

The **Legal-Ethical-Equity** (LEE)  
Group for MIT Campus Planning

update: 22 May 2020

# LEE group

Memo from SCC leadership to MIT senior leadership, 20 April 2020

**“Any reliable and reasonably safe way to open campus will require the frequent collection of multiple types of data from large numbers of people; at least some of these types of data could potentially be sensitive. Such an effort will require careful and rigorous oversight from a group that represents many disciplines, experiences, and perspectives.”**

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Given the definition of **“research”** under federal statutes (systematic inquiry yielding generalizable knowledge), many proposed features for campus planning and operations fall outside the purview of MIT’s Committee on Uses of Humans as Experimental Subjects (COUHES). Nevertheless, proposed projects and operations require **close scrutiny** to remain compatible with MIT’s policies as well as its ethical standards and values.

# LEE group membership

co-chairs:

**Mark DiVincenzo:** Vice President & General Counsel

**Julie Shah:** Assoc Dean, SERC SCC (and Aero/Astro & CSAIL)

**David Kaiser:** Assoc Dean, SERC SCC (and STS & Physics)

**Jason Baletsa** (OGC), **Munther Dahleh** (IDSS & EECS), **John Dozier** (ICEO),  
**Mahi Elango** (outgoing UA president), **Danielle Geathers** (incoming UA president),  
**Malick Ghachem** (History), **Caspar Hare** (Philosophy), **Timothy Jamison** (Assoc  
Provost & Chemistry), **Eden Medina** (STS), **Armando Solar-Lezama** (EECS &  
CSAIL), **Madeleine Sutherland** (GSC president), **Danny Weitzner** (CSAIL), and  
**Heather Williams** (Asst Dean, SoS)

# Guiding Principles

	<b>Safety</b>	<b>Privacy</b>	<b>Equity</b>
Federal and state law & regulation			
MIT policies & procedures			
MIT ethical standards and values			

Using this rubric, the LEE group provides *oversight* of various campus-planning efforts and proposed operations, as well providing *input* for colleagues in broader discussions.

# Safety

1) MIT should not impose **risks** on members of the MIT community, or **incentivize** members of the MIT community to take risks, that those members would not reasonably be expected to accept in these unprecedented times. This includes implicit **pressures**—whether intended or unintended—that may be perceived as coming from supervisors or senior colleagues, through their well-intentioned efforts to restart research and/or teaching activities.

2) In assessing proposed CCHMS operations, we should be especially attentive to the **constraints** that decisions may impose on the health and welfare of essential employees who are not able to exercise the ability to work remotely.

3) MIT should consider how proposed measures will **affect** the wider Cambridge / Boston area community, and should make reasonable efforts to **responsibly manage risks** imposed on our wider Cambridge / Boston area community.

# Privacy

- 1) MIT should not collect any human-sourced data or information from individuals before **informing** them how their data will be used, including possibilities for data reuse.
- 2) All proposals for CCHMS-related data collection and use, and possibilities for data reuse, must be **registered** with the Legal-Ethical-Equity (LEE) Oversight group for approval prior to commencing data collection or analysis. A **data-access plan** must be presented in conjunction with the project objectives, to confirm that the collection and use of the data is appropriate for short-term operational uses.
- 3) Access to human-sourced data, even in de-identified, aggregated, or processed forms, should be **restricted** to appropriate CCHMS personnel, who are identified and approved by the LEE Oversight group. MIT should **inform** individuals in advance of data collection who will have access to the data collected.

## Privacy, cont.

4) All human-sourced data and information collected as part of CCHMS operations must be **protected** and **secured** as is appropriate according to the risk associated with access, disclosure, modification, or unavailability of the information.

5) Any proposed **research** utilizing CCHMS collection and/or analysis of human-sourced data and information must be **reviewed** by COUHES, to avoid inadvertent misuses of sensitive data (from individual datasets or from data association). The LEE committee can aid COUHES as needed in performing such reviews.

6) **Sunset** of the CCHMS system: MIT commits to **deleting** all human-sourced data collected as part of CCHMS projects or operations after the data are no longer operationally relevant, unless there is a legitimate, approved reason to continue to keep the data. Sensors and other monitoring systems put in place as part of CCHMS to address the unique circumstances of the COVID emergency should also be **shut down** when the emergency is considered to be contained.



# Equity

1) MIT should be attentive to risks that **phased** or **staggered** plans for a return to campus pose to the value of “One MIT.” In particular, MIT leadership should be attentive to the need to **integrate** those aspects of our administrative, curricular, and research activities that will, for public-safety reasons, continue to be operated remotely, so as to minimize any unintended **marginalization** of these aspects of MIT’s core mission.

2) MIT should endeavor to **minimize** the degree to which measures impact those who are similarly situated in **inequitable** ways, or that have **disparate impacts** on members of different groups. MIT should continually seek to understand such inequities and **encourage input** from the community to improve measures and outcomes.

3) MIT should pay particular attention to the impact of its measures on **disadvantaged groups**.

## Equity, cont.

4) MIT should be especially attentive to ensuring that people who cannot feasibly return to campus right away—because they or someone with whom they live face heightened risk from contracting COVID-19, because of continued disruptions to childcare, or similar reasons—are given **meaningful alternative avenues** to engage with the mission of the Institute, until such time as their physical presence on campus is feasible.

5) People with disabilities or pre-existing conditions may face **special challenges** adhering to the new constraints on campus life, including their ability to access certain spaces and services. These potentially disparate impacts should be expressly factored into any assessment of the equity of a particular measure associated with the resumption of campus activities.

## **Other LEE memos**

Mandatory viral testing for returning to campus (14 May 2020)

Health acknowledgement form for research ramp-up (19 May 2020)

Guidance for discussing return-to-campus plans with members of your lab group (14 May 2020)

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Health acknowledgement form for research ramp-up (19 May 2020)

Guidance for discussing return-to-campus plans with members of your lab group (14 May 2020)

Our group is eager to talk with groups beyond the  
CCHMS project.