

# Office of the Vice President and General Counsel Diversity, Equity, and Inclusion Strategic Plan Five-Year Strategic Objectives, Measures and FY17 Actions

## I. Diversity, Equity, and Inclusion Strategic Plan: Overview

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*At the University of Michigan, our dedication to academic excellence for the public good is inseparable from our commitment to diversity, equity, and inclusion. It is central to our mission as an educational institution to ensure that each member of our community has full opportunity to thrive in our environment, for we believe that diversity is key to individual flourishing, educational excellence, and the advancement of knowledge.*

– President Mark Schlissel

**Diversity:** *We commit to increasing diversity, which is expressed in myriad forms, including race and ethnicity, gender and gender identity, sexual orientation, socio-economic status, language, culture, national origin, religious commitments, age, (dis)ability status, and political perspective.*

**Equity:** *We commit to working actively to challenge and respond to bias, harassment, and discrimination. We are committed to a policy of equal opportunity for all persons and do not discriminate on the basis of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status.*

**Inclusion:** *We commit to pursuing deliberate efforts to ensure that our campus is a place where differences are welcomed, different perspectives are respectfully heard and where every individual feels a sense of belonging and inclusion. We know that by building a critical mass of diverse groups on campus and creating a vibrant climate of inclusiveness, we can more effectively leverage the resources of diversity to advance our collective capabilities.*

The Office of the Vice President and General Counsel (“OGC”) has been a key partner in the University’s efforts to promote diversity, equity, and inclusion. OGC regularly does work in the areas of civil rights, election law, and affirmative action, including matters relating to disabilities and accommodations, discrimination and harassment, and diversity initiatives. For example, OGC vigorously, and successfully, defended the compelling nature of the educational benefits that derive from a diverse student body in the University’s own admissions cases, *Grutter v. Bollinger* and *Gratz v. Bollinger*, and has continued to champion that interest before the U.S. Supreme Court in amicus briefs in support of the University of Texas in the *Fisher* case.

OGC strives to create a work atmosphere in the department that is equitable and inclusive, treating each other, our clients, and others with respect, civility, and professionalism.

## **II. Planning Process Used**

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*Planning Lead:* Maya Kobersy

*Planning Team:* Jack Bernard, Cathy Dehlin, Katie Murphy, Laura Napiewocki, Patty Petrowski, Travis Souza, and Karen Staszal

*Planning Process Summary:* In October 2015, Vice President and General Counsel Tim Lynch announced the Office’s diversity, equity, and inclusion strategic planning initiative and solicited members for OGC’s planning team. The team developed a team charge, reviewed existing data (from the University’s Human Capital Report), and collected additional data regarding office climate and diversity, equity, and inclusion issues from OGC staff through an online climate assessment survey. A subset of the planning team reviewed and compiled the results of the assessment survey, and shared those results at an all-OGC staff meeting in February 2016. A draft of the strategic plan was shared with all staff in March 2016 for input and feedback. In Spring 2016, the planning team will conduct a follow-up survey related to specific concerns identified in the climate assessment. Additional discussion of the plan, as well as of the survey and follow-up, will take place at upcoming staff meetings.

## **III. Data and Analysis: Key Findings**

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### *Summary of Data and Key Findings*

#### University Human Capital Report Data

In 2015, OGC’s regular staff includes 40 employees, of whom approximately 72 percent are female, and 28 percent are male; 10 percent self-identify as minority. The average OGC employee is 48 years old and has 9 years of service within OGC. Of the 40 employees, 15 percent are presently eligible to retire, a slight decrease from past years.

Over the past five years, overall headcount has remained relatively stable, with an overall increase from 36 staff members in 2011 to 40 staff members in 2015 (with a low of 33 staff members in 2012). Interestingly, however, despite the relatively stable headcount over time, 14 staff members (11 of whom are attorneys) have been hired since January 1, 2013; thus, roughly 35 percent of OGC employees have less than 3.5 years of service within OGC.

Age group brackets have shifted slightly over the past five years – trending from similar percentage distributions across age group brackets, to having a bulk of the work force in the 40-49 and 50-59 age group brackets; to some extent, this may be a natural result of staff retention within OGC. Generation X and Baby Boomer generation representation is trending downward over time, with a corresponding slight upward trend in Millennial representation. As of January 1, 2021, over half the current Department will be eligible to retire.

Over the past five years, minority representation has increased slightly. Percentages of male and female employees identifying themselves as White have decreased, with a corresponding rise in employees identifying themselves as a minority. For example, in the period

between November 2014 and October 2015, 40% of new staff hires identified themselves as a minority (the remaining 60% of new hires identified as White). (Given OGC's relatively small numbers, though, slight changes may appear to reflect a more marked trend than may actually be present.)

### 2015 OGC Climate Assessment Survey

OGC conducted an office-wide survey, consisting of both Likert-scale and open-ended questions, through SurveyMonkey. The survey was open to all forty regular staff (lawyers, paralegals, and support staff), as well as the seven law clerks<sup>1</sup> who currently work at OGC. Thirty-eight people (almost 81% of all potential respondents) completed the survey.

From the survey, we learned that respondents like their work, their colleagues, and the office environment, and that the office climate overall is abundantly conducive to a productive and happy work environment. The overwhelming perception of the respondents is that the office is welcoming and inclusive of diversity, and becoming more diverse along a variety of categories. There was a general consensus that the office should continue to cultivate a plurality of viewpoints, lived experiences, and social and personal identities.

There were several climate-related issues that drew comment from some respondents, most notably that OGC should work toward improving internal communications and the flow of information. In addition, some respondents identified issues of tone, style, and level of inclusiveness (perception of cliquishness) as areas to improve among those who work in the office. Several respondents expressed the desire for more transparency around hiring, salary, and promotion. Respondents also cited a desire for additional diversity, equity, and inclusion-themed training and activities.

### Additional Data-Gathering in Follow-Up to OGC Climate Survey

In Spring 2016, OGC will conduct a second survey of all staff to follow up on specific themes that had emerged in the climate assessment survey conducted in late 2015. The follow-up survey will ask for additional detail regarding those themes, as well as for suggestions in addressing any concerns identified. The results of the follow-up survey will be reviewed and assessed as part of OGC's ongoing strategic planning process.

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<sup>1</sup> Law clerks hired by OGC are typically, but not always, law students, often at the University of Michigan Law School.

## **IV. Strategic Objectives, Measures of Success, and Action Plans**

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*All strategic objectives and related actions will be pursued in accordance with the law and University policy.*

### **A. Recruitment, Retention, and Development – Staff<sup>2</sup>**

***Five-Year Strategic Objective:*** Increase diversity of OGC staff

***Measures of Success:*** Composition of applicant pools and interview pools for open positions

***FY16/17 Actions:***

- Continue to engage in targeted marketing as part of overall job posting strategy
- To the extent feasible and in a manner consistent with law, periodically review makeup of applicant pools and interview pools for any open positions
- Include messaging regarding the importance of diversity, equity, and inclusion in job postings
- Ask all interviewed applicants to explain their commitment to diversity, equity, and inclusion as part of the interview process

***Primary DE&I Goal:*** Diversity

***Five-Year Strategic Objective:*** Promote staff professional development and career/title advancement

***Measures of Success:*** Number and percentage of OGC staff participating in professional development opportunities; participant evaluation of professional development opportunities attended

***FY16/17 Actions:***

- Explore creation of more formal mentoring process for OGC staff
- Continue to encourage all staff to participate in at least one professional development opportunity each year and to evaluate their participation in those opportunities
- Conduct review of title classifications to assess whether titles might be revised to reflect seniority/expertise/experience

***Primary DE&I Goal:*** Equity

***Other Applicable Domains:*** Promoting an Equitable and Inclusive Community; Service

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<sup>2</sup> Throughout the plan, references to “staff” include all regular employees in OGC (attorneys, paralegals, and support staff), as well as law clerks.

## **B. Education and Scholarship – Staff**

*Five-Year Strategic Objective:* Promote cultural competence of OGC staff

*Measures of Success:* Number and percentage of OGC staff participating in diversity, equity, and inclusion-themed professional development opportunities; participant evaluation of trainings provided

*FY16/17 Actions:*

- Conduct all-staff “Art of Perception” training on appreciating differences in perspective, background, and experience, and collect participant evaluations of that training
- Provide periodic diversity, equity, and inclusion-themed updates and information-sharing at staff meetings, including with respect to plan progress
- Select, with staff feedback, a diversity, equity, and inclusion-themed training (such as cultural competency inventories, unconscious bias trainings, etc.) to be conducted at OGC next year (with the idea that such a selection process will occur each year for the following year’s annual training)
- Continue to encourage staff to attend diversity, equity, and inclusion-themed University events and/or diversity, equity, and inclusion-themed sessions at external conferences
- Ask staff to note and briefly describe on their annual self-evaluations the diversity, equity, and inclusion-themed events in which they participated over the course of the year, and what they learned from each

*Primary DE&I Goal:* Equity

*Other Applicable Domains:* Recruitment, Retention, and Development; Promoting an Equitable and Inclusive Community; Service

### **C. Promoting an Equitable and Inclusive Community – Staff**

**Five-Year Strategic Objective:** Continue efforts to ensure all OGC staff feel welcomed and respected

**Measures of Success:** Results of periodic climate assessment surveys

**FY16/17 Actions:**

- Analyze results of additional data-gathering in follow-up to OGC climate survey and make tactical recommendations as needed/appropriate
- Participate in University-wide climate assessment (expected Fall 2016)

**Primary DE&I Goal:** Inclusion

**Five-Year Strategic Objective:** Ensure that appropriate and equitable “salary relationships exist for staff within the same classification or related classifications, taking into consideration distinguishing factors such as performance, skills, and experience”

**Measures of Success:** Number of salary-related concerns noted in climate assessment surveys or otherwise

**FY16/17 Actions:**

- Have management conduct periodic salary equity reviews and update staff, as appropriate

**Primary DE&I Goal:** Equity

**Other Applicable Domains:** Recruitment, Retention, and Development

**Five-Year Strategic Objective:** Ensure that staff understand and feel free to report conflicts and concerns within OGC

**Measures of Success:** Results of periodic climate assessment surveys

**FY16/17 Actions:**

- Have management periodically reach out to ask staff about concerns, including through monthly one-on-one sessions, through informal check-ins, and at other times as needed
- Continue to encourage staff to report concerns for resolution

**Primary DE&I Goal:** Equity

**Other Applicable Domains:** Recruitment, Retention, and Development

## **D. Service – Staff/University Community**

**Five-Year Strategic Objective:** Partner more visibly in the University's and local community's diversity, equity, and inclusion outreach efforts

**Measures of Success:** Number and percentage of OGC participants in University/community diversity, equity, and inclusion-themed outreach efforts; participant evaluation of those outreach efforts

**FY16/17 Actions:**

- Evaluate University and community efforts in which OGC might participate; examples might include Wolverine Express or law-themed community service opportunities
- Select, with staff feedback, at least one community engagement effort in which OGC can engage as an Office
- Continue to expand, based on client needs and/or our perceptions thereof, the audience of the seminars, trainings, and presentations that OGC conducts on campus on legal issues related to diversity, equity, and inclusion

**Primary DE&I Goal:** Equity

**Other applicable domain:** Recruitment, Retention, and Development; Promoting an Equitable and Inclusive Community

**Five-Year Strategic Objective:** Improve accessibility of OGC's online resources and PowerPoint presentation template formatting

**Measures of Success:** Number of changes needed and made to website or presentation templates

**FY16/17 Actions:**

- Conduct ADA review of OGC website and presentation templates

**Primary DE&I Goal:** Inclusion

## **V. Goal-related Metrics**

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**Diversity:** Demographics of OGC staff; composition of applicant and interview pools for open positions (as feasible)

**Equity:** Participation in diversity, equity, and inclusion-themed trainings; participation in University/community outreach efforts

**Inclusion:** Results of climate surveys

## VI. Action Planning Tables with Details and Accountabilities

### A. Recruitment, Retention and Development

<i>Key Constituency</i>	<i>Strategic Objective</i>	<i>Measures of Success</i>	<i>Detailed Actions Planned (measurable, specific)</i>	<i>Group/ Persons Accountable</i>	<i>Resources Needed (if applicable)</i>
Staff	Increase diversity of OGC staff	Composition of applicant pools and interview pools for open positions	<ul style="list-style-type: none"> <li>• Continue to engage in targeted marketing as part of overall job posting strategy</li> <li>• To the extent feasible and in a manner consistent with law, periodically review makeup of applicant pools and interview pools for any open positions</li> <li>• Include messaging regarding the importance of diversity, equity, and inclusion in job postings</li> <li>• Ask all interviewed candidates to explain their commitment to diversity, equity, and inclusion as part of the interview process</li> </ul>	General Counsel; Deputy General Counsels; Office Manager; Search Committees (if constituted)	N/A



<i>Key Constituency</i>	<i>Strategic Objective</i>	<i>Measures of Success</i>	<i>Detailed Actions Planned (measurable, specific)</i>	<i>Group/ Persons Accountable</i>	<i>Resources Needed (if applicable)</i>
Staff	Promote staff professional development and career/title advancement	Number and percentage of OGC staff participating in professional development opportunities; participant evaluation of professional development opportunities attended	<ul style="list-style-type: none"> <li>Explore creation of more formal mentoring process for OGC staff</li> </ul>	General Counsel	N/A
			<ul style="list-style-type: none"> <li>Continue to encourage all staff to participate in at least one professional development opportunity each year and to evaluate their participation in those opportunities</li> </ul>	Deputy General Counsels; Office Manager	
			<ul style="list-style-type: none"> <li>Conduct review of title classifications to assess whether titles might be revised to reflect seniority/expertise/experience</li> </ul>	Deputy General Counsel (Campus)	

**B. Education and Scholarship**

<i>Key Constituency</i>	<i>Strategic Objective</i>	<i>Measures of Success</i>	<i>Detailed Actions Planned (measurable, specific)</i>	<i>Group/ Persons Accountable</i>	<i>Resources Needed (if applicable)</i>
Staff	Promote cultural competence of OGC staff	Number and percentage of OGC staff participating in diversity, equity, and inclusion-themed professional development opportunities; participant evaluation of trainings provided	<ul style="list-style-type: none"> <li>• Conduct all-staff “Art of Perception” training on appreciating differences in perspective, background, and experience, and collect participant evaluations of that training</li> <li>• Provide periodic diversity, equity, and inclusion-themed updates and information-sharing at staff meetings, including with respect to plan progress</li> </ul>	Diversity Planning Team	N/A
			<ul style="list-style-type: none"> <li>• Select, with staff feedback, a diversity, equity, and inclusion-themed training (such as cultural competency inventories, unconscious bias trainings, etc.) to be conducted at OGC next year (with the idea that such a selection process will occur each year for the following year’s annual training)</li> <li>• Continue to encourage staff to attend diversity, equity, and inclusion-themed University events and/or diversity, equity, and inclusion-themed sessions at external conferences</li> <li>• Ask staff to note and briefly describe on their annual self-evaluations the diversity, equity, and inclusion-themed events in which they participated over the course of the year, and what they learned from each</li> </ul>	General Counsel; Deputy General Counsels; Office Manager (with participation and input from all OGC)	

**C. Promoting an Equitable and Inclusive Community**

<i>Key Constituency</i>	<i>Strategic Objective</i>	<i>Measures of Success</i>	<i>Detailed Actions Planned (measurable, specific)</i>	<i>Group/ Persons Accountable</i>	<i>Resources Needed (if applicable)</i>
Staff	Continue efforts to ensure all OGC staff feel welcomed and respected	Results of periodic climate assessment surveys	<ul style="list-style-type: none"> <li>Analyze results of additional data-gathering in follow-up to OGC climate survey and make tactical recommendations as needed/appropriate</li> </ul>	Diversity Planning Team	N/A
			<ul style="list-style-type: none"> <li>Participate in University-wide climate assessment (expected Fall 2016)</li> </ul>	All OGC	
Staff	Ensure that appropriate and equitable “salary relationships exist for staff within the same classification or related classifications, taking into consideration distinguishing factors such as performance, skills, and experience”	Number of salary-related concerns noted in climate assessment surveys or otherwise	<ul style="list-style-type: none"> <li>Have management conduct periodic salary equity reviews and update staff, as appropriate</li> </ul>	General Counsel; Deputy General Counsels	N/A
Staff	Ensure that staff understand and feel free to report conflicts and concerns within OGC	Results of periodic climate assessment surveys	<ul style="list-style-type: none"> <li>Have management periodically reach out to ask staff about concerns, including through monthly one-on-one sessions, through informal check-ins, and at other times as needed</li> <li>Continue to encourage staff to report concerns for resolution</li> </ul>	General Counsel; Deputy General Counsels; Office Manager	N/A

**D. Service**

<i>Key Constituency</i>	<i>Strategic Objective</i>	<i>Measures of Success</i>	<i>Detailed Actions Planned (measurable, specific)</i>	<i>Group/ Persons Accountable</i>	<i>Resources Needed (if applicable)</i>
Staff/ University Community	Partner more visibly in the University's and local community's diversity, equity, and inclusion outreach efforts	Number and percentage of OGC participants in University/community diversity, equity, and inclusion-themed outreach efforts; participant evaluation of those outreach efforts	<ul style="list-style-type: none"> <li>Evaluate University and community efforts in which OGC might participate; examples might include Wolverine Express or law-themed community service opportunities</li> <li>Select, with staff feedback, at least one community engagement effort in which OGC can engage as an Office</li> <li>Continue to expand, based on client needs and/or our perceptions thereof, the audience of the seminars, trainings, and presentations that OGC conducts on campus on legal issues related to diversity, equity, and inclusion</li> </ul>	All	N/A
University Community	Improve accessibility of OGC's online resources and PowerPoint presentation template formatting	Number of changes needed and made to website or presentation templates	<ul style="list-style-type: none"> <li>Conduct ADA review of OGC website and presentation templates</li> </ul>	Diversity Planning Team to request OIE review	N/A



## **VII. Plans for Supporting, Tracking and Updating the Strategic Plan**

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The OGC planning lead (Maya Kobersy) will be the key contact for stewardship of the plan in FY17. The planning team will continue to assist in tracking and supporting implementation of the plan.

After the planning team has reviewed the results of the OGC follow-up survey and the Fall 2016 University-wide climate survey with OGC leadership and with OGC more broadly, the team will solicit feedback and additional ideas to be implemented in FY17 or in the following years of the plan. A midyear status report will be shared with OGC leadership in January 2017, and a final evaluation of Year One success measures and accomplishments, as well as Year Two recommendations will be presented to OGC leadership beginning in April 2017.