

DataCamp Assessment | Report

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**WORKING
IDEAL**

BACKGROUND

As announced on April 24, 2019, a Working IDEAL team, led by Anurima Bhargava and Pamela Coukos, conducted an independent external assessment of DataCamp, Inc., at the company's request. That assessment is now complete, and we can report on our findings and recommendations. Our review addressed three areas:

- ▶ An October 2017 incident (the "incident") at a company offsite involving DataCamp's CEO, Jonathan Cornelissen, and Kara Woo, an employee.
- ▶ DataCamp's response to the incident in 2018 and 2019.
- ▶ An assessment of DataCamp's culture and climate, including a review of its People structures and practices and the company's relationship with the instructor community.

The goal of this assessment was to understand what happened and why; to identify any mistakes DataCamp made; to evaluate what steps the company has already taken and should take now to address shortcomings in its structures and practices; and to repair and strengthen internal and external relationships. We did not conduct a legal investigation of the incident, nor did we determine whether the incident and the company's actions in response violated any laws.

This assessment has largely focused on the culture and climate at DataCamp over the last two years, when the company has grown tremendously and roughly tripled in size. DataCamp is a very different company than it was two years ago; its employee base, customers, instructor community, and the company's own structures and policies have significantly evolved.

DataCamp is fundamentally a company about learning. The company leadership has embraced this assessment as an opportunity for DataCamp to understand what worked and what failed, to acknowledge its mistakes, and to become a stronger company and an even better place to work. Proactively and voluntarily addressing potentially harmful behavior is essential to making the workplace fairer and more inclusive. Yet it isn't easy or risk free. We appreciate the company's willingness to open itself up to this review and consider our recommendations. And in making the results of this assessment and the recommendations public, DataCamp is also creating an opportunity for others in the data science community, the educational technology industry, and many other workplaces to learn with them.

KEY FINDINGS

OCTOBER 2017 INCIDENT

1 - After speaking with the current and former DataCamp employees who were involved in or witnessed the October 2017 incident, there is little factual dispute about what happened between the CEO, Jonathan Cornelissen, and Kara Woo, an employee.

In Portugal, on the last night of a company work week, many DataCamp employees went to a bar after the company dinner. Mr. Cornelissen and Ms. Woo were dancing together at multiple points during that night. At times, they were dancing face to face; at other times, he was dancing very close behind her. He often placed his hands on her hips while they were dancing. On multiple occasions, Ms. Woo stopped dancing; walked away; changed directions; or went to talk to others. Mr. Cornelissen was on and off the dance floor frequently, talking with employees and drinking at the bar. He came back over to Ms. Woo on the dance floor multiple times and reinitiated contact with her.

No one alleged any physical contact outside of the dance floor and, in our discussions, no one described the contact as “groping” or being “groped.”

2 - The incident raises important concerns, including the impact on Ms. Woo who left DataCamp three months later - with the incident being one of the reasons for her departure - and the power dynamic between the male founder and CEO and a newly hired female employee, at a time when few women worked at DataCamp.

3 - Many of the statements and allegations on social media are not consistent with what we found to have taken place. The incident falls far short of the more egregious characterizations about what happened.

THE 2018-2019 INVESTIGATION AND INCIDENT RESPONSE

4 - Once Ms. Woo reported her concerns about the incident, Mr. Cornelissen immediately apologized and took responsibility for his actions.

Ms. Woo reported her concerns about the incident to her supervisor, who immediately shared those concerns with Mr. Cornelissen. Within hours, Mr. Cornelissen reached out to Ms. Woo and apologized, and informed DataCamp management and the Board. In the immediate aftermath of the incident being reported to him, Mr. Cornelissen took responsibility for his actions and apologized to Ms. Woo and others at the company.

5 - DataCamp promptly commissioned an investigation that reached similar conclusions to ours about what happened; we do not think it was appropriate or advisable, however, to have an investor conduct that investigation.

DataCamp acted promptly and commissioned an investigation. Jeff Fagnan, a partner at a venture capital firm that initially invested in DataCamp, conveyed to Mr. Cornelissen and others within leadership at DataCamp that he had prior experience with investigations of sexual misconduct at companies he had invested in and/or funds he was engaged with. However, he had not directly conducted an investigation or interviewed witnesses previously.

Mr. Fagnan's investigation reached similar conclusions to ours as to what happened, and we did not identify specific errors that call those conclusions into question. Nevertheless, we do not endorse the decision to have an individual with a financial stake in the company and without directly relevant experience investigate CEO conduct. Established best practices dictate an independent third-party review for incidents involving the head of a company. Here, failing to follow that practice and having an investor conduct the investigation undermined the credibility of the investigation and the company's response.

6 - We agree with most of the actions DataCamp has taken, but we would have recommended additional steps described in this report.

Mr. Fagnan made several recommendations regarding HR capacity, training, and policy that are both important and appropriate. In 2018, DataCamp moved to implement those recommendations: the company hired a Chief People Officer;

updated its sexual harassment and nondiscrimination policies; trained all employees and managers on respectful workplaces; and obtained coaching for Mr. Cornelissen.

As noted and discussed below in Key Findings #10 and #11, Mr. Fagnan's recommendation not to issue a statement about the incident to the company ran contrary to the desires and instincts of Mr. Cornelissen and Ms. Woo, whose privacy and confidentiality would generally be the underlying concern regarding disclosure. This decision, in addition to not communicating about the incident in 2018 to external stakeholders, as our report explains, failed to fully recognize relevant risks or the value of public accountability.

Our recommendations would go further, including that DataCamp implement a company-level policy about alcohol use at company events (rather than having an alcohol policy that only applies to the CEO), as well as the other recommendations about reporting and response listed in this report.

It was the company's understanding from Mr. Fagnan that Ms. Woo was on board with the recommendations.

7 - DataCamp's size and posture as a small but rapidly growing startup company impacted its response.

In October 2017, DataCamp had about 50 employees. The company built and relied upon the personal relationships of the founders and early employees; had a young leadership team with little or no direct management experience; and had minimal people and culture infrastructure and no in-house legal support. While this is not, in our experience, unusual for startup companies, it hampered DataCamp's ability to handle this incident and the subsequent public concern. Management did not have the policies or practices in place to handle workplace harassment and related concerns (and several employees shared that they did not know the process to report harassment despite having signed a sexual harassment policy). This negatively affected how management engaged with the employee who made the complaint and how they approached the investigation. For example, Mr. Cornelissen reaching out directly to Ms. Woo for recommendations on next steps was, in our view, inappropriate reliance upon Ms. Woo for a process and decisions that management needed to make.

8 - DataCamp's workplace culture, and the small number of women who worked there in October 2017, provide important context for the incident and the response.¹

DataCamp was a very fast paced and demanding workplace for all employees. DataCamp employees worked long hours, roles and responsibilities changed often as the business and workforce rapidly evolved, and decisions were quickly being made if employees were not meeting performance expectations. Company leadership ascribed to transparency and radical candor in the sharing of ideas, concerns, and feedback, even when negative.

While many employees experienced these challenges, current and former female employees we spoke with often struggled with the culture and climate of the company at that time. As of October 1, 2017, five women worked at DataCamp (about 10% of the workforce) and all of the leadership positions were held by men. Four of the five women had left by April 2018, including Ms. Woo.

Two of these women worked on the curriculum team, which was struggling with the increasing demands to sign up instructors, build and innovate the course and instructional design, and significantly expand course offerings, including launching courses in new technologies. By June 2018, the curriculum team had experienced significant turnover. The difficult experience of many on the curriculum team impacted how they viewed DataCamp and its management.

9 - Starting in 2018, DataCamp made diversity, equity and inclusion a much higher priority, and has succeeded in increasing the representation of women and people of color at the company.

Over the spring and summer of 2018, DataCamp increased its attention to diversity, equity and inclusion, through a series of internal meetings and working groups and developing sets of recommendations. A number of actions identified by those working groups have been implemented, while others remain in process.

Improvements to the recruitment and hiring process have had a substantial

¹References to the representation of men and women in this report are based on self-identification. We did not have any data about employees who identified as non-binary, or other than male or female.

positive impact on representation of women and people of color. There were multiple reasons for this increased activity – including individual employees who were personally committed to the work, and leadership and employee awareness and concern over the current low representation of women who worked at DataCamp. We also heard that the 2017 incident and the response impacted leadership with regards to diversity and inclusion efforts, particularly around gender.

COMMUNICATIONS TO EMPLOYEES, INSTRUCTORS AND OTHER STAKEHOLDERS

10 - While it is not common to publicly disclose detailed information about workplace complaints to employees, and privacy and other concerns are relevant considerations, DataCamp's actions were not consistent with key values of the company.

DataCamp shared details about the incident and its response as questions arose within the company. The company decided not to make any general internal statement in early 2018. In this case, the recommendation not to issue an internal statement at the time about the incident ran contrary to core values of the company, including transparency and ownership, especially when Mr. Cornelissen and Ms. Woo supported the issuance of an internal statement. DataCamp is a company that prizes transparency, regularly engages in open and critical discussion and feedback, and at that time, had not clearly delineated that certain processes – like workplace complaints and investigations – may not be shared due to privacy and other concerns.

Given that context, the absence of clear and open communications company-wide about the incident and the response raised questions for employees about how such incidents would be handled moving forward. It underscored the need for a clear and trusted reporting and response structure, and a clearer set of expectations about the communication of workplace complaints.

11 - While we did not find evidence that the Company's actions were deliberately misleading, the company made a number of mistakes in how it communicated with stakeholders about the incident and its response.

We did not find any evidence that the company's actions were deliberately misleading. We did not learn of any situations where the company refused to talk to individuals who raised concerns about the incident and the response. We did learn of ways DataCamp proactively reached out to members of the community to engage with them about their questions and concerns.

Nevertheless, the company made several mistakes in its approach to communicating about the investigation and response to the incident.

First, the failure to communicate publicly about the details of the incident and the company's investigation and response, in this case, gave rise to narratives that the company was either not taking the incident seriously and had not bothered to respond or that the company was engaged in a deliberate coverup of the incident.

Second, the company took until April 2019 to visibly and publicly apologize and take responsibility for the incident.

Third, while the company had good intentions, it did not provide robust opportunities for public dialogue, engagement and learning that were effective in addressing the stated needs of the stakeholders calling for such discussions.

Fourth, the company provided some piecemeal disclosures that, even if there was no intent to mislead, impacted trust and credibility.

Lastly, the company's efforts to address misperceptions about the incident and to explain factually what had happened were perceived by some as the company minimizing the seriousness and gravity of the incident and its impact altogether.

12 - The company's approach did not take sufficient account of its existing relationships with instructors, which may have impacted how the company's response was received.

Some DataCamp employees taking the lead in the effort to reach out to

instructors who raised concerns about the incident and to explain the company's response did not come from the instructor community. As a result, some members of the instructor community felt as if they were being managed and handled, rather than engaged by DataCamp employees who were fellow members of the community and who they had previously engaged with on a regular basis. While instructors are not full-time employees of DataCamp and had worked in a contractual capacity to develop and put up a course with DataCamp, many felt – and still feel and actively maintain – a close association with DataCamp. After the incident, some instructors found it difficult to associate with DataCamp and did not feel as if DataCamp valued the relationship and fully appreciated their concerns, or that they had sufficient options to address their concerns.

PROACTIVE ACTIONS: APRIL 2018 – AUGUST 2019

13 - DataCamp has learned from this experience and engaging this external review shows it is committed to improvement, transparency, and building trust.

We believe DataCamp has learned from this experience and, as shown in this report, taken a number of positive actions in response. By engaging this external review to further understand what happened, take responsibility for its mistakes, and learn how it can improve, DataCamp shows it is committed to go further, as well as to repair trust internally and externally.

14 - DataCamp's decision to convene an Instructor Advisory Board is a positive step in rebuilding trust externally that will also benefit the company in providing valuable input from DataCamp instructors.

We recognize the value in convening an Instructor Advisory Board to create an ongoing channel for feedback and learning between DataCamp and its instructor community.

15 - The work DataCamp has done to foster a more diverse and inclusive workplace must be continued and expanded.

DataCamp has made significant progress since October 2017 in building a

more diverse and inclusive workplace, particularly through investments and improvements in recruitment and hiring. The company has significantly increased the representation of women and people of color at the company. Women are 33% of current employees and about 40% of hires in 2018 and 2019, with four women on the leadership team.

The company should make a similar investment in its internal processes, practices, and culture to support and retain its employees, as well as consider how to expand the representation of women in areas of the company that are less diverse.

LESSONS LEARNED

1 - Startup companies may need to invest earlier in People and Culture.

At the time, DataCamp's small size and lack of experienced management or significant People and Culture infrastructure, and the inevitable challenges of addressing CEO conduct, explain some of the mistakes it made. But these mistakes have ultimately been costly to address in lost time, morale, reputation and other individual and organizational impacts. This experience suggests that startup companies may benefit from rethinking priorities and timing for building People programs and investing in Culture.

2 - The "standard risk management advice" is not always the right response, especially if it conflicts with the company's values and practices.

Advice to avoid providing any information about workplace complaints may be based on appropriate concern for protecting individual privacy, or a concern about managing litigation risk. It can also be a mechanism for limiting knowledge of misconduct. But failing to communicate undercuts accountability and can may be interpreted as a lack of concern. This is particularly true in a case like DataCamp, where the approach conflicted with the company culture and values and where the individuals involved were personally comfortable with some level of sharing information. Seeking to avoid one kind of risk can create other risks and impacts, and all of those need to be taken into account on a case by case basis.

3 - Visible leadership commitment to norms and values of respect, inclusion and accountability is a critical tool in preventing workplace harassment and creating positive workplace culture.

Research shows that typical solutions like training and policy can be important in ensuring inclusive work environments, but that they are much more effective where management leads on culture and there are strong mechanisms for accountability. DataCamp did act quickly to address policy and training needs -- and now needs to follow through on the deeper work we believe can make it an even stronger company.

OUR RECOMMENDATIONS

Based on our assessment, including what we heard from employees in our conversations, we have provided a number of detailed recommendations to the company covering the following areas.

Define and apply company values

- ▶ Create a written culture code.
- ▶ Apply the values in all aspects of DataCamp work.
- ▶ Ensure managers set norms and lead on culture.

Build a stronger Strategic DEI and Culture Program

- ▶ Increase internal capacity to lead DEI and culture work.
- ▶ Establish a written strategic DEI plan.
- ▶ Engage in regular trust-building activities.

Apply Data Science principles to create metrics and strengthen accountability

- ▶ Create and use regular DEI reports to set goals and measure progress.
- ▶ Include metrics on hiring, representation, attrition, and also engagement and culture.
- ▶ Ensure strong practices that support feedback and accountability.

Apply best practices to further improve harassment reporting and response

- ▶ Ensure multiple channels for reporting, including third-party and informal options.
- ▶ Train the People Team and other designated individuals in conducting effective investigations and applying trauma-informed procedures.
- ▶ Create a written policy establishing independent investigations of Board members and senior management and other sensitive complaints.
- ▶ Ensure an appropriate multi-national policy framework and build capacity in European offices.

Continue and expand workplace training and organizational learning

- ▶ Continue and institutionalize respectful workplaces training.
- ▶ Incorporate country-specific reporting and investigation procedures.
- ▶ Institute Bystander Intervention training.

Make DataCamp an even better place to work

- ▶ Expand current efforts to strengthen recruitment and hiring -- particularly related to increasing diversity in engineering, data science and product positions.
- ▶ Focus on employee support and retention in addition to hiring and recruiting.
- ▶ Consider the Rooney Rule or other options to continue to build leadership diversity and address Board diversity.
- ▶ Strengthen communications and information sharing pathways.
- ▶ Consider emerging approaches to strengthen career development, performance, promotion and compensation practices.
- ▶ Enhance resources related to work-life balance, caregiving and wellness.

FACTUAL NARRATIVE: THE INCIDENT AND COMPANY RESPONSE

As part of our review, DataCamp asked us to help them understand -- to the extent possible -- what took place on the night of October 27, 2017, with a specific focus on what occurred between Jonathan Cornelissen and Kara Woo. For ease of reference, we will refer to what took place between Mr. Cornelissen and Ms. Woo that night as the "incident." The collective account of the incident is based on interviews with the employees involved and most of the DataCamp employees present at the bar during the incident.²

We also examined the company's response to the incident, including the reporting of the incident, the company's investigation, and the company's engagement with stakeholders who raised concerns about both the incident and the company's response. Understanding the steps that were taken and where the company fell short is a critical component of our work, given its potential to strengthen DataCamp going forward. This portion of the report is based on interviews of current and former employees, including those directly involved in the reporting and response. We conducted our interviews more than 18 months after the incident occurred, a year after the incident was reported and the investigation was completed, and after the incident and the response were reported upon publicly, all of which likely impacted the recall and recounting of both the incident and the company's response. We also reviewed available documents, including policy documents, emails, texts and chat logs.

THE INCIDENT

DataCamp held workweeks twice annually to bring all employees together for strategic planning, teambuilding and learning. In October 2017, DataCamp held the workweek in Portugal and all DataCamp employees attended. On Friday, October 27, 2017, the company held a dinner for everyone, as was tradition at the

² We told individuals who spoke with us that the conversation was confidential and that we would be developing a collective, overall narrative of events without individual attribution. We have not provided our notes to DataCamp or specific details about who provided information to us, unless that person authorized us to do so. When we share information about an individual, they may be based on what that person told us, emails, texts or other documents, and/or what others shared.

end of the workweek.

When the dinner ended, there was no set plan. A group of employees decided to go to a nearby bar, within walking distance of where everyone was staying. The first group of employees, including Ms. Woo, arrived at the bar around 10 PM. Mr. Cornelissen arrived later on. Nearly all of the DataCamp employees came to the bar at some point that night.

DataCamp employees hung out at the bar, talked, and danced to the live band. Many employees, including Ms. Woo, spent much of their time on the dance floor; for the most part, a group of DataCamp employees was on the dance floor throughout the night.

Mr. Cornelissen and Ms. Woo were dancing together at multiple points during the night. At times, they were dancing face to face; at other times, he was dancing very close behind her. He often placed his hands on her hips while they were dancing. On multiple occasions, Ms. Woo stopped dancing; walked away; changed directions; or went to talk to others. Mr. Cornelissen was on and off the dance floor frequently, talking with employees and drinking at the bar. He came back over to Ms. Woo on the dance floor multiple times and reinitiated contact with her.

DataCamp employees were dancing close to and around where Ms. Woo and Mr. Cornelissen were dancing. At one point, an employee pulled Mr. Cornelissen aside to tell him that Ms. Woo had a boyfriend. It is our understanding from multiple accounts that Mr. Cornelissen stopped dancing with Ms. Woo after that point.

By around 4-5 AM in the morning, about ten DataCamp employees remained at the bar. A few of the employees decided to find something to eat on the way back to the hotel. The remaining group, which included Ms. Woo and Mr. Cornelissen, walked back to the hotel together, with Ms. Woo and Mr. Cornelissen talking to one another on the way. When they reached the hotel, most of the group, including Ms. Woo, went to their rooms. Mr. Cornelissen chatted with the other group (who had stopped for food) in the lobby of the hotel and then retired.

Many of the individuals involved were drinking and Mr. Cornelissen was apparently very intoxicated. At the time there was no DataCamp policy about responsible alcohol use at company events or during offsite work activities.

REPORTING OF THE INCIDENT

A few DataCamp employees recall talking with Ms. Woo the next day about the workweek as they were getting ready to travel home but, with the exception described below, they did not report discussion about the incident or that Ms. Woo was uncomfortable with what happened that night. One employee specifically talked with Ms. Woo about the incident in the days following; Ms. Woo shared that she was uncomfortable with what happened with Mr. Cornelissen at the bar. That employee suggested that Ms. Woo speak to her supervisor if she wanted to raise the incident and conveyed the impression that the supervisor would be open and supportive if the incident were raised. Reporting to her supervisor was consistent with the DataCamp sexual harassment policy that existed at the time, as Ms. Woo confirmed.³ In the remaining weeks of 2017, Ms. Woo did share the incident and her discomfort with a few colleagues at DataCamp, but did not share it with anyone in a supervisory or managerial capacity.

Ms. Woo ultimately reported the incident to her immediate supervisor on January 11, 2018, as part of a discussion informing him that she was planning on leaving DataCamp. At the end of that conversation, Ms. Woo shared that she was uncomfortable with Mr. Cornelissen's actions on the dance floor. He responded by stating that he'd always known Mr. Cornelissen to be an ethical person and perhaps there were some "cultural differences." Her supervisor recognizes that while not his intent, his immediate response may have been received as a dismissal or questioning of the experience being shared.

IMMEDIATE RESPONSE TO THE INCIDENT REPORT

Her supervisor immediately called Mr. Cornelissen to talk about what Ms. Woo had shared. That same day and within the next few hours, Mr. Cornelissen reached out to Ms. Woo on Slack to apologize, stating that he did "not have a perfect recollection of that evening, otherwise I would have apologized earlier." He offered to have a call with Ms. Woo. Ms. Woo responded that she appreciates the message but did not want to have a call at that time.

³ In 2017, DataCamp used and had employees sign the sexual harassment policy in the handbook available from their third-party human resources provider.

Mr. Cornelissen immediately informed the leadership and Board of the company. At the time, the Board was comprised of the three founders.

Over the next week, Mr. Cornelissen and Ms. Woo had several calls – some including Ms. Woo’s supervisor – during which Mr. Cornelissen apologized multiple times and repeatedly asked Ms. Woo to weigh in on what steps Mr. Cornelissen and the company should take in response. The repeated calls and requests were difficult for Ms. Woo, particularly as she was wrapping up her time at DataCamp. Ms. Woo and Mr. Cornelissen did appear to have open lines of communication during that week; for example, at one point on January 16, she asked for a brief follow-up conversation to clarify a discussion they had earlier that day.

As for next steps, Ms. Woo indicated that she did not believe Mr. Cornelissen should take leave of his position; and while having reservations about something personal to her being shared widely, in the interests of transparency agreed with and encouraged Mr. Cornelissen to talk openly with all company employees about the incident.

On January 19, 2018, just over a week after Ms. Woo initially disclosed the incident to her supervisor, Mr. Cornelissen joined the weekly call for the content team at DataCamp. Ms. Woo had been a member of the curriculum team (which is a sub-team of the larger content department) since she joined the company; at that point, the curriculum team had about 7-8 members, including Ms. Woo and her supervisor. Mr. Cornelissen recounted the incident to the content team and apologized. Some team members were just learning about the incident; others had been present when the incident occurred and/or heard about the incident from Ms. Woo. Ms. Woo did not say much on the call.

Mr. Cornelissen shared that an investigation would soon be underway and that the team would be hearing from him. He further shared that he wanted to do a public letter of apology but would hold off on issuing a letter or statement until after the investigation was completed.

INVESTIGATION OF THE INCIDENT

In the two-week period between January 11, 2018 to January 25, 2018, Mr.

Cornelissen consulted several advisors to the company – external stakeholders and investors, and at least one human resources professional – about how to proceed. Mr. Cornelissen expressed his interest in issuing a public letter of apology to the company and/or the external community and solicited feedback; in general, those he consulted advised against issuing such a public statement either internally or externally.

One of the people he contacted was Jeff Fagnan, an initial investor in the company. Mr. Fagnan conveyed to Mr. Cornelissen and others within leadership at DataCamp that he had prior experience with investigations of sexual misconduct at companies he had invested in and/or funds he was engaged with. However, Mr. Fagnan had not directly conducted an investigation or interviewed witnesses. On January 25, 2018, after checking in with DataCamp's outside counsel, company leadership asked Mr. Fagnan to conduct an investigation into the incident.⁴ Mr. Fagnan volunteered his time.

Mr. Fagnan conducted an initial phone interview with Ms. Woo and Mr. Cornelissen. Mr. Fagnan also held phone interviews with four DataCamp employees present during the incident.

Mr. Fagnan provided a brief written summary of his investigation in an email to the individuals he spoke with.⁵ He concluded that Mr. Cornelissen “danced inappropriately with a female employee of the company and uninvited, placed his hands on her body multiple times.” He stated that “[w]hile the female employee did not appear distressed” to witnesses, she later confided that she felt “very uncomfortable” and the incident “impacted her tenure at the company.”

Everyone agreed that alcohol impaired Mr. Cornelissen's judgment, and while Mr. Cornelissen had been intoxicated at other company sponsored events, the investigation concluded that “the inappropriate behavior with a female employee was a one-time event. No other incidents of harassment were found during th[e] investigation.” Mr. Fagnan also noted that Ms. Woo stated that Mr. Cornelissen “is

⁴ We have limited knowledge about communications between DataCamp management and its outside counsel and nothing in this report is based on any potentially privileged information.

⁵ That email was shared with a reporter and some of the content publicly disclosed in April 2019, in an article published by BuzzFeed.

remorseful for the incident" and "apologized in an appropriate manner and owned the situation, admitting he was wrong."

THE INVESTIGATOR'S RECOMMENDATIONS

In terms of the overall response, Mr. Fagnan "also determined the company needs to step up their training, policies, and thinking when it comes to HR, sexual harassment, gender roles, and gender diversification." Based on these findings, Mr. Fagnan made the following nine recommendations to Mr. Cornelissen and the company, reprinted here exactly as they appeared in his email:

1. J to get a career coach
2. J to go through a sensitivity training seminar
3. J to limit himself to two drinks at all company functions that involve alcohol
4. Company to have sexual harassment training and ensure all employees read and sign a newly drafted sexual harassment policy
5. At the next company retreat, use a professional moderator to discuss (1) cultural differences between Europe and US around gender in the workplace; (2) goals and plans for further gender diversification at the company
6. Make a company donation or sponsor an event for Girls who Code
7. Hire a VP of HR
8. Add an independent board member
9. Do not make a formal larger company announcement on the situation or the incident

Mr. Fagnan sent the recommendations by email to Ms. Woo, and then held a follow-up call with Ms. Woo to discuss. She raised a concern about the last recommendation at that time, as it was a reversal of what had been previously discussed with Mr. Cornelissen and others within the company. Despite the

concern raised and the fact that Ms. Woo did not oppose and was in support of Mr. Cornelissen's desire to make a statement to the company about the incident, Mr. Fagnan recommended that no formal larger company announcement be made -- a view consistent with the other external advice DataCamp had received. As far as we know, she did not raise any concerns about the other recommendations. We do not have sufficient information about whether the company or the individuals involved considered making any public statement – i.e. outside of the company – about the incident at that time.

On March 6, 2018, Mr. Fagnan sent the findings and recommendations to Mr. Cornelissen and the four DataCamp employees who he interviewed, and encouraged them to confer with one another and take action. It is the company's understanding from Mr. Fagnan that Ms. Woo was on board with the recommendations.

As the investigation proceeded, from January 25, 2018 to March 6, 2018, Mr. Cornelissen was in contact with members of the content team who had reached out for updates. While Mr. Cornelissen responded to these inquiries and encouraged content team members to contact him directly if they had questions, it does not appear that the findings and/or recommendations were formally shared with the content team or any other teams at DataCamp. Some DataCamp employees who were not on the content team did not have any knowledge of the incident or the process and investigation that followed until the fall of 2018 or later.

IMPLEMENTATION OF THE RECOMMENDATIONS

After Mr. Fagnan issued the findings and recommendations on March 6, 2018, DataCamp took several steps consistent with those recommendations. By May 2018, DataCamp hired a Chief People Officer as part of the leadership team, who would oversee human resources and the adoption and implementation of company policies and procedures. The company rolled out a series of trainings and updated policies on sexual harassment, unconscious bias, and respectful workplaces for new and existing employees; administered company-wide surveys on inclusion and diversity; issued blog posts on the company's commitment to and progress regarding diversity; and sponsored and/or partnered with several initiatives and events promoting women in data science and tech, including working with R-Ladies towards launching a scholarship program to promote

gender diversity.

Mr. Cornelissen worked with a coach, participated in trainings and seminars on sexual harassment and respectful workplaces, and curtailed drinking at company events. Consistent with the final recommendation, Mr. Cornelissen and/or the company did not make a statement, issue a company-wide apology, or provide a company-wide update on the incident, the investigation and the recommended next steps.

DataCamp is working towards but has yet to bring on an independent board member.

RESPONSE TO QUESTIONS AND CONCERNS FROM EXTERNAL STAKEHOLDERS

From December 2018 through April 2019, DataCamp used multiple avenues to engage the instructor community. The company sought to respond directly to every individual instructor who raised concerns about the incident and/or the company's response. Individuals from the leadership team also attended conferences and meetups to spend time with instructors and stakeholders in person, and the company held two webinars to present the steps the company had taken to address the incident, improve their policies and practices, implement trainings, and promote diversity and inclusion in the workplace.

At the same time, some narratives emerged about the incident in external online communications about the incident and DataCamp's response that were either outright false or are inconsistent with what we have documented in this report.

Beyond the incident response specifically, the company continued to build and develop courses with both new and existing instructors across the world; and held check-ins with a broad range of instructors to understand and troubleshoot any issues or challenges they might be facing.

The following is a more detailed account of how the company addressed questions and concerns from stakeholders, including the mistakes that the company made in doing so.

The six months from March 2018 to September 2018 marked a time of growth and transition at DataCamp. Former and current employees report that the incident and response were topics of discussion on occasion during this period – within the content team and at the company workweek in Madrid in 2018, for example – but in general, the incident and response do not appear to have been widely discussed or raised within the company or externally.

From late August through October 2018, a few negative reviews of DataCamp appeared on the job and recruiting site Glassdoor from individuals who identified themselves as past employees of DataCamp. At least one of those reviews suggested that a “serious incident of sexual misconduct” by a C-suite executive at the company had occurred.

The Glassdoor reviews raised numerous questions for DataCamp employees as well as for instructors of DataCamp courses. DataCamp leadership fielded numerous internal and external inquiries about the incident and how it was handled and communicated within the company. And DataCamp employees and instructors fielded inquiries and challenges about their association and employment with the company.

The response to those inquiries varied, both within the company and with the outside community. The company encouraged open discussion about the incident and the company’s response; some managers were more proactive and met in person and talked openly with any employees who had questions, while others fielded questions as they got them. A message was sent to all employees; it did not provide many details and did not necessarily provide a clear explanation of the incident. For example, the critical information that the company had responded quickly to the report of the incident, conducted an investigation, and had taken concrete steps to improve company policies and structures was not consistently conveyed in these internal communications. In the absence of a single information stream, confusion remained internally about what actually happened and whether and how the company responded.

Outside of the company, questions and rumors arose of what was described by one Glassdoor review as a “serious incident of sexual misconduct.” A handful of people within the data science community who had a personal connection with Ms. Woo had already heard from her about the incident; others contacted her

directly to ascertain what happened. While the fact that Ms. Woo was involved was shared offline within this smaller group, her identity and specifics of the incident appear to have been kept private and confidential. In the absence of a public statement from DataCamp, the small subset within the instructor and data science community who read the Glassdoor reviews or heard about the incident were left to surmise what “a serious incident of sexual misconduct” entailed. These community members believed the incident could have been anything from dancing to rape; moreover, several community members reported that they were generally led to believe that the company had done nothing in response and actively tried to cover-up the incident.

The reaction from certain segments of the instructor and data science community was swift and decisive, and in some cases, without outreach to or engagement with DataCamp. For example, DataCamp was in the process of co-sponsoring a scholarship program with R-Ladies, a global organization whose mission is to promote gender diversity in the R community. R-Ladies leadership issued a statement via their blog condemning DataCamp's handling of the incident and suspending all collaboration and partnerships with DataCamp. Our understanding is that R-Ladies had indicated to some of its members that they had verified that the incident of sexual misconduct was true and had significant concerns with DataCamp's response. According to the company, DataCamp leadership did not receive any communications from R-Ladies before or after the post requesting verification of the incident or any other information.

DataCamp made several efforts through multiple channels to meet in person or set up a call with R-Ladies leadership directly. Yet, R-Ladies unilaterally suspended the process of establishing the scholarship program; ended all partnerships and sponsorships from DataCamp; and several DataCamp instructors who are leaders in or members of the R-Ladies community asked for their DataCamp courses to be taken down and encouraged or directed other instructors to do the same.

ONGOING EFFORTS TO ENGAGE THE INSTRUCTOR COMMUNITY: DECEMBER 2018 - MARCH 2019

From December 2018 through February 2019, DataCamp managers and employees had numerous interactions with members of the instructor community: scheduling

time to address concerns that were raised; engaging in meetings and calls about the incident and how it was handled, including at conferences; and fielding requests to take down certain instructors' courses and content. We are not aware of any situations where DataCamp refused to engage with any members of the instructor community who asked to meet with the company.

RStudio Conference: Members of the DataCamp leadership team, among other DataCamp employees, attended the RStudio Conference in mid-January 2019 to meet with instructors and other members of the R community who had questions and wanted to engage directly with the company. The company reached out to and met with several instructors in an effort to address their concerns directly and in person. The meetings took place throughout the conference, including during a DataCamp-sponsored social event. A few instructors had issues with the manner and context in which the meetings took place, and how they were approached by the DataCamp team.

Webinars/Town Hall: Starting in January 2019, a group of instructors asked for a group meeting to discuss DataCamp's response to the incident, and to push for transparency, a public apology and for the company to take accountability and ownership for its response. This group of instructors thought that a collective discussion would provide an opportunity for the instructors to share, in an organized and clear manner, their concerns and their asks of the company.

The company agreed and set up two group calls (to accommodate different time zones) on February 27, 2019. Prior to the calls, the company sent out emails asking the instructors to send in their questions so that the company could be prepared to respond. DataCamp wanted to make sure that it could effectively and timely address the questions and concerns of those planning to participate on the calls, due to the large number of instructors who signed up to participate in the webinars.

Five members of the leadership team at DataCamp joined the call; Mr. Cornelissen did not participate. The company provided a detailed presentation on the incident, the company's response, and the policies and practices that had been implemented and revised.

The value of conveying this information was undermined by the decision to do so

in a one-way presentation format. Due to the nature of the original request, the instructors were expecting an open discussion with the company in a town hall type format. Rather than adopting a town hall or discussion format, however, all of the instructors were placed on muted lines, and were only able to ask questions through the chat function. A number of instructors reported that they could not see the questions and did not know which instructors were on the call.

INSTRUCTOR LETTER AND PUBLIC ENGAGEMENT: APRIL 2019

After the webinar, a few members of the instructor community put together an open letter to DataCamp expressing their concerns about the incident, the response, and the Company's interactions and engagement with the instructor community. The letter was circulated to all DataCamp instructors, many of whom were unaware of the incident and/or that instructors had been engaging with DataCamp and seeking a response after the incident.

On April 3, 2019, the letter was sent to DataCamp with 107 signatories from across the instructor community, expressing concern with the company's handling of sexual misconduct and the "continued silence, lack of transparency, and the pretense that this issue of sexual misconduct has been adequately addressed."

The next day, DataCamp posted a note to the community "to acknowledge what occurred, highlight the actions we've taken in response, and affirm our commitment to a safe and inclusive working environment." The note was the first public acknowledgement of the incident and the company's response and was emailed to every DataCamp instructor. The statement did not specifically identify Mr. Cornelissen as the executive in question. The company did not inform Ms. Woo or DataCamp employees prior to posting the note, and the note initially contained a no-index code which meant it would not appear in general online searches about the company. This generated a new controversy over whether this was an effort by the company to hide the note from public view. The note also included language and characterizations that were critiqued in some online postings.

Social Media: In the weeks between when the note to the community was posted on April 4, 2019 and the board statement and apology were issued on April 24, 2019, there was massive activity and significant traffic on social media criticizing

DataCamp and many of its employees personally. Many of the statements and allegations on social media are not consistent with what we found and what is included in this report.

Third-Party Assessment: On April 24, 2019, DataCamp brought in and ultimately formally engaged the team at Working IDEAL to conduct an examination of the incident and the company's response, as well as a multi-method assessment of the culture and climate of the DataCamp community. Working IDEAL agreed to provide findings and recommendations on how DataCamp can build a stronger and more inclusive workplace and community moving forward.

Instructor Advisory Board: On April 24, 2019, DataCamp also announced that an instructor advisory board (IAB) would be established. The company announced an open call for instructors to apply to serve on the instructor advisory board, along with a description of the IAB's role and responsibilities. More than thirty instructors applied, and eleven were selected to serve on the inaugural IAB. The IAB's first meeting took place on August 7, 2019. The IAB members provided valuable insight and input into this third-party assessment.

PROJECT SCOPE AND METHODOLOGY

Our methodology is designed to understand and evaluate the October 2017 incident and the DataCamp response, as well as to assess the larger context, including the company's culture, structures, policies and practices.

METHODOLOGY

Our core work involves collecting data and conducting analysis - both quantitative and qualitative. We based our assessment on company documents and data, described below, and interviews and focus group discussions with a broad array of internal and external stakeholders. In our experience, creating space for current and former DataCamp employees and instructors to engage directly with our team through these semi-structured conversations and the anonymous online feedback tool strengthens our evaluation, by enabling participants to offer their ideas and concerns in their own words. It also allows us to establish a confidential and trusted relationship -- making it more likely that individuals will share information with us. Increasing stakeholder engagement through the assessment provides a strong foundation for DataCamp to implement recommendations and rebuild internal and external trust.

We did not select focus group and interview participants randomly. We issued a very broad and open invitation in order to allow anyone who had a concern to come forward. Some participants were specifically invited based on their role as leaders in the organization, and some groups were designed for particular offices or around identity groups.

Our process is substantially framed by who chooses to participate. We did focus on clusters, trends and themes across the information we gathered. We looked for areas where qualitative, quantitative and anecdotal information aligned, including comparing what we learned to existing policy documents, reports and company data. We considered what voices were absent and other possible gaps or sources of bias. We have taken reasonable efforts to identify and take account of those potential limitations in determining the collective weight to apply to what we learned and in developing our recommendations.

In analyzing the data, we apply the relevant research literature including

organizational behavior and management, organizational sociology, social psychology, economics and DEI case studies. Through the lens of this research, and our practice and experience, we evaluate the organization's structure, practice, policy and culture. We considered the interaction of individual-level and organizational-level or structural factors. Organizational culture is formed by individual experiences and interactions, but an organization's structures and practices can also shape those experiences and interactions, and drive perceptions.

Our ultimate goal is to identify challenges and opportunities, and then recommend best and promising practices tailored to DataCamp -- a rapidly growing company providing online data science education. Our recommendations reflect what is, in our view, most relevant and effective for the company.

DATA CAMP DOCUMENTS AND WORKFORCE DATA

Our policy and data review included:

- ▶ Understanding the corporate history and company background from online research and corporate documents;
- ▶ Analyzing employee demographics based on data the company maintains on role, location, tenure, and race and gender identification;
- ▶ Available documents that describe DataCamp policies;
- ▶ Existing surveys on culture, climate and engagement;
- ▶ Handouts and other materials from prior trainings related to DEI;
- ▶ Policy documents and other materials on reporting procedures;
- ▶ Information about communications structures, tools and practices.

INTERVIEW AND FOCUS GROUP QUALITATIVE INPUT

We also obtained significant input through interviews, focus groups, and an anonymous online feedback form. We used this to understand in detail the

October 2017 incident and more generally individual experiences and perceptions of culture and climate at DataCamp, to evaluate how employees use and understand key policies and practices, to source ideas for improvement going forward, and to build trust and engagement.

Much of our work involved one-on-one interviews with current and former employees, Board members, and some external stakeholders, primarily DataCamp instructors. We conducted both in-person and online video focus groups with employees organized by work location (Brussels, London, New York and remote employees); by role with specific groups for supervisory employees; and for women (self-identified) and people of color (self-identified). We also conducted listening sessions by online video, and conducted onsite observation with visits to the New York, Brussels and London offices. Finally, we set up an anonymous online feedback form for anyone to provide input to our assessment.

Around 65 current and former employees participated in the assessment and we also received input from more than 20 DataCamp instructors. Fourteen individuals provided input through the online form.

The employee participation was quite robust – about 45% of all employees participated in interviews or focus groups - and included significant participation by men and women⁶ and by individuals from each office.

⁶We did not have data on anyone who identified as non-binary.



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and provide a comprehensive platform to combat sexual assault and harassment. She served on the White House Task Force to Prevent Campus Sexual Assault and the White House Council on Women and Girls. Prior to joining the DOJ in 2010, Ms. Bhargava was counsel and Director of the Education Practice at the NAACP Legal Defense Fund.

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WORKING IDEAL provides trusted, effective and innovative advice on inclusive workplaces, diverse talent and fair pay to large and small companies, universities, non-profits, unions and other organizations across the nation. Learn more at workingideal.com.

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