

March 30, 2007

To the MIT Community, Colleagues and Friends:

As the Executive Committee of the MIT Biological Engineering (BE) Division, we write to address a misstatement about independent space made by Prof. James Sherley in recent public communications regarding his tenure case and to clarify other issues, such as the timing of his appointment. Other members of the BE faculty have not been asked to sign this statement since they are not fully cognizant of these administrative issues in BE. Space is a complicated and constantly challenging facet of academic life in every department, laboratory and center at MIT, and more generally at academic research institutions everywhere, with limited space resources under constant pressure from new faculty hiring and the growing research groups of faculty in all departments at MIT. We believe that it is important to correct misstatements of fact in the interest of openness, honesty and fairness that should exist in a healthy academic community.

Research space. From an email dated 12/21/06: "*...I was denied independent lab space by Professor Lauffenburger for my entire 7 years on the BE faculty...The faculty members handling my recruitment were forced to either give me their own lab space or retract my offer. I have shared lab space with them thereafter, and Professor Lauffenburger has done nothing to rectify the situation...*"

Prof. Sherley's statement that no space was available for him until other faculty gave up theirs is, in fact, correct. This is typical of space assignments for many new hires in BE and other departments at MIT. Space at MIT is controlled entirely by the Provost, with department heads delegated the responsibility of distributing space according to the needs of their faculty members. It is the prerogative of department heads to shift space from senior faculty, whose research programs decrease in size, for example, to new members of the faculty or other faculty whose programs are growing in size. It is also common for senior faculty to give up portions of their space voluntarily to facilitate the hiring of new members of the faculty. Prof. Sherley and another untenured contemporary of Prof. Sherley's in BE were the benefactors of such space transfers due to the absence of unassigned space at the time of their arrival at MIT. Their space was taken from the existing space assigned to three senior members of the BE faculty, space that was provided voluntarily and willingly by these senior faculty to facilitate the hiring of both Prof. Sherley and his contemporary. Racism did not play a role in the assignment of Prof. Sherley's space.

From email dated 1/29/07: "*...The fact that I have been allotted only 355 sq. ft. of independent lab space, despite repeated requests for adequate independent lab space to Prof. Lauffenburger, is prima facie evidence of racist MIT policies for the hire of minority faculty and racist practices by individuals who administer resources to minority faculty.*"

Prof. Sherley's claim that he had only 355 sq. ft. of independent lab space is incorrect. According to official BE space records and the official MIT Environmental Health and Safety space registration, Prof. Sherley has had ~2100 sq. ft. of independent space under his control. This is more than the average of ~1800 sq. ft. of space to which junior faculty members in BE have access (~1100-2500 sq. ft.). The 355 sq. ft. wet lab noted by Prof. Sherley as his only independent space ignores an additional ~510 sq. ft. comprised of a cell culture facility, his office and an office for his students and staff, as well as ~1300 sq. ft. of space, portions of which came from the MIT Center for Environmental Health Sciences and portions of which were shared with one other member of the BE faculty (large open-design wet labs, additional student/staff office; reception area for his staff assistant).

The space assigned to Prof. Sherley is truly independent space: it was his to use as he saw fit and it was not controlled or determined by another member of the faculty. Add to this the ~1100 sq. ft. of community space (conference room, lunch room, cold room, dishwashing, autoclave space) on the same floor as Prof. Sherley's labs and offices, and the facilities available for his use as a member of the Biotechnology Process Engineering Center, the Center for Environmental Health Sciences and the Center for Cancer Research, and one concludes that his research program was fully accommodated and not limited by his space allotment.

As indicated above, Prof. Sherley did indeed share some of his space with another member of the BE faculty, as do many tenured and untenured members of the BE faculty and the faculty of many other departments at MIT. An untenured contemporary of Prof. Sherley also had her entire allotment of 1032 sq. ft. of independent space (a large wet lab; apart from her 166 sq. ft. office) taken from existing space belonging to two senior members of the faculty, Profs. Essigmann and Wogan. Now tenured, she still uses cell culture and other space assigned to Prof. Essigmann, space that is not her independent space. In Prof. Sherley's case, all of his space, shared and unshared, was independent. Space sharing is commonplace due to the need to balance the immediate demand for space when new faculty arrive with the alternative of slow, cost-prohibitive remodeling. Prof. Dedon, for example, shares ~95% of his total ~2900 sq. ft. of independent space with three BE faculty (two tenured, one non-tenured), which compares to Prof. Sherley's ~2100 sq. ft. of space of which ~40% is unshared.

Attribution as the first appointment in BE. Prof. Sherley also expressed concern that he was denied recognition as the first appointment in what is now BE. Though this issue had no bearing on his tenure case (or any stage of his promotion process), an exhaustive review was undertaken of records from two major divisions of MIT (Whitaker College of Health Sciences and Technology; School of Engineering). A review of the resulting time line reveals the basis for the differing views about Prof. Sherley's appointment, one that paralleled the

conversion of the Division of Toxicology (then in Whitaker College) to the precursor of BE (in the School of Engineering):

5/7/97: Prof. Steven Tannenbaum, Director of Toxicology, extends an offer of appointment to Dr. Sherley as *"Assistant Professor in the Division of Toxicology."*

5/12/97: Provost Joel Moses sends a letter to Dr. Sherley acknowledging Dr. Sherley's acceptance of Prof. Tannenbaum's offer, *"...of a position as Assistant Professor in the Division of Toxicology at MIT. We are happy to welcome you to the faculty..."*

5/22/97: Dr. Sherley, by letter, accepts *"...your offer for appointment as an Assistant Professor in the Division of Toxicology..."*

7/1/98: Toxicology merges to form the Division of Bioengineering and Environmental Health with Profs. Tannenbaum and Lauffenburger as Co-Directors. Prof. Sherley receives a new letter from the new Provost, Robert Brown, appointing him as an Assistant Professor in Bioengineering and Environmental Health in the School of Engineering. At the same time, because Bioengineering and Environmental Health had just formed, several other faculty members from other MIT departments simultaneously have their appointments moved to the new Division.

11/98: Approval of the first new faculty search proposed and undertaken by Bioengineering and Environmental Health.

This time line reveals a complicated organizational change occurring at the time of Prof. Sherley's hiring and appointment. There is ample room for concluding that Prof. Sherley was the last hire in the Division of Toxicology and the most junior member of the faculty whose appointments were transferred to the Division of Biological Engineering and Environmental Health (the precursor to BE). We can also see how Prof. Sherley considered himself the first new appointment in Biological Engineering and Environmental Health. The different perspectives of Prof. Sherley and others did not derive from racism, bias or conflict of interest, but instead from the blurred semantics of administrative changes during a period of Institutional transition.

In closing, the facts show that Prof. Sherley had more than the average amount of independent space, and that his research program was fully accommodated and not limited by his space allotment. Racism did not play a role in determining his share of research space.

Sincerely,

Peter Dedon
John Essigmann
Alan Grodzinsky