

OFFICE OF THE VICE PRESIDENT AND GENERAL COUNSEL



DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY STRATEGIC PLAN

FY 2025

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Office of the Vice President and General Counsel

Diversity, Equity, Inclusion, and Accessibility Strategic Plan | FY 2025

Strategic Plan Overview

“We cannot be excellent without being diverse in the broadest sense of that word.”

~ President Santa J. Ono

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, disability 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 office is a place where differences are welcomed, different perspectives are respectfully heard, and where every individual feels a sense of belonging and inclusion.

Accessibility – We commit to working actively to ensure that our website, presentations, trainings, policies, and other offerings are accessible, so that we may provide more effective service to the University community.

Rationale:

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”), which also includes a robust commitment to accessibility (collectively, “DEIA”). 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 regularly provides counsel on ways to ensure that forms used by Michigan Medicine are clear, fair, and easily understandable by our patients of all backgrounds, and has helped develop processes to promote equity in patient-related decision-making. In addition, 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 and in support of Harvard University and the

University of North Carolina in the *Students for Fair Admissions* cases. Although the Court's decision in those cases limits the ways in which institutions of higher education may lawfully pursue some of their DEI goals, those decisions did not alter the University's commitment to pursue those goals in compliance with applicable legal parameters. OGC has also been instrumental in helping the University strike the appropriate balance between living fully into its 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."

At OGC, we believe that DEIA are fundamental values that enable us to provide the best possible legal advice to our clients, and we recognize that DEIA is a critical element of our Office's success (and the success of the University as a whole). Therefore, as an Office we are committed to fostering a culture that celebrates differences, promotes equity, embraces inclusion, and facilitates accessibility.

Central to our DEIA mission statement is understanding others' lived experiences. We recognize that every person is unique, and we value the diverse backgrounds, experiences, and identities that make up our team, our clients, and the surrounding campus community. To achieve our DEIA goals, we will engage in ongoing education, training, and community interaction to increase our awareness of different lived experiences while, at the same time, encouraging an environment where all employees feel comfortable sharing their experiences, perspectives, and ideas. We will actively seek out and listen to diverse voices and perspectives, recognizing that this diversity of thought and inclusivity will help us better understand the complex legal issues we face and to develop more creative solutions for our clients.

Finally, we recognize that our commitment to DEIA extends beyond our own Office. Accordingly, we will seek to learn from and partner with other groups on and off campus.

To that end, we will strive throughout our implementation of our DEIA 2.0 strategic plan to center this mission of understanding others' lived experiences to make us better professionals, better community members, and better individuals.

Key Strategies & Constituencies:

OGC staff is the main constituency for this plan, and unless otherwise specified, the plan pertains to all OGC staff. Our OGC DEIA Working Group, supported by senior Office leadership, has identified key strategic objectives to further the University's overall DEI goals. These strategic objectives have been aggregated below into the three distal objectives (People, Process, and Products) identified by the University.

Planning Process Used

Planning Lead(s):

Maya Kobersy, Associate General Counsel

Planning Team:

The OGC DEIA Working Group consists of the following individuals, who represent all four Ann Arbor-area office locations (Ruthven, N. Ingalls, Wolverine Tower, and NCRC), as well as all three OGC position titles (legal assistant/secretary, paralegal, and attorney): Jack Bernard, Rick Brandon, David Grimm, Beth Humpert, Jennifer Johnson, Thomas Kent, Maya Kobersy, Colleen McClorey, Katie Murphy, Laura Napiewocki, Patty Petrowski, Jennifer Traver, Denise Truesdell, and Ashley Webster. We are working to add additional working group members from the regional health care affiliates (Metro and Sparrow).

Implementation Highlights and Planning Process Summary:

OGC was generally successful in its engagement with its DEI 2.0 Year One objectives. One highlight of our Year One experience was our program on the lived experiences of veterans, which featured a panel of active military and veteran University staff and students. The event, held in November 2023 in honor of Veterans Day, was open to all in OGC as well as all Ruthven employees. The event was both well-attended and well-received, with attendees noting how the panelists' candor and vulnerability opened their eyes not only to the panelists' experiences in the military, but how those experiences continue to resonate with them in their current University roles.

Another highlight this year was our service project, Lunches with Love, to benefit Food Gatherers and those schools and day care centers it supports. This service project was spearheaded by members of the Office who are not formally members of the DEIA Working Group, which reflects the broader Office's commitment to DEIA. As with other OGC service projects, this opportunity – in which we came together to assemble (and decorate!) over 100 lunches for those in need – not only served the community but further reinforced Office camaraderie and morale.

Finally, our OGC DEIA Discussion Group, which uses readings and/or other media to stimulate discussion, continues to generate thoughtful engagement on myriad DEIA-related topics. This year, we came together to discuss socioeconomic and healthcare issues as explored in *Demon Copperhead* by Barbara Kingsolver; the Civil Rights Movement through the lens of John Lewis's experiences in *March*; and how introversion (and extroversion) may play out in the workplace, using Susan Cain's TED Talk on "The Power of Introverts" and selected readings from the *Harvard Business Review*.

Over the course of Year One, the OGC DEIA Working Group engaged with Office leadership, as well as with other University offices as needed, to assess progress and further implementation of the Year One Plan. The Working Group then generated a draft Year Two plan, which was circulated to all OGC staff for review and input. OGC also engaged in a climate assessment (focusing at this point on the Ann Arbor locations) and will be assessing the results in Year Two to help inform further DEIA-related actions, as appropriate.

Data and Analysis: Key Findings

Summary of Data:

Office Composition

Over the past 11 years, overall Office headcount reveals a significant upward trend (an overall increase from approximately 30 staff members in 2013 to 49 staff members as of April 2024, for a total increase of approximately 63%). As of April 2023, OGC's regular staff includes 49 employees, of whom approximately 77.6 percent are female and 22.4 percent are male; approximately 8.6 percent self-identify as minority. The average OGC employee is 50 years old and has 12 years of service within OGC.

Under HR's current generation age bracket formulations, generation brackets have shifted steadily over the past 11 years – trending from a majority percentage of individuals born between 1943 and 1981 (coupled with low to a non-existent percentage of workers born between 1982 and 2003), to a majority of the workforce having been born between 1961 and 2003. Minority representation generally has remained steady over the same timeframe, with slight fluctuations from year to year.

Over the past year, OGC personnel demographics and trends generally remained consistent with data reported in prior years. Of note, OGC continues to experience small but steady upward trends in representation of those born between 1982 and 2003, with static to decreasing trends in employees born between 1943 and 1981.

In keeping with prior DEI 1.0 personnel data reports, OGC has assessed data regarding Staff applicants/hires and staff positions filled. Because OGC undertakes few searches in any given year, this past year's data did not conclusively reveal any clear trends. We were, however, able to discern that, compared to years past and in keeping with last year, applicant pools associated with filled positions seem to show an increase in the percentage of applicants identifying as female, minority, or disabled. There also has been an increase in applicants identifying as having veteran status. This may suggest that OGC continues to successfully casting a wide net to promote diversity by race, ethnicity, gender, disability, and veteran status in its applicant pools.

Key Findings, Themes, and Recommendations:

As noted above in the Rationale section, OGC continues to believe that centering the mission of understanding others' lived experiences will make us better professionals, better community members, and better individuals, and to that end, we will make this the overarching theme of our DEI 2.0 strategic plans. To thoughtfully incorporate this theme into its strategic plans, OGC intends to consult with experts in this area to develop a plan for future programming, discussion groups, and community service projects. We will continue to focus on the priorities we identified for DEI 2.0, as set forth in our Year One plan and in the strategic objectives/action items below.

Strategic Objectives, Measures of Success, and Action Plans*

Introduction:

The OGC plan covers all OGC staff.¹ The strategic objectives needed to further the university-wide goals of diversity, equity and inclusion have been aggregated into three distal objectives determined by the University. Each of these strategic objectives is accompanied by metrics that will be tracked over time, as well as descriptions of single and multiple year actions we will take to accomplish those objectives. For additional detail on assignments, timelines and accountabilities, see the Action Planning Tables.

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

Over the course of DEI 1.0, OGC engaged in several action items that have become so ingrained in our Office culture that they are now essentially standard practice. These process improvements are listed below, and will no longer be separately called out as individual action items under our plan:

- Recruitment and Hiring
 - All job postings include messaging regarding the importance of diversity, equity, inclusion, and accessibility as a component of institutional excellence
 - Search firms are instructed to engage in targeted recruitment and marketing as part of overall recruitment strategy
 - All interviewed applicants are asked to explain their understanding of diversity, equity, and inclusion as part of the interview process
- Staff Development
 - All new attorney, paralegal, and legal assistant/secretary hires participate in a formal onboarding process, 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
 - Deputy General Counsels annually encourage all staff to participate in at least one professional development opportunity each year and to share their learnings with other colleagues in the Office
 - Office leadership encourages staff to engage in the professional associations of their choice to expand available opportunities for themselves and others, and to participate in professional speaking and writing opportunities, with the idea of enhancing their professional careers, and in the end “growing” the profession
 - The annual self-evaluation and review process has been made more consistent. Staff

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

are asked to note and briefly describe on their annual self-evaluations how they support and/or promote OGC's/the University's ongoing DEIA initiatives in their day-to-day work and work-related activities

- DEIA Trainings and Discussions
 - OGC DEIA Working Group regularly promotes more in-depth engagement with and discussions of DEIA-related issues, including issues of systemic/structural racism and privilege, through the OGC DEIA Discussion Group
 - OGC DEIA Lead regularly shares information regarding DEIA-themed University events and Office leadership encourages attendance
 - OGC DEIA Lead provides periodic updates to the Office regarding the OGC DEIA plan and the OGC DEIA Working Group solicits feedback to select trainings and inform future plan iterations.
- Equity, Inclusion, and Belonging
 - The Office, including via the Sidebar Society, regularly promotes information cross-Office colleague get-togethers, including monthly OGC Pizza Lunches
 - Office leadership periodically conducts salary equity reviews to ensure that appropriate and equitable “salary relationships exist for staff with the same classification or related classifications, taking into consideration distinguishing factors such as performance, skills, and experience”
 - Office leadership encourages staff to report concerns for evaluation and resolution; regularly solicits information about any staff concerns, including through monthly one-on-one sessions and informal check-ins; and reinforces existing University pathways for reporting concerns

PEOPLE (Recruit, Retain, and Develop a Diverse Community)

Strategic Objective One: Increase diversity, broadly defined, of OGC staff

Constituency: Staff

Measures of Success: Confirmation of participation in any required search committee trainings; Composition of applicant pools and interview pools for positions upon conclusion of a search

Actions:

- Continue to explore whether there are ways to reach broader, more diverse audiences for Office job postings, including how we might work with search firms to adapt individual searches based on the type of job and/or to report out on search strategies to promote diverse applicant pools
- Continue to require OGC staff to take Organizational Learning’s “Unconscious Bias in Recruiting and Hiring” training module within the past three years before participating in a search (Note: All OGC staff were required to take this module during Year One, so this action item will therefore be applicable only to new staff hired since that time.)
- At the conclusion of any Office search undertaken during Year Two, pull HR data related to the applicant pool and interview pool to permit designated member(s) of OGC DEIA Working Group to review, to the extent feasible and in a manner consistent with law, the makeup of such pools and recommend any further actions, if and as needed

Primary DEI Goal: Diversity

Strategic Objective Two: Promote staff professional development and career/title advancement

Constituency: Staff

Measures of Success: Confirmation of completion of formal onboarding process, including DEIA training component, for all new hires; update from leadership regarding title classification review

Actions:

- Continue to require that all new staff participate in some form of introductory DEIA training, whether through Organizational Learning’s DEI: The Basics or through OGC Prop 2 onboarding training, within the first month of their employment at OGC
- Provide update to Office on committee charged with re-evaluation of job titles/categories and consideration of promotion pathways within the Office

Primary DEI Goal: Equity

PROCESS (Create an Equitable and Inclusive Campus Climate)

Strategic Objective One: Promote cultural competence of OGC staff through a deeper understanding of others' lived experiences

Constituency: Staff

Measures of Success: Selection and offering of OGC-sponsored DEIA training; participant evaluation of OGC-sponsored DEIA training

Actions:

- Identify cross-campus collaborators to create programming to further understanding of lived experiences selected via staff poll during Year One
- Select, with staff feedback, a DEIA-themed training (such as cultural competency inventories, bystander intervention trainings, etc.) to be conducted for OGC staff
- Convene at least three OGC DEIA Discussion Group meetings, covering various aspects of diversity, equity, inclusion, and accessibility

Primary DEI Goal: Equity

Strategic Objective Two: Continue efforts to ensure all OGC staff feel welcome and respected

Constituency: Staff

Measures of Success: Results of climate assessment survey, exit interviews, and “stay interviews”

Actions:

- Analyze results of OGC climate survey conducted in May 2024 and share with Office for discussion and feedback
- Conduct exit interviews with any departing staff
- Continue to conduct “stay interviews” by using existing 1:1s and annual self-assessments/evaluations to ask staff what makes them feel welcome and respected in the Office to learn more about OGC strengths and weaknesses and promote staff retention and satisfaction

Primary DEI Goal: Inclusion

PRODUCTS (Support Innovative and Inclusive Teaching, Research, and Service)

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

Constituency: Staff, University Community

Measures of Success: Update to OGC mission statement; selection and offering of OGC service event; OGC staff evaluation of the service event; sponsorship and offering of DEIA-related event to campus community

Actions:

- Update OGC website to reflect updated OGC mission statement
- Select, with staff input, at least one community engagement effort in which OGC can participate as an office, potentially one that incorporates DEIA objectives as well
- Sponsor or co-sponsor a DEIA-related event (ideally related to understanding others' lived experiences, as noted previously) that is open to the University community

Primary DEI Goal: Equity

Strategic Objective Two: Promote continued accessibility of OGC website and community awareness of OGC's services and offerings

Constituency: Staff, University Community

Measures of Success: Changes needed and made to website

Actions:

- Implement (minor) changes needed following ADA review of OGC website
- Add listing of presentation topics to OGC website to expand client awareness of OGC services and expertise, including with respect to DEIA-related legal issues

Primary DEI Goal: Equity

Goal-related Metrics – Measures Tracked Over Time

The University will centrally track and provide the following staff-related metrics to OGC:

- **Demographic Composition**
 - Headcount
 - Race/ethnicity
 - Sex
 - Age (Generation cohort)
- **Climate Survey Indicators** (including as listed below)
 - Satisfaction with unit climate/environment in work unit
 - Assessment of semantic aspects of the general climate in work unit
 - Assessment of semantic aspects of the DEI climate in work unit
 - Feeling valued in work unit
 - Feeling of belongingness in work unit
 - Assessment of work unit commitment to diversity, equity, and inclusion
 - Perceptions of equal opportunity for success in work unit
 - Feeling able to perform up to full potential in work unit
 - Feelings of professional growth in work unit
 - Feelings of discrimination in work unit

Plans for Supporting, Tracking, and Updating the Strategic Plan

The OGC DEIA Lead (Maya Kobersy) is the key contact for stewardship of the plan. The OGC DEIA Working Group will continue to assist in tracking and supporting implementation of the plan.

The Working Group will conduct an annual review of the plan, which it will share with the Office to gather feedback and additional ideas that can inform future iterations and efforts.

Action Planning Tables with Details and Accountabilities

PEOPLE (Recruitment, Retention & Development)

Key Constituency	Strategic Objective	Associated Metrics	Detailed Actions	Group/Person Accountable
Staff	Increase diversity, broadly defined, of OGC staff	Confirmation of participation in any required search committee trainings; Composition of applicant pools and interview pools for positions upon conclusion of a search	<ul style="list-style-type: none"> Continue to explore whether there are ways to reach broader, more diverse audiences for Office job postings, including how we might work with search firms to adapt individual searches based on the type of job and/or to report out on search strategies to promote diverse applicant pools Continue to require OGC staff to take Organizational Learning's "Unconscious Bias in Recruiting and Hiring" training module within the past three years before participating in a search (<u>Note</u>: All OGC staff were required to take this module during Year One, so this action item will therefore applicable only to new staff hired since that time.) At the conclusion of any Office search undertaken during Year Two, pull HR data related to the applicant pool and interview pool to permit designated member(s) of OGC DEIA Working Group to review, to the extent feasible and in a manner consistent with law, the makeup of such pools and recommend any further actions, if and as needed 	<ul style="list-style-type: none"> General Counsel; Deputy General Counsels; Office Manager; DEIA Lead Search Committee Chair; DEIA Lead OGC DEIA Working Group HR Subcommittee (which includes DEIA Lead)
Staff	Promote staff professional development and career/title advancement	Confirmation of completion of formal onboarding process, including DEIA training component, for all new hires; update from leadership regarding title classification review	<ul style="list-style-type: none"> Continue to require that all new staff participate in some form of introductory DEIA training, whether through Organizational Learning's DEI: The Basics or through OGC Prop 2 onboarding training, within the first month of their employment at OGC Provide update to Office on committee charged with re-evaluation of job titles/categories and consideration of promotion pathways within the Office 	<ul style="list-style-type: none"> Deputy General Counsels; Office Manager; DEIA Lead General Counsel; Deputy General Counsels; Office Manager

PROCESS (*Promoting & Equitable & Inclusive Community*)

Key Constituency	Strategic Objective	Associated Metrics	Detailed Actions	Group/Person Accountable
Staff	Promote cultural competence of OGC staff through a deeper understanding of others’ lived experiences	Selection and offering of OGC-sponsored DEIA training; participant evaluation of OGC-sponsored DEIA training	<ul style="list-style-type: none"> • Identify cross-campus collaborators to create programming to further understanding of lived experiences selected via staff poll during Year One • Select, with staff feedback, a DEIA-themed training (such as cultural competency inventories, bystander intervention trainings, etc.) to be conducted for OGC staff • Convene at least three OGC DEIA Discussion Group meetings, covering various aspects of diversity, equity, inclusion, and accessibility 	<ul style="list-style-type: none"> • OGC DEIA Working Group Program Subcommittee • OGC DEIA Working Group • OGC DEIA Lead
Staff	Continue efforts to ensure all OGC staff feel welcome and respected	Results of climate assessment survey, exit interviews, and “stay interviews”	<ul style="list-style-type: none"> • Analyze results of OGC climate survey conducted in May 2024 and share with Office for discussion and feedback • Conduct exit interviews with any departing staff • Continue to conduct “stay interviews” by using existing 1:1s and annual self-assessments/evaluations to ask staff what makes them feel welcome and respected in the Office to learn more about OGC strengths and weaknesses and promote staff retention and satisfaction 	<ul style="list-style-type: none"> • OGC DEIA Working Group • General Counsel, Deputy General Counsels, or Office Manager, as applicable • General Counsel, Deputy General Counsels, or Office Manager, as applicable • OGC DEIA Working Group

PRODUCTS (*Education, Scholarship & Service*)

Key Constituency	Strategic Objective	Associated Metrics	Detailed Actions	Group/Person Accountable
Staff, University Community	Partner more visibly in the University's and local community's diversity, equity, and inclusion outreach efforts	Update to OGC mission statement; selection and offering of OGC service event; OGC staff evaluation of the service event; sponsorship and offering of DEIA-related event to campus community	<ul style="list-style-type: none"> ● Update OGC website to reflect updated OGC mission statement ● Select, with staff input, at least one community engagement effort in which OGC can participate as an office, potentially one that incorporates DEIA objectives as well ● Sponsor or co-sponsor a DEIA-related event (ideally related to understanding others' lived experiences, as noted previously) that is open to the University 	<ul style="list-style-type: none"> ● OGC ● OGC; OGC DEIA Working Group
Staff, University Community	Promote continued accessibility of OGC website and community awareness of OGC's services and offerings	Changes needed and made to website	<ul style="list-style-type: none"> ● Implement (minor) changes needed following ADA review of OGC website ● Add listing of presentation topics to OGC website to expand client awareness of OGC services and expertise, including with respect to DEIA-related legal issues 	<ul style="list-style-type: none"> ● OGC DEIA Lead (working with ECRT and OGC Website Manager) ● OGC DEIA Working Group (working with General Counsel, Deputy General Counsels, and OGC Website Manager)