Office of the Vice President and General Counsel
Diversity, Equity, and Inclusion Strategic Plan
Five-Year Strategic Objectives, Measures and FY18 Actions
Year Two

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

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 (“DEI”). 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. Implementation Highlights and Planning Process Used

Planning Lead: Maya Kobersy
Planning Team: Jack Bernard, Tara Hartman (rotating on), Jennifer Johnson (rotating on), Katie Murphy, Laura Napiewocki, Patty Petrowski, Cathy Pinkerton (rotating off), Stephanie Schmitzer (rotating on), Travis Souza, Karen Staszel (rotating off), and Denise Truesdell (rotating on)

Development of the Year One Plan: 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. Additional discussion of the plan, as well as of the survey and follow-up, will take place at upcoming staff meetings.

Changes in Team Composition: We had a few changes in our planning team membership over the course of Year One. In Spring 2017, two members, Cathy Pinkerton and Karen Staszel, rotated off the team, and subsequently, four additional members – Tara Hartman, Jennifer Johnson, Stephanie Schmitzer, and Denise Truesdell – joined. The planning team now includes at least one member from each of the three staff groups that comprise OGC’s permanent staff – attorneys, legal assistants/secretaries, and paralegals – as well as at least one member from each OGC office location (Fleming, N. Ingalls, Wolverine Tower, and NCRC/Tech Transfer).

Data-Gathering Processes: In Spring 2016, the planning team conducted a follow-up survey related to specific concerns identified in the climate assessment. Additional information regarding the findings of that survey is noted below, in Section III. In addition, the Office participated in the University Staff Census in Spring 2017. OGC set an original goal of 75% participation in that Staff Census, but the office went above and beyond and realized a final participation rate of 97.37%! The results of the Staff Census, once known, will be used in conjunction with the knowledge gained from OGC’s own internal climate assessments to inform the University’s DEI initiatives.

Key Takeaways from Year One Implementation: Although the Office of the General Counsel has a long history of being deeply engaged in helping our clients throughout the University achieve their DEI goals in creative and legally justifiable ways, the University’s DEI strategic planning initiative has caused us to take a more formalized and holistic approach to these efforts, one that focuses not only on our work on behalf of our clients, but also on creating, nurturing, and supporting an office climate and culture that respects diversity and improves our work environment within OGC itself. The formalized approach was done with the strong support of leadership and the engagement of an active DEI Working Group, but perhaps most importantly, based upon the input and ideas from the entire staff. For example, staff responses on OGC’s internal climate assessment led to the development of several of the action items noted in OGC’s DEI Strategic Plan, including with respect to periodic reviews of salaries and title classifications. OGC staff also participated in the identification of OGC’s community service activity, to take place this November, as well as in the selection of DEI-related staff trainings. Other examples of
leadership support and Office engagement are noted throughout this Year Two DEI Strategic Plan.

Based upon OGC’s Year One experience, perhaps the most significant takeaway thus far is to continue to solicit the entire staff’s input and feedback on upcoming DEI action items and educational opportunities. The staff’s input is critical to maximize staff participation, promote ongoing dialogue and continued engagement, and minimize the potential for DEI “fatigue” in the context of a demanding workload. More importantly, it also fosters a sense of inclusion regarding the development of OGC’s DEI Strategic Plan and the Office’s approach to implementing that plan.

III. Data and Analysis: Key Findings

University Human Capital Report Data

In 2016, OGC’s regular staff includes 41 employees, of whom approximately 71 percent are female, and 29 percent are male; 10 percent self-identify as minority. The average OGC employee is 49 years old and has 10 years of service within OGC. Of the 41 employees, 15 percent are presently eligible to retire, consistent with last year, but a slight decrease from past years.

Over the past six years, overall headcount has remained relatively stable, with an overall increase from 36 staff members in 2011 to 41 staff members in 2016 (with a low of 33 staff members in 2012). Interestingly, however, despite the relatively stable headcount over time, 15 staff members (12 of whom are attorneys) have been hired between January 2013 and October 2016; thus, roughly 36 percent of OGC employees have less than 4.5 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. Baby Boomer generation representation is trending downward over time, with a corresponding slight upward trend in Millennial and Generation X representation. As of December 31, 2021, approximately one-quarter of the current Department will be eligible to retire.¹

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. (Given OGC’s relatively small numbers, though, slight changes may appear to reflect a more marked trend than may actually be present.)

Generally, over the past year, OGC personnel data numbers and trends remain consistent with data reported in the Year 1 OGC Diversity, Equity, and Inclusion Strategic Plan. One small item of note, however, is a small upward trend in Generation X representation.

¹ Although this appears to be a change from OGC’s Year One DEI Plan, in actuality, there was a transcription error in the prior version, and the percentage of the Office eligible to retire by the end of 2021 has remained stable.
Spring 2016 Follow-Up to OGC Climate Survey

In Spring 2016, OGC conducted 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 eight-question follow-up survey asked for additional detail regarding those themes – which included, among others, communications issues (both from leadership and among staff members); issues relating to office administration and structure; salary questions; thoughts regarding reporting concerns; and workload, training, and productivity issues – as well as for suggestions in addressing any concerns identified. Twenty-eight individual responses were received, which represents at least 59.5% of all potential respondents.²

The results of the follow-up survey were reviewed and assessed as part of OGC’s ongoing strategic planning process. In addition, the General Counsel offered to answer outstanding questions, as identified via the survey responses, at an all-staff meeting. Accordingly, at the June 22, 2016 all-staff meeting, the General Counsel responded to twelve specific questions, including questions relating to client communications, office workload, salary determinations and the criteria used for those determinations, and his vision for the office and the ideal office environment.

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

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

A. Recruitment, Retention, and Development – Staff³

Five-Year Strategic Objective: Increase diversity of OGC staff

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

FY18 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
• Continue to include messaging regarding the importance of diversity, equity, and inclusion in job postings
• Continue to ask all interviewed applicants to explain their commitment to diversity, equity, and inclusion as part of the interview process

Primary DEI Goal: Diversity

² It is difficult to state definitively the percentage of respondents, in that the survey link was sent to an email group that included student law clerks, but the survey was described as being for regular employees. If student law clerks were excluded from the universe of potential/likely respondents, the participation rate for this follow-up survey would be 70%.
³ Throughout the plan, references to “staff” include all regular employees in OGC (attorneys, paralegals, and support staff), as well as student law clerks.
**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

**FY18 Actions:**

- Explore creation of a more formal onboarding process for OGC staff to inform new hires about the work we do, and the offices/clients with whom they will be working, in an effort to build a more inclusive office environment
- Continue to encourage all staff to participate in at least one professional development opportunity each year and to evaluate their participation in those opportunities
- Continue to periodically review title classifications to assess whether titles might be revised to reflect seniority/expertise/experience

**Primary DEI Goal:** Equity

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

**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

**FY18 Actions:**

- Continue to provide periodic diversity, equity, and inclusion-themed updates and information-sharing at staff meetings, including with respect to plan progress, as well as a planned discussion on the confluence of disability and copyright
- 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 DEI 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

**FY18 Actions:**
- Analyze OGC results from University-wide climate assessment once provided (expected Fall 2017)

*Primary DEI 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

**FY18 Actions:**
- Continue to have management conduct periodic salary equity reviews and update staff, as appropriate

*Primary DEI 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

**FY18 Actions:**
- Continue to 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 DEI 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

**FY18 Actions:**
• Help develop and implement Fleming-wide September 2017 DEI event
• Develop OGC event, potentially in collaboration with other Fleming offices, that can be conducted in January 2018 as part of the University’s MLK-related activities (with the idea that OGC/Fleming could continue to hold similar events in future years)
• Select, with staff feedback, at least one community engagement effort in which OGC can participate 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
• Design and implement brief client survey to provide constructive feedback to make OGC more accessible to clients across the University

Primary DEI Goal: Equity

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

V. Goal-related Metrics

It is our understanding that these metrics will be developed centrally and will then be disseminated to the units, likely in Fall 2017.
## VI. Action Planning Tables with Details and Accountabilities

### A. Recruitment, Retention and Development

<table>
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• Continue to include messaging regarding the importance of diversity, equity, and inclusion in job postings  
• Continue to ask all interviewed candidates to explain their commitment to diversity, equity, and inclusion as part of the interview process | General Counsel; Deputy General Counsels; Office Manager; Search Committees (if constituted) | N/A |
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- Continue to encourage all staff to participate in at least one professional development opportunity each year and to evaluate their participation in those opportunities  
- Continue to periodically review title classifications to assess whether titles might be revised to reflect seniority/expertise/experience | Deputy General Counsel (Campus) | N/A |
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• 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 | All                                                                                |                                                                                 |
|                                       |                                                                                        |                                                                                     | • Design and implement brief client survey to provide constructive feedback to make OGC more accessible to clients across the University | General Counsel (with assistance from OGC client survey committee) |                                                                                 |
The OGC planning lead (Maya Kobersy) will be the key contact for stewardship of the plan in FY18. 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 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 FY18 or in the following years of the plan. A midyear status report will be shared with OGC leadership in January 2018, and a final evaluation of Year Two success measures and accomplishments, as well as Year Three recommendations will be presented to OGC leadership by Summer 2018.