**Open Society Scholarship Programs: Summary Document of Portfolio Review**

**Disability Rights Scholarship Program: Selection Process**

**3 April 2015**

**Participants:**

* Martha Loerke (moderator), Phillip Watkins (lead staffer), Chris Stone (discussant), Tracy Gurd (Strategy Unit, discussant) Catherine Litten (SP, rapporteur)
* Contributors: Emily Martinez and Alison Hillman (HRI); Wing Mai Sang (SP); Pamela King (OSI-Baltimore)
* Strategy Unit: Dan Sershen
* Invited observer: Ankita Suri (SP)

Phillip Watkins (PW) described the origin and intent of the Disability Rights Scholarship Program (DRSP), noting that the initiative was designed to build on momentum around a recent and innovative legal structure, the United Nations Convention on the Rights of Persons with Disabilities. DRSP represents a unique combination of elements both familiar and unusual for SP: like other departmental initiatives, it is an openly competed, merit-based scholarship offering comprehensive MA support in a priority discipline (Law), and is administered via a multi-stage recruiting and selection process that ultimately places grantees at trusted host university partners (which provide significant cost sharing). Unlike other SP endeavors, DRSP is issue driven and more intentional in its goal of bridging capacity gaps in the disability rights community. It targets geographies beyond SP’s internal mandate, is co-funded by another department (HRI), and strives to change curriculum and culture at host universities by mainstreaming disability rights in law schools. PW noted that as the program enters its fourth year, it is too early to look for dramatic progress for the disability rights movement brought about by our grantees (although we already see many accomplishments). This review, PW explained, would focus on a narrow procedural item-- our selection process -- and would explore four customary lines of inquiry (represented in the document by four individual grantee profiles) that guide and inform selection committee discussion when applicants have otherwise met basic eligibility criteria:

1. How do we gauge an applicant’s commitment to Open Society values (specifically in this case, to disability rights)?
2. Is the candidate at a point in her trajectory to make the best use of the grant opportunity?
3. Given that some very promising applicants lack a background in Law, is an LLM the right degree to support, or would offering multiple fields of study be more effective?
4. Can SP staff and host universities provide sufficient access and support to grantees with disabilities of all types?

The first discussant, Tracey Gurd praised the use of individual grantee stories as the basis for review but asked for elaboration on how the goals of the program are reflected in the stated selection criteria and in actual process, especially in considering applicants with no background in law and (therefore) no future prospects as litigants. Tracey observed that DRSP goals seem to oscillate from a narrow focus on enabling strategic litigation to building capacity widely in various strata of the disability rights movement. Based on her own experience in litigation, Tracey endorsed the broader approach, since success in the courtroom doesn’t automatically translate into actual change: expertise in areas beyond law is needed to ensure that legal victories morph into real-life improvement and changes in “broader societal structures.” Tracey said that the flexibility of DRSP may help build communities of expertise, and asked whether SP has a role in maintaining these disability rights communities over time.

As the next discussant, Chris Stone endorsed the program’s approach to building an issue-area field through individual grants alongside other OSF efforts directed toward policy reform and practice. Then Chris raised several issues:

1. Successful efforts to transform the law programs that comprise the DRSP consortium may have a larger and longer lasting impact on the field than cultivation of individual grantees.

2. A commitment to disability rights and to Open Society values (item 1 above) is not necessarily one and the same; while an individual may be a very effective advocate for a particular issue area she might not embrace the full spectrum of values we ascribe to “open society.” OSF often funds organizations that support one particular issue we find important, but might contradict other values we embrace. Does SP really expect individuals applying to DRSP to embrace the whole spectrum of open society values?

3. Is DRSP really (or should it be) two different programs, one devoted specifically to strategic litigation and a new, separate strand designed to support other fields helpful in building communities and broadening the disability movement?

4. With the benefit of hindsight, which grantees did we regret selecting for the award?

In addressing to the discussants’ questions, PW and others first elaborated on the positive effect DRSP has had on the host university classroom and environment (#1). All host representatives have cited significant positive effects of hosting DRSP grantees: greater demand created by co-funded students encourages development of new courses specifically focused on this issue area; the perspective of geographically-diverse students broadens classroom discussion to include global south experiences; research agendas of instructors expand to cooperation with international voices further afield; and domestic students are sensitized to issues and contexts that previously may have seemed abstract. Emily stated that DRSP serves both to fill capacity gaps but also to positively affect prestigious universities who in many cases lead the discourse. Martha remarked that DRSP sets a standard by which we might evaluate the effects grantees have on improving the campus classroom and environment.

Regarding individuals we regretted supporting (#4), PW pointed out that all but one grantee had successfully completed the degree program, and that grantee’s failure taught us much about the need to finesse appropriate placements based on a number of criteria beyond academic match. He continued that the question is not so much identifying failed grantees as in questioning whether our support and intervention had truly been transformative. (In terms of the initial 4 questions raised in the review, was the applicant at a point to make the most of the opportunity and would the scholarship be uniquely transformative.) Against this background, PW explained, we wonder about the efficacy of supporting applicants who were already “sure bets” and identified as illustrative a grantee who at the time of application already seemed proficient in the disability rights discourse and was increasingly active on the international stage. PW questioned the investment of significant resources in someone who most likely would have followed a similar trajectory without our support and who was now working in Europe at the UN and not in his home country.

Also related to disappointing results, PW noted that some alumni have been less engaged than hoped upon return home; here, though, the issue was perhaps not one of selecting the wrong individuals but of unrealistic expectations for the home context. As examples, PW cited two grantees from Nepal who have not found relevant employment in Nepal after returning. They, themselves, are well-qualified and enthusiastic; their home environment, however, might require a different approach or reconsideration of what constitutes success and on what time scale.

On the matter applicant trajectory and selection “regrets,” Emily Martinez challenged the SP assumption that program success must always correlate to alumni working in their home countries or regions. HRI allows for two main goals for DRSP: 1) filling capacity gap on a local and national level and 2) widening the international disability rights conversation to include nuanced perspectives and participation from those beyond the US, UK and Western Europe. She disagreed specifically with the suggestion that the individual now working at the UN was a less rewarding investment; after all, EM explained, the individual under discussion became the first disabled person working in the Office of the UN High Commissioner of Human Rights, where he provides a powerful example and unique (global South) perspective. Furthermore, his own understanding of the disability rights discourse was refined over the course of LLM study and the scholarship support gave him the nuance, connections, and prestige that were prerequisites for his current success.

Emily turned the question of “selection regrets,” from individuals to geographies, stating she would suggest dropping countries, such as Nepal. Other countries with more developed disability rights movements would be better investments, since alumni would find traction upon return. Martha countered, stating specifically for Nepal that local colleagues are working to incorporate and engage the DRSP alumni. More generally, ML suggested, SP usually envisions a longer timeline for capacity building: it is worth supporting individuals even before there might be clear traction immediately upon return, since they can form the kernel of what eventually becomes a movement.

Martha asked Alison Hillman about Chris’ third point, whether the program should be split into two strands, each focusing on different academic fields and applicant profiles. Alison thought the idea merited discussion: one strand limited to developing law expertise in HRI’s countries of special operation and another strand supporting relevant fields more broadly in Scholarships’ target countries. She wondered if opening a strand for inclusive education, for example at Syracuse, would be worthwhile. However, as AH noted, two separate programs are not necessarily needed; disability rights can be more effectively implemented in a context that takes into account a broader human rights agenda and mainstreaming disability rights discussion into the broader human rights discourse has great merit. Phillip added that broadening fields responsibly could mean looking deeper into targetcountry environments: where are the gaps in each country and what fields combined with law would make the most effective impact.

Chris suggested the need for Scholarships and HRI to work on rewriting and tightening up the description and purpose of the program, both for themselves and to be communicated to individuals on the selection panels. He envisioned it as two parts: one, dealing with overall strategy for the program and the second on giving clear guidance to the selection panels. He also reiterated that a priority should be to ensure other Scholarship programs are accessible to disabled persons.

Outcome statement:

The portfolio review validated SP’s selection mechanism broadly, while elucidating certain assumptions inherent in the four selection criteria we explored in depth. Selection criteria should explicitly address some of these ambiguities (delineating more clearly the “ideal” point in the applicant’s personal trajectory at which the scholarship is most effective and explicitly endorsing—under some circumstances—alumni interest in the international arena). The program’s focus on law is merited, but staff should explore offering complementary fields, given the need to ensure that victories in court translate into actual policy and attitudinal change. DRSP’s strategy of building a university consortium has proven effective in mainstreaming disability rights into law curricula and SP staff should be cognizant of modeling this approach in other programs. Finally, the divergent approach to sending geographies expressed by SP and HRI (in which SP measures traction by uptake at the recruitment stage and HRI by engagement of alumni at the return stage) are not mutually exclusive, but create a productive tension reflecting different time scales on which interventions are evaluated.