

Nonprofits: What Not to Do

07.13.21 | Linda J. Rosenthal, JD



About twenty years ago, the BBC took a gamble on a new TV reality show. Each episode opened with the ambush of an ordinary woman going about her daily life while committing horrendous fashion crimes.

“[What Not to Wear](#)” became wildly popular, in part because the perpetrators were so clueless when confronted with the evidence against them. Modeling wardrobe items in front of the dreaded three-way mirror, they were blissfully unaware of how tragically mistaken their clothing purchases had been. Meanwhile, the fashion-stylist hosts and the viewing audience were bewildered: “What in the world was she thinking?”

The Case of the Careless Classified

Alas, there is no shortage of hapless examples in the nonprofit community of “it seemed like a good idea at the time.” Of course, the stakes are generally much higher than making unwise outfit choices. Consider, for instance, the recent case of a midwestern art museum’s search for a new director.

Early in 2021, the Indianapolis Museum of Art advertised the prestigious employment opportunity with an executive search firm. The listing included a comprehensive and helpful six-page job description. But the museum slipped up when it inserted language that it “was seeking a director who would work to maintain its core, white art audience,” in addition to attracting a more diverse one.”

The uproar that ensued was a surprise to no one except the museum’s CEO, Charles L. Venable. See [Indianapolis Museum of Art Apologizes for Insensitive Job Posting](#) (February 13, 2021, updated February 17th) Sarah Bahr, *The New York Times*. The organization quickly revised the listing: Instead of “... its core, white art audience,” the ad read “traditional core art audience.”

In an interview, Mr. Venable explained that while “the decision to use ‘white’ was intentional,” that word choice “... had been intended to indicate that the museum would not abandon its existing audience as part of its efforts toward greater diversity, equity and inclusion.”

“I deeply regret,” the chief executive added, “that the choice of language clearly has not worked out to mirror our overall intention of building our core art audience by welcoming more people in the door.” The museum was trying to “be transparent about the fact that anybody who is going to apply for this job really needs to be committed to D.E.I. efforts in all parts of the museum.”

“Venable said that it was unfortunate that what he called the museum’s ‘core commitment to inclusion’ was overshadowed by the word choice.” It wasn’t a “single bullet point” but a multi-page job listing, he pointed out, and there was “...a lot about our commitment to diversity in all kinds of ways, from the collections to programming to hiring.”

The beleaguered executive concluded: “I can certainly say that if we were writing this again, with all the feedback we’ve gotten, we wouldn’t write it that way.”

But there’s a back story to this “incident” that presents a more complex – and troubling – set of circumstances. The “museum’s workplace culture” had been, for some time, under fire.

In 2018, Dr. Kelli Morgan was recruited in 2018 to diversify the museum’s galleries. But by July 2020, she resigned. In a scathing letter to Charles Venable, along with board members, artists, and local media, she described the institution’s environment as “toxic” and “disingenuous” and that it “fails people of color.” See *Curator calls Newfields culture toxic, discriminatory in resignation letter* (July 18, 2020) Domenica Bongiovanni, *The Indianapolis Star*. She identified specific areas of concern including “a lack of training on implicit bias and anti-racism....” It was so toxic there, in fact, “that the pandemic quarantine ‘...provided much needed relief.’”

On learning about the recent job-listing language snafu, Dr. Morgan expressed dismay. “Clearly there’s no investment or attention being paid to what’s being learned or communicated in the [anti-racism] training,” she said. “Because if there were, there’s no way a job posting would’ve been written like that, let alone for a museum director.”

The Case of the Disappointed Donor – and Others

This unfortunate museum-job-listing example is the tip of the iceberg. There are lots more “What Not To Do” cautionary tales out there. See, for instance:

- *AFP Condemns Vaccine Line-Skipping for Funders, Donors* (February 2, 2021) Richard H. Levey, *The Nonprofit Times* [hospitals and other nonprofits with early access to COVID-19 vaccines let big donors jump the line];
- *USC’s biggest donor writes off school after it fails to acknowledge her mother’s death* (April 6, 2021) Andy Shain, *The Post & Courier (S. Carolina)*; [U. of South Carolina fundraising staff apparently thought it was a good idea to let her grieve in peace]
- *Between a Lawsuit and Retirement* (January 18, 2021) Colleen Flaherty, *Inside Higher Ed* [longtime professor wanted to retire. University of Oregon said she had to drop her pay-

based gender discrimination suit first, but her retirement benefit still would be based on the lower pay rate she's suing about]; *Update: Pres Schill and GC Reed relent on Freyd, after bad publicity and pressure* (January 19, 2021) *UO Matters*.

Conclusion

By the way, for readers unfamiliar with the “What Not to Wear” TV franchise, the episodes end on a happy note. Contestants who agree to toss almost all of their ugly clothing into a nearby trash bin and follow the stylists’ strict fashion rules are awarded a 5,000-pound London shopping spree.

In our backyard, fashion is no big deal. In San Diego, wearing white is just as acceptable on New Year’s Day as on Independence Day. There are few rules except for the one commonly found on signs at many of our beach-adjacent dining establishments: “No shirt. No shoes. No service.”

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