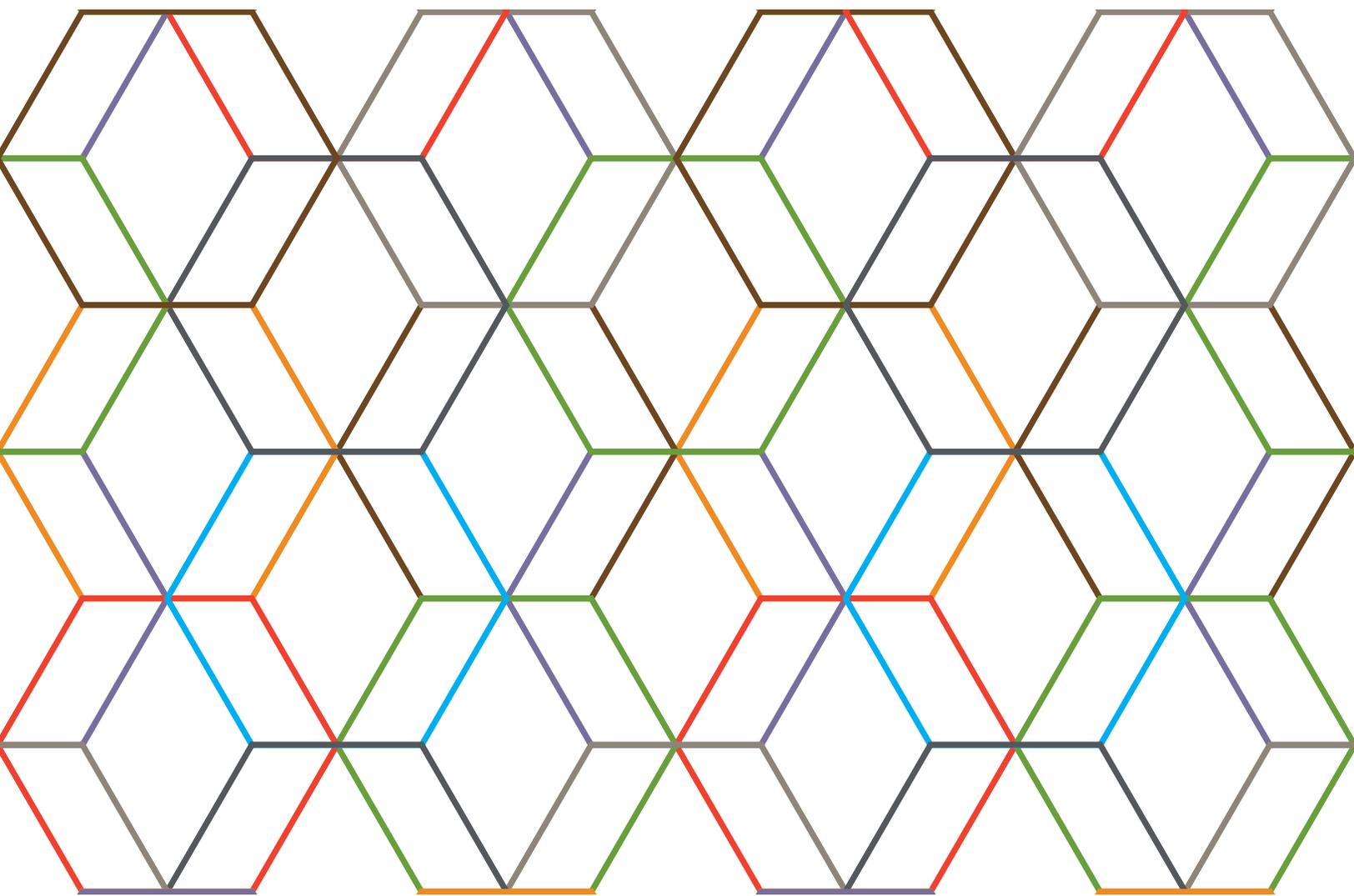


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ON DIVERSITY, EQUITY,
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THE FOLLOWING CASE STUDIES were developed by the Ford Foundation’s Office of Strategy and Learning in partnership with Ford program officers and consultant Gitta Zomorodi. They are based loosely on real-life cases, but many elements—including the names of organizations, locations, and the issues they work on—have been fictionalized to preserve anonymity. These case studies work well as a classroom-based learning and discussion tool, whether virtual or in person. A Facilitator’s Guide is available to help lead group learning exercises.

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CONFRONTING ACCUSATIONS AGAINST LEADERSHIP: *JUSTICE FOR ALL*

BACKGROUND

Justice for All (JFA) is a well-established, community-based organization working to advance access to justice in Peru. As a membership-based organization, JFA is governed by a democratically elected advisory board. Its high-profile advocacy and achievements have often drawn media attention.

The foundation had supported JFA's work since 2010, but was beginning to phase out that relationship, as funding priorities in the country shifted. When this crisis arose, the foundation was in the midst of a tie-off grant to JFA.

The program officer (PO) overseeing the tie-off grant had managed the foundation's relationship with JFA over several years, and the foundation's regional director also knew the organization well. Over the years, they had both engaged with the co-founders of JFA, its executive director (ED), and members of its management team.

PART ONE

In May, the PO received a formal letter from JFA, explaining that several women on staff had accused its ED of sexual harassment. Though the ED denied any wrongdoing, he submitted his resignation. JFA's advisory board subsequently appointed an independent panel to investigate the allegations.

JFA informed the foundation that the advisory board had also established a separate process to assess JFA's broader track record of addressing mistreatment in the workplace, its sexual harassment policies and procedures, and the organization's norms and culture. To aid this process, JFA invited anyone to make a submission to the independent panel about current or past incidents of sexual harassment and misconduct by anyone officially associated with the organization. The PO took this under advisement and awaited further information.

A week later, JFA reached out to the foundation again. The organization had received a complaint against a second member of its management team, who was accused of offering employment in return for sex. As they began to investigate, the accused employee admitted the allegations were partly true and submitted his resignation. For the sake of internal accountability, JFA said it would continue the investigation. (It later came to the conclusion, in accordance with the organization's disciplinary procedures, that he should be dismissed for his actions.)

FOR DISCUSSION:

1. After receiving these updates from JFA, what steps would you take in regard to the grant-making relationship?
2. Whom, if anyone, would you inform within the foundation?

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PART TWO

After discussing each update with JFA, the PO and regional director felt satisfied that the organization was dealing with each matter in an appropriate and responsible way. They agreed with JFA that they would visit the organization's office in a few weeks to check in. Shortly before the meeting, however, a news article reported allegations against a third person: one of JFA's co-founders.

In addition to helping establish the organization, this co-founder had been JFA's executive director in earlier years, and was still serving in a leadership role on the advisory board. The article said that over the years, several women had accused him of sexual harassment, and that senior leaders in the organization had tried to cover it up. The co-founder had been investigated for sexual misconduct almost a decade earlier, and an independent panel appointed by JFA had cleared him of wrongdoing. The article went on to say that current and former JFA staff believed the investigation had been biased, and that JFA's senior leadership had created an environment in which it felt unsafe for female staff to make complaints.

JFA immediately requested that its advisory board suspend the co-founder and look into the claims against him. In response, the co-founder resigned from the organization. He said he had done nothing wrong and agreed to cooperate with an investigation. An independent panel was established to investigate these latest allegations, as well as to review the process and findings of the earlier investigation into his conduct, and explore whether anyone at JFA had silenced or intimidated any potential complainants.

The string of accusations, coming within a matter of weeks, attracted significant media attention. News outlets reached out to the foundation's regional office to ask for reactions to the allegations and JFA's response; they were particularly interested in whether the foundation would continue funding JFA. At the same time, a heated debate arose among a broader field of social justice organizations about whose voices are valued and what role donors play in supporting toxic organizational cultures and leaders accused of harmful behaviors.

FOR DISCUSSION:

1. What approach would you take toward JFA at this point?
2. How would you respond to the media inquiries?
3. What role do you think a PO should play in shaping how a grantee responds to harassment, misconduct, or discrimination allegations against its leadership?

PART THREE

The foundation's regional team wanted to be supportive of JFA. While some funders suspended their grants, the foundation saw that the costs of the inquiry into the co-founder were high, and that JFA couldn't afford to cover them while also carrying on with its program activities. The regional team decided to make an additional grant to support the investigation and further interventions to help JFA address organizational culture issues. They put no further stipulations on the grant, wanting to let the organization determine its own next steps.

Toward the end of the year, the two investigative panels issued their reports. In the case of the former ED, the panel concluded that his behavior—while concerning and inappropriate—did not amount to sexual harassment and was not expressly prohibited by JFA's policy. At the same time, the panel noted that there were many factors that deterred staff from bringing sexual harassment issues to JFA's management, and recommended that the organization establish an independent complaints mechanism.

In the case of JFA's co-founder, the inquiry's results were unclear. The panel's members had disagreed about how the process should work and ended up issuing two separate reports. Three panel members said that they could not consider any of the allegations as evidence since the women who submitted them wanted to remain anonymous and would not agree to being questioned. As such, they exonerated the co-founder. The other two panel members argued that the allegations should have been used to examine the organizational culture at JFA. They said the accusations of sexual harassment, intimidation, bullying, and silencing reflected JFA's past failure to provide a safe, supportive space for complainants.

FOR DISCUSSION:

1. What concerns or questions come up for you regarding the panel investigations and JFA's next steps? Role-play the conversation you would have with JFA.
2. How might you monitor for issues related to organizational culture, without overstepping?

EPILOGUE

The controversial process and findings of the inquiry into JFA's co-founder failed to resolve the issues that had emerged. Those who had expected the inquiry to provide answers were disappointed, while those who had come to the defense of the co-founder felt vindicated. The foundation saw that, despite JFA's best intentions, the process did not fully address the concerns of the women who had come forward with claims or provide a clear resolution for them.

JFA's new leadership team, which had taken up their roles as the developments unfolded, committed to using both inquiry reports to ensure that the organization would come out stronger. In conversations with the foundation's regional team, JFA said that these difficult events had forced them to reflect on how power, patriarchy, and consent operate within their organization, as

well as their movement as a whole. They recognized the need to rebuild trust inside the organization, as well as with other civil society organizations and the public. They wanted to talk to peer organizations about how to respond effectively to abuses of power, and they wanted to build accountability mechanisms that would truly support survivors rather than focusing on the perpetrators. They pledged to explore and change the organizational practices that had made it difficult for those who experienced harassment and discrimination to report it. As a first step, the organization publicly posted instructions for anyone who wanted to confidentially or anonymously report misconduct by any person affiliated with JFA.

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PROGRAM OFFICER REFLECTIONS

What did you understand to be your responsibility, or the appropriate role of a PO?

We didn't want to tell JFA's new leadership what we thought the problems were; they needed to go on the journey themselves. But we struggled with how directive to be. We have a zero tolerance policy for harassment and discrimination within the foundation, and a zero tolerance approach with grantees from a moral and ethical standpoint. At the same time, we were unsure about our level of complicity in funding a toxic workplace culture at JFA in earlier years.

The key decision we made was not to take a punitive approach. We didn't want to punish the organization for the sins of the people who came before them. People thought we had power to wield to ensure justice and accountability, but there is a limit to what donors can do: Basically, we can stop payment on a grant, but then we lose our power to influence that organization to be better. We decided that, in the context of phasing out of our relationship with the organization, the best thing we could do was support them to carry out the investigations and any next steps to address the organizational culture issues that emerged.

What resources did you need or wish you'd had to respond to the situation?

Given the high-profile nature of the situation, it was important to have the foundation's leadership, as well as our offices of legal affairs and communications, closely involved. Once the media started asking us questions, it became a matter of the foundation's reputation. We were called out in multiple op-eds, and other parts of civil society were saying that the foundation wasn't interested in accountability. We were open to these critiques, and they spurred us to be bolder about how we responded as an office. Our regional director authored an op-ed about harassment in the social justice sector and we convened grantees and funders to discuss these issues. In fact, we're continuing to bring donors together around these issues.

What, if anything, do you wish you had done differently?

The spate of accusations wasn't limited to JFA. At the time, allegations were emerging at other grantee organizations, too. We started wondering whether there were things we should have known. We had been consistent about boundary setting with grantees to avoid conflicts of interest and, at the same time, felt that we had very strong, open relationships with them. Despite that, some organizations were trying to hide things and didn't follow appropriate processes; in that case, we had to take a stronger tone. We were trying to figure out at what point we're overreaching or starting to meddle in internal affairs. When it comes to issues around organizational culture—for example, how junior staff are treated by senior staff—it's difficult to know. And we saw that issues of sexual harassment and racial discrimination were intertwined. They are really issues of transformation within a civil society that has been led predominantly by white men. So we were asking ourselves how far we can intervene as a donor in terms of whether and how a grantee takes that transformation seriously. We now say that these conversations are

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part and parcel of our funding. And we share our own journey of developing understanding and policies around these issues.

Do you have any advice to share with your fellow POs?

What I've learned is that policy only takes you so far. It won't help you craft the adequate approach because it only asks whether you're compliant with law, labor policies, and policies to protect complainants' privacy. It doesn't address issues of organizational culture or promote a survivor-centered response.

Survivors need to have a choice about which avenue is taken to address allegations. Beyond the organization's own obligations in terms of complying with its policies—which invariably involves a legalistic and sometimes criminalized process—they should have opportunities for mediation and other approaches to restorative justice. These can be in addition to legal approaches. The important thing is to put survivors at the center of the response and render them visible (as appropriate), and as people with agency. For me this answers, to some extent, the challenge that emerges where organizations emphasize protecting “the brand” or their mission more than protecting and supporting people. Then the question becomes less about, “Did we follow our disciplinary process correctly?” and more: “How do we safeguard, support, and uplift our people, and place their dignity at the center of our response?”

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ADDRESSING RESISTANCE TO CHANGE: *HEALTH EQUITY AND ADVOCACY LEADERS*

BACKGROUND

Health Equity and Advocacy Leaders (HEAL) is a national, U.S.-based organization working at the intersection of racial justice and health. It partners with a network of local organizations to conduct research and advocate for health equity. The foundation approached the organization seeing the increasingly important role it was playing in highlighting the health disparities affecting communities of color and injecting an equity focus into the U.S. healthcare policy debate.

In initial meetings with HEAL to discuss opportunities for funding, the foundation's program officer (PO) noted that the organization's staff and board were almost entirely white. She raised the question directly with the organization's president and executive director (ED), who were both white men, pointing to the disconnect of defending the rights of communities of color with a staff and board that does not reflect these communities. The PO framed this as something that conflicted with the foundation's values, but also as a problem for the organization's research and policy advocacy.

In this conversation and in several that followed, HEAL's president and ED said they understood the foundation's concerns and that they were committed to diversifying the organization. The institution was only a couple years old and they explained that their initial priority was to get the organization off the ground quickly. They had specific plans to bring on researchers and public health advocates of color as they expanded their staff, and to diversify their board within the coming year. The PO agreed to provide a one-year grant with the understanding that a grant renewal would depend on HEAL's progress on increasing diversity within all levels of the organization. HEAL's leaders expressed appreciation for the POs' supportiveness and transparency. Though this understanding was documented in email correspondence, HEAL did not include any goals related to diversity in its proposal and the grant agreement did not include benchmarks against which to measure progress in diversifying the organization.

PART ONE

When HEAL reported on its grant a year later, the organization admitted it had fallen short on its diversity goals. Overall, the proportion of people of color within the staff had changed very little over the past year. The report reiterated HEAL's commitment to diversifying its staff, management team and board, but said they faced challenges in the process.

For example, since HEAL was fully staffed and did not have resources to expand its research and advocacy team, they would have to either find more resources to bring on additional staff or wait for people to leave the organization and prioritize diversity within the hiring process. While the

board had doubled in size to 12 people, only two board members were people of color. Women, who had been a slight majority on the original board, now made up less than a third of board members.

When the PO met with HEAL's ED to discuss the situation, she was disappointed by his attitude. He said that it was hard, in general, to find individuals with the expertise needed. While he recognized that HEAL had made little progress, he nonetheless asked the foundation to renew its funding. Despite the high-quality research the organization was producing, it was clear to the PO that there was not enough of a shared set of values around inclusion and meaningfully involving affected communities. After careful deliberation, the PO made the difficult decision to cease funding the organization because its values did not seem aligned with the foundation's.

Because HEAL was gaining attention for its work, the PO explained the situation to the foundation's program executives and made sure there was a common understanding about why HEAL would not receive renewed funding. The PO then informed HEAL that because the organization had not made sufficient progress on diversity and inclusion, the foundation would not renew the grant. The door was not necessarily closed forever, but the foundation would need to see meaningful change on this important issue to consider renewing the funding relationship.

HEAL's ED was disappointed to hear of the foundation's decision and to lose its support. He was also concerned that if other funders learned that the foundation had not renewed the grant, it might make them wonder whether they should support HEAL. When some funders approached the foundation with questions, the PO was frank about the DEI concerns.

PART TWO

A year later, when a new PO took on the portfolio, HEAL's new president, a white woman, reached out. She told the new PO that HEAL had been making good faith efforts to address diversity within the organization and asked for a meeting. When the new PO and the previous PO sat down with her, the president explained that HEAL was making progress: they had begun recruiting through universities, including historically Black colleges, and had formed a new staff committee to guide their efforts around diversity. Would the foundation consider a grant? The POs asked about the composition of the staff and board and learned that little had changed. They said they would not consider a grant at this point.

PART THREE

Another year passed and HEAL's president reached out to the foundation again. She described the specific efforts HEAL had been making to diversify its staff over the last year. They had established a fellowship program for people of color working in the public health sector and created a paid internship for university students. They had hired three people of color

for HEAL's research and advocacy teams; this included a Black man who was now their lead researcher. In a spirit of transparency, HEAL had published an article about their progress and challenges in diversifying the organization.

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The POs saw that there was more work for HEAL to do. Its board was still predominantly made up of white men. Its executive staff also was still predominantly white and male. However, HEAL's recent efforts to address the issue directly demonstrated a strong sense of responsibility and the president seemed committed to putting words into action. The POs decided to provide a multi-year general support grant based on this progress and said they would check in with HEAL every six months on its diversity goals. In its proposal, HEAL outlined its specific priorities of continuing to diversify its executive staff and the board. HEAL also pledged to look beyond hiring to ensure that diversity is reflected in its organizational culture.

DISCUSSION:

1. In such a situation, how would you think of diversity beyond just the numbers? What changes would you be looking for when it comes to equity and inclusion, and what questions would you ask HEAL to get at this?
2. What are effective ways to support an organization that is slow to make progress on DEI? Under what circumstances might you consider ending funding to an organization when progress is limited?
3. What can we learn from this about how to support grantees to develop and implement concrete DEI goals?

EPILOGUE

The POs continued to check in with HEAL's president every six months, asking at each juncture for a specific breakdown of staff and board members by race and gender, rather than allowing them to report aggregate numbers. They also emphasized the need for HEAL to consider how it worked with its partner organizations to support the leadership of emerging health advocates and to make a long-term investment in developing a pipeline for public health researchers. The POs offered to provide referrals to diversity consultants. HEAL expressed appreciation for the suggestions, but change continued to be slow. One year into the renewal grant, the Black lead researcher left the staff.

PROGRAM OFFICER REFLECTIONS

What did you understand to be your responsibility or the appropriate role of a PO?

There are some grantees who operate outside of the social justice community that you fund in order to broaden the allies on your issues, and you adjust your expectations accordingly. If they're tactical partners, I may not stand on ceremony about DEI and I would expect they might look different from our typical grantees. But HEAL was working on issues of racial justice; having an almost entirely white staff and board was not ok. I don't know if other funders would have pushed them as hard as we did. The organization was doing good and important work, despite its lack of diversity. But we had leverage to help them be accountable.

What resources did you need or wish you'd had to respond to the situation?

I wish that I'd had access to a good DEI consultant to recommend to them at the outset.

What, if anything, do you wish you had done differently?

I did question whether we were taking the right approach. Should we have been harder on them? Should we have waited longer to restart the grant? In response to their justification that it was hard to find people of color with the expertise they were looking for, I should have questioned why they weren't committing to training health advocates in those methods, on the job. I think we also could have sought out the lead researcher who left the organization to get their impressions.

We've been learning along the way about how to address these kinds of situations. With another grantee, I spoke to them frankly and we agreed on a one-year grant which included funds to hire a diversity consultant. Though we didn't formalize specific goals related to their hiring or their board development, I made it clear that we would be re-evaluating the grant in a year based on their progress. I think we should have done this with HEAL, too, especially as our suggestions don't seem to be getting much traction.

Do you have any advice to share with your fellow POs?

We need to ask for diversity information (race and gender) related to the staff, not just the board and executive leadership. If you only look at the board and leadership, HEAL doesn't look so bad, since they have some board members of color and people of color managing their programs. But it's really in the research and advocacy that we're looking for a racial equity analysis and culturally nuanced perspectives, and that means that the diversity of staff is really important. We need to be asking these questions at all levels of the organization. As part of monitoring the grant, we have been asking HEAL to send a full breakdown of the demographics among their staff so we can get a picture of race and gender across the organization.

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WRESTLING WITH RESTORATIVE JUSTICE: *ALLRIGHTS*

BACKGROUND

AllRights promotes human rights and provides security training to activists around the world. Based in Asia, the organization promotes policies to protect human rights defenders, conducts research, and plays a key role in a civil society coalition for human rights. Though it works in a male-dominated field, AllRights has a history of strong engagement with women's rights and feminist groups.

The foundation's support to AllRights is based on the strength of its programs as well as its role in the civil society coalition, where it is viewed as a valuable partner. Because of its cross-cutting work, two different foundation programs have provided grants to AllRights over the past several years. As such, AllRights has working relationships with three program officers (POs) from those teams. While the primary point of contact has been the executive director (ED), the POs have also interacted with other AllRights staff in meetings and at conferences.

PART ONE

During a meeting of civil society coalition members and foundation staff, AllRights' ED shared that the organization was in the process of addressing issues with Rajiv, one of its program directors. The ED explained that Rajiv had been accused of "inappropriate behavior" and making "sexist remarks," and AllRights had therefore suspended him from leading an upcoming security training. At the time, the ED did not say specifically who had made these accusations or what exactly the allegations were, but shared how difficult this situation had been, and asked for advice from his fellow coalition members and the foundation team.

A few days later, during an in-person meeting with the three POs, the ED emphasized that AllRights was taking a proactive approach. He said that the organization had decided to pursue a restorative justice response and that Rajiv had expressed a willingness to learn and change. They had required Rajiv to step down from his more public role and from his duties as a key networker, and requested he begin therapy to address his attitudes and behaviors; he was also placed on a performance improvement plan. At the same time, AllRights had hired a gender consulting team to conduct a participatory assessment of the organization's policies, procedures, and culture, and to develop a plan of action to prevent and address situations of misconduct.

The ED mentioned that some colleagues in the field had criticized this approach, saying that AllRights should have a zero tolerance policy and remove Rajiv. The ED, however, felt that they were pursuing a response appropriate for the organization and the situation.

The POs believed that the ED was taking the situation seriously and expressed support for the approach. They reached out to a local consultant working with AllRights, who confirmed the facts of the situation, and to another widely respected colleague in the field who affirmed both the foundation's understanding of the situation and its perspective that AllRights was taking the right steps. She agreed with the foundation's position that its role was to support the organization—and the field more broadly—to figure out how to address these issues. Further, she said that a purely punitive approach would fail to address the realities AllRights was dealing with, including cultural issues.

FOR DISCUSSION:

1. When first learning of this situation, what steps would you have taken?
2. What questions would you have asked and of whom?

PART TWO

Eight months later, the POs learned that a former AllRights employee, Priya, had publicly accused Rajiv of misconduct during an interview with a prominent blogger. She said he made remarks about her appearance, gave her hugs that made her uncomfortable, had pressured her to have drinks with him after work, and had made sexual propositions several times over the years. She noted that Rajiv's behavior was a key reason that she had left AllRights the year before, and that her attempts to address the issue with the ED had not been taken seriously.

When the blogger reached out to AllRights' ED for comment, he admitted that the organization had lacked the sensitivity and protocols needed to respond to such issues, but said it was now adopting measures to prevent and address them. These included strengthening policies for sexual and discriminatory misconduct, developing a code of conduct, and raising staff awareness. The ED said that discussions with Priya prior to her leaving the organization were a key reason for AllRights initiating this process. Regarding Rajiv, he said that the organization continued to deal with him individually, through punitive and restorative measures.

The POs realized that the issues were deeper and more serious than the ED had previously described, and that the remedial actions may not have been thorough enough or executed with sufficient urgency. They were also concerned that AllRights' handling of the situation would inhibit its effectiveness in the field and create distrust among its close partners. They checked in with the local consultant who again helped confirm facts and provided insight into the legal implications and the reactions of other civil society organizations.

A month later, the foundation team had another meeting with the ED. He outlined AllRights' commitments and next steps. These included training all staff on the new code of conduct, creating safe space to discuss issues as they arise, and creating an independent panel with the authority to investigate claims and determine consequences. The organization also committed

to restructuring its board to better meet the diversity, inclusion, and equity needs it had recently begun addressing.

The ED admitted that he could have handled the situation with Rajiv better. He said that the gender consultants they had hired in January had advocated for an approach that would protect AllRights legally, advising the ED not to talk about the situation publicly while the organization worked toward a solution. However, because of questions and critical reactions from colleagues and other stakeholders, he now saw that keeping quiet made it appear as though AllRights was not responding to the problem and that Rajiv was not being held to account.

The gender consultants had also advised the ED not to reach out to Priya during the process, to avoid re-victimizing her. As a result, Priya was not aware of the decisions and actions the organization had taken since she left.

Despite the ED's recognition that the organization had made mistakes, and his reassurances about the steps AllRights was taking, the foundation team remained concerned. The ED used words like "gossip" and "rumor" to describe the accusations against Rajiv in conversations in and outside of the organization, rather than framing them as allegations to be followed up on. There were also outstanding requests from Priya that had not been addressed, raising questions about whether AllRights had truly taken a restorative approach for both the accused and accuser. The ED said Priya had asked for a public apology from him on behalf of the organization, as well as a public accounting of the disciplinary actions taken toward Rajiv.

In the conversation, the POs emphasized that they were taking the situation seriously, noting what the organization was doing well and where its response could be stronger. The ED expressed appreciation for the foundation's transparency and willingness to continue to work with them. He accepted the foundation's offer to help identify a consultant who could support a genuine restorative justice approach focused on both survivor and perpetrator.

PART THREE

Just a few weeks after this meeting, the ED emailed the POs. He informed them that a decision had been made to let Rajiv go, in part because of the pressures on the organization. The ED felt the organization was facing a breakdown of trust among partners, as well as a possible financial crisis, and the cost of continuing with their current approach was too great.

In describing the pressures, the ED referred to the questions he had received, especially from feminist partners, about whether AllRights' approach was tough enough on Rajiv or responsive enough to the survivor. The ED also said that several of AllRights' donors had warned them that future funding could be contingent upon how the organization implemented its new code of conduct and other policies. One donor had asked that Rajiv be removed from the project they were funding, which he had led for many years.

The ED highlighted that he had sent a statement to AllRights' coalition partners, and then posted it to their website. It offered an apology to Priya, announced Rajiv's departure from the organization, and shared AllRights' new code of conduct.

The ED said that the process of developing the new policy had led them to reflect internally on their attitudes, practices, and relationships. Beyond the policy, it had created a new institutional commitment to prevent such behaviors and to ensure continued honest and safe discussions. He said they were moving forward with their planned next steps and would enlist the support of a therapist to support their team in the process.

FOR DISCUSSION:

1. Based on all that happened, what conversations would you still want to have with AllRights? What would you want to convey and to learn? Role-play what you would say to the ED.
2. In this case, the organization's attempt to take a restorative justice approach did not work well. What, if anything, could have been improved? What does it mean to take a restorative approach?
3. What role should the foundation now play in relation to AllRights?
4. How might you engage differently with other grantees based on this experience? What steps might you take to communicate the foundation's position on such issues?

EPILOGUE

Following the events of part three, the POs began having calls with AllRights every two months to monitor the situation and the organization's progress in addressing the issues. The POs also continued to engage with collaborators in the field, as well as a facilitator working with AllRights and a number of foundation grantees in the region, to get their perspective. Though encouraged by the progress noted, the team still monitored the situation closely. AllRights repaired relationships with some of its most important partners in the field and shared their process and materials with organizations facing similar challenges. They also continued team therapy sessions, which significantly improved the work environment within the organization.

The POs continued to keep an eye on AllRights' commitment to grow and diversify its board, which they observed did not provide enough of an objective, external perspective, or represent a diverse range of voices in terms of race and gender. The POs believe that both these qualities are necessary to further mitigate the issues raised in this case study.

PROGRAM OFFICER REFLECTIONS

What did you understand to be your responsibility, or the appropriate role of a PO?

PO #1: We are AllRights' funder, not their board. It is not our responsibility to solve the problem for them; it is our responsibility to help ensure accountability and change. We can best play that role by both asking hard questions and providing support to the organization. We have the ability to shape the circumstances for an organization's success or failure in addressing events like this, but we can't resolve it for them.

What resources did you need or wish you'd had to respond to the situation?

PO #1: I wish I'd had access to someone well versed in handling these kinds of situations, who could advise us on what questions to ask, how to follow up, and what best practice is. We had great support from the foundation's learning and evaluation department, and legal affairs department, but we were all still so new to this kind of issue that we didn't always know best practice and had to figure it out for ourselves.

PO #2: I wish we had more straightforward policies and practices regarding what is permissible for a donor dealing with these accusations. We saw firsthand that other donors had a different approach: Some of them requested that Rajiv be removed from specific initiatives, and some even threatened to withdraw their support from the organization. It was not that clear to us, or to the many colleagues we reached out to through the process, what actual room to maneuver the foundation could give to program officers.

What, if anything, do you wish you had done differently?

PO #1: I wish we had implemented a closer monitoring program when the revelations first came to light. The situation did not initially appear to be as significant as it later turned out to be. But it was still significant enough that we should not have been so optimistic about its resolution. I am glad we vetted the situation as we knew it with respected colleagues in the field, but we could have more actively contributed to holding the organization accountable to implementing the changes they planned.

PO #2: I wish we had unpacked the coded language around the facts. That would have given us a more accurate sense of what happened and, consequently, informed our own decision making. It would have enabled us to advise the grantee better and properly take the survivor into consideration. For instance, at the beginning, the conversation with the ED was about "inappropriate comments." That later became "sexist attitudes" and, ultimately, "sexual harassment." However, only the survivor spelled out the actual facts, in detail, in order to end the rumors around them. Also, I wish I'd thought more deliberately about the survivor in the framework of a restorative approach. In this case, at least initially, proper remedies were not in place for the person who experienced sexual harassment.

PO #3: So much of both our intel and our monitoring relied solely on the ED. While there were boundaries around talking directly with Rajiv and Priya, I

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wonder if we could have done more to get a fuller picture from board members or the gender consultants or other staff during the process, and in the monitoring and management afterward.

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Do you have any advice to share with your fellow POs?

PO #3: We need to support grantees to think about their leadership. When I think of other sexual harassment cases in the public eye, it has often been important for organizations to have a woman on the leadership team to help balance gender perspectives and address organizational culture.

PO #1: Even if everything sounds like it is going great, at least schedule a check-in call to follow up. We deal with so many things that it is easy for something to slip through the cracks. At the same time, be kind to yourself: These situations are very challenging and it can be very hard to figure out what the “right” answer is for any given piece of the puzzle.

CASE STUDY #4

WORKING WITH WHISTLEBLOWERS: *NETWORK FOR THE PEOPLE'S GOOD*

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BACKGROUND

Network for the People's Good (NPG) is a national organization that works to promote fair housing policies in the US and mobilize low-income and marginalized communities to fight discriminatory and inequitable community development processes. NPG works with a network of local groups across the country to advance locally rooted, affordable housing solutions.

On the strength of its work, the foundation had been providing project and core support grants to NPG for almost a decade. At the point when these issues arose, the program officer (PO) responsible for the grant was new to managing the relationship. He had met with NPG's executive director (ED) only a few times and did not yet have a deep relationship to the organization. The ED was a high-profile black leader in the field, and he had a strong reputation for effective partnerships and advocacy.

When the PO reviewed the grantee's proposals and write-ups, he noted that the organization's board was predominantly white; only about a third of its board members were people of color. Three of the four executive leadership positions in the organization were occupied by white men, and there was no information on file about the demographics of NPG's staff more broadly. The previous PO had not noted any concerns regarding diversity, equity, or inclusion within NPG and the organization had a strong advocacy track record, including partnering with groups mobilizing people of color to advance locally driven agendas.

PART ONE

In 2018, two staff members reached out to the PO and asked for a private meeting. They asked that the PO not tell NPG's ED about the meeting, as they had serious concerns related to him that they wished to discuss.

In the meeting, the two staff members—both women of color—explained that they represented a larger group of current and former staff who felt there was a hostile and abusive work environment at NPG. They said that few people of color, especially women, stayed very long at the organization because of hostile work conditions and pay inequities. Though it was not explicitly stated by leadership, they saw that women of color were expected to work longer hours than their colleagues. In staff meetings, they said, their contributions were either ignored or belittled by their white male colleagues. Several women of color had been repeatedly denied promotions or pay increases, despite their strong, consistent performance.

The staff members said that they had raised their concerns with their direct

managers, who were also people of color, but were told that these were challenges typical of any workplace. They were hesitant to take their complaints directly to the ED or to the board, who they were not sure would be sympathetic. Their direct managers had discouraged them from taking either path. They had reached out to another donor about the situation months earlier but did not receive a response; they expressed concern that the funder's personal relationship with the ED was the reason they had not heard back from her.

FOR DISCUSSION:

1. As a funder, how would you respond at this point? What questions might you ask and of whom?
2. Whom within the foundation would you speak to about the situation? What kind of support would you seek?
3. In determining your next steps, what would you need to consider in terms of your relationship to NPG? To the whistleblowers who had reached out to you?

PART TWO

A week later, NPG's board chair called the PO. She said she knew that the two staff members had come to the foundation and regretted that the PO had to hear of their concerns this way. She wanted the foundation to know that the board was proactively addressing the issues the whistleblowers had raised. She also told the PO that NPG's ED had decided to step down from the organization to deal with some serious health issues, and they would begin the search for his replacement soon.

NPG's board chair said that they had hired a team, including a lawyer and a human resources consultant, to investigate the whistleblowers' claims and assess any legal problems that might result. The team was also tasked with reviewing and making recommendations to improve NPG's human resources policies and procedures. NPG's board planned to meet with the organization's staff to share information about the investigation and to create space for questions and reflection.

FOR DISCUSSION:

1. What questions would you have for NPG at this point?
2. Where do you think the responsibility of a PO begins and ends in this situation? Where should you be yielding to others?
3. How might this experience change how you work with other grantees? What might you do to increase the likelihood that you'll be informed of these kinds of issues earlier on?

EPILOGUE

As the investigation unfolded, NPG's board realized that there was a need to reevaluate the organization's staff structure, and they informed the foundation that they intended to work toward a model with fewer levels of management. Based on the recommendations of the consulting team, the organization overhauled its wage scale, creating salary bands based on

job responsibilities. NPG revised its human resources policies, creating a whistleblower policy for the first time and changing its performance review process to be more transparent. The board consulted with the staff in their search for a new ED, and ultimately hired a woman of color with a strong reputation in the field to lead the organization.

The donor whom the whistleblowers initially contacted reached out to the PO. She had been on sabbatical and was sorry to have missed the opportunity to support NPG's staff. She agreed to coordinate with the PO in efforts to monitor NPG's progress.

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PROGRAM OFFICER REFLECTIONS

What did you understand to be your responsibility, or the appropriate role of a PO?

When NPG's board chair reached out, I could see that she wanted to be transparent and let us know that the board was actively addressing the issues that had been raised. Though she was disappointed that the whistleblowers didn't come to her first, she was respectful of them. As the PO responsible for the relationship, I felt like NPG's board was proceeding appropriately and there was no need to step in. The chair kept me in the loop and I appreciated being updated. I shared the situation with my director, who joined a call with the board chair and agreed that we should continue to engage and monitor as the board decided next steps.

What, if anything, do you wish you had done differently?

Looking back, I wondered what I could have done to help prevent this. Could I have known or not? Why didn't the whistleblowers come to the foundation at the same time they had approached the other donor? Thinking bigger picture, it's hard to determine the right balance of understanding what's happening behind the curtain and being too deep in a grantee's business.

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The Ford Foundation Office of Strategy and Learning helps program teams develop empirically grounded strategies to reduce inequality and to build evidence for how social change for good happens. We aim to share what we're learning with others in philanthropy and the social justice sector at large. Read more about what the foundation is learning at fordfoundation.org/learning

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