and elsewhere cannot be credited with recruiting permanent residents of Holyoke, Springfield and other Massachusetts communities. The use of this unconventional definition artificially inflated the number of “international students” at WSU by a factor of six, misleading the Board.

Between 2008 and 2013, Westfield experienced some growth in the number of students with F1 and J1 visas. Much of this growth appears to be due to the re-establishment of the WSU men’s hockey program and other athletic recruitment efforts. In the fall 2008 semester, 6 WSU students had F1 or J1 visas. In the Fall 2013 semester, 19 students at WSU had F1 or J1 visas. Of the 19 students, 10 were varsity athletes from Canada – eight hockey players and two golfers.

WSU Athletic Director Richard Lenfest told the OIG that most of the University’s men’s hockey recruits came from junior hockey leagues. While the players were Canadian, most of them would have played junior hockey in the United States and been recruited at junior hockey events in the United States. Lenfest said that Dobelle had no role in recruiting athletes.

3. Revenue from international students

The OIG requested documents that formed the basis for Dobelle’s statement that the University has “realized over \$3,000,000, and recurring revenue of approximately \$1,200,000 per year” from international students. The documents provided to the OIG indicate that the two revenue figures were estimates based on the approximate tuition and fees paid by “international students.” However, as the OIG described above, WSU administrators used an unconventional definition of “international student,” which dramatically inflated the number of enrollees they could classify as “international students.” As a result, much of their estimated revenue attributed to “building the international programs” came from permanent residents paying in-state tuition. In actuality, WSU’s total revenue during Dobelle’s tenure from students on F1 and J1 visas was less than \$600,000, an average of less than \$120,000 per year.

Furthermore, the inflated figures that Dobelle used did not account for the extensive costs of the international programs. For example, between February 2008 and August 2009, WSU paid more than \$237,000 to a consulting firm Dobelle hired to work on the international student programs and assist with “globalizing” the University. Dobelle did not account for these consultant fees, the cost of administering the International Programs Office, or losses from the exchange programs in his figures. Considering these costs, the OIG’s review determined that the international programs in fact operated at a financial loss throughout Dobelle’s tenure.

4. Conclusion

In sum, Dobelle’s claim that his international travel led to a significant growth in WSU’s international programs was false. Dobelle’s claims that his travel both boosted revenues for the University and led to increased enrollments from international students were also false. By using numbers based on misleading definitions, or presented without the necessary context, Dobelle misled the Board of Trustees in his justification of his international travel.

IV. Dobelle received a significant financial benefit and unwarranted privileges from his use of University and Foundation credit cards for personal expenses and from having the University underwrite his travel.

Dobelle benefited in at least four ways from his personal use of WSU-related credit cards and University funded travel: (1) he avoided having to either modify his level of spending or tap additional sources of personal credit; (2) by using WSU’s credit, he avoided the interest charges he would have been subject to if he used his own resources; (3) he accrued frequent flyer miles and hotel rewards points from WSU-funded travel, which he redeemed for personal travel; and (4) he received a hidden subsidy by disguising personal purchases as University-related expenses. The University’s attorneys have previously raised concerns about Dobelle’s unwarranted privileges being in violation of state ethics laws.

A. Dobelle avoided modifying his spending or tapping additional sources of credit.

The OIG analyzed numerous financial records related to Dobelle, including five credit card accounts, two checking accounts, one pension plan and one line of credit in the names of Evan and/or Edith Dobelle for the period of 2008 through 2013.³¹ Based on these documents, Dobelle’s available sources of credit were very constrained during much of his tenure at WSU.

In 2008, Dobelle opened three new personal credit card accounts. By the end of December 2008, all three cards were at or near their credit limits. Across all five personal credit cards the OIG reviewed, Dobelle ended December 2008 with a total outstanding balance of more than \$47,000 and available credit of less than \$7,300. At the same time, Dobelle had less than \$6,700 in his two checking accounts.

³¹ The OIG was unable to obtain records relating to at least two personal credit card accounts that Dobelle had open during this time.

The following month, Dobelle charged nearly \$7,600 in personal purchases on his University credit card. It was the beginning of Dobelle's most intensive use of University-related credit cards. Between January 1, 2009 and December 31, 2010, Dobelle made nearly \$59,000 in personal charges on University-related cards.

In March 2009, Dobelle received a \$66,700 home equity line of credit on his house in Pittsfield. By July 2009, Dobelle had drawn down all but \$435 of his line of credit. Payments out of this line of credit included two reimbursements to the University for personal expenses totaling \$11,000. Between July 2009 and December 2010, Dobelle made more than \$38,000 in self-identified personal charges on University-related credit cards.

In short, based on information reviewed by the OIG, it appears that, especially during much of 2009 and 2010, Dobelle used the University's resources rather than finding additional sources of personal credit or dramatically curtailing his personal spending.

B. Dobelle avoided significant interest charges and effectively received interest-free loans.

By using University and Foundation credit cards for personal expenses, Dobelle avoided having significant interest and finance charges on personal credit cards. During the period reviewed, Dobelle paid an average of more than \$800 per month in interest on five personal credit cards. Typically he carried a substantial balance every month on his personal credit cards and often made the minimum monthly payments. If he had – and had been able to – put all of his personal charges on his own credit cards, he would have carried larger unpaid balances, for which he would have been charged even more interest.

In Finding I, the OIG noted that Dobelle self-identified over \$85,000 in personal charges on University-related credit cards. While he reimbursed the University and the Foundation for these identified personal charges, he did not always do so promptly. Some charges were not reimbursed until months after the fact, after repeated requests from WSU staff. For these charges, Dobelle essentially received the unwarranted privilege of an interest-free loan from the University and the Foundation.

C. Dobelle accrued frequent flier miles and hotel rewards points from University-related travel

Dobelle earned frequent flyer miles and hotel reward points from University-funded travel, which he redeemed personally, in violation of the state ethics statute. In 1988, the Ethics Commission opined “that it would be an unwarranted privilege of substantial value not properly available to similarly situated individuals... to permit state employees to accept as individuals and have credited to their personal accounts the frequent flyer bonus points” from state-funded travel.³²

³² See State Ethics Commission Advisory Opinion EC-COI-88-22 (November 21, 1988).

When Dobelle travelled on University- or Foundation-funded trips, he frequently booked the hotels himself while the President's Office staff scheduled his flights. Dobelle usually arranged to stay at either Hilton or Hyatt hotels, where he had personal rewards accounts entitling him to accrue points that could be redeemed later for free accommodations and other benefits. Occasionally, Dobelle earned rewards points from rooms booked for other University staff under his Hyatt or Hilton account. For example, in November 2011, Associate Vice President Nanci Salvidio and Dean of Undergraduate Studies Marsha Marotta stayed at the Hilton Roosevelt Hotel in New Orleans for five nights. The two rooms were charged to Salvidio's WSU credit card; however, Dobelle's name was on the receipts, even though he was not on this trip. The receipts were submitted to the WSU Finance Department with a note explaining that Dobelle's name was on the receipts for Marotta and Salvidio's rooms because "he gets the rewards points on hotel rooms, the rooms are reserved in his name." Hilton records show that Dobelle earned 28,900 points in the Hilton rewards program, called Hilton HHonors, from Salvidio and Marotta's stay in New Orleans.

In 2008, moreover, Dobelle earned 10,704 Hyatt Gold Passport points for the Asia delegation's rooms at the Grand Hyatt in Beijing, China. The Foundation paid for these rooms.

Over the course of his tenure at Westfield State, Dobelle earned more than 1,630,000 Hilton HHonors rewards points from University- and Foundation-funded travel. Hilton records indicate that none of these points were redeemed for University business trips. Dobelle's 1,630,000 points could have been redeemed for approximately 54 nights of free lodging at the Hilton Garden Inn in Springfield – a hotel that the University uses annually to lodge honorary degree recipients and speakers for commencement. Had the University been able to use the reward points for this purpose, the University would have saved approximately \$11,300.

In addition, Dobelle earned at least 706,707 Hyatt Gold Passport points, redeemable at Hyatt locations worldwide. The number of points required for a free night's lodging varies depending on the tier of hotel chosen. Dobelle's 706,707 accrued Hyatt Gold Passport points would have been enough for about 47 free nights at the Hyatt Boston Harbor near Logan Airport, for example. At the Hyatt Boston Harbor's published room rate, 47 nights would cost roughly \$17,000.

Instead, records show that Dobelle redeemed these points for his personal use. For example, in March 2010, Dobelle stayed at the Hotel Victor in Miami Beach, Florida, which at the time was a Hyatt-affiliated facility. Dobelle's calendar notes that there were two reservations: "#1 from 4 March to 12 March. #2 from 12 March to 14 March." Hyatt records indicate that Dobelle purchased the first reservation, for eight nights, with 144,000 Hyatt Gold Passport points. The vast majority of these points were earned through University-funded travel.

Dobelle also had personal frequent flyer accounts with airlines, which WSU staff and travel agents were instructed to reference when booking his University-funded flights. Although most of the miles were accrued on WSU-funded trips, records show that Dobelle redeemed the miles in these accounts for personal travel for himself and his family. The OIG reviewed correspondence between Dobelle and his travel agent in which he instructed her to use his frequent flyer miles to book personal flights for himself, his wife and his son.

For instance, in July 2009, Dobelle’s travel agent emailed him an airline reservation for his son to fly in September 2009 to Vienna with a return in May 2010. At this time, Dobelle’s son was attending graduate school in Vienna. In the email, the agent told Dobelle that “55,000 miles have been pulled from your account. There will be taxes and UA booking fee of \$78.11.” The email went on to ask, “For the taxes, what CC to use? College ending in 0095 or a personal one – if so supply [sic].” Two charges from United Airlines totaling \$78.11 were made on Dobelle’s University credit card the next day, along with a \$100 service charge from the travel agent. While Dobelle reimbursed these charges as personal expenses, he did not reimburse the value of the 55,000 United frequent flyer miles, mainly accrued during University-funded travel.

Dobelle had established this pattern prior to arriving at WSU. Hilton and Hyatt records show that Dobelle earned a substantial number of points from his NEBHE-funded travel while he was President of the New England Board of Higher Education. In fact, his assistant at NEBHE exchanged emails with his assistant at WSU in January 2008 in which she forwarded all of Dobelle’s rewards numbers for various airlines and hotels, explaining that Dobelle preferred certain airlines and hotels due to the miles and points he earned. According to a 2004 Deloitte & Touche LLP report on Dobelle’s spending during his tenure at the University of Hawaii, moreover, Dobelle used his own personal mileage credit card for a substantial amount of University-related travel, receiving reimbursement from the University of Hawaii or its affiliated foundation.³³

In addition to the violations of the state ethics statute, the personal use of these rewards points and frequent flyer miles deprived the University of significant savings on hotels and air travel.

D. Dobelle received a hidden subsidy for personal travel

1. Travel to California

In Findings II and III, the OIG cited two trips to California during which minimal business-related activity occurred and that were arranged to coincide with Dobelle’s vacation and social plans. For the July 2010 trip to San Francisco, the OIG identified \$2,841.27 in hotel, airfare, car rental and meals charges borne by the Foundation without a bona fide business purpose. The costs represent a \$2,841.27 subsidy that WSU and the Foundation unknowingly provided to Dobelle.

The May 2013 visit to California coincided with a wedding he attended. Dobelle cited two business reasons for the trip – fundraising from foundations and participating in the “J-term” program, in which WSU students took classes and performed community service work in San Francisco for two weeks. As described in Finding III, virtually no productive fundraising activity took place on the trip but Dobelle did spend two days with the students. WSU’s costs for the May 2013 trip were \$3,158.

In total, Dobelle traveled to California 17 times at a cost of more than \$63,000 to the University and the Foundation. Most of these expenses were made in connection with trips that were

³³ Deloitte and Touche, LLP, *Independent Accountants’ Report on Applying Agreed-Upon Procedures*, June 8, 2004, at pg. 4.

primarily personal in nature. Dobelle manipulated WSU and the Foundation to subsidize his cross-country travel.

2. Travel to Europe

Dobelle also used University funds to subsidize his travel to destinations other than California. In June and July 2011, Evan and Edith Dobelle travelled to Vienna, Austria, to attend their son's graduation from the Diplomatic Academy of Vienna. While this trip was labeled as a vacation in Dobelle's calendar and time records, hotels in Boston, London and Vienna – as well as Evan and Edith Dobelle's flights from Boston to London – were charged on Salvidio's University credit card for a total cost of \$5,551. Dobelle did not completely reimburse the cost until September 2012, after discussions began about hiring O'Connor & Drew to review his travel and credit card use.

The trip included a one-night stopover in London, the cost of which was borne by the University. Dobelle claimed the stopover had a business purpose. In a letter to Commissioner Richard Freeland, Dobelle stated, “[i]n order to capitalize on the opportunity for the benefit of WSU, I decided to take a morning in London... in order to make connections with various arts organizations in anticipation of a student travel program.... Appointments were made and I visited various sites.”³⁴ Dobelle's calendar for Saturday, June 25, 2011 reads:

830am...Royal Academy of Dramatic Art

10am.....University of London theatre department

12.....leave for airport. (Ellipses in original.)

Dobelle later explained to the Board of Trustees that he met with “no one. The people there weren't there that morning. We had hoped to have it set up, but it wasn't set up, and we just caught an early flight out.”³⁵

The OIG found no indication that Dobelle attempted to meet with anyone in London. His flight was booked on March 26, 2011 and Dobelle sent the majority of his travel plans to his secretary in May 2011. However, Dobelle did not send the above entry regarding London “meetings” to his secretary until June 16, 2011 – eight days before leaving. The OIG found no evidence that Dobelle ever attempted to contact any London arts organizations in advance. Officials at the Royal Academy of Dramatic Art said they were never contacted about meeting with Dobelle. In any case, Dobelle's plan was unlikely to succeed. The morning he spent in London was a Saturday, a day when the administrative offices of both institutions were closed.

E. Dobelle ignored earlier warnings about unwarranted privilege

The financial benefits Dobelle received from his use of University credit was previously identified by University counsel as a potential violation of the state ethics statute (M.G.L. c.

³⁴ October 7, 2013 letter from Evan Dobelle and Atty. Ross Garber to Commissioner Richard Freeland, at pg. 15.

³⁵ *Special Meeting of the Board of Trustees of Westfield State University*, October 16, 2013, at pg. 101-102.

268A). In November 2011, Mark Peters of Rubin & Rudman, LLP conducted a review to determine if Dobelle or others violated state ethics law in the course of their international travel. This review was initiated following a call from the State Ethics Commission to Kevin Queenin, then-chair of the Board of Trustees, regarding Dobelle's travel and spending. In his final notes, Attorney Peters wrote:

[P]ersonal use of the University's credit (borrowing money from the University, in effect) for what were in some cases not insubstantial personal expenses... might be thought to constitute a violation of the provision of the Statute that prohibits a state employee from using his official position to secure "unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals" (c. 268A, § 23(b)(2)(ii)). Because the University does not make its credit available to its employees for their personal use – as noted earlier, its policy bars the use of a University-issued [credit cards] for personal expenses – it is more than just a theoretical risk, I think, that the president's use of the University's credit to the extent disclosed by these records might violate the statutory provision I cite.³⁶

The OIG found that after Dobelle received Attorney Peters' report on November 28, 2011 he made 30 personal charges on his WSU credit card for which he reimbursed WSU \$4,965.83

V. Dobelle engaged in improper and irresponsible conduct.

In March 2013, Dobelle traveled to Cuba on a general license³⁷ with the Westfield State baseball team and a group he described as an "educational delegation of adjunct faculty, faculty and staff of Westfield State."³⁸ Consistent with the requirements set forth by the federal Office of Foreign Asset Control ("OFAC")³⁹ for obtaining a general license, Dobelle wrote a letter of authorization to the private company that handled the travel arrangements for the trip. This letter stated that the WSU baseball team "is scheduled to play in an exhibition game along with course work that will be accepted for credit towards the student's undergraduate program."⁴⁰

Dobelle's letter of authorization identified that delegation as including twenty-four named individuals. More than half the individuals on that list were not faculty, staff or students of

³⁶ *Notes concerning review of credit card use, expense reimbursements, and like transactions in connection with certain international travel*, November 28, 2011, at pg. 4.

³⁷ The federal Office of Foreign Asset Controls ("OFAC") provides multiple general and specific licenses under which certain individuals can travel to Cuba. Specific licenses require approval by OFAC while general licenses do not.

³⁸ Letter of Authorization from Dobelle to ABC Charters, November 30, 2012. *See* Appendix E.

³⁹ OFAC, a division of the federal Department of Treasury, oversees the travel restrictions and embargo in relation to Cuba.

⁴⁰ *See* Appendix E.

WSU.⁴¹ In the end, the following individuals who were neither employed by nor enrolled at WSU submitted paperwork to the travel company for that trip to Cuba:

- Edith Dobelle;
- Harry Dobelle (the Dobelle’s adult son);
- Ryan Dring (friend of Harry Dobelle with no known affiliation to the University);
- James Ruberto, Trustee;
- Mary Larrivee, WSF Board member, and her husband Joseph Larrivee;
- Albert Guibara and Patricia Lurie (no affiliation to the University); and,
- Stephen and Angela Delaney (no affiliation to the University).⁴²

That paperwork included a *Travel Affidavit* in which the above individuals certified that they fell under the category of *Academic Institution*, indicating that they were “a faculty member, staff person or student of an accredited U.S. graduate or undergraduate degree-granting academic institution” and that the purpose of their travel fell into one of the six authorized categories.⁴³

The night before the scheduled arrival in Havana, Waleska Lugo-DeJesus, Dobelle’s executive assistant and the primary organizer of the trip, sent an email to Lurie, Guibara, Larrivee, Ruberto, Delaney and Athletic Director Richard Lenfest instructing them how to answer certain questions that customs officers in Cuba might ask. Specifically, she instructed them to say that they were an “adjunct faculty of art and/or philanthropy” and that they were from “Westfield State University, live in Massachusetts.” Guibara responded indicating he was concerned because all of his paperwork listed his address in California, not Massachusetts.

Dobelle wrote back, “Just say you live in California and help us with our California program which we do have in [San Francisco] every May and June at sfstate it’s not a problem.[sic]” The next morning, Guibara and Lurie cancelled their trip. However, Edith Dobelle, Harry Dobelle, Ryan Dring, the Delaneys, the Larrivees and Ruberto – none of whom are faculty, staff or students of Westfield State – still attended this trip on the WSU general license.⁴⁴

In addition, the OIG confirmed that none of the students were awarded any academic credits for the travel to Cuba in May of 2013 despite Dobelle’s representation in his letter of authorization that they would be, as required by federal regulations.⁴⁵

⁴¹ *Contrast* 31 C.F.R. § 515.565(a). This federal regulation establishes the guidelines by which faculty, staff and students of educational institutions can travel to Cuba under a general license for educational activities.

⁴² The OIG also obtained documents relative to a February 2012 trip Dobelle took to Cuba to attend a conference hosted by the Cuban Ministry of Education entitled *Universidad 2012*. Non-WSU attendees on the trip were Charles and Aline Lemaitre, Edith Dobelle, Harry Dobelle, and Ryan Dring.

⁴³ *Travel Affidavit* filled out by each attendee on the trip. See Appendix F.

⁴⁴ The non-University delegation members, including Dobelle’s family, paid ABC Charters directly for their portion of the trip.

⁴⁵ See 31 C.F.R. § 515.565(a)(1).

Of note, the OFAC offers a specific license on a case-by-case basis for athletic exhibition travel to Cuba which does not require an academic component.⁴⁶ The Dobelles, the Larrivees, the Delaneys, Dring and Ruberto were not participants in the athletic activities and therefore would have been ineligible for an athletic exhibition license to visit Cuba. While Dobelle himself and Lugo-DeJesus may have been eligible for the educational activities license, Edith and Harry Dobelle, the Delaneys, the Larrivees, Dring and Ruberto were not faculty, staff or students of WSU. Individuals and corporations who violate the economic sanctions regulations are subject to a variety of civil and criminal penalties.⁴⁷

Dobelle's use of Westfield's name and status as an educational institution to enable ineligible individuals to travel to Cuba exposed the school to potential liability for violating federal restrictions on travel to Cuba. It was also improper and unethical for Dobelle and Lugo-DeJesus to advise participants to make false statements in furtherance of that objective.

VI. Dobelle's decision to undertake a 10-person trip to Asia and his management of the Speaker Series financially damaged the Foundation and ultimately the University while providing little measurable benefit to WSU.

Early in his tenure, Dobelle launched two expensive initiatives – a 10-person trip to Asia and a Speaker Series. Together, these two programs cost more than \$700,000, paid for primarily by the Foundation. The OIG found that both programs were poorly planned, went over the budget set by the Foundation Board and were a major cause of the Foundation's financial crisis in 2010, an episode that required the University to give \$400,000 to the Foundation.

A. The Asia trip

Shortly after his appointment as president in 2008, Dobelle announced he would lead a WSU delegation to Asia as part of an effort to “globalize” WSU, which he claimed was the faculty's top priority. This \$127,000 trip was poorly planned, went over budget and did not lead to any significant return on investment for the University.

The group of 10 people left on October 18 and 19, 2008. Over the next 15 days, the delegation traveled to Thailand, Cambodia, Vietnam and China. Aside from Dobelle, the delegation included:

- Robert Hayes, Vice President of Academic Affairs;
- Michelle Maggio, an accounting professor at WSU;
- Tara Kavanagh, a nurse in WSU's Health Services Department;
- Mary Larrivee, Foundation Board Chair;
- Kathryn Quigley, Foundation Student Trustee;

⁴⁶ See 31 C.F.R. § 515.564.

⁴⁷ See U.S. Treasury Department's “Appendix A to Part 501 – Economic Sanctions Enforcement Guidelines.”

- Pamela Putney, a registered nurse and midwife with experience in international health projects (no affiliation to the University);
- John Deupree, a WSU consultant from Global Education Solutions;
- Sara Reynolds, Deupree’s wife (no affiliation to the University); and,
- Michael Lestz, a history professor at Trinity College (no affiliation to the University).⁴⁸

The OIG requested all documents related to this trip from WSU. However, University and Foundation officials were unable to find an official itinerary or any document that described exactly what took place each day. Using travel receipts, credit card charges and interviews with participants, the OIG was able to reconstruct the itinerary. In addition, Dobelle oversaw the creation of a narrated video presentation regarding the delegation’s trip (“the presentation”). Dobelle showed the presentation to the Foundation Board on January 29, 2009. The presentation highlighted universities and other institutions the group visited as well as the delegation’s accomplishments. The OIG also used this presentation as a guide in reconstructing the trip’s itinerary and measuring its results.

Although the presentation to the Foundation Board focused on meetings with higher education institutions and officials, participants on the trip did have time to pursue personal interests and enjoy cultural attractions. Interviews with delegation members and a review of documents and internal WSU correspondence show that the delegation shopped, went to the ballet, and toured museums, temples, and prison camps.

1. Thailand

The presentation identified meetings with five universities or educational groups in Thailand: Chulalongkorn University, Thammasat University, the Institute for International Education, Mahidol University and the Association of Thai University Presidents. Despite Dobelle’s claims, these meetings did not yield any international opportunities for WSU in Thailand.

The presentation stated, “At Chulalongkorn University, ... [delegation members] begin a collaboration with its Regional Planning Department through the efforts of Westfield Professor Stephanie Kelly.” Kelly, who works in WSU’s Geography and Regional Planning Department, was in Thailand on sabbatical working on a public health project when the delegation traveled to Asia. Prior to leaving on sabbatical she was told that a delegation from WSU would be in Thailand during her stay and that they would contact her at some point. WSU emails show that Kelly used her contacts in Thailand to set up a meeting with representatives of Chulalongkorn University (“CU”) for the delegation. In Thailand, Kelly accompanied the delegation to this meeting although she had no influence on the substance of the meeting.

⁴⁸ Lestz previously attended at least two lengthy trips to Asia with Dobelle. First, he traveled as a member of a University of Hawaii delegation in 2002 to Malaysia, Vietnam, Thailand, Singapore, Indonesia and Japan. Second, he traveled as a member of a NEBHE delegation in 2006 to Thailand, Vietnam, China, Hong Kong and Taiwan. Lestz served as “Senior Adviser to the President for Global Affairs” at the University of Hawaii during Dobelle’s tenure there.

The objective of the meeting that Kelley arranged was to organize an exchange program involving students from WSU's Education Department and students from CU. Contrary to the description about CU in the presentation, the Geography and Regional Planning Department at WSU was never mentioned nor was there any post-trip collaboration between the schools. In addition, the WSU Education Department has no relationship with CU or any other university in Asia. Furthermore, state certification requirements for teachers make it extremely hard for education majors to participate in international exchange programs due to strict course requirements.⁴⁹ Documents submitted by WSU to the OIG show no record of a relationship with CU.

The presentation further states that trip attendees met with "senior officials of Thammasat University, a highly respected institution with excellent facilities that is interested in future exchanges." Documentation provided by WSU to the OIG shows no record of any type of collaboration with TU.

The presentation also stated that the delegation was also able to "initiate a collaboration with the Institute for International Education ("IIE")" and "forge an exciting partnership with Mahidol University ("MU") in support of a global framework for Westfield's proposed nursing and health program." WSU documents obtained by the OIG show no record of any type of activity the university subsequently had with either IIE or with MU. Finally, the presentation stated that prior to leaving Thailand, the trip attendees "hosted a dinner for the Director of the Association of Thai University Presidents who promises Westfield full cooperation in building partnerships throughout the country."

In an email written to the WSU staff member working on the presentation, Dobelle claimed that the trip's "results were [memoranda of understanding] with Thomasatt [*sic*], Chulalonghorn [*sic*] and Maridol [*sic*] universities in thailand [*sic*]." However, WSU has no records of any memoranda of understanding ("MOUs") with these institutions.

Despite vague references to "collaborations" and "partnerships" cited above, WSU documents submitted to the OIG show no evidence of any affiliations or follow-up activity WSU has had with any university in Thailand, including TU, CU and MU.

2. Cambodia

After Thailand, the WSU delegation traveled to Cambodia. The presentation stated that in Cambodia the WSU delegation met with the "Minister of Education and other officials who are highly enthusiastic about Westfield's plans to develop educational programs... [and hosted] a dinner with university presidents... that sets a stage for a wide range of potential partnerships." The presentation also stated that the delegation traveled to an "orphanage operated by the Grinspoon Foundation of Springfield." Despite these claims, the delegation's visit did not yield any future "partnerships."

⁴⁹ State guidelines mandate that students majoring in education pursue an additional major in a subject matter, such as mathematics or history.

Shortly before the delegation arrived in Cambodia, Dobelle contacted Dr. Mary Ann Herron of the Harold Grinspoon Foundation (“HGF”) to request that she set up a meeting for him with local university representatives. Herron organized a dinner meeting with university representatives to discuss potential collaborations and exchange programs. She was present at the meeting and said the Cambodian officials were excited at the prospect of collaborating with WSU.

Dobelle met with the Cambodian university representatives again the next morning and Herron spoke with him in person soon after it ended. Herron said Dobelle told her a collaboration “was not possible” because the Cambodian universities were “not far enough along yet.” Dobelle also said that the Cambodian students would not be able to adapt socially to living in America as college students. Herron told the OIG that based on her extensive experience in Cambodia, she agreed with Dobelle’s assessment that the Cambodian schools were not suitable for any type of collaboration with WSU. Herron also stated that it would be “almost impossible” for a Cambodian student to obtain a travel visa to come to the United States.

Dobelle knew about these concerns before the delegation left the United States. In an email on October 2, 2008, Deupree, a consultant hired to help WSU expand its international programs, told Dobelle, “My sources tell me that virtually no Cambodians will be able to afford to come [to WSU] and even if they could... their chances of getting a visa are slim to none.” Dobelle responded by suggesting that Cambodia may be a potential area for WSU community service opportunities rather than a student exchange program.

The presentation also stated that “the Grinspoon Foundation is eager to host Westfield Education majors and to provide a deeply meaningful community service opportunity for our [WSU] students.” This statement was untrue. As mentioned above, it is extremely difficult for education majors to participate in study abroad programs. Further, Herron said that aside from being heavily involved in sending local Jewish students to Israel, HGF does not operate any type of student exchange programs with local universities, including WSU.⁵⁰ Herron told OIG staff that since her encounter with the WSU trip attendees in Cambodia in 2008, she has had no further contact with anyone from WSU seeking to establish any type of student exchange programs in Cambodia. Herron stated that to her knowledge, no WSU students have participated in any community service projects in Cambodia involving HGF, nor does she recall any discussions about the possibility of such projects between HGF and WSU. Documents submitted by WSU in response to a formal request from the OIG show no record of WSU involvement with any organization or university in Cambodia since the delegation’s visit.

3. Vietnam

After Cambodia, the WSU delegation traveled to Vietnam. The presentation stated:

[Trip attendees met with the] Minister of Education and senior officials of the Department of Higher Education, who pledge their support and strongly urge Westfield to become active in Vietnam ... [T]hey host[ed] a dinner for a variety

⁵⁰ In fact, while the WSU delegation did visit an orphanage in Cambodia, HGF did not operate it, as Dobelle had represented.

of top university and business officials ... and they attend[ed] the Inauguration Ceremony of American International University, a new private English language institution under new development. Westfield is honored to be asked to become one of the major collaborators on this exciting project.

The OIG found no record of any subsequent activity connected to American International University or the Vietnam Ministry of Education.

One member of the delegation provided the OIG with an unsigned memorandum of understanding (“MOU”) between WSU and two entities in Vietnam: Stellar Management Corporation (“SMC”) and Fides International Education, Training, and Conference Center (“FIE”). The memo “expresses the desires of the parties [WSU, SMC and FIE] to work together” on a number of collaborative educational projects involving WSU and institutions in Vietnam. The MOU states that “it is not legally binding,” it does not provide details on potential educational projects, and it apparently was never executed. WSU officials were unaware of this document when the OIG asked about it. There is no record of WSU students or faculty members ever having participated in a program involving SMC or FIE in Vietnam.

In fact, the only academic activity in Vietnam associated with Westfield was a short-term “J-term” course taught by Communications Professor Thomas Gardner. The course, called “Vietnam: Culture, History and Media,” took place in June 2012 and included travel to Vietnam for five WSU students and seven local high school students. Gardner told OIG staff that Dobelle and Vice President Hayes both encouraged him to teach a course in Vietnam and that the course could not have happened without their administrative support; however, he told the OIG that he did not know the 2008 WSU delegation visited Vietnam. Gardner organized the course through three Vietnamese professors he met at a conference in Philadelphia and through contacts he established during a trip to Vietnam in 2009. Gardner was not aware of any Vietnamese university contacts that the 2008 delegation made.

Aside from Gardner’s course, WSU documents obtained by the OIG show no record of any type of collaboration between WSU and any university or organization in Vietnam.

4. China

From Vietnam the WSU delegation traveled to three destinations in China: Beijing, Shijiazhuang and Hong Kong. These destinations included visits to Capital Normal University (“CNU”) and United International College (“UIC”), both of which subsequently entered into exchange agreements with WSU.

Of Beijing and Shijiazhuang visits, the presentation stated:

[The delegation visited] two universities: Capital Normal University in Beijing and another in Shijiazhuang.... Both offer the opportunity to exchange students and faculty. In fact, students from Capital Normal University may matriculate at Westfield as early as this coming fall.

WSU and Capital Normal University (“CNU”) officials signed an MOU in March 2009 establishing an exchange program. Under the five-year agreement, students paid tuition to their

home institutions but room and board to the host university. WSU records show that 12 students from CNU came to WSU between Fall Semester 2009 and Spring Semester 2014 while five WSU students studied at CNU through the exchange program over the same period.⁵¹ WSU documents show no record of any type of collaboration with any university or organization in Shijiazhuang. The delegation did visit a section of the Great Wall of China in Hebei province, of which Shijiazhuang is the capital.

With respect to Hong Kong, the presentation stated that the delegation met with the “president and senior leaders of United International College,” and that WSU was “hoping to become one of its two American partners.” It also said that United International College (“UIC”) officials “pledge to begin a multilayered partnership in a wide range of areas.”

WSU officials established an exchange program with UIC after the Asia trip. WSU records show 12 students from UIC came to WSU through the exchange program while six Westfield students studied at UIC over the same five-year period.⁵² WSU documents show that internships or teaching assistant opportunities for WSU students may have been available at UIC. The WSU documents provided to the OIG show that one WSU student applied for an internship at UIC in 2013.

The CNU and UIC exchange programs in China are the only two initiatives that can plausibly be connected to the 2008 trip to Asia. Those two programs have brought 24 students to Westfield and sent 11 WSU students to China – a small fraction of the number Dobelle predicted. The other “collaborations” and “partnerships” referred to in Dobelle’s presentation to the Foundation Board were illusory. The delegation’s time in Thailand, Cambodia and Vietnam yielded nothing of benefit to Westfield, an unsurprising result from a trip that lacked sufficient advance planning. For example, Dobelle decided to add Cambodia to the trip despite advice from his consultant that an exchange program was not feasible.

5. Cost

Overall, this 15-day trip to Asia yielded only the groundwork for two exchange programs. However, extravagant hotel and travel costs pushed the trip well over the budget set by the Foundation’s executive committee. Furthermore, the process by which the Foundation approved and budgeted for this trip was not sufficiently documented, and not clear even to members of the Foundation Board.

The Foundation paid for almost the entire cost of the trip. The OIG has identified more than \$135,000 in expenses related to the 2008 WSU trip to Asia. Of that, members of the delegation reimbursed the Foundation \$8,000.27 for personal expenses. A total of \$50,229 was paid to a

⁵¹ Records submitted by WSU show higher numbers: 18 CNU students coming to WSU and eight WSU students going abroad to CNU for the same five-year period. Because WSU counted some students more than once, the numbers are different. For example, students involved in the exchange program for two semesters were counted twice. The OIG counted the number of different individuals who participated in the program.

⁵² Records submitted by WSU show higher numbers: 14 UIC students coming to WSU and seven WSU students going abroad to UIC for the same five-year period. Because WSU counted some students more than once, the numbers are different. For example, students involved in the exchange program for two semesters were counted twice. The OIG counted the number of different individuals who participated in the program.

travel agency for airfare, visa processing, and associated service charges. Delegates charged \$62,326 at hotels for lodging and “room charges” during the trip. Room charges included car service to meetings, meals, spas, laundry, refreshments and in-room videos. Other expenses attributable to the trip include \$15,159 to a law firm for lobbying in China, \$2,117 to Federal Express to ship WSU memorabilia that were distributed as gifts, \$1,457 to a limousine company for transportation to and from Newark Airport, and other miscellaneous charges and fees.

Trip expenses were paid primarily by using Dobelle’s University and Foundation credit cards. The Foundation also provided Dobelle with a debit card linked to the Foundation’s checking account for use only on the Asia trip. Robert Ziomek, executive director of the Foundation, said the debit card was provided because he believed the credit cards would not have enough available credit to pay all the expenses during the trip. The OIG has identified approximately \$30,000 in expenses paid for with the debit card during the fifteen-day trip.

Among the charges on the debit card are \$14,000 in purchases at hotels in two countries with no back-up documentation. The March 12, 2013 report on the Foundation by the auditing firm O’Connor & Drew, PC discussed wire transfers during the Asia trip. The auditors specifically cite, “Wire transfers for approximately \$6,000 for China trip – no substantiation,” and, “Wire transfers of approximately \$8,000 to Vietnam, no substantiation provided.” The OIG interviewed staff at Westfield Bank about the transactions. It appears that these were in fact debit card charges at various hotels listed as “point of sale withdrawals” on the Foundation bank account records. However, Dobelle did not provide the Foundation with sufficient back-up documentation to explain what was purchased with the funds.

The Foundation’s itemized receipts for the delegation’s eight-room, four-night stay at the Mandarin Oriental Hotel in Bangkok totaled \$20,845. Notably, Dobelle had previously stayed at the Oriental Hotel. In 2005, he led a NEHBE delegation to Asia. The invoices for both trips identify him as “Ambassador” Dobelle, which is the honorific he used for himself with hotel staff, according to one member of the WSU delegation.

The delegation stayed in six hotels during the course of the trip. Dobelle provided the Foundation with itemized room invoices for only two of the six hotels. As a result, the OIG was unable to determine whether the Foundation received full reimbursement for all personal expenses.

On occasion, Dobelle split a large charge between two or more of the University-related credit and debit cards. This practice made it more complicated to determine the actual cost of certain expenses and the overall cost of the trip. For instance, members of the delegation stayed at the Grand Hyatt Hotel in Beijing from October 30, 2008 until November 1, 2008. The total bill for that stay was \$10,163. Of this amount, Dobelle charged \$3,046 to the University credit card, \$2,712 to the Foundation credit card, and \$4,404 to the Foundation debit card.

Finally, Foundation Board members apparently did not know in advance that the Foundation was paying for the Asia trip. Ziomek told the OIG that the Foundation Board approved a \$100,000 budget for the Asia trip; however, a review of documents provided to the OIG shows that the funds for the trip came from the Grants and Program account, without any details about spending in this category or any indication that it included international travel. Furthermore, the only time

that the Asia trip was discussed with the Foundation Board prior to it occurring was in an executive committee meeting. No minutes exist for this meeting. As a result, at the time of the Asia trip, most Board members were unaware that the \$135,000 cost would come out of the Grants and Programs account. The Board's meeting minutes do not mention any discussion or vote appropriating funds for international travel prior to the trip. Larrivee, the Foundation Board's chair at the time, told the OIG she was unaware that the Foundation was financing the trip. Larrivee said she felt "duped" when she learned that the Foundation had funded the trip, and noted that the Foundation at that point in time was "already under water" financially.

B. Speaker Series

In early 2008, Dobbelle announced plans for a speaker series (the "Speaker Series") at Westfield State, funded by the Foundation. The goal of the Speaker Series was to raise the University's profile, which in turn would boost fundraising from alumni and from businesses in the region. Board members of the Foundation told the OIG that Dobbelle assured them that the initiative needed funding only for the start-up phase. Once the Speaker Series was up and running, the program would generate increased funding and be a self-sustaining fixture at WSU. Based on Dobbelle's assurances, the Foundation agreed to provide funds to launch the Speaker Series.

In practice, the Speaker Series fell far short of expectations. The costs of the events exceeded the Foundation's budget and the promised increase in donations and fundraising failed to materialize. According to the Foundation Board's June 22, 2010 meeting minutes, the Foundation budgeted and approved \$295,000 for the Speaker Series for FY2010; however, higher than expected fees and hospitality costs for the speakers resulted in that year's events exceeding the budget by as much as \$80,000, for a total cost of nearly \$375,000 to the Foundation.

While the Foundation shouldered most of the costs, Dobbelle was centrally involved in decision-making for the Speaker Series. According to a report of Foundation's Financial Committee, "the president plays a large role in selecting the speakers for the series." WSU staff who worked on the Speaker Series said Dobbelle frequently chose friends or acquaintances as speakers. The Foundation had no input or control of the costs. Minutes from the Foundation Board's June 22, 2010 meeting show WSU Vice President Kenneth Lemanski reporting that, "The contracts for speakers were booked by the campus and then assigned to the Foundation. No contract entered into... was signed by anyone from the Foundation. The fees for the speakers and the hospitality provided the speakers were higher than was budgeted." Dobbelle instructed the staff who organized the Speaker Series to pay most speakers their asking rate, and forbid them from negotiating a reduced speaker's fee.

At various points, University staff members proposed measures aimed at raising funds to offset the significant drain on the Foundation's assets; however, Dobbelle rejected the proposals. For example, the Foundation Board of Trustees meeting minutes from November 30, 2009 state that "[t]he Foundation currently does not have permission from the President to charge for participation in Speaker Series events." Furthermore, Dobbelle barred the Foundation from soliciting donations from speakers.

In total, the OIG identified nearly \$600,000 in expenses borne by the Foundation for the Speaker Series. In addition, the University had its own sizable expenses connected to the program. For example, much of the Marketing Department's budget was used to promote the Speaker Series during its three-year run, rather than to promote WSU as a whole. Therefore, the total cost to the University and Foundation is actually much more than \$600,000.

C. Transfer of funds from the University to the Foundation

In the summer of 2010, the Westfield State Foundation's accounting firm, Appleton Corporation, reported that the Foundation had run a deficit of about \$425,000 in its unrestricted funds during FY2010. As a result, Foundation officials discovered that restricted funds (*i.e.*, funds donated to a scholarship or for other specified uses) had been used improperly to pay for some Foundation expenses.

At the same time, the firm Boisselle, Morton & Associates ("Boisselle") began conducting the FY2010 annual audit of WSF. Because of the size of the deficit and the Foundation's apparent inability to meet its obligations as they became due, the auditors told Foundation officials that without immediate remedial action, they would need to issue an adverse audit opinion. This adverse audit opinion would raise doubts about the Foundation's ability to continue as a "going concern," an auditor's term for remaining in business. This adverse opinion would have significant impacts on the Foundation's ability to solicit future contributions or grants and to continue as a viable nonprofit foundation.

Throughout the month of September, the auditors worked with University and Foundation officials to create a plan to stabilize the Foundation. These discussions produced a revised Foundation budget and a memorandum of agreement between the University and Foundation. The agreement stipulated that the University would transfer \$404,702, of which \$362,210 was "for a portion of the Foundation's expenditures... made on behalf of the College for various expenses, including the Westfield State College Speaker Series" and \$42,492 was to cover a tax liability on a piece of property that the Foundation was selling. In the end, the University signed a second memorandum of agreement specifying that the entire \$404,702 would be allocated to cover deficits in restricted funds. Foundation officials were also able to release the restrictions on some of its assets so that they could be classified as unrestricted funds. These measures addressed the auditors' doubts about the Foundation's near-term financial future and the Foundation was able to avoid having the auditors issue an adverse audit opinion.

The evidence indicates that this transfer was the result of expenditures and spending undertaken at President Dobelle's direction. Contemporaneous records and the recollections of many University and Foundation officials indicate that the primary reason for the transfer was to repay the Foundation for the Speaker Series. During a time when the Foundation was negatively affected by economic conditions, Dobelle's reckless spending severely damaged the Foundation and the University. The Foundation's balance sheets show that between July 1, 2007, and June 30, 2010, the Foundation's unrestricted funds balance fell by \$1.27 million, from having a positive balance of \$1,020,313 to having a \$249,769 deficit. Dobelle's two major initiatives during this period, the Asia trip and the Speaker Series, which together cost more than \$700,000, were unquestionably significant factors contributing to the Foundation's financial crisis.

VII. Dobelle engaged in similar spending practices – frequent travel to San Francisco and portraying personal expenses and social meetings as having a business purpose – at his prior positions at the New England Board of Higher Education and the University of Hawaii.

From 2001 to 2004, Dobelle was president of the University of Hawaii (“UH”), Hawaii’s public system of higher education. From 2004 through 2007, Dobelle served as the president of the New England Board of Higher Education (“NEBHE”), a quasi-public congressionally chartered educational compact funded by the six New England states. Many features of Dobelle’s spending that drew scrutiny at WSU were evident during his tenure as president of UH and later as the head of NEBHE.

For example, at both UH and NEBHE, Dobelle spent substantially more on travel than his predecessors. The University of Hawaii Foundation (“UH Foundation”) paid \$83,000 in FY2002 and \$87,737 in FY2003 for Dobelle’s travel. In 2003, the UH Foundation was forced to defer payments on an additional \$17,000 in spending because it had “insufficient cash.”⁵³ Prior to Dobelle’s arrival, travel spending in FY2000 and FY2001 was \$19,793 and \$1,963 respectively. At NEBHE, spending on travel and conferences went from \$160,058 in FY2004, the year before Dobelle arrived, to \$548,937 in FY2006, his first full year as president. This 243 percent increase in travel spending contributed to a drop of about 50 percent in NEBHE’s net assets. NEBHE was forced to tap a line of credit in 2006.

As he later did at Westfield, Dobelle made frequent trips to the San Francisco area while he was employed at UH and NEBHE. Between July 2001 and June 2003, Dobelle travelled to the San Francisco area 11 times at the expense of UH or the UH Foundation, often for “donor meetings.” Several of the trips coincided with Bohemian Club events. He followed a similar pattern at NEBHE. Between April 2005 and August 2007, Dobelle traveled to San Francisco 11 times, according to NEBHE records. Of the 11 trips, six coincided with Bohemian Club events. There are very few indicators of the ostensible business purposes of these NEBHE-funded trips to San Francisco, usually nothing more than a handwritten notation on the credit card statement or a brief notation on the monthly reconciliation spreadsheet. Of the indicators that do exist, there are reasons to question the legitimacy of many of them.

For example, Dobelle traveled to San Francisco on April 5, 2005 for what he described as “Foundation meetings in the Bay Area.” When he left nine days later, the bill for his stay at the Westin St. Francis Hotel was \$4,173. He also incurred a \$389 charge in the hotel’s business center for internet access. Dobelle charged a \$97 meal at Cliff House on April 10, 2005, describing it as a meeting with Haig Mardikian,⁵⁴ whom he identified this time as the president of the Getty Trust. Mardikian told the OIG that he has no connection to any entity known as the Getty Trust. Mardikian has a business affiliation with a mutual fund management company owned by Gordon Getty. Mardikian said he has never introduced anyone, including Dobelle, to Getty.

⁵³ Deloitte & Touche LLP, *University of Hawaii Independent Accountants’ Report on Applying Agreed-Upon Procedures*, 2004, pg. 6.

⁵⁴ For a further discussion of Dobelle’s personal relationship with Mardikian, see Finding II.

The only other business meeting noted in Dobelle's April 2005 travel records was a \$99 lunch at the Westin with Robert Varni. As stated in Finding II, Varni said all of his meetings with Dobelle since 1995 were "entirely social" in nature.

On May 27, 2007, Dobelle flew from Philadelphia to San Francisco, where he stayed at the Grand Hyatt for several days. The cost of the airfare and hotel was \$5,100, according to NEBHE's credit card records. The trip coincided with the Bohemian Club's "Spring Jinks" event. Next to the entry for the \$2,000 in Hyatt charges on that month's reconciliation spreadsheet, NEBHE's business office wrote the query: "Fundraising?" In Dobelle's handwriting is the notation "Yes." The only meeting indicated on Dobelle's travel expenses is a \$100 charge at Horizons restaurant on the Sausalito waterfront. In Dobelle's handwriting is the notation "business Guibara."⁵⁵

The OIG has identified a number of other expenses for which Dobelle's business-related purpose appears to be dubious. For instance, Dobelle indicated that a \$96 lunch at the Top of the Mark restaurant at the Intercontinental Mark Hopkins San Francisco Hotel in July 2007 was a meeting related to the Swig Foundation. All three people who were trustees of the Swig Foundation in 2007 told the OIG they have never met or heard of Dobelle. In May 2006, Dobelle charged a \$201 meal at the Nob Hill Café in San Francisco indicating that the business purpose was linked to the Hacker Foundation. A co-founder of the Hacker Foundation who was its treasurer from 2003 to 2008 told the OIG that he has never heard of Dobelle. The Hacker Foundation was established to organize and provide services to so-called "hacker" projects in the United States. Hackers are people who gain unauthorized access to computer data or develop unconventional or illicit uses for technology. The Hacker Foundation would not be a source of funding for a congressionally chartered educational consortium.

At NEBHE, one of Dobelle's first initiatives was organizing a delegation to travel to Asia. At a cost of \$150,000, the 15-person delegation, which included Dobelle's wife and son, spent 17 days in Thailand, Vietnam, China, Hong Kong and Taiwan. The cost of the trip was underwritten by a charitable foundation run by Michael E. O'Neill, formerly the CEO of the Bank of Hawaii and currently the chairman of Citicorp. The purported purpose of the trip was "creat[ing] expanded horizons for educational exchange and cooperation between the 270 institutions of higher education in [New England] and their Asian counterparts."⁵⁶ The delegation included four spouses, two former Trinity College colleagues of Dobelle's, and former Massachusetts Secretary of Housing and Community Development Amy Anthony, who told the OIG she did not participate in NEBHE's business meetings. Dobelle invited Anthony at the last minute when then-Berkshire County Sheriff Carmen Massimiano, Jr. had to drop out for medical reasons. Anthony paid her own way.

Another pattern in Dobelle's spending at UH and NEBHE that he later mirrored at WSU was his practice of having his employer pay for personal expenses. While at UH, the University of Hawaii and its affiliated foundation paid \$46,133 in credit card charges that were Dobelle's personal expenses. While Dobelle reimbursed these charges, many of the reimbursements were

⁵⁵ See Finding II for further discussion of Dobelle's relationship with Albert Guibara.

⁵⁶ New England Board of Higher Education, *Report on Delegation to Asia*, Item 1.

made between several months and two years after the charges were incurred.⁵⁷ An official from Deloitte & Touche LLP, which reviewed Dobelle’s spending for the UH Board of Regents, told the UH Board of Regents that Dobelle typically engaged in a “reimbursement frenzy” whenever auditors were about to examine UH accounts. In addition to the \$46,133 in charges for which Dobelle reimbursed UH or its foundation, Deloitte identified an additional \$72,000 in “undocumented and unexplained expenses that have not been reimbursed” by Dobelle.⁵⁸

At NEBHE, Dobelle routinely used the NEBHE credit card for personal charges. For example, he, his wife and son took a vacation to London, Paris, Cannes, Monte Carlo, Lisbon and Seville from December 23, 2006 to January 7, 2007, with \$31,000 of the trip’s cost charged to the NEBHE credit card. Dobelle reimbursed NEBHE the following month. In total, Dobelle made over 500 personal charges on his NEBHE credit card, totaling more than \$140,000.

Many other expenses lack sufficient information to verify whether they had a legitimate business purpose. For example, Dobelle charged a \$403 dinner at Smith & Wollensky’s in Boston on the NEBHE card. The notation on the receipt states “Apple Computers” but does not indicate the names of those in attendance or the business purpose of the meal.

VIII. Dobelle routinely violated University policy on business meals.

As noted in Findings II and III, the OIG interviewed several individuals who dined with Dobelle at meals he billed to the University and Foundation as “business meals.” In each of these instances, the OIG found that Dobelle falsified a business purpose for what was in fact a personal or social engagement. In total, Dobelle spent more than \$53,000 on University-related credit cards for business meals and dining. In many cases, including those referenced above, Dobelle did not provide sufficient documentation to comply with University policy. Specifically, the University’s *Policy concerning Reimbursement of Personal and Petty Cash Funds* and its *Reimbursement for Business Meals Form* specifically require a justification of the business purpose of a meal, a listing of all attendees and their employers, and an itemized receipt. This form also requires a supervisor’s signature before it can be submitted to the Finance Department.

Despite these requirements, Dobelle typically provided only a non-itemized credit card receipt with a vague, handwritten notation of the meal’s attendees. The President’s Office staff transcribed this information onto the *Business Meals Form*, which Dobelle and his executive assistant signed and submitted to the Finance Department. However, the information Dobelle provided tended to be unclear and incomplete. For example, Dobelle submitted a *Business Meals Form* for a dinner in February 2009 with the purpose described as “News.” Accompanying the form was the non-itemized credit card receipt totaling \$326.60 with the handwritten notation “Dan Thomason + 3.” This example typifies the documentation that Dobelle submitted for his business meals. In many cases referred to above, Dobelle simply ascribed the name of a foundation as the “business purpose” without indicating whether he was

⁵⁷ Deloitte & Touche LLP, *University of Hawaii Independent Accountants’ Report on Applying Agreed-Upon Procedures*, 2004, pg. 42.

⁵⁸ University of Hawaii Board of Regents, *Minutes of the Board of Regents Meeting Executive Session*, June 15, 2004, pg. 3.

seeking a donation from that foundation or whether he was fundraising for a particular WSU program.

In addition, because Dobbelle often submitted no itemized receipt showing what was purchased, it was impossible for the President's Office staff or the Finance Department to determine whether any alcoholic beverages were included in the bill. University policy prohibits payment or reimbursement for alcohol purchases. Despite many missing itemized receipts, the OIG identified several instances where the University paid for alcohol as part of a "business meal" hosted by Dobbelle.

IX. Dobbelle was imprudent with University money, resulting in the waste of significant amounts of public funds.

The OIG investigation found numerous instances of excessive or wasteful spending by Dobbelle. His lavish tastes, poor planning and cavalier attitude about University funds were out of line with spending practices suitable for Massachusetts colleges and universities. For example, Dobbelle charged more than \$7,000 on his University credit card for a 14-day trip in July 2008 to Europe. The purpose of this trip was identified as "UNESCO – IAU – Higher Ed Research Conference. Also – international abroad initiatives." The President's Office staff booked Evan and Edith Dobbelle roundtrip airfare to Amsterdam, registered Dobbelle for the conference and prepaid for hotel rooms in Amsterdam, Cologne and Brussels. However, the Dobbelles cancelled their trip to Europe. Instead, Dobbelle traveled to Montreal and San Francisco during this two-week period. Of the \$7,032.30 charged to Dobbelle's University credit card for this trip, the University only received a refund from the airline for the Dobbelles' \$2,909.54 airfare. Dobbelle never obtained a refund, nor did he reimburse the University for the remaining \$4,122.76 spent on hotels and conference registration.

Another major expense for the University was Dobbelle's frequent rescheduling and cancellation of flights. Dobbelle often changed his flight itineraries leading up to trips. The President's Office staff then exchanged airline tickets for flights at his desired time. For example, for a trip to San Francisco in May 2008, the University paid for three United Airlines roundtrip flights due to last-minute scheduling changes. The first flight cost \$644.50, leaving on May 24, 2008. Dobbelle asked on May 21, 2008 to have the ticket exchanged for a departure flight on May 23, 2008 with a day-long layover in Atlanta so he could attend a funeral. This change resulted in the purchase of a new ticket costing the University an additional \$1,217.99. Finally, on May 23, 2008, Dobbelle cancelled his flight to Atlanta citing another personal obligation, this one a funeral in Hartford, Connecticut. His third roundtrip ticket, with a May 24 departure, cost \$1,143.50. The evidence suggests that Dobbelle was not in Atlanta or Hartford during either of the two funerals. Further, Dobbelle should have paid for the flight changes because attending the funerals were personal matters, not business events.

Rescheduling and cancelling flights occurred so frequently that in 2009, the President's Office staff spent a significant amount of time working with Dobbelle's travel agent to track unused airline tickets that they could exchange for future travel. This practice of rescheduling flights and exchanging tickets resulted in the casual squandering of public funds and incurred significant unnecessary expenses for the University.

Additionally, on the Asia trip at the end of 2008, Dobelle and one other traveler flew first class on Singapore Airlines from Newark to Bangkok at a cost of \$9,837. Dobelle stated that they flew first class because a family member of the other traveler expressed health concerns about the flight. Both the traveler and the traveler's parent told the OIG that they never voiced any health concerns about the flight or requested first-class seating. Dobelle and the other traveler did not fly first class on the return flight to the United States, despite Dobelle's representation concerning the individual's medical condition. Their return flights from Hong Kong to Newark cost \$2,023.

For purpose of comparison, the OIG reviewed records from Worcester State University, Framingham State University, Fitchburg State University, Bridgewater State University and Salem State University regarding their international travel during the period 2008 to 2013. A review of these records shows that the five universities paid a total of just over \$200,000 for 45 trips abroad by 82 participants. Of these 45 trips, 19 were to destinations in Asia. The five universities spent approximately \$75,000 for the 25 people who traveled to Asia. The most expensive international trip that any of the other universities paid for was a three-week trip to China and Japan that cost approximately \$14,000 for three travelers. In contrast, Westfield State's one trip to Asia in 2008 cost approximately \$135,000 for 10 travelers and lasted 15 days.

In addition, Dobelle increased the size of the President's Office and provided certain staff members with significant pay increases and opportunities to travel. Many staff members were tasked with completing personal matters for Dobelle, such as booking his family's travel and handling personal mail, in addition to scheduling his extensive travel and maintaining back-up records for his myriad credit card charges.⁵⁹ Dobelle also provided opportunities for his staff to attend international site visits for J-Term programs and to serve as "student life assistants" on J-Term trips. Through these programs, staff in his office traveled to London, Morocco and Nicaragua at the University's expense, even though they did not have any academic expertise relating to the J-Term courses.

Finally, Dobelle also provided the opportunity for two administrative assistants to accompany a group of students to Harlem, New York, in 2008. While the students stayed at the Fairfield Inn at LaGuardia Airport, the two assistants stayed at the Harvard Club of New York using Dobelle's membership, at a cost of nearly \$1,600. The trip was an educational field trip for a group of 45 students and faculty focused on the history of the Harlem Renaissance. The professor who led the trip contacted Dobelle, who arranged for his two assistants to travel with the group and have the President's Office fund multiple expensive meals for the students, including a \$1,803.44 lunch and a \$5,349.76 dinner and show at a Russian club in Brooklyn. There is no evidence that the two President's Office staff chaperoned the trip or did more than use their WSU credit cards to pay for meals, tours and lodging for the students.

X. Dobelle used Foundation funds without authorization.

As discussed in Finding VI, Dobelle's two major Foundation-funded initiatives, the Speaker Series and the Asia trip, both exceeded their approved budgets. Despite this, the Foundation

⁵⁹ See Finding XI

agreed after the fact to pay expenses that Dobelle and his staff incurred. For example, at their September 21, 2009 meeting, the Foundation Board discussed the fact that “the Foundation had... a \$400k loss from unbudgeted expenses” in FY2009, which it identified as resulting from the Speaker Series and travel.⁶⁰

When Dobelle had access to a Foundation credit card, he was able to make purchases using Foundation funds for travel, meals and other expenses without seeking approval from the Foundation Board. In addition to his extensive use of the Foundation credit card for meals and travel, Dobelle made several donations to charitable organizations in his own name with the Foundation credit card. Specifically, he made donations to the Friends of Clark Institute, Northeastern University and the Arizona State University Foundation. The receipts for these donations indicate that he made the donations in his name, not in the name of the Foundation.

Another example of Dobelle’s unbudgeted and unauthorized expenditure of Foundation funds is the commissioning of a portrait of himself. In 2013, Dobelle personally contacted a local artist and requested that she paint a portrait of him. In total, the portrait and framing cost \$777.75. An assistant in the President’s Office contacted staff working with the Foundation and asked the Foundation to pay for it. The Foundation treasurer told the OIG that Foundation officials felt obligated to pay the bill since the work had already been done, even though the Foundation had not been approved the painting in advance. Further, Foundation Board members believed that the portrait was going to be part of a series done of past presidents of the University. However, Dobelle took no action to commission portraits of any other Westfield presidents.

The portrait was kept in a closet in the President’s Office waiting to be unveiled at an event for the 175th anniversary of the University. Following Dobelle’s resignation, University staff sent Dobelle the portrait with his personal effects because University and Foundation officials determined they no longer wanted the painting.

XI. Dobelle used University personnel and resources for personal purposes.

Dobelle reaped a significant benefit by using WSU personnel and resources for personal tasks throughout his presidency. It is improper for a state employee to instruct his or her subordinates to run personal errands or complete personal tasks, especially during work hours. Specifically, Dobelle instructed the University webmaster and several of his assistants to complete personal tasks.

Soon after arriving at Westfield State, Dobelle sought to have his personal website (www.evandobelle.com) hosted on the University server. Dobelle requested the services of the University webmaster and information technology staff to coordinate his website’s move to the University server. Once the move of www.evandobelle.com to the University server was complete, Dobelle requested that the University webmaster make design and content changes on a semi-regular basis throughout his tenure. These updates consisted mainly of adding and removing pictures and articles. Dobelle also requested that University staff add a link to his personal website onto the official University website.

⁶⁰ See Westfield State College Foundation, Inc. Board of Directors Minutes, September 21, 2009, at pg. 7.

Furthermore, in 2008, Dobelle instructed information technology staff to reserve *www.evandobelle.com* and five other domain names⁶¹ using University funds. The total cost to the University for a five-year domain renewal was \$388.50.

Dobelle also instructed the University webmaster to make extensive edits to both his curriculum vitae and that of his son, Harry. The webmaster had direct contact with both Dobelle and his son regarding updating Harry's curriculum vitae.

At various times, Dobelle instructed his staff to ship packages for him via Federal Express. Dobelle typically gave Harry's mail or personal effects, such as clothing or books, to his staff with instructions to ship the items to his son in Austria or later in Pennsylvania. University staff then packaged the items and prepared them for shipping. Shipping costs were billed to the University's Federal Express account. When Federal Express bills came back to the University, WSU staff identified the entries relating to Dobelle's personal use of the Federal Express account and included them on his list of reimbursable charges. While he reimbursed the Federal Express charges, his use of the University's Federal Express account was improper, as was his routine use of WSU staff for personal errands.

In addition, Dobelle regularly directed University staff to send mail he received at the University to his and his wife's post office box in Pittsfield despite the fact that Dobelle commuted to the University from his home in Pittsfield. It is unclear why Dobelle did not simply bring his mail with him when he went home from the University, rather than have WSU pay to re-send his mail.

Additionally, Dobelle charged the University for "Windows Live Hotmail Plus service(s)" on his personal Microsoft Hotmail account. The University paid a \$19.95 fee to Microsoft Hotmail on November 16, 2009, November 8, 2010 and November 8, 2011. The OIG notes that Dobelle used his personal Hotmail account for the vast majority of his University-related email correspondence. When emails about credit card use, travel or certain other issues were sent to Dobelle's WSU email address, he often replied urging the WSU employee who emailed him to use his Hotmail account instead. However, it is inappropriate for the University to pay for an upgrade to his personal account while simultaneously providing him with a University email account. Furthermore, Dobelle's use of a personal email account for University-related correspondence may have been in violation of the records retention requirements set forth Massachusetts public records law.⁶²

XII. Using University funds, Dobelle purchased electronic equipment that apparently was for personal use and has not been returned to WSU.

Using the University's credit card, Dobelle purchased four electronic devices that do not appear to have been used for business purposes. These four devices are: a Nikon 9420 camera and

⁶¹ The domain names *www.evandobelle.org*, *www.evandobelle.net*, *www.edobelle.com*, *www.edobelle.org* and *www.edobelle.net* were also reserved, though none of them appear to have been used to host Dobelle's personal website.

⁶² See M.G.L. c. 66.

accessories, purchased for \$967.35 at Hunt's Photo and Video in Hadley, Massachusetts, in September 2008; a MacBook Air and accessories, purchased for \$2,214.59 at the Apple Store in San Francisco, California, in December 2008; a Kindle 2, purchased for \$359.00 from Amazon.com in May 2009; and a Kindle Fire, purchased for \$489.00 from Amazon.com in June 2009. None of these items were reimbursed as personal expenses. As of the issuance of this report, the University did not have these four devices in its possession.

The Nikon camera and two Amazon Kindles were not logged into the University's asset control system and the University does not have any records of the three devices ever being in its possession. Dobelle's personal bank records show more than 350 Amazon Kindle-related purchases between the date when Dobelle bought the first Kindle and September 2013.

Finally, Dobelle purchased the MacBook Air on December 27, 2008 while traveling in San Francisco. In addition, he purchased an extended warranty, a mouse, a laptop bag, an Apple Universal Dock, and *Microsoft Office 2008 Home and Student*. The receipt lists Dobelle's son's personal email address as the point of contact for the purchase. The computer was logged into WSU's asset control system as a Westfield State computer and it was signed out for Dobelle's use off-campus. At the same time, however, Dobelle had two other computers (MacBook Pro laptops) signed out for off-campus work.⁶³

⁶³ As of the issuance of this report, Dobelle has only returned one of the MacBook Pros to the University.

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Conclusions and Recommendations

The OIG reviewed several aspects of WSU's financial affairs and examined Dobelle's actions in connection with credit card abuse, excessive and lavish travel, the Foundation's financial crisis and other areas of inordinate spending. This investigation also sought to determine whether Dobelle's justifications for spending were valid.

The focus of this review was an evaluation of Dobelle's spending practices during his tenure at WSU. No public employee, including a university president, is entitled to waste or abuse public funds under any circumstances. No public employee is entitled to use taxpayers' funds to subsidize his vacation or entertain friends as part of his job.

As documented in this report's findings, Dobelle knowingly disregarded University and Foundation policies, misled the WSU Board of Trustees, abused his authority and exploited public resources for his personal benefit. Dobelle's self-characterization as a "visionary" does not absolve him from the obligation to follow the rules applicable to his position. Even if Dobelle's exaggerated claims about WSU's "return on investment" from his travel were accurate, the end does not justify the means. Dobelle violated the public trust.

By resigning in November, Dobelle made it unnecessary for the WSU Board of Trustees to vote to fire him. That said, the OIG has identified several substantive ways in which Westfield State University and other public institutions of higher education can improve their internal controls, financial safeguards and board oversight in order to reduce the potential for fraud, waste and abuse within their institutions. The OIG makes the following recommendations:

I. WSU should establish an internal audit office that reports to the Board of Trustees.

In April 2014, the Office of the Comptroller recommended "decoupling of the Budgeting and Internal Audit functions" and establishing the internal controls officer, as a position that has a "direct reporting relationship to the Board of Trustees or its audit committee."⁶⁴ Since then, the Board of Trustees has moved to amend its bylaws to create an audit committee and the University created the position of internal controls officer. The OIG strongly concurs with the Comptroller's recommendation and the actions that the University has already taken. A strong internal audit function that reports directly to the audit committee of the Board of Trustees, rather than the president of the University, would provide a check on the president and other administrators. An internal controls officer would have the capability to detect misuse of public funds by University administrators and alert the Board of Trustees.

During Dobelle's tenure, credit card and travel policies were not as strictly enforced on Dobelle as they were on other University staff. An internal auditor would have the ability to review spending across the University, including the Office of the President, and ensure that all spending is compliant with applicable laws and University policies. In the future, the audit committee of the Board of Trustees would be able to direct the internal controls officer to focus on other areas of expenditures that may prove troubling.

⁶⁴ Office of the Comptroller's, *Westfield State University Transition Review Report* (April 4, 2014), pg. 13.

Furthermore, the internal controls officer should serve as the whistleblower officer. The whistleblower officer is the designated person to whom WSU employees can report actions at WSU that violate the law or pose a risk to public health, safety or the environment. Previously, the executive assistant to the president and later the director of human resources served in this capacity. However, these individuals reported directly to the president, making them ineffective for reporting fraud, waste or abuse by the president. As a direct report to the Board of Trustees, the internal controls officer is in the best position to receive tips about fraud, waste and abuse of funds and then investigate these allegations and report the findings to the Board when appropriate.

II. The chair of the Board of Trustees should be responsible for overseeing the president's travel and purchases.

During Dobelle's tenure, University policy required employees to obtain approval from their department head or vice president in order to travel outside the Commonwealth. Department heads or vice presidents were also required to review and approve their subordinates' monthly credit card reconciliations. In Dobelle's case, it was the executive assistant to the president – his subordinate – who signed off on his travel request approvals and credit card reconciliations. While one executive assistant asked Dobelle several times to stop putting personal charges on the University credit card, she did not have the authority to stop Dobelle's inappropriate spending.

In 2013, the Board of Trustees increased its scrutiny of Dobelle's travel and required Dobelle to obtain approval from the chair of the Board for out-of-state travel, like any other employee. The OIG recommends that the Board of Trustees formally adopt a written policy requiring the Board chair to approve the president's *Request to Travel Forms*.

Moreover, the OIG recommends that the chair of the Board approve the president's credit card reconciliations, as well as any purchases that the president submits for pre-approval or reimbursement. This is a common practice at other public institutions, including Bridgewater State University. While this involves an additional time commitment by the chair of the Board, this oversight will help ensure that future presidents' travel and credit card use is appropriate, reasonable and in the University's best interest.

III. WSU should centralize its travel operations for University staff, faculty and students.

The University has a decentralized process for scheduling and booking travel. Currently, the president and administrators have their business travel planned and booked by their administrative assistants using University credit cards. In addition, the Office of International Programs works with travel agents to plan group travel for students. The OIG recommends that Westfield State centralize its travel planning and booking functions so that cost-effectiveness is treated as a priority when making travel purchases for flights, hotels and other arrangements for all University students, faculty and staff, including the president.

An internal travel coordinator should control travel arrangements to ensure that travel spending complies with the University's standard of being "reasonable and not excessive." This person's

responsibilities would also include implementing cost-saving mechanisms, such as taking advantage of conference or government rates at hotels.

Centralizing travel arrangements could potentially produce significant savings for the University. Currently, Bridgewater State has an internal travel coordinator who schedules all travel for faculty, staff and students. Bridgewater State Board Chair Louis Ricciardi reported to the OIG that creating this position saved the university over \$76,000 in its first year – more than the staff member’s salary.

IV. WSU should reduce the number of University-paid credit cards, switching to a system of expense reimbursements and procurement cards.

As of July 2013 when the OIG’s investigation began, the University had 22 active credit cards with a combined monthly credit limit of \$72,606. The University subsequently began switching from credit cards to procurement cards. Procurement cards, which most other state universities use, provide better controls over which kinds of purchases can be made. For example, a procurement card for the president could be enabled for travel and dining, but disabled for retail shopping. In addition, procurement cards provide more detailed information to the Finance Department than traditional credit cards do. The OIG encourages WSU to use this new system to provide strong internal controls that it lacked with its previous credit card system.

If WSU hires an internal travel coordinator,⁶⁵ the University could substantially reduce the number of credit cards as well as the level of spending on many of the remaining credit cards. If the internal travel coordinator booked all flights and hotels, the employee traveling would not have significant business-related expenses. The employee could seek reimbursement from the University after the trip for any minor business expenses incurred while traveling. This process would eliminate the need to seek payment from employees for personal expenses and reduce the amount of time spent reconciling credit card bills.

V. The University and Foundation should establish guidelines to maintain separation in accordance with state law.

The University and Foundation should develop guidelines that maintain the separation between the two institutions – an agency of the Commonwealth and a private non-profit corporation – to ensure that fundraising and other Foundation-related activities conducted by University employees follow all applicable laws and regulations. On March 12, 2013, the Foundation and WSU entered into a memorandum of agreement (“MOA”) in an effort to delineate the relationship between the two entities. Since the commencement of the OIG’s investigation, other state universities have begun drafting similar MOAs with their respective foundations. The OIG supports efforts by these institutions to define clearly the relationship between a university and its affiliated foundation.

Educational foundations are permitted under M.G.L. c. 15A, § 37. This enabling statute at once allows universities to make their employees and facilities available for use by the foundations

⁶⁵ See Recommendation III.

and yet clearly exempts those employees from the strictures of the conflict of interest and public records laws. This structure is inherently dangerous because it establishes a dual role as both a public employee and a private fundraiser. The OIG determined that a number of WSU employees regularly exceeded the statutory cap by spending more than 25% of their time on Foundation business.⁶⁶ The OIG does not believe that this is unique to Westfield.

In addition, this investigation revealed that the Foundation Board members felt they lacked authority over personnel and spending decisions. In particular, the fact that they could not hire or fire the executive director themselves left the Board feeling feckless. Because the executive director is hired by the University and reports to the University president, this person has an inherent conflict of interest should the University president and the Foundation Board provide differing directives.

The issues identified above regarding the relationship between state universities and their respective foundations warrant further study. The OIG recommends that, in addition to the steps already undertaken, WSU and the Foundation amend its MOA to include a formal process by which the president of the University, or his designee, can request funds from the Foundation in its annual budget. For example, all requests for funds from the Bridgewater State Foundation are made by the Bridgewater State University Board of Trustees. Furthermore, the MOA should formalize a methodology to ensure that the president and other University staff do not exceed the budget for fundraising. While the OIG understands the need for fundraising and appreciates the Foundation's need for administrative funding, this should be done through an MOA or other contractual service agreements between the two distinct entities.

Finally, in order to ensure that they comply with state law, the OIG recommends that state universities require employees to track the time they spend on foundation business as permitted by M.G.L. c. 15A, § 37. Moreover, the state universities should establish a standard definition of what tasks qualify as "foundation business" and ensure that the employees who conduct this business are aware of these definitions and the statutory restrictions placed upon them.

VI. The state should expand opportunities for trustee training, orientation and continuing education to ensure that board members understand and fulfill their responsibilities.

Dobelle's conduct – especially his blatant use of University funds for personal purposes – highlights the need for every state university to have a strong board of trustees. Board members must understand that the university president reports to – and is accountable to – the board. Boards of trustees should require the president to follow university policies and hold the president accountable for any violations. Board members also must understand that they have fiduciary duties and must act to protect university funds.

To this end, approximately one year ago, the state Department of Higher Education ("DHE") established an Office of Trustee Relations to improve communication between DHE and the boards of trustees for the nine state universities and 15 community colleges. The Office of

⁶⁶ Contrast M.G.L. c. 15A, § 37(d).

Trustee Relations has made a concerted effort over the past year to increase the resources available to the trustees of these 24 institutions. Many trustees have indicated to DHE and to the OIG that there are few resources available to them about important topics such as fiduciary duty, public records law, open meeting law and other legal and technical topics that are crucial to their position. The Office of Trustee Relations has established online resources, webinars, regular newsletters and an annual conference for trustees in order to educate trustees on best practices. They have also worked to increase communication among the local boards for the state university and community college systems. The OIG supports these efforts to ensure that trustees are more knowledgeable about their duties and responsibilities to their university and the Commonwealth.

Furthermore, the OIG recommends that each local board of trustees develop a procedure to ensure that its board of trustees has members with diverse backgrounds, including members with experience in business and finance, and that each member is properly trained on the technical and legal issues that are vital to each board's oversight of its institution. This will allow these local boards to provide stronger and better informed oversight over public institutions of higher education and ensure that any issues of fraud, waste and abuse by a president or any other administrators is handled efficiently and effectively.

Finally, the OIG recommends that DHE establish guidelines to increase transparency in budgetary matters. For instance, college and university staff should provide more detailed annual budgets to local boards of trustees and/or DHE. Also, DHE should consider requiring the colleges and universities to file their annual audits with DHE to ensure that the Commonwealth is aware of any financial issues identified during these audits.

VII. The Board of Trustees should adopt a policy requiring that all University-related email communication be conducted on WSU accounts.

Dobelle used his personal Hotmail account for the vast majority of his email correspondence with WSU employees and trustees. The use of a personal email address raises accountability issues, creates risk when transmitting confidential student data and has implications for the state public records law. The OIG recommends that the University implement a policy to require employees to use their WSU email addresses and ensure that all correspondence is maintained pursuant to public records law.

Recently, the University created WSU email addresses for its trustees. The OIG applauds this decision and encourages all public institutions of higher education to take this step. In addition to ensuring that important email correspondence regarding University business is preserved according the Commonwealth's public records law, state emails allow trustees to segregate their communications relevant to their capacity as a trustee from their personal or business communications. It also allows administrators and other staff persons to have an avenue to communicate with trustees without requiring trustees to disclose their personal contact information.

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APPENDIX A: Signed Corporate Credit Card Use Policy

Westfield State College

Policy concerning:

Section Administrative

Number 0360

Page 1 of 3

APPROVED: September 1999

REVIEWED: April 2006

CORPORATE CREDIT CARD USE

POLICY

Westfield State College provides a corporate credit card to full-time employees whose responsibilities include traveling and/or supervising College-sponsored entertaining.

DEFINITION

A. CARD ISSUANCE

1. A Westfield State College Corporate Credit Card shall be issued to those employees who are required to travel or who have documented the need for a credit card to conduct assigned responsibilities.
2. Employees must complete the attached form and receive approval from their division vice president and the College president or the Vice President for Administration and Finance.
3. To qualify for a card, the individual must sign a *Policy for a College Credit Card Form (Attachment A)*.

B. CREDIT CARD USE

1. The card shall be used only for College authorized expenses. Authorized expenses include hotel bills, meals, car rentals and other College related expenses. Personal charges and cash advances are not permitted on this card.
2. All such expenditures shall conform to College travel expenses, meal reimbursement and general purchasing policies.
3. No equipment and/or supplies greater than \$100 should be purchased with the College credit card. Emergencies for Facilities will be allowed, as long as they are funded by an active purchase order.
4. Airline tickets shall be authorized on a Request to Travel form before travel is undertaken. Prior approval of the division vice president is required for airline tickets to be charged on a corporate credit card.
5. Any unauthorized charges made to the corporate credit card which are deemed to be personal or considered to be cash advances shall cause the

APPENDIX A Continued: Signed Corporate Credit Card Use Policy

Westfield State College

Policy concerning:

Section Administrative

Number 0360

Page 2 of 3

APPROVED: September 1999

REVIEWED: April 2006

card to be revoked.

6. Unauthorized charges will be reported to the College president.

C. PAYMENT

1. The College pays the credit card company directly. Receipts for all expenses shall be submitted to the Finance Office within ten (10) working days upon receipt of statement from Finance Office.
2. Original receipts must be submitted in accordance with Administrative Policy #0300. Business meals shall be documented in writing including the purpose of the event and the names and titles of people present.
3. If a card is lost or stolen, the cardholder shall immediately notify the credit card company and the Office of the Vice President for Administration and Finance. Since the College is contractually obligated to pay any and all charges, and it will be the cardholder's responsibility to resolve (or absorb) the disputed charges.
4. It shall be the cardholder's responsibility to encumber funds in advance for card charges.
5. As each statement must be paid in full upon receipt, any late fees will be charged directly to the department budget of the cardholder.

D. SECURITY

1. Each card will be issued to a specific individual who will be responsible for validating charges made to the card. Use of a card is limited to the person in whose name the card is issued. Under no circumstances should a card or card number be supplied to anyone else. Non-adherence to the security guidelines shall cause the card to be revoked.
2. It is the cardholder's responsibility to promptly surrender the College credit card upon termination of employment.

REVIEW

This policy shall be reviewed annually by the Vice President for Administration and Finance.

APPENDIX A Continued: Signed Corporate Credit Card Use Policy

Westfield State College

Policy concerning:

Section Administrative
Number 0360
Page 3 of 3

APPROVED: September 1999

REVIEWED: April 2006

POLICY FOR A COLLEGE CREDIT CARD

I request a credit card for use in the conduct of college business.

Name: Dr. Evan S. Dobbelle Date: 1/15/2008

Policy and Procedures for the Use of Credit Cards:

- College credit cards are to be used exclusively for expenditures directly related to college business.
- Expenditures will undergo a scheduled post audit review with the Chair of the Finance/Capital Planning Committee and Board of Trustees on a semi-annual basis.
- Monthly statements will be mailed directly to the Office of Financial Accounting.
- A copy will be sent to each card holder.
- The following certification will be affixed to each monthly statement.

I certify that all charges contained in this billing statement have been expended directly in conduct of business for Westfield State College.

1/20/08 [Signature]
Date Signature

- The certification statement shall be signed.
- Each card holder will reconcile his/her account and submit the necessary documentation and form for payment to the Financial Accounting Office.
- All payments are to be made through the Banner system on a monthly basis.

Receipt of Credit Card

Name: Dr. Evan S. Dobbelle Date: 1/15/2008

Card Type: Visa Card No.: [Redacted] 9943

This card was received by me today and I accept it under the conditions described above.

Card Holder: [Signature]
(Requestor Signature)

Presenter: _____
(Vice President, Administration and Finance)

APPENDIX A Continued: Signed Corporate Credit Card Use Policy

Credit card usage reminders:

We are not required to pay sales tax. Please take the tax exempt certificate with you when making a purchase.

Equipment cannot be purchased on the credit card since it will not go through the proper fixed asset procedures.

Our gratuity policy (detailed in the reimbursement of personal and petty cash funds policy--Administrative Policy 0300) states that gratuities shall be based on food costs only. The gratuity is limited to 15% except in the case of large groups at which the maximum gratuity allowed will be 18%. You will be responsible for reimbursing the College the excess of the allowable amount.

Business meals require a "reimbursement for business meals" form indicating purpose of event and names and titles of people present. Itemized receipts are REQUIRED.

Original receipts must be submitted along with your credit card journal entry within 10 days of receipt from the Finance Office. The missing receipt form (for small items <\$25) will **not** be accepted for amounts greater than \$25. Please be sure to keep original receipts since you will be responsible for reimbursing the college if you do not provide them.

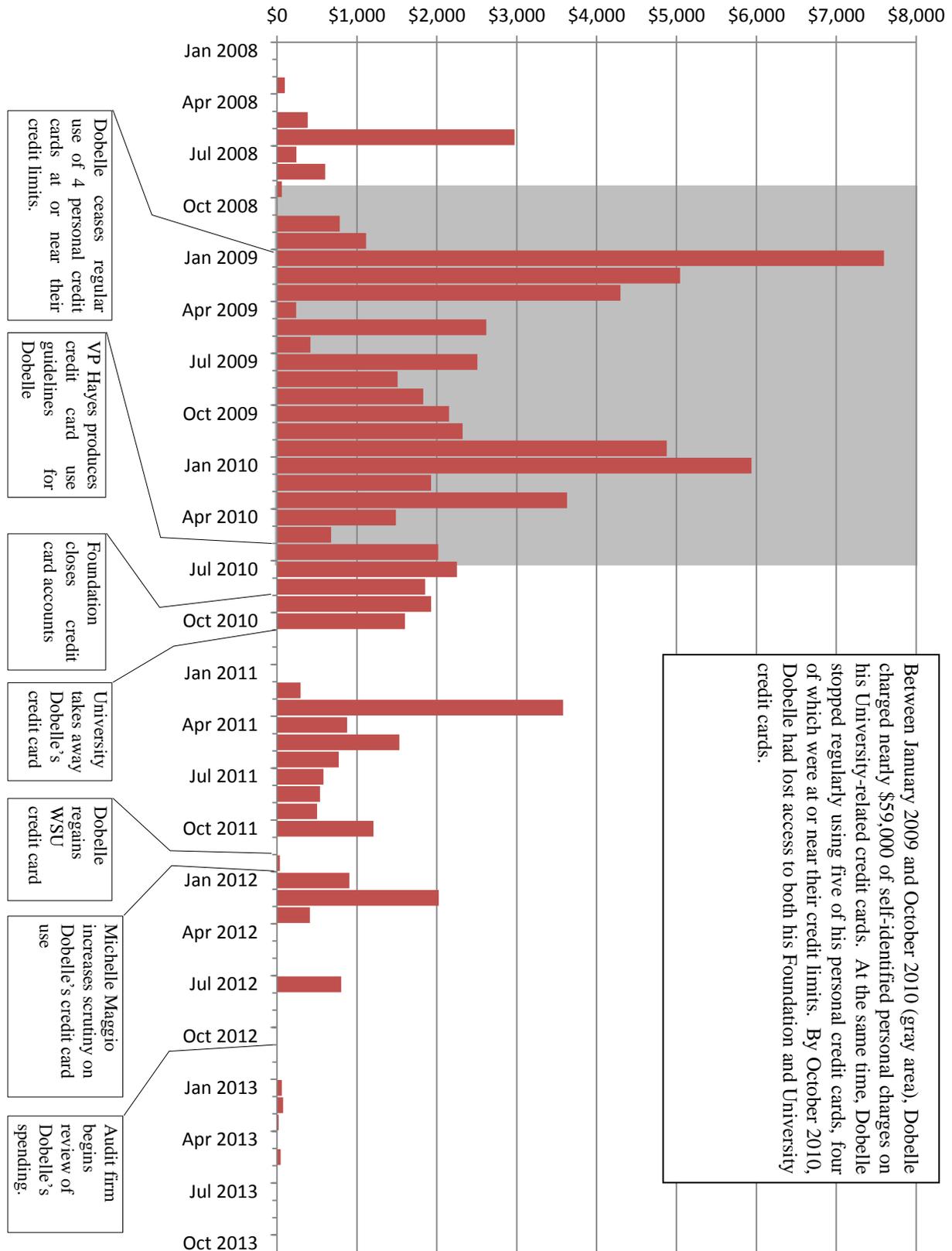
Please include a quick explanation of the charge on the journal entry form (or on the receipt). We need this information for auditing purposes.

If you are accounting for a travel expense, please reference the appropriate travel number on the journal entry form.

Lastly, please fill in the journal entry form with the correct fund/org and account. Incomplete journal entries will be sent back to the department.



APPENDIX B: Timeline of Dobelle's Personal Use of University-Related Credit Cards



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APPENDIX C: Aust's Draft of the Post-Trip Report for the May 2013 Trip to San Francisco

May 27-30, 2013, San Francisco, California

May 28: Delivered an information packet with personalized letter to each Foundation, introducing myself (Kandyce) and WSU		
Levi Strauss Foundation	██████████ Sr. Program Associate	1155 Battery Street, San Francisco
James Irvine Foundation	██████████ President	One Bush Street, San Francisco
Genentech Foundation	██████████ Vice President Corporate Relations	1 DNA Way, South San Francisco
Walter and Elise Haas Fund Charles and Henry Schwab Foundation	██████████ Executive Director	One Lombard Street, San Francisco
Gordon E. and Betty Moore Foundation	██████████ Executive Director	201 Mission Street, San Francisco
The William and Flora Hewlett Foundation	██████████, Director of Grants Administration	1561 Page Mill Road, Palo Alto
	██████████ Program Officer	2121 Sand Hill Road, Menlo Park

May 29: Appointments		
9am	David Kelley, Founder IDEO	Pier 28 Annex, The Embarcadero, San Francisco
	Evan Dobeille met with David Kelley, IDEO, at Stanford University in preparation for Apple meeting. David Kelley built the design company that created many of the icons of the digital generation, i.e. first mouse for Apple.	
10am	Apple, Inc.	██████████, Manager of Higher Education Initiatives 1 Infinite Loop, Cupertino
	Discussed the mission of WSU. Number of undergrad and graduate students and demographics of student population. Major disciplines of study at WSU and trends in higher education. Discussed adapting learning environment for the new generation of students. Mobility is the trend. Smart phones, tablets, etc. Many educators are leveraging the opportunity.	
11am	Apple, Inc.	██████████ Director, Education Content Relations ██████████ Senior Manager, Education Leadership and Policy
	Discussion centered around iTunes U and iBooks. Courses can be placed on iTunes U. It interfaces with Blackboard. Faculty member is the content expert and can utilize diagrams, video, etc. iTunes U can be incorporated into traditional curriculum. Technology will be critical in educating future teachers. Evan suggested that Apple establish model teaching centers in a few universities to instruct future educators to effectively utilize technology. These can be used as a national model for other institutions to follow. The goal is to deliver affordable, accessible, blended education that combines online and traditional methods. Future meetings at the NYC Apple Center were discussed. Penn State and Ohio State are effectively utilizing this technology, as well as Regis College.	
1pm	InnovaScapes Institute	Charles House, former member of Hewlett Packard leadership, well respected leader in Silicon Valley, with Apple affiliation.
	Brainstormed opportunities to create and fund Apple Teacher Education Centers. Creating a national model that could be duplicated. Basically the formation of a think tank that includes financial partners/funders. University/college representation could include: Stanford University, University of Arkansas, WSU, Carnegie Mellon, Miami Dade (community college). Financial partners could include: Pew Charitable Trust, Hewlett, Mellon Foundation, Walmart Foundation. Chucks daughter, ██████████ is best friends with daughter of Walmart founder, Sam Walton. A visit to the Walmart Foundation in Bentonville, Arkansas was discussed. Further discussions to follow.	

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APPENDIX D: *Dobelle's Final Post-Trip Report for the May 2013 Trip to San Francisco*

Silicon Valley and San Francisco Bay Area Visits
May 27-30, 2013

ORGANIZATION	CONTACT	FOLLOW-UP
Apple, Inc.	<p>██████████, Manager of Higher Education Initiatives</p> <p>██████████, Director, Education Content Relations</p> <p>██████████, Senior Manager, Education Leadership and Policy</p>	<p>Discussion focused on iTunes University and iBooks. Faculty member is the content expert and can utilize diagrams, video, etc. iTunes U can be incorporated into traditional curriculum. Technology will be critical in educating future teachers. The goal is to deliver affordable, accessible, blended education that combines online and traditional methods. Discussed formation of Apple Teacher Education Centers. A meeting at the NYC Apple Center will be scheduled for Fall 2013.</p>
Bernard Osher Foundation	Willie Weinstein, Director	September 2013; \$100,000 proposal. Project TBD
Charles and Henry Schwab Foundation	██████████, Executive Director	\$10,000 proposal: J Term Program
Genentech Foundation	██████████, Vice President Corporate Relations	\$100,000 proposal: Dept of Nursing, Movement Science, and Biology
Gensler Family Foundation	Arthur Gensler, President	\$10,000 gift rec'd, proposal to be submitted by June 2014 for \$100,000 to paid over four years.
Gordon E. and Betty Moore Foundation	██████████, Director of Grants Administration	\$25,000 proposal: Westfield River Environment Center/Watershed and Environmental Science
IDEO	David Kelley, Founder	Kelley is significant resource for Apple. F/U to recap Apple meeting. Also discussed opportunity for highly competitive internships.
InnovaScapes Institute	Charles House, former member of Hewlett Packard leadership, well respected leader in Silicon Valley, with Apple affiliation.	Discussed opportunities to create and fund Apple Teacher Education Center. Formation of academic partners, including: Stanford University, University of Arkansas, WSU, Carnegie Mellon. Financial partners could include: Pew Charitable Trust, Hewlett, Mellon Foundation, and Walmart Foundation. A visit to the Walmart Foundation in Bentonville, Arkansas will take place this summer.
James Irvine Foundation	██████████, President	\$10,000 proposal: J Term Program
Levi Strauss Foundation	██████████, Sr. Program Associate	\$100,000 proposal: Institute for Hispanic and Latin American Education, as well as Internships
Lisa and Donald Goldman Foundation	Donald Goldman	\$25,000 proposal: Environmental Sciences
Louis R. Lurie Foundation	Patricia Bitterman, President	\$10,000 proposal: Social Work Graduate Program
Walter and Elise Haas Fund	██████████, Executive Director	\$10,000 proposal for: J Term Program
William and Flora Hewlett Foundation	██████████, Program Officer	\$100,000 proposal: Institute for Civic Engagement and Learning

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APPENDIX E: Letter of Authorization for Academic Delegation to Cuba



OFFICE OF THE PRESIDENT

November 30, 2012



To Whom It May Concern:

Please consider this letter of authorization for a delegation comprised of representatives of Westfield State University to travel to Cuba. The purpose of this visit would be to participate in an educational exchange with the Universidad de Ciencias de la Cultura Fisica y Deporte Manuel Fajardo. Our 24 member educational delegation of adjunct faculty, faculty, and staff of Westfield State would arrive in Cuba on March 6 and leave on March 13, 2013.

We are requesting to travel under a General License specifically, 31 C.F.R. & 515.565 (a) educational activities of an accredited U.S. graduate or undergraduate academic Institution

(a) (6) The organization of, and preparation for, activities described in (a) 1-5 above by members of the faculty and staff of our sponsoring Institution Westfield State University. During the visit Westfield State University's Owls team is scheduled to play in an exhibition game along with course work that will be accepted for credit towards the student's undergraduate program.

The opportunity to participate in this type of educational exchange comes as a result of a visit last February. During that visit, Westfield State officials toured the Universidad de Ciencias and met with the director and rector of the Manuel Fajardo campus.

Westfield State is one of America's oldest institutions of higher education, founded in 1838 by noted American educator Horace Mann. An accredited U.S. University, our institution has a total enrollment of nearly 6000 students and grants undergraduate degrees in 31 majors and offers 10 graduate programs.

As institution of higher learning that champions multicultural understanding and knowledge of the global marketplace, we are especially interested in exploring opportunities, which would

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Westfield, MA
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AN EDUCATION LEADER AND INNOVATOR SINCE 1838

APPENDIX E Continued: Letter of Authorization for Academic Delegation to Cuba⁶⁷

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enrich our Ethnic and Gender Studies and World Languages programs. These programs are now offering courses on the history of Cuba.

The following list of people comprises our Cuba education delegation for March 2013:

[REDACTED]	Angela M. Delaney	Steve B. Delaney
Edith J. Dobelle	Evan S. Dobelle	Harry H. Dobelle
Albert E. Guibara	[REDACTED]	[REDACTED]
Joseph L. Larrivee	Mary E. Larrivee	[REDACTED]
[REDACTED]	Richard P. Lenfest	Waleska Lugo-DeJesus
Patricia R. Lurie	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
James Ruberto	[REDACTED]	Ryan Dring

We hope that you will give our request for travel serious consideration and we look forward to working with you, as we plan for our trip to Cuba.

Sincerely,



Evan S. Dobelle
President

Enclosure:

⁶⁷ The OIG redacted the names of individuals who were not part of the final delegation. These individuals included WSU professors, WSU administrators, and individuals not employed or enrolled at WSU.

APPENDIX F: Travel Affidavit from Harry Dobelle for 2013 Trip to Cuba

TRAVEL AFFIDAVIT

I understand that, under current United States travel restrictions with respect to Cuba, travel-related transactions are prohibited except for the following categories and that by signing my name at the bottom of this Affidavit, I am declaring that I fall under the category I have checked below.

General Licenses

Government Official (A1-562): I am a U.S. or foreign government official or a representative of an international organization of which the United States is a member, and I am traveling on official business.

Journalist (A2-563): I am regularly employed as a journalist by a news reporting organization, or I am regularly employed as supporting broadcast or as a technical person, and I am traveling to Cuba to engage in journalistic activities.

Full-time Professional-Research (A5-564): I am a full-time professional whose travel transactions are directly related to non-commercial, academic research in my full-time professional area, and my research will comprise a full work schedule in Cuba and have a substantial likelihood of public dissemination.

Full-time Professional-Conferences (A6-564): I am a full-time professional whose travel transactions are directly related to attending a professional meeting or conference in Cuba, which is organized by an international professional organization not headquartered in the United States that regularly sponsors meetings or conferences in other countries. The purpose of the meeting or conference is not to promote tourism or other commercial activity involving Cuba or the production of biotechnological products.

Close Relative (A4-561):

A) I am traveling to visit a close relative in Cuba, who is (i) a Cuban national, (ii) related to me by blood, marriage, or adoption and (iii) is no more than three generations from me or from a common ancestor, or

B) I am visiting a close relative, who is a U.S. Government employee assigned to the U.S. Interests Section in Havana, or

C) I share a common dwelling as a family with a generally-licensed family traveler in (A) or (B) above, and I am accompanying this traveler on a family visit.

Agricultural Distributor-Sales (A7-533): I am regularly employed or duly appointed by a producer or distributor of agricultural commodities, and my travel is incident to commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of agricultural commodities that appear consistent with export or reexport licensing policy of the U.S. Department of Commerce ("DOC").

Medical Distributor-Sales (A8-533): I am regularly employed or duly appointed by a producer or distributor of medicine or medical devices, and my travel is incident to commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of medicine or medical devices that appear consistent with export or reexport licensing policy of DOC.

Telecommunications Service Provider-Sales (A9-533): I am regularly employed or duly appointed by a telecommunications service provider, and my travel is for the commercial marketing, sales negotiation, accompanied delivery, or servicing in Cuba of telecommunications-related items that have been authorized for commercial export or reexport to Cuba by DOC.

Telecommunications Service Provider-Services (A9-533): I am regularly employed or duly appointed by a telecommunications service provider, and my travel is for participation in professional meetings for the commercial marketing, sales negotiation, or performance under contracts for the provision of telecommunications services, or the establishment of facilities to provide telecommunications services.

Academic Institution (A11-565): I am a faculty member, staff person, or student of an accredited U.S. graduate and undergraduate degree-granting academic institution (the "University"), and my travel is for (a) participation in a structured educational program in Cuba as part of a course offered for credit by the University, (b) non-commercial academic research in Cuba specifically related to Cuba and for the purpose of obtaining a graduate degree, (c) participation in a formal course of study at a Cuban academic institution, which will be accepted for credit toward a graduate or undergraduate degree, (d) teaching at a Cuban academic institution by a person, who is regularly employed in a teaching capacity at the University, when such teaching in Cuba will be no shorter than 10 weeks, (e) sponsorship of Cuban scholars to teach or engage in other scholarly activities at the University or (f) organization of, and preparation for, educational activities in (a) through (e) above.

Religious Organization (A10-566): I am a member or staff of a U.S. religious organization, and my travel is for participation in a full-time program of religious activities in Cuba.

Specific License (A3-code dependent on specific license)

I have a specific license from OFAC, which was issued prior to my trip. My OFAC license number is _____

Name: Harry Dobelle Date of Birth: _____ Home Tel: _____
Home Address: _____ City: Pinar del Rio State: PR Zip: 18222

I certify that the above information is true and correct.

SIGNATURE: _____

DATE: _____

12/6/2012

Affidavit and Documents Reviewed/Screened by Travel Service Provider (TSP):

Name (print)

Signature

TSP Name