

# CONFIDENTIAL



**OLD DOMINION UNIVERSITY  
INTERNAL AUDIT DEPARTMENT**

Center For Teacher Quality and Educational Leadership (CTQEL)

FY 2010

Final Audit Report

Prepared exclusively for the Board of Visitors

Issued: September 14, 2009

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## Final Audit Report: Center For Teacher Quality and Educational Leadership (CTQEL)

### **Introduction**

The Old Dominion University Internal Audit Department has completed an audit of the Center For Teacher Quality and Educational Leadership (CTQEL or the Center). It was requested of Internal Audit to initiate this review of the Center's operations, finances and relationships after concerns arose about the Center and its employment of a member of the Virginia General Assembly.

### **Background**

The Center for Teacher Quality and Educational Leadership (CTQEL) is an outreach initiative of the Program for Research and Evaluation in Public Schools (PREPS), located within the Darden College of Education at Old Dominion University. The Center is funded by the Commonwealth, and according to its mission as stated in the appropriation, "will serve as a professional development facility that focuses on improving teacher quality and educational leadership through intensive, research-based, professional development for teachers and administrators in school divisions that have not met all of the standards for Virginia Standards of Learning accreditation and the requirements of the No Child Left Behind Act."

The Program for Research and Evaluation in Public Schools (PREPS) helps public schools meet the requirements of the No Child Left Behind Act. Some of the research conducted includes: research-based education programs, district management of large-scale improvement, high school reform, student assessment for learning, and teacher quality. PREPS activities are primarily funded through grants and contracts managed through the Old Dominion University Research Foundation (ODURF).

Delegate Phil Hamilton of Newport News, a member of the Virginia General Assembly, was an employee of CTQEL until August 2009. Delegate Hamilton was instrumental in securing the initial funding for CTQEL in the 2007 assembly session, and therefore the appropriateness of his hiring at the Center was questioned by media and other sources.

### **Objectives**

The primary objectives of the audit were to review:

- 1) The circumstances surrounding the creation of CTQEL, the development of its structure, and decisions on staffing, including the hiring of Delegate Hamilton
- 2) The operations of CTQEL to include:
  - a. Revenues
  - b. Expenditures (particularly personnel and independent contractors)
  - c. Financial interactions between CTQEL and other organizations
- 3) Documentation of CTQEL activities, such as job descriptions, scope of work statements, and reports or deliverables (if possible) to determine if CTQEL expenses were supported by demonstrable products and/or benefits, and
- 4) Operational and compliance aspects of CTQEL.

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### **Scope**

The audit scope included CTQEL operations and activities since its inception on July 1, 2007, and its interrelationships with PREPS. Some PREPS activities were reviewed earlier than FY 2008 as necessary to understand the activities and interrelationships. In conducting the audit, we interviewed University and Old Dominion Research Foundation employees; reviewed financial transactions; and examined documentation stored in University and ODURF files relevant to CTQEL/PREPS and the hiring of Delegate Hamilton, which included payroll forms, e-mails, calendars, notes and reports.

### **Report Format**

The following sections of this report focuses first on the operational and financial structure of CTQEL, its hiring, payment practices, and documentation requirements. This serves to provide the appropriate background and context in which the circumstances of Delegate Hamilton's hiring and work can be better understood.

**CTQEL Operational and Financial Structure**

**Audit Point**

The operations of CTQEL and PREPS are intertwined such that they essentially function as one entity, giving rise to several operational and financial concerns. Separation of University and Foundation operations and finances is not being adequately maintained.

**Discussion**

The missions of both CTQEL and PREPS, as noted previously in the Background section, are similar and center on efforts to improve public school system performance. CTQEL has a slightly narrower focus on at risk school systems. CTQEL was envisioned and established as a means to expand on and continue work being done in the local area by PREPS. With funding by the Commonwealth, there was good potential for statewide expansion of the type of services provided by PREPS.

Financially, the major difference between the two entities is that CTQEL is funded by the Commonwealth as part of the University's base budget, whereas PREPS is housed within ODURF and largely funded by grant and contract revenues.

**Structure**

From our review of the operations of CTQEL and PREPS, we noted the following:

- CTQEL essentially is an extension of and part of PREPS, with little separate identity of its own. Although originally envisioned and budgeted as an entity unto itself (and initial steps were taken to set it up as such), its operations have become intertwined with PREPS.
- CTQEL does not have any true employees of its own, as its work is carried out wholly by PREPS (ODURF) employees, 4031 (temporary) employees and independent contractors.
- The majority of internal documents (payroll, purchase orders, contracts) reference PREPS, and not CTQEL, even in those cases where funds are expended from the CTQEL University budget code. Even CTQEL's annual reports portray it as a subset of PREPS.
- Both entities are managed on a day-to-day basis by the same individual, David Blackburn. Mr. Blackburn is an employee of ODURF.
- Even though he is not a University employee, Mr. Blackburn has signatory authority over the Commonwealth CTQEL funds.
- Activities of CTQEL and PREPS are virtually indistinguishable. Trying to establish specific accomplishments of CTQEL is difficult as projects and initiatives were worked on or managed by PREPS employees and under the PREPS structure.

**Finances and Expenditures**

Total Expenditures for CTQEL for FY 2008 were \$471,561 and \$482,715 in FY 2009. The breakdown by major category was as follows:

**CTQEL Expenditures**

<b>Category</b>	<b>FY 2008</b>	<b>%</b>	<b>FY 2009</b>	<b>%</b>
Personnel Services and Benefits	\$ 143,987.07	30.53%	\$ 128,164.10	26.55%
Skilled Services	\$ 256,165.30	54.32%	\$ 321,159.93	66.53%
Other NPS	\$ 52,630.13	11.16%	\$ 22,003.64	4.56%
Equipment	\$ 18,778.03	3.98%	\$ 11,387.61	2.36%
Total	\$ 471,560.53	100.00%	\$ 482,715.28	100.00%

Payments for Skilled Services were the largest component of CTQEL expenditures, 54.32% and 66.53% for FY 2008 and FY 2009 respectively. Of those expenditures, the majority of payments went to ODURF - \$241,356 in FY 2008 and \$224,175 in FY 2009. These payments, paid in response to billings from ODURF for effort by PREPS employees, went into an ODURF general fund account for PREPS. From this ODURF account, portions of the salaries of the 5 PREPS employees were paid. From reviewing a sample of PREPS project files in ODURF, we noted that when circumstances arose where no further grant money was available to pay salaries on those projects, money received from CTQEL was used to cover the shortfall. CTQEL funding might also be required to cover time spent on initial contacts with school systems or grant writing assistance, where PREPS would have no income coming in at that time.

**Conclusions**

According to William Graves, Dean of the Darden College of Education, and Mr. Blackburn, it was originally believed that any Commonwealth funding received for the Center would likely be received in the form of a grant. However, the funding actually was received as an addition to the University's base funding. Although base funding can be a more permanent means of financing, good stewardship of the funds would have required a more formal, separate structure be established. Although initial steps were taken to do so (such as setting up a separate office), this never adequately materialized. The resulting structure, with CTQEL as a part of and virtually indistinguishable from PREPS, was largely due to the direction of Mr. Blackburn – and it did not appear that Dean Graves or the Dean's Office provided significant oversight to the day-to-day activities of CTQEL. It is evident that CTQEL and PREPS are considered to have the same mission and operated as one organization.

According to the University's Banner financial system, Dean Graves and Associate Dean David Branch are the official Budget Unit Directors for the CTQEL Commonwealth funding (budget unit directors are the individual(s) ultimately responsible for the budget). However, Mr. Blackburn, as the day-to-day director of both PREPS and CTQEL, had signatory authority over the Commonwealth funds in addition to ODURF accounts for PREPS. This put him in a position to transfer funds with little oversight. Mr. Blackburn approved virtually all expenditures from the CTQEL budget code.

**Recommendations**

The current organization and structure of CTQEL should be examined and corrected. A primary objective would be to structure the operations such that University and Research Foundation finances are appropriately separated. Ideally, CTQEL would have its own goals and objectives, with projects that it specifically manages or operates. This would be better aligned with the intent of the funding as

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approved by the General Assembly. Reimbursement for time spent on projects by PREPS (ODURF) employees for CTQEL would be appropriate, as long as the work performed was adequately identified, documented and agreed upon. CTQEL funds should not be sent to ODURF for the general payroll needs of PREPS employees.

Non-University employees should not have signatory authority over University accounts, especially those funded by the Commonwealth. Although Mr. Blackburn can request and participate in the expenditure of University funds, a University employee such as an individual in the Dean's Office should have actual approval authority.

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### Use of 4031 Hiring Process

#### Audit Point

The 4031 hiring process was not properly used by CTQEL.

#### Discussion

A process is available for University academic departments and centers to hire employees on a temporary basis for non-teaching or non-research work. It is known as "4031," after the sub-object code in Banner, the University's financial application. The definition of a 4031 hire, as defined by the Budget Office and the Commonwealth, is "Special Payments for Academic Services: Include expenses for one-time payments made by institutions of higher education to cooperating teachers in public or private schools or to other individuals who perform non-instructional or non-research academic services." 4031 hires are paid through the University's payroll process.

The 4031 process typically is used for temporary employment, usually for a short period of time such as one month or one semester. Often, the individual is hired to accomplish a particular task.

CTQEL, during fiscal years 2008 and 2009 employed 14 individuals as 4031 employees. The total amount paid to 4031 employees for the two fiscal years was \$133,948. Five of the 14 were University faculty members, being paid additional compensation for participating or working on designated projects (a total of \$21,500 over two years). The remainder was from outside the University, and paid over \$112,000 during the two years. Review of the employment of these individuals revealed the following:

- Half were hired in consecutive semesters or more, as 4031 employees. Repeated use and long-term association does not meet the definition of "one-time payments" or indicate a temporary employment arrangement or need.
- Many of these "employees" invoiced CTQEL for their services, sometimes noting specific items worked on, indicating that they functioned more as independent contractors than employees.
- The majority of these individuals did not meet the definition of an employee. Application of the 20-test rule developed by the IRS to define whether individuals are employees or independent contractors to CTQEL 4031 employees heavily indicated that these individuals were not employees.
- Delegate Hamilton was hired at CTQEL as a 4031 employee. He, like the others, invoiced each semester for his services, and was paid monthly. Therefore, he acted as more of a contractor than an employee.

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- The 4031 forms were approved by Mr. Blackburn, head of PREPS and by Academic Affairs. The space for approval by the Dean was left blank on all occasions but one, which was signed by Associate Dean of Education David Branch in FY 2008.

### **Conclusions**

There was a lack of internal controls in Academic Affairs and the College of Education regarding the use of 4031 hires. The use of the 4031 process for other than one-time, temporary employment, as was done in CTQEL has several negative effects. First, hiring as employees, individuals that function as independent contractors, in effect circumvents the Commonwealth's and University's procurement regulations. Depending on the circumstances, that could require advertising and competition. Hiring contractors as employees also unnecessarily creates tax liabilities for the University which must be paid for employees.

Delegate Hamilton functioned as a contractor and should have been handled as such. However, if there had been intent to establish a permanent relationship (as appeared to be the case with Hamilton) with him performing a specific employee-like function, either part-time or full-time, a 4031 hire would not have been appropriate. By using the 4031 process in such cases, the requirements of the normal hiring process (searches, EEO review, etc.) are, in effect, avoided.

It should also be noted that the mechanism used to hire Delegate Hamilton was not created especially for him. He was hired through a mechanism used frequently, though inaccurately, by CTQEL.

### **Recommendation**

The use of 4031 hires should be strictly limited to only those situations in which true employer-employee relationships are established, and which are temporary in nature. More permanent relationships, whether full or part-time, should follow the normal hiring process. Those individuals that function as independent contractors, should be engaged as such, and should follow all procurement regulations.

It is recommended that the University review its use of 4031 hires and correct any employment situations that do not meet the definition of a temporary hire. If necessary, new University policy and procedures should be implemented to ensure future compliance.

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## **Procurement Process and Independent Contractors**

### **Audit Point**

CTQEL did not always properly follow procurement procedures for selecting and paying independent contractors.

### **Discussion**

During fiscal years 2008 and 2009, CTQEL paid 40 independent contractors \$111,794 for various services. The usual method was to select the individual or organization and have them invoice the Center. The invoices were then paid by completing a Limited Purchase Order (LPO), signing that

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services were received, and submitting the LPO and invoice to Accounts Payable. A check was then issued by the Accounts Payable Department within the University.

Review of independent contractors paid by CTQEL noted:

- In most cases, the amounts paid to contractors were for amounts under \$1,000.
- One consultant, Learning Integrity, Inc., was paid nearly \$66,000 in fiscal year 2009. This contractor was paid for work on a consistent basis over the year, indicating a long-term relationship with this contractor, and intent to engage them for tasks on a consistent basis. Invoices were submitted for services in amounts less than \$1,000 at a time.

### **Conclusion**

When contractors are engaged in like services consistently over a period of time, their services should be considered a single engagement of services. The total cost of the services of Learning Integrity, Inc. should have been considered as a single total. By paying for this contractor an LPO at a time, a number of Commonwealth and University purchasing regulations were avoided. In essence, these purchases were "split," and remained under the limits requiring specific actions. For example, professional services are subject to competitive negotiation.

One proper way to handle this situation once a vendor has been selected is to issue a "blanket" purchase order. A blanket purchase order is one for the anticipated amount of service during the fiscal year. As service is provided and invoiced, Limited Purchase Orders are completed against this purchase order, reducing the balance. If services will exceed the amount of the blanket purchase order, another procurement cycle and new purchase order must be completed. In the case of Learning Integrity, Inc., other University employees noted these payments during the year and had CTQEL/PREPS obtain a blanket purchase order for the last \$25,000 paid during FY 2009.

### **Recommendation**

In the future, CTQEL and PREPS should follow all procurement regulations regarding the use of independent contractors. In particular, long-term use of contractors, especially for large amounts, should be advertised and competition sought. If appropriate, sole source could be used.

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## **Documentation of Services**

### **Audit Point**

Documentation of services provided by both 4031 employees and independent contractors was often not adequate to verify the delivery of services.

### **Discussion**

During the review of payments to 4031 employees and independent contractors, it was noted that often the only documentation was an invoice listing projects worked on or meetings attended, while in other instances invoices were only for services rendered. Reports summarizing activities, interim or final progress, or independent verifications from school districts served were not used or referenced as verification for the services invoiced. Other than general year-end reports for CTQEL or PREPS, there

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was little found in the files to support the work. The lack of detailed documentation was true of Delegate Hamilton's employment as well, but was not unique to him. The invoices submitted by Delegate Hamilton were very basic, simply billing for service as coordinator of CTQEL. Discussions with Mr. Blackburn indicated no verbal follow-up was usually made to verify services.

### **Conclusion**

Documentation for services rendered by 4031 employees and independent contractors was not maintained, nor required, at a level necessary to verify completed actions. Many of the projects or activities engaged in by CTQEL or PREPS consisted of longer-term endeavors, and included advising activities, participation in steering committees, etc. The nature of much of the work may have contributed to a lack of documentation. It should be noted that the lack of documentation detail does not necessarily mean that projects or activities were unsuccessful or unfulfilled; full verification of work with all parties and school systems was beyond the scope of this review. Yet, better documentation of progress made or interim steps completed should have been maintained.

### **Recommendation**

CTQEL and PREPS should endeavor to improve their documentation. When invoiced, back up documentation should be supplied whenever possible to verify services provided. Conformation could be sought from officials at the school systems or other groups served. Short and long-term goals should be established for all work, with interim and final reports submitted by hired or contracted individuals to show progress and final results.

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## **Delegate Hamilton's Position**

### **Audit Point**

Delegate Hamilton sought and obtained an employment arrangement at CTQEL with the assistance or knowledge of some University and ODURF employees.

### **Discussion**

The ideas and thought processes that eventually developed into CTQEL originated well before the funding request in the 2007 General Assembly session. Efforts at providing local public school systems assistance in improving their performance and those of teachers can be traced at least back to the establishment of An Achievable Dream in the 1990s, a private sector initiative working with Newport News Public Schools. Old Dominion University's Darden College of Education has been working with public school systems since at least 2004, through such initiatives as PREPS, funded through grant sources and contractual relationships. Within the College, ideas and proposals to expand statewide the successes and techniques of these other initiatives began to emerge. The idea for a state-funded Center was discussed with current and potential PREPS partners, such as Achievable Dream and the Newport News School System, where Delegate Hamilton was employed.

Delegate Hamilton became an advocate of possible funding for a state-funded initiative in the General Assembly. Senator Harry Blevins sponsored the request on the Senate side. Questions have been raised regarding the ethical propriety of Delegate Hamilton's involvement and eventual employment by a

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Center that he helped fund and the actions of others who may have known of Delegate Hamilton's potential employment.

### Hiring Circumstances

#### E-mails

In response to a Freedom of Information Act (FOIA) request, the University searched its e-mail systems for information related to Delegate Hamilton and CTQEL. Hundreds of e-mails were compiled and offer some insight into the circumstances of his hiring. Although e-mails can be very helpful in reconstructing events, caution should be exercised in the interpretation of e-mails, ascribing motivations to the individual parties, or "filling in the blanks" of what is not directly said. The below points are made strictly from what is directly documented in the e-mails.

Review of Hamilton's e-mails noted the following:

- Delegate Hamilton discussed, via e-mail, a possible position with CTQEL, along with salary requirements, with the University. These e-mails were sent before, during and after the 2007 General Assembly session at which initial funding for CTQEL was secured. Hamilton sent, or replied to, 11 e-mails discussing possible employment at CTQEL between December 2006 and April 2007, including two prior to the General Assembly session, four during the session, and five afterward.
- The earliest mention by Delegate Hamilton of a Center position in an e-mail was a December 21, 2006 e-mail, recalling an earlier conversation from August 2006,
- Delegate Hamilton never states in any e-mail that his support in the General Assembly for funding of CTQEL was contingent on his receipt of a position. For example, he refers to wanting to be associated with the Center from a "professional perspective."
- An e-mail from April 2007, more than a month after the conclusion of the General Assembly, has Delegate Hamilton still asking about the possibility of employment, possibly indicating that he had not yet been hired or offered a position.
- In addition to the e-mails regarding his employment, Delegate Hamilton also sent, or replied to, six e-mails regarding possible CTQEL funding by the General Assembly.
- Other e-mails from Hamilton related to schools, potential for the Center and Center business.

From the University side, review of the e-mails noted the following:

- From the retrieved e-mails, all 11 Hamilton e-mails directly discussing possible employment were addressed to David Blackburn, head of PREPS.
- Mr. Blackburn sent, or replied to, twelve e-mails discussing possible employment of Hamilton between December 2006 and April 2007, including four prior to the General Assembly session, five during the session and three afterward.
- In addition to the e-mails regarding Delegate Hamilton's possible employment, Mr. Blackburn also sent, or replied to, nine e-mails regarding possible CTQEL funding by the General Assembly.
- Three e-mails were received by William Graves, Dean of the Darden College of Education, from Mr. Blackburn regarding the possible employment of Delegate Hamilton, two in December 2006 and another in February 2007, which along with announcing success in the General Assembly, included a string of previous e-mails talking about Hamilton as a possible new director.

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- Former University President Roseann Runte is referenced in several e-mails:
  - In one e-mail he sent to Blackburn on December 21, 2006, Hamilton included a paragraph from an e-mail that he stated he had just sent to President Runte, in which he referenced a meeting with her in August 2006 where he mentioned that he was interested in employment with the Center. “Dr. Runte – I enjoyed meeting you and John yesterday. I sent him the information I have provide to the HAC (House Appropriations Committee) staff for the budget amendment. When we talked about the Center last August, I expressed an interest in being associated with the initiative from a professional perspective. Since then, I haven’t heard anything more about an employment possibility. If possible, I would like to discuss this possibility prior to my leaving for the GA on January 8, 2007. Thank you for considering this request.” Runte’s receipt of that e-mail was not located during the FOIA search, indicating that, if it were ever received, it was likely deleted prior to the daily archiving of e-mail.
  - Also on December 21, Blackburn sent an e-mail to Dean Graves stating “Phil sent me an e-mail this AM re a request to meet with Roseann re his employment as Dream Center director.”
  - A later e-mail on January 11, 2007 from Blackburn to Hamilton stated “I hope you were able to get with Roseann.”
- Three e-mails were noted from current University President John Broderick (at the time Vice President for Institutional Advancement) mentioning Delegate Hamilton. All were sent well after General Assembly funding for CTQEL had been received. None mentioned Hamilton’s employment. One e-mail made reference to the fact that Delegate Hamilton “was a real ally in the GA,” while the others made some mention of tickets to a seafood fest for Hamilton.

### Calendar

Former President Runte’s calendar was reviewed from the period of August 2006 to July 2007 to determine if there were any scheduled meetings with Delegate Hamilton or with others to discuss Hamilton or CTQEL. This review disclosed the following:

- Per the calendar, Runte met with Delegate Hamilton on three occasions – August 16, 2006; December 20, 2006; and May 1, 2007.
  - The August 16, 2006 meeting was for lunch with Hamilton and Dean Graves in the President’s Office.
  - The December 20, 2006 meeting was with Hamilton and Vice President Broderick in Newport News at the school system.
  - The May 1, 2007 meeting was with Hamilton, Dean Graves and Walter Segaloff, founder of Achievable Dream, in the President’s Office.
- Per the calendar, there were eight additional meetings or events on Runte’s calendar in which various aspects of the creation of CTQEL and possible partnerships, particularly with the Achievable Dream Academy, could have been discussed. Included in these meetings were University officials ranging from the former Provost, VP for Development, and Dean Graves, as well as Mr. Segaloff.

**Actions After Employment**

Our review of Delegate Hamilton's activities after employment noted the following:

- It was originally planned for Delegate Hamilton to work his part-time hours from a CTQEL office. Space was secured in the same building that houses the ODU Peninsula Center in Hampton. Originally, an administrative assistant was to be hired as well (never hired). Over \$5,300 of office furniture was purchased as well as some computer equipment. However, the office was apparently only lightly used in the beginning and then later not at all (during FY 2009 the space was used by another organization). A total of \$3,500 in building rental fees was charged to the CTQEL budget in FY 2008, none in FY 2009.
- Delegate Hamilton sought to employ a retiring colleague from the Newport News Public School System as his administrative assistant at the CTQEL office. However, this hire never took place as the requested salary was greater than \$40,000.
- Through the 4031 process, Delegate Hamilton was paid a salary of \$40,000 per year, paid in monthly installments. He invoiced each month. No details of services rendered were provided on the invoices, which simply stated "Subcontracting fee for the Center for Teacher Quality & Educational Leadership." The 4031 documents were approved by Mr. Blackburn, and then received routine approval in Academic Affairs. Dean Graves did not sign any of these documents.
- Although originally talked about as director of CTQEL, Hamilton did not truly function in that capacity. His contract termed him as "coordinator of CTQEL," but actual day-to-day management and budgetary control rested with Mr. Blackburn.
- Delegate Hamilton's contracts as "Coordinator, CTQEL" were one paragraph documents noted as being between Mr. Hamilton and PREPS. His duties per the contracts were to "serve as coordinator for the Center for Teacher Quality and Educational Leadership. As Coordinator, Mr. Hamilton will recruit school districts and their schools to attend center activities, market the center with state and federal officials, and maintain records of center activities." The contracts were signed only by Mr. Hamilton and Mr. Blackburn. Dean Graves or other University officials did not sign the contracts.
- We noted very little documentation that served to verify services provided by Delegate Hamilton as part of his position. As noted above, no detail accompanied the monthly invoices. As with other 4031 employees or independent contractors, little verification or confirmation was sought by PREPS/CTQEL to support services paid for. From e-mails and PREPS yearly summaries of activities, we could note some activities, projects, meetings or presentations that Mr. Hamilton was associated with. Overall, there is little available documentation to reconstruct his activities over the last two years.
- Based on available documentation (mostly mentioned in CTQEL/PREPS annual reports), these are the CTQEL activities with which Delegate Hamilton was associated with:
  - Coordinated an advanced leadership program for Newport News instructional and non-instructional leaders
  - Networked learning community model, enabling schools to assist each other
  - Developed Newport News team for GEAR-UP
  - Arranged contract courses to assist Newport News Public Schools provisionally-licensed teachers

## **Conclusion**

Although the idea for what eventually became CTQEL did not originate with Delegate Hamilton, it was evident from the series of e-mails that he did indeed solicit employment at CTQEL from the University. The participation of Mr. Blackburn in Delegate Hamilton's hiring is also indisputable. In addition to his e-mail conversations with Hamilton, Mr. Blackburn signed the relevant documents for Hamilton's hiring, such as contracts and payroll documents.

Less certain are the roles of other University officials. Evidence of knowledge or involvement of others in Hamilton's hiring is not evident from things such as payroll documents, contracts or other CTQEL or PREPS files (with the exception of routine approval of 4031s by Academic Affairs). E-mails give some indications of knowledge by others regarding Delegate Hamilton's potential employment. Dean Graves was the recipient of several e-mails, which referenced the negotiations going on between Hamilton and Blackburn.

Regarding former President Runte, she met, according to her calendar, with Delegate Hamilton three times during the August 2006 to July 2007 period. In addition to Delegate Hamilton, Runte met with or called at least 20 other members of the General Assembly during this period. Presidents of universities and community colleges (and other senior university officials) seeking to meet, call and have cordial and close relationships with members of the General Assembly is not an unusual practice in Virginia, a state in which there is no permanent funding mechanism for higher education. These relationships have developed to make the case for base funding for operations, to advocate possible new initiatives, or for construction of new buildings. Therefore, meeting with Delegate Hamilton would not by itself be considered unusual.

The e-mails indirectly indicate that former President Runte may have had at least some knowledge of Hamilton's solicitation for a position or his hiring. Hamilton references an e-mail message he claimed to have sent to her, claiming to have mentioned employment in an August meeting. The former president's calendar indicates that there was a meeting on August 16, 2006 with Delegate Hamilton. It should be noted that there was no other independent corroboration of such discussion, and Runte has publicly denied any knowledge of Hamilton's hiring.

No known documentation or e-mails indicate involvement or knowledge on the part of current University President Broderick with regard to the potential hiring of Hamilton. The three e-mails from him referencing Hamilton, which note the value of Hamilton as an ally in the General Assembly and talk of purchasing tickets to a delegate event, were in line with the duties of the Vice President for Institutional Advancement, a position heavily involved in the University's public relations, including those with the General Assembly.

The handling of Delegate Hamilton's position after his hire was not ideal. In addition to his incorrect hire as an employee rather than an independent contractor, his work was neither well documented nor supervised. As noted previously, these conditions were not unique to Delegate Hamilton.