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Why Removing a Problematic Donor's Name Is Harder Than It Looks

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The calls for taking action on college buildings and nonprofit programs associated with Les Wexner — the man notorious for making Jeffrey Epstein rich enough to buy a private island — have never been greater.

So far, the only entity making a change is Wexner's own foundation.

The Wexner Foundation announced last month that it would [spin off its North American leadership programs](#) for Jewish professionals with a \$40 million gift from Wexner and his wife, Abigail, to “open the door to a broader circle of partners and funders.” The action comes after the foundation held listening calls with alumni of the programs — many of whom are so concerned about Wexner's relationship with Epstein, the convicted sex offender who died by suicide in 2019, that they established [their own fund](#) for sexual assault survivors.

Officials at the Wexner Foundation declined to comment, but a spokesman pointed to language in the letter announcing the change that suggested planning for the spinoff predated the recent protests. “We have long imagined

a time when our leadership programs would operate on their own,” says the letter from the foundation's president, Rabbi B. Elka Abrahamson.

Epstein joined the ranks of the uber-wealthy after becoming a financial adviser to Wexner, a billionaire retailer. Wexner even gave Epstein power of attorney, but he cut ties in 2007 when he discovered Epstein had misappropriated funds.

Meanwhile, both Harvard University and Ohio State University have been besieged by requests to remove Wexner's name from campus buildings but so far have taken no substantive action.

Several other colleges and universities are taking the same deliberate approach — if they're taking any action at all — amid widespread calls for removing the names of rich donors who've become tainted by their association with Epstein. The demands — involving financier Leon Black at Dartmouth College and U.S. Commerce Secretary Howard Lutnick at Haverford College, among others — escalated following the massive release of Epstein-related documents in January.

Some experts say the drawn-out process on college campuses isn't surprising — especially since the donors under scrutiny for affiliating with Epstein haven't been charged with crimes.

“If we were talking about Jeffrey Epstein as a donor, it would be one thing,” says Jeffrey Tenenbaum, a lawyer who counsels nonprofits. “But we're talking about people who have been alleged to have been associated with him but have not been found guilty of criminal conspiracy to facilitate crimes. It makes these situations much more difficult to navigate.”

A Chilling Effect on Future Donors

The risk of removing a name, Tenenbaum says, is not only a potential lawsuit from an aggrieved donor — and the possible reclaiming of the donation — but also the message that the removal sends to future donors.

“Donors have certain contractual rights, and institutions have to be very cognizant of those rights, and they have to act accordingly,” Tenenbaum says. “Otherwise, they put themselves not only at legal risk, but they also put themselves at risk of alienating future donors who might say, ‘Well, I'm not going to give to this institution because they have a history of taking people's names down from buildings.’”

At Dartmouth, students and alumni have called for removing the name of Leon Black from the college's visual-arts

center, to which he donated \$48 million. Black paid Epstein \$158 million for tax and estate-planning advice, according to an independent investigation, and a recent New York Times story detailed Black's payments to a dozen women to silence them about his relations with them. In April, Dartmouth's trustees said they would establish a new committee to examine campus naming policies. Black has consistently maintained his innocence.

At Haverford, students have called for a committee to consider stripping the name of U.S. Commerce Secretary Howard Lutnick from the library, which was named for Lutnick and his wife after the couple gave \$25 million to renovate it in 2014. The Epstein documents released by the Justice Department revealed that Lutnick maintained ties with Epstein until 2018 and visited his private island in 2012. Lutnick claimed for years that he had severed ties in 2005.

Haverford is “taking this complex issue under deep consideration,” President Wendy Raymond wrote in a letter to the campus community in February. She has so far rejected the calls to establish a committee to study removing Lutnick's name.

Donations that provide naming rights include language related to morals that are “some of the most heavily negotiated provisions” in gifts agreements, Tenenbaum says. Most include language similar to Haverford's broad gift acceptance policy, which states that

names can be removed from campus spaces if “circumstances change substantially so that the continued use of the name may be deemed detrimental to the College.”

A similar naming dispute has come up at Tufts University. Plus, numerous faculty members and college leaders around the country have stepped down or resigned amid the fallout from the Epstein documents.

Drawn-out Process Frustrates Critics

The students and alumni demanding action say their college’s reputation will be tarnished — and that current students will suffer psychological harm and prospective students may go elsewhere — if the names of tainted donors remain on buildings.

Ohio State’s hospital is named for Wexner, who has given the university more than \$200 million over the years. Ravi Bellamkonda, who became president of the university in March, has praised Wexner’s philanthropic support but said at a March news conference that he was ready to “grapple with complexity” involving Wexner’s role at the university. Harvard is conducting a review amid calls for removing Wexner’s name from a building at the Kennedy School of Government.

“We need to get Wexner’s name off our buildings so that students feel like it’s more important to protect them than someone who’s been involved in child sex

trafficking,” says Ohio state Sen. Bill DeMora, a Democrat and an Ohio State alumnus.

Mary Anne Mendenhall, a 2002 Dartmouth graduate and a public defender in California and New York, has been sending weekly letters to Dartmouth demanding the removal of Black’s name.

“I don’t know that I’ve ever been involved in a conflict that has been so clear, just the abuse of power by Dartmouth, pretending like there’s nothing to address here yet,” Mendenhall says. “I find the naming committee, as a response, completely insufficient.”

Anne Bergeron, a fundraising and strategy consultant, says the current naming debates are especially challenging, given that the calls relate primarily to associations with Epstein rather than crimes.

“It’s one thing to be tainted and publicly shamed,” she says. “It’s another thing to be found criminally negligent.”

But she notes that changing cultural norms and mores have influenced college decision making in the past. In 2016, Princeton University acknowledged the racism of President Woodrow Wilson but decided to keep his name on its international-affairs school. In 2020, Princeton’s board changed course and stripped his name amid national racial-justice protests following the murder of George Floyd.

“They removed the name ... when [Wilson’s] racist tendencies became too much to ignore,” Bergeron says.

The Logic of Deliberation

Lindsey Nadeau, president-elect of APRA, the national association of prospect development, says the current uproar focuses new attention on the importance of carefully worded gift agreements.

“Throughout my career across multiple nonprofits, I’ve noticed stronger clauses in our gift agreements that allow us to distance ourselves if something new emerges,” says Nadeau, who is also vice president of philanthropy insight at Unicef USA.

The demands from students are understandable, Bergeron says.

“The younger generation has no tolerance for things that don’t represent the best of humanity — and they think they’re doing the right thing,” she says.

But she believes that colleges and universities are right to move slowly. “A process for looking at these things needs to be deliberative,” she says. “It needs to be thought through from all angles, and it cannot be knee-jerk.”

As for the Jewish leadership programs being spun off by the Wexner Foundation, many alumni want to see the foundation take greater action to make amends. More than 30 percent of the 766

alumni of Wexner’s fellowships for graduate students and midcareer professionals have contributed to a fund for survivors of sexual violence and exploitation, says Rabbi Danya Ruttenberg, who helped launch the fund.

Eleven Epstein survivors are suing the foundation, alleging Wexner provided the funding to build Epstein’s sex-trafficking ring. Ruttenberg would rather see the foundation’s money go to survivors than the leadership programs.

Says Ruttenberg: “It’s never too late to do the right thing.”