DIVERSITY, EQUITY, AND INCLUSION STRATEGIC PLAN

FIVE-YEAR STRATEGIC OBJECTIVES, MEASURES, AND FY21 ACTIONS

YEAR FIVE
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Office of the Vice President and General Counsel
Diversity, Equity, and Inclusion Strategic Plan

Five-Year Strategic Objectives, Measures, and FY21 Actions
Year Five

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” or the “Office”) 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 interest in 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, including before the U.S. Supreme Court in amicus briefs in support of the University of Texas in the Fisher cases. OGC has also been instrumental in helping the University strike the appropriate balance between living fully into our DEI values while still fulfilling a university’s role as, as the U.S. Supreme Court put it in Rosenberger v. Rectors of the University of Virginia, a “free and robust marketplace of ideas.”

OGC strives to create a work atmosphere in the Office that is equitable and inclusive, treating each other, our clients, and others in and outside the University community with respect, civility, and professionalism.
II. Implementation Highlights and Planning Process Used

OGC Year Five DEI Working Group: Jack Bernard, Rick Brandon, David Grimm, Beth Humpert, Jennifer Johnson, Thomas Kent, Maya Kobersy (lead), Colleen McClorey, Katie Murphy, Laura Napiewocki, Patty Petrowski, Stephanie Schmitzer, and Jennifer Traver

Changes in Team Composition: The OGC DEI working group includes at least one member from each of the three staff groups that comprise OGC’s permanent staff – attorneys, legal assistants/secretaries, and paralegals – and at least one member from each OGC office location (Fleming, N. Ingalls, Wolverine Tower, and NCRC/Tech Transfer). Beth Humpert, Colleen McClorey, and David Grimm are the most recent additions to the OGC DEI working group for Year Five.

Key Takeaways from Year Four Implementation: Although OGC 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 Office leadership, and within the Office’s standing budget; by including our DEI efforts within our standing budget, the Office reinforces the idea that DEI principles are integral to an effective and inclusive Office environment, and to our efficacy in all of our work for the University.

Perhaps most importantly, the staff of OGC, whether on the OGC DEI Working Group or not, has provided input and ideas to inform this important work. For example, the entire staff was invited to participate in identifying service projects that we might undertake as an Office.

Over the past year, we have continued our efforts – begun in Year Three with our diversity of thought event featuring past members of the Office of the U.S. Solicitor General – to partner with other units to sponsor more public-facing DEI events. Our biggest effort involved a special screening of Me, the “Other” at the Michigan Theater, co-sponsored by the various units housed in the Fleming Administration Building. The film chronicles the experiences of twelve students at the University of Michigan, Eastern Michigan University, and Washtenaw Community College, and was followed by a brief discussion facilitated by Tina Jordan. The event was open not only to all who work in Fleming, but also to all DEI leads across the University.

A new initiative that we undertook last year was to pilot the blinding of resumes and cover letters by removing names and addresses before our search committees reviewed applicants’ materials. In three of the four searches we conducted last year, there was at least one minority candidate among the individuals selected for interviews (in the fourth case, the data are incomplete since 20% of applicants declined to complete the demographic questionnaire for Human Resources). By comparison, in 2017, when we also conducted four searches, there were no minority candidates among the individuals selected for interviews. Although the sample sizes are small, and causation cannot of course be definitively established, we are sufficiently encouraged by these results to continue blinding resumes and cover letters for future searches as well.
A key takeaway specific to Year Four is the importance of adapting! For example, we typically conduct our DEI training activities in the spring, and were scheduled to participate in Change It Up! Bystander training at our May 2020 all-staff meeting, but the global COVID-19 pandemic, and the resulting stay home orders, meant that we were unable to do so. Instead, we promoted various online DEI trainings – offered by Organizational Learning – as well as the June 2020 town hall on Constructive Conversations for Societal Change and the Michigan Medicine town hall and livestream event honoring Juneteenth – and many in the Office participated in one or more. Our Office service event was similarly affected, and so we will need to regroup in Year Five to decide how best to proceed.

Based upon OGC’s experiences over the first four years of the Plan, perhaps the most significant takeaway continues to be the importance of soliciting 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 Employee Data

As of December 2019, OGC’s regular staff includes 46 employees, of whom approximately 76 percent are female, and 24 percent are male; 9.0 percent self-identify as minority. The average OGC employee is 48 years old and has 9.0 years of service within OGC. Of the 46 employees, 11 percent are presently eligible to retire, an increase from last year.

Over the past eleven years, overall headcount has remained relatively stable, with an upward trend over time (an overall increase from 34 staff members in 2009 to 46 staff members in 2019.

Generation brackets have shifted steadfastly over the past eleven years – trending from a majority percentage of Baby Boomer generation workers coupled with lower to non-existent percentages of workers in the Generation X and Millennial brackets respectively, to having a vast majority of the work force in the Generation X and Millennial brackets. As of December 31, 2024, approximately 27 percent of the current Department will be eligible to retire.

Over the past eleven years, minority representation has increased slightly. Percentages of male and female employees identifying themselves as White generally have decreased slightly, 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.) There is, however, no demographic change from last year (9.0% self-identify as minority).

Over the past year, OGC personnel data numbers and trends remain generally consistent with data reported in reports covering Years 1, 2, 3, and 4 of the OGC Diversity, Equity, and Inclusion Strategic Plan. Of note, OGC continues to experience small but steadily upward trends in Generation X and Millennial representation.

Again this year, OGC has been able to assess data regarding Staff applicants/hires and Staff positions filled. Given OGC’s small hiring numbers yearly, most 2019 data did not reveal any clear trends. We were able to discern, however, that over the past 4 years, while percentages of job applicants identifying as female fluctuated slightly (in 2019, 54% of applicants identified as female, a small increase over the prior year), percentages of hired personnel identifying as female steadily increased. For example, in 2019, OGC filled 5 positions, with all 5 persons identifying as female.
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 – Staff

Five-Year Strategic Objective: Increase diversity of OGC staff

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

FY21 Actions:

- Identify appropriate training, similar to STRIDE, relating to unconscious bias in staff hiring, and require members of OGC search committees to have participated in that training within the past three years before participating in a search
- Conduct training for all OGC staff on legal parameters applicable to pursuit of diversity in hiring
- Continue to engage in targeted recruitment and marketing as part of overall job posting strategy
- To the extent feasible and in a manner consistent with law, continue to 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
- Based on success of last year’s pilot, continue “blinding” resumes and cover letters for first round of staff searches

Primary DEI 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

FY21 Actions:

- Continue implementation of the formal onboarding process developed for new attorney, paralegal, and legal assistant/secretary hires, so that, by more consistently and comprehensively informing new OGC staff about the work we do, and the offices/clients with whom we work, we may build a more inclusive office environment
- Require, as part of onboarding process, that all new staff participate in introductory DEI training (perhaps through Organizational Learning’s DEI: The Basics) within the first month of their employment at OGC
- Continue to encourage all staff to participate in at least one professional development opportunity each year and to evaluate their participation in those opportunities
• Encourage staff to engage in the professional associations of their choice to expand available opportunities for themselves and others

• Where possible, continue to use professional association networks to provide opportunities for staff to participate in professional speaking and writing opportunities, with the idea of enhancing their professional careers, and in the end “growing” the profession

**Primary DEI Goal:** Equity

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

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1 Throughout the plan, references to “staff” include all regular employees in OGC (attorneys, paralegals, and support staff), as well as student 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

**FY21 Actions:**

- Consider ways to promote more in-depth engagement with and discussions of diversity, equity, and inclusion-related issues, including issues of systemic/structural racism and privilege, potentially through an OGC book/media club or other activities
- Continue to 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 (either in-person or virtually) for OGC staff
- Continue to encourage staff to attend diversity, equity, and inclusion-themed University events and/or diversity, equity, and inclusion-themed events sponsored by the University or others
- Continue to ask staff to note and briefly describe on their annual self-evaluations how they support and/or promote OGC’s/the University’s ongoing DEI initiatives in their day-to-day work and work-related activities

**Primary DEI Goal:** Equity

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

**Five-Year Strategic Objective:** Educate our community on sexual and gender-based misconduct prevention in an effort to promote a safe and supportive environment for all members to work, learn, and thrive

**Measures of Success:** Number and percentage of OGC staff participating in any forthcoming University-mandated sexual and gender-based misconduct prevention training; development of OGC value statement

**FY21 Actions:**

- Support central efforts to educate faculty, staff, and students on the forthcoming University of Michigan Policy on Sexual and Gender-Based Misconduct Prevention (the “Umbrella Policy”).
- Develop and socialize unit-specific value statements that align and reinforce the forthcoming University-level values that promote culture and climate change consistent with both the DEI and the Umbrella Policy work that is already underway.

*Primary DEI Goal: Equity*

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

**FY21 Actions:**

- Continue to explore and implement new initiatives to build upon OGC’s generally strong results in the University-wide All-Staff Census, including continuation of new opportunities for informal cross-Office colleague get-togethers (such as Coffee/Lunch with Colleagues) and greater systematization of annual reviews
- As discussed earlier in the plan, consider ways to promote more in-depth engagement with and discussions of diversity, equity, and inclusion-related issues, including issues of systemic/structural racism and privilege, potentially through an OGC book/media club or other activities
- Explore possibility of developing and conducting OGC climate survey for administration in Year Five

**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

**FY21 Actions:**

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

**Primary DEI Goal:** Equity

**Other Applicable Domain:** 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

**FY21 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 publicize existing University pathways for reporting concerns and to encourage staff to report concerns for resolution

**Primary DEI Goal:** Equity

**Other Applicable Domain:** 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

*FY21 Actions:*

- Consider update to OGC mission statement to more fully reflect our commitment to/support of DEI, both as an office and in service to the University mission
- Identify ways to assist and work in partnership with our campus law enforcement community in its goals of fair, just, and equitable policing practices
- Continue to help develop and implement DEI events in partnership with Fleming DEI leads or other units across campus
- Select, with staff input, 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 or otherwise, including by exploring listing available presentation topics on OGC website
- Continue to assess results from initial client survey and periodically re-implement to provide constructive feedback to make OGC more accessible to clients across the University

*Primary DEI Goal:* Equity

*Other Applicable Domains:* Recruitment, Retention, and Development; Promoting an Equitable and Inclusive Community
V. Goal-related Metrics

The University has identified the metrics that units must use to track progress on their DEI goals, and will compile the relevant data for release to individual units. For OGC, an all-staff unit, the metrics for which the University will compile and release data are the following:

- Demographic Composition
  - Headcount
  - Race/Ethnicity
  - Sex
  - Age (Generation cohort)

- Climate Survey Indicators
  - Satisfaction (over 12-month period) with unit climate/work environment
  - Assessment of semantic aspects of general climate in unit
  - Assessment of semantic aspects of DEI climate in unit
  - Feeling valued in unit
  - Feeling of belongingness in unit
  - Assessment of OGC’s commitment to unit
  - Perceptions of equal opportunity for success in unit
  - Feeling able to perform up to full potential in unit
  - Feelings of professional growth in unit
  - Feelings of discrimination in 12-month period in unit
### VI. Action Planning Tables with Details and Accountabilities

#### A. Recruitment, Retention, and Development

<table>
<thead>
<tr>
<th>Key Constituency</th>
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</table>
| Staff            | Increase diversity of OGC staff | Composition of applicant pools and interview pools for open positions | • Identify appropriate training, similar to STRIDE, relating to unconscious bias in staff hiring, and require members of OGC search committees to have participated in that training within the past three years before participating in a search  
• Conduct training for all OGC staff on legal parameters applicable to pursuit of diversity in hiring  
• Continue to engage in targeted recruitment and marketing as part of overall job posting strategy  
• To the extent feasible and in a manner consistent with law, continue to 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  
• Based on success of last year’s pilot, continue “blinding” resumes and cover letters for first round of staff searches | General Counsel; Deputy General Counsels; Office Manager; Search Committees (if constituted) | N/A |
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| 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 | • Continue implementation of the formal onboarding process developed for new attorney, paralegal, and legal assistant/secretary hires, so that, by more consistently and comprehensively informing new OGC staff about the work we do, and the offices/clients with whom we work, we may build a more inclusive office environment  
• Require, as part of onboarding process, that all new staff participate in introductory DEI training (perhaps through Organizational Learning’s DEI: The Basics) within the first month of their employment at OGC  
• Continue to encourage all staff to participate in at least one professional development opportunity each year and to evaluate their participation in those opportunities  
• Encourage staff to engage in the professional associations of their choice to expand opportunities for themselves and others  
• Where possible, continue to use professional association networks to provide opportunities for staff to participate in professional speaking and writing opportunities, with the idea of enhancing their professional careers, and in the end “growing” the profession | Deputy General Counsels; Office Manager | N/A |
<p>|                  |                     |                     |                                                                                                                  | Deputy General Counsels; Office Manager | N/A |
|                  |                     |                     |                                                                                                                  | All                         | N/A |</p>
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| 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 | • Consider ways to promote more in-depth engagement with and discussions of diversity, equity, and inclusion-related issues, including issues of systemic/structural racism and privilege, potentially through an OGC book/media club or other activities  
• Continue to 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 for OGC staff  
• Continue to encourage staff to attend diversity, equity, and inclusion-themed University events and/or diversity, equity, and inclusion-themed sessions at external conferences  
• Continue to ask staff to note and briefly describe on their annual self-evaluations how they support and/or promote OGC’s/the University’s ongoing DEI initiatives in their day-to-day work and work-related activities | OGC DEI Working Group | N/A |
<p>|                  |                     |                     |                                               | General Counsel; Deputy General Counsels; Office Manager (with participation and input from all OGC) | N/A |</p>
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- Develop and socialize unit-specific value statements that align and reinforce the forthcoming University-level values that promote culture and climate change consistent with both the DEI and the Umbrella Policy work that is already underway. | General Counsel; Deputy General Counsels; Office Manager (with participation from all OGC) | N/A |
C. Promoting an Equitable and Inclusive Community

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• As discussed earlier in the plan, consider ways to promote more in-depth engagement with and discussions of diversity, equity, and inclusion-related issues, including issues of systemic/structural racism and privilege, potentially through an OGC book/media club or other activities  
• Explore possibility of developing and conducting OGC climate survey for administration in Year Five | OGC DEI Working Group | N/A |
<p>| 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 | • Continue to have management conduct periodic salary equity reviews and update staff, as appropriate | General Counsel; Deputy General Counsels | N/A |</p>
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• Continue to assess results from initial client survey and periodically re-implement to provide constructive feedback to make OGC more accessible to clients across the University | OGC DEI Working Group | N/A |
|                                |                                                                                    |                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                       | General Counsel (with assistance from OGC client survey committee)                      | N/A |

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

The OGC DEI lead (Maya Kobersy) will be the key contact for stewardship of the plan in FY21. The OGC DEI working group will continue to assist in tracking and supporting implementation of the plan.

A midyear status report will be shared with OGC leadership in early 2021, and a final evaluation of Year Five success measures and accomplishments will be presented to OGC leadership by Summer 2021. OGC’s commitment to DEI will of course continue past the culmination of Year Five of the University’s Five-Year DEI Strategic Plan, and the Office looks forward to participating in DEI 2.0 thereafter.