Reply to Faculty Review Board

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November 6, 2015

I appreciate the FRB's attention and the significant time and effort expended. I am particularly grateful for this opportunity to reply to the draft report.

I found much to agree with in the FRB's draft, and I was pleased to see the FRB conclude that my motivations were laudable. But I was disappointed that I didn't persuade the FRB that I've learned from the experiences the FRB examined. I do feel I have learned and that I understand my errors. In brief:

- I significantly changed my approach to outside activities after the Blinkx matter. I have accepted no further client requests that present the concerns that arose there, nor am I willing to do so. I came away from the Blinkx matter with a new understanding of potential for actual conflicts, a better understanding of circumstances causing an appearance of conflict, and an unforgettable lesson in the consequences of missteps and the importance of getting this right. As I discuss in the next section, I also reached a more nuanced view of the approach I wish to follow, notably different from my prior approach grounded in legal training. Combining these factors, I don't think I will make this sort of error again.

- While I still occasionally speak up when I see consumer protection problems, here too I have changed my approach. I had always aspired to be respectful in such efforts (although I recognize that I totally failed in the case of the Sichuan Garden correspondence), but that experience revealed the critical importance of an appropriate tone in every instance, without fail. Furthermore, I am now much more hesitant to pursue any problem emanating from a small company, where disputes are more likely to get personal and where no privacy policy assures confidentiality. Relatedly, I think I'd now be quicker to end a discussion that's going badly. This hasn't happened yet, but if I find a problem that a company doesn't want to fix, it's now clear that I should let it go or to alert an appropriate regulator, but not try to force them to fix it.

- In internal matters, I have become more aware about the way other people see me and my efforts. I don't think any notable internal matters have arisen since the FRB reported internal concerns, so I haven't had specific reason to proceed differently. But my thinking has been influenced by the guidance I've received from colleagues and from the FRB process, including more detail about how others perceived my actions and about the additional work I caused for certain staff.

Meanwhile, as I explain in detail in the accompanying Addendum, additional facts provide a notably different perspective on my internal activities. As to projectors, I present messages in which multiple HBS leaders praised my efforts, and in fact MBA leaders twice followed the approach I recommended, an important fact notably omitted from the FRB's draft report. As to travel, I offer messages in which finance department staff specifically approved the upgrades criticized in the FRB's draft report, nowhere suggesting that my approach was burdensome or in any way improper. As to both subjects, my emails show me considering multiple factors including impact on staff and others. Looking closely at these emails, I see how they could have been better, yet they are friendly and respectful and for the most part received replies that were friendly, respectful, and even appreciative.

There is no doubt that I have room to improve, especially in my interactions with others. I am conscious of the burden I have imposed on others, and I recognize the particular importance of improvements in this regard.

Further learnings from Blinkx experience

The Blinkx experience was painful, embarrassing, and something I never want to repeat again. Moreover, I understand why others saw my conduct as out of line, including the inference that investors controlled me or used me for their benefit, that I should have known this was likely to occur, that my approach compromised the substance of my work, and that these problems spill over onto others. I agree with many of these points and, even for the aspects I would put differently, I recognize and credit the concerns. The FRB's draft report expressed its concern about implications for the School if such a thing reoccurred, but the implications for me are also serious. As I noted at the end of my August statement, I couldn't remain a happy person if something like this happened again, and the School and I are aligned in our commitment that nothing that can be seen as a conflict of interest ever happen again.

The FRB expressed skepticism about my willingness to keep client names confidential and my willingness to assist investors who ultimately seek to profit from my work. My prior approach to these subjects was grounded in my legal training. For one, that training made it seem routine to assist a client while keeping its name confidential; in my experience, lawyers routinely accept confidential client projects and require confidentiality from experts and consultants. Furthermore, the HBS COI policy specifically allows faculty to undertake confidential projects. As a result, I did not view confidentiality as any sort of red flag. Relatedly, legal training led me to a narrow understanding of concerns relating to investor research: Well-established doctrines allow and endorse investors conducting research from public sources—and profiting, sometimes handsomely, from their discoveries. The reasoning in these cases is that society wants to encourage such research, so we allow investors to enjoy the fruits of their efforts. For these reasons, I had thought my efforts were permissible, and I jumped to that (false) conclusion without adequately considering the counterarguments.

Importantly, my view of these subjects changed significantly after the Blinkx experience. I now understand the higher standards required for me, both to protect my own good name and to protect the school and others, in light of the possibility of a genuine conflict of interest and certainly the prospect of an appearance of conflict. I also understand the need to consider not just what a contract literally requires, but what both sides expect based on the overall circumstances and prior experience. I remember the factors that previously led me to my prior conclusion, but make no mistake about it: I now see things differently.

The FRB's draft report conveys concern at the way I approached remarks at an April 2014 conference. I did consider the sensitivities of that session in advance, and I went as far as to send Jean Cunningham a draft slide as well as the narrative explanation I intended to provide along with that slide. She replied "I appreciate the thoughtfulness you are bringing to this and the background that you have provided," and went on to offer extended further suggestions. I don't claim to have fully succeeded in implementing the principles she recommended, but our discussion reveals that I was making efforts and, I think, considering the right factors. As to the specific section of the conference video that the FRB critiqued (footnote 3): I was responding to a question from the audience, the inaudible section of the recording from 44:25 to 44:45, asking about the factors motivating my article about Blinkx. In light of the question, my answer was explicitly backward-looking, explaining the prior work dating back nearly a decade, the more recent client request, the article, and the relationship between the client request and the article. I was not endeavoring to provide a statement of my then-current approach or how my thinking had changed. But bearing in mind the multiple relevant audiences—some people interested in substantive findings, but also others, including HBS colleagues, more interested in conflict principles—I now see that I should have expanded my remarks to discuss the broader questions.

I know that the FRB wants *tangible* evidence of learnings and actions. I struggled with this, as the events are recent and it's not easy to convey evidence of my state of mind, but I note the following:

- I've consulted with Jean repeatedly on questions of web site disclosure and outside activities. One result of the Blinkx experience was that I've checked with her more often, including in February 2014, April 2014, and September 2015. I've followed her guidance in each case.

- I've always sought to include appropriate disclosures in my publications (even before the revised HBS COI policy clarified requirements in this regard), and I've become increasingly firm in doing so. For example, when a HBR article proof omitted a disclosure I had requested, I requested a revised proof to confirm that the disclosure would be included in print. (February 2015) When HBR.ORG's platform proved unable to provide the disclosure I sought, I found a way to fit my requirements within its limitations. I then sent my HBR contact a specification for improving the platform to fix this problem for all authors in the future. (June 2014)

The FRB's draft report suggests that my learnings from the Blinkx experience were limited or incomplete because my correspondence with Sichuan Garden had an improper tone. I credit the FRB's narrative that in both incidents, I failed to anticipate how others would see the situation. In fact I've come to see the incidents similarly for the reasons the FRB explains. But as of fall 2014, my understanding of the Blinkx matter was much narrower. At that time, I thought the key learnings were about conflict of interest, appearance of conflict, and outside activities. In casual emails to a local business, seeking to fix what I initially thought was an unintended oversight, I wasn't thinking about Blinkx or what I learned there. Perhaps I should have been thinking about that, and with the benefit of hindsight it's easy to see the connection. Today I think I would see the sensitivity, pause, and find a different approach. But I was disappointed to see the FRB conclude from the Sichuan Garden matter that I had failed to reach appropriate learnings from Blinkx.

In footnote 1, the FRB's draft report asks whether the client changed its investment position at any time after reading my report. From the clients' subsequent statements to me, I learned that they did not. I apologize for the ambiguity, which I had not recognized until reading the FRB's report. In fact, no one else asked about this, nor did Jean Cunningham raise it when she approved my revised disclosure.

The FRB's draft report notes that unit colleagues advised me in my thinking about both Blinkx and Sichuan Garden. I sense the FRB felt such assistance was in some way improper, but that isn't how I thought about it. Rather, I thought guidance from trusted friends and colleagues would be helpful, especially since their distance might provide a more balanced perspective. Jean Cunningham and Brian Kenny were also included in some of these discussions, allowing me to draw on their special training and experience.

Looking ahead

Most of the FRB's draft report recognizes the subtleties of my activities, including crediting that my motivations may have been good even as the FRB quite reasonably questions aspects of my methods and approach. Against that backdrop, and with all the care in the FRB's inquiry, I hoped the FRB's conclusion would capture more of the nuance, including my purpose and the totality of my activities. What does a person need to think about me to conclude that I will be an effective member of the faculty? Conversely, what would a person need to believe to conclude that my shortfalls are so disabling, and so impossible for me to correct through additional effort and guidance, as to warrant effective disqualification for promotion?

How does one reconcile the deficiencies in my character, as reported by FRB, with my unusual contributions to the School as sketched on page six of my August statement and enumerated in Exhibit 1? While the FRB indicates that I give insufficient attention to the views of others, my participation tracking software was exactly intended to help our most vulnerable students (as Dean Nohria previously indicated that he felt it did). My efforts to design hardware and software accommodations for colleagues with disabilities confirm a similar focus on helping those in need. And my newest software improves efficiency for support staff whose needs are arguably sometimes overlooked.

One might ask similar questions about my externally-focused efforts. I have repeatedly sought to uncover wrongdoing, mostly by large companies, often with significant money at issue and with inherently adversarial elements. (My *Impact on Practitioners – Selected Examples* document lists and summarizes 22 of these efforts.) In the majority of these instances, my efforts were validated or vindicated by appropriate legal or regulatory authorities or by the companies' subsequent admissions, often resulting in commitments to cease the behavior I flagged and even to provide redress to consumers. In most of these efforts, no issues were raised about potential Outside Activities or Community Values concerns. I credit the FRB's finding that in the Blinkx and Sichuan Garden areas, my approach was improper. And I do suggest that some number of positive efforts can "outweigh" those that cause concerns. But I think two problematic incidents are less readily viewed as a pattern when considered among literally dozens of efforts viewed favorably.

I have made some serious mistakes, which have been costly to both HBS and to me. I unequivocally apologize for those mistakes. But I disagree with the conclusion that I have not learned from these mistakes. These unfortunate experiences provided me with irrefutable proof that I must learn and must do better. If I am promoted and am able to remain a part of this community, I will continue the line of work I have described, attempting to make HBS and the world a better place in the ways that I am able. But I now have a much better understanding that *how* I do this work is crucially important, and my advocacy going forward will reflect this important learning and the changed perspective that it provides.

Addendum: Additional facts as to internal concerns

The FRB's initial inquiry offered only a sketch of concerns as to internal matters, and my initial written submission didn't speak to those questions in detail since I did not know the specifics. I believe there are a number of facts, perhaps unknown to the FRB, that may affect the FRB's conclusions. I am conscious of the FRB's admonition against apology followed by reiteration of the merits. I struggled with that tension in drafting my initial submission, in our interview, and especially in this reply. My apologies are sincere and unequivocal. I also am confident that the FRB wants their report to reflect the fullest set of facts possible, within the reasonable constraints of time and accessibility.

Classroom projector changes

The FRB's summary of my projector-related concerns simplifies discussions stretching nearly two years, from August 2013 through April 2015. I provide details on the timeline and my perspective to clarify what I hoped to achieve, what I did achieve, and how others told me that they viewed my efforts. I think this additional material shows me to be importantly guided by feedback from MBA leadership, less dogged than the FRB's draft report suggests. And contrary to the draft report's conclusion that I fail to appreciate differing views, the emails show me affirmatively acknowledging others' perspectives and searching for adjustments that would satisfy most or all objectives.

Two weeks before fall 2013 teaching, I toured my EC classroom, and I was surprised to see that usable screen space had shrunk dramatically. By email, I alerted four unit colleagues and five colleagues in other departments, all instructors whose teaching methods I knew would be distinctively affected.

I initially viewed the change as a *fait accompli*, telling colleagues that Media Services staff "have their reasons for the change, and it seems we'll be stuck with it" (Exhibit 2, bottom-most message). While "stuck with it" demonstrates my negative view, bluntly stated in an email to friends, the email also confirms that I was prepared to accept the change and that I understood proponents' reasoning.

One colleague forwarded my message (adding his own concerns) to Youngme Moon, who then oversaw the MBA Program. Youngme was genuinely appreciative. Her reply:

> I, too, am learning about this for the first time and I am upset, not only on behalf of the faculty, but for myself personally (this is going to create a huge headache for me).
>
> This is obviously under IT's governance, not MBA's domain, but the fact that they made these changes without telling us is frustrating.
>
> When I return to campus next week I will talk to head of IT about it.

Inspired by Youngme's indication of concern, I began to look into possibilities. I was thrilled to devise a software change that let us use the new projectors to fill existing screens fully, with no shrinkage in usable screen space. In an important sense, this gave the best of both worlds. We could keep the new projectors Media Services had bought at considerable expense, getting the benefit of their reliability, silence, and brightness. Yet we could also fill the entire screen with no reduction in size. I passed this recommendation to Media Services staff, and my approach was implemented before the semester began. Youngme was exceptionally generous in her praise:

> I am SO grateful that you alerted me to this. I am also grateful that you were able to help Media Services come up with such a win-win solution. You are a freaking genius when it comes to this stuff. I'm really so grateful, Ben.

As I recall this period, there was important tension between faculty and staff, in that faculty were surprised to learn of this change just before the semester began. Youngme summarized the concern:

> The fact that faculty are learning about this now -- a week before classes begin -- is really less than optimal. … We should have received word far in advance. Is there anything we in MBA can do to facilitate better communication about things like this? …
>
> What's particularly disturbing is that we have received no proactive set of instructions and guidance for how to make the transition from Media Services; in fact, the only such guidance we are receiving is from a particularly helpful faculty member (Ben Edelman).

But I left these IT governance questions to Youngme and others, as I recognized that this subject was well beyond my role. Notice that the email trail has nothing from me on this subject.

Against that backdrop, you can imagine my surprise when in December 2014 I learned that Media Services staff again wanted to reduce classroom screen size by implementing much the same change that I had critiqued in 2013. By spring 2015, I managed to convene Felix Oberholzer-Gee, CIO Steve Gallagher, several other interested faculty, and others for a brief in-person demonstration in a classroom. Seeing the change in person, including seeing how other instructors' slides (not mine) would appear before and after, they were convinced—reaching the same conclusion that I, Youngme, and others had in August 2013. A decision email from Felix (Exhibit 3) indicates that he ultimately concluded that the proposed change carried costs that did not outweigh the benefits.

The ultimate result, not mentioned in the FRB's draft report, is that to this day, all HBS MBA classrooms still use the approach I proposed in August 2013.

A separate question is my decision, in spring 2015, to reengage with this issue. It would have been easy for me to turn away from it, and I was tempted to do so. Consider: I was up for review; I saw the obvious risk of annoying senior colleagues with an issue they considered resolved; I knew my case would be complicated by the Blinkx and Sichuan Garden episodes. Indeed, as I mentioned in our interview, multiple senior colleagues admonished me to cease all discussions related to screen size. What I told them then, and what I still believe, is that this was an issue worth fighting for—hundreds of thousands of student-hours over the coming years[*] and, as Youngme affirmed from personal experience, also hundreds of hours of faculty time to try to make the best of the change (Exhibit 2: "I've done this before, and it is a real pain in the neck"). I decided to proceed because I felt it was worth the personal risk. Perhaps I was chasing a benefit that was too small relative to the value of Felix's time, Steve's time, and others. But my decision reflected my attempt to put what I saw as the school's interest (especially student learning and faculty time) ahead of what I recognized was my personal interest.

An additional reason for my spring 2015 efforts to bring projectors back onto the agenda was my sense that the faculty who approved IT's proposal did not have all appropriate information. Willis Emmons told me that in a fall 2014 meeting that approved the planned change, IT staff said the change was "required" because new projectors were widescreen-only and could not fill the old screens. I knew this to be incorrect, as my fall 2013 efforts had established a method of using new projectors to fill the old screens. Meanwhile, when I spoke briefly with Rawi Abdelal and, at his request, sent him a summary of the issues, he replied that he "really didn't know any of" the information I conveyed (Exhibit 4), again confirming that decision-makers might benefit from additional facts and further discussion. Willis also conveyed to me his understanding, based on IT leaders' statements in the fall 2014 meeting, that IT would assist in converting slides to the widescreen format. In contrast, when I inquired to IT, I learned that only training was available, but no assistance in actually doing the work. (See Exhibit 5.) These facts convinced me that MBA leaders had made decisions based on incomplete or incorrect information,

[*] My calculation: 1820 students, approximately 300 Aldrich class sessions per student per year, 1.3 hours per session, adjusted for a projector in use only 10% of the time, implies 70,980 student-hours per year.

which led me to believe they would appreciate the additional information I sought to provide. My message to Rawi (Exhibit 4) indicates that I recognized the competing factors; after three paragraphs explaining IT's reasoning ("IT presents…"), I compared the benefit of "the proper process running its course" with the prospect of "a full understanding" with the additional information I sought to provide.

The FRB's draft report noted my request that a single classroom be exempted from the reduction in screen size, a request which the FRB seems to view unfavorably. But I sought nothing more than leaving a classroom exactly as it was, and I proposed this stopgap only after every other option was rejected. I thought such a classroom could be used by all the EC instructors who wanted larger screens or otherwise found the change disruptive. (In an email to Steve Gallagher, I proposed assigning that single room to instructors "who (like me) care more about the projection surface size"—with no suggestion that the classroom would be mine alone. See Exhibit 6.) I explicitly considered the potential complexity of different room types (Exhibit 6 paragraphs 6 and 8) but found no apparent technical challenges for this difference. My approach was informed by knowing that other classrooms have been customized (sometimes at considerable expense) for compelling pedagogical reasons. All that's to say, my request for a waiver wasn't intended to slight anyone or even create additional work. Moreover, my proposal would have achieved the benefits Media Services staff favored in most classrooms, while offering the benefits I identified in the single room to be preserved—an approach I saw as a compromise, attempting to address the objectives of everyone involved.

The FRB expressed interest in evidence of my efforts to improve my interactions with staff. My 2015 projector discussions provide such an example. Recognizing the sensitivity, I consulted with senior colleagues, including my unit head Brian Hall and colleague Jim Sebenius (whose teaching method I knew was distinctively affected). Together, we assessed whether the proposed projector change was substantively significant for faculty, staff, and students. After we concluded that it was, they guided me in making my analysis and suggestions more persuasive and constructive, to reduce the risk that my efforts would be seen as adversarial and critical. That I consulted with colleagues does not mean I succeeded in my efforts to be seen as constructive. But these advance consultations reflected learning, a change from my prior approach, and a heightened appreciation for tone and process.

Travel

The FRB's summary of my travel-related activities misses some important context that I think calls into question the conclusion that I gave insufficient consideration to burden on staff.

Let me begin with upgrades. The FRB flagged two instances in which HBS paid me for upgrades I provided to colleagues traveling on HBS business. I knew that these were irregular transactions, and I used this approach only when 1) a colleague's requirements seemed to leave no other option, and 2) appropriate HBS staff specifically approved this approach.

Emails confirm that in both instances mentioned in the FRB's HBS Exhibit 2, staff approved the purchase before travel (in one instance) and before I submitted the reimbursement (in the other). (Details below.) The FRB's draft report concluded that I gave insufficient care to staff workload, but notice my polite, brief advance inquiries and specific approvals. Had I been told that a method was improper or burdensome, I would have continued to search for alternatives.

(It should go without saying, but let me be explicit: When I used upgrades for my own HBS travel, I never sought any payment from HBS. Nor did I seek payment from HBS when using personal frequent flier miles for HBS travel, as I have occasionally, when savings are compelling. I recall two such instances, both during 2011, wherein I redeemed more than a hundred thousand personal miles in order to save the school approximately $10,000—an action that I'm proud of, that was not required or even suggested by any policy, and which, so far as I know, created no significant burden on HBS staff.)

In the first upgrade instance, in 2010, a colleague came to me with an unusual problem. He had agreed to teach Exec Ed in Europe, but then HBS changed its travel policy: rather than covering business class airfare, the new policy limited reimbursement to $2,500, insufficient for nonstop round-trip business class travel on his preferred dates. He did not want to withdraw from the program after participants had registered in part based on his participation. He did not want to fly coach, which would have impacted his effectiveness upon arrival or required him to leave Boston early (reducing family time). He also did not want to pay the difference out-of-pocket. In an email, he called the options "horrible," and he thought I might know an alternative. After every other method proved unworkable, I mentioned the possibility of buying an upgrade from me. At my suggestion, he checked with Margaret Mitropoulos in the HBS Financial Office, who confirmed that he could buy an upgrade so long as the total documented cost did not exceed the $2,500 maximum. (See Exhibit 7.) With that confirmation, combined with HBS's sharp focus on reducing travel expense in that period and in light of the policy change announced after he had accepted international teaching, we thought this was a reasonable way forward. Notably, Rick Melnick's July 2010 email to me (in the FRB's HBS Exhibit 2) seemed to recognize that, under the circumstances, our approach was prudent. Notice that Rick's message nowhere suggested that we had violated any policy or even that we should not do the same thing again if good cause arose.

In one other instance, good cause did arise. A different colleague wanted to travel to/from Australia, but was alarmed by a $10,000+ price in business class. After exhausting all other options, including indirect routings, long layovers, and inconvenient flight times, I noted the prospect of an upgrade which ultimately saved HBS some $7,000+. Here again, before the reimbursement request was submitted, I sought guidance about how to proceed. (See FRB's HBS Exhibit 2, "planning to invoice… What do you suggest?" explicitly indicating that I would take no action until Rick approved.) Again Rick recognized the large savings, and nothing in his email suggests that he viewed my approach as improper in this circumstances. Nor did his email suggest that my approach was unduly time-consuming or burdensome.

The FRB is correct that Rick alerted me to the complications resulting from trips in which I intentionally used only a portion of the ticketed segments. After he told me about the burden on him and colleagues, I substantially ceased this method. My discussion with Rick was always cordial, and in one entertaining moment at a faculty dinner, his wife even asked me for details of my approach (which she must have heard about from him in general terms), as she wanted to attempt these same methods to reduce her personal travel expenses. Rick's July 27 email to me (in HBS Exhibit 2: "appreciate your willingness to do your travel differently … you have saved the university $ on a cash basis…") gives his first-hand report from our discussion, in which I agreed to proceed as he requested. His follow-up to Jean (HBS Exhibit 2: "He seemed shocked (and disturbed) at the idea that his travel was taking so much time") matches my recollection of the call. I don't think these facts are easily reconciled with the FRB's conclusion that I gave insufficient attention to impact on staff. For example, Rick's "shocked and disturbed" indicates that I didn't *know*; far from indicating that I didn't care, as FRB concluded, "disturbed" correctly reports that I *did* care. Nor are Rick's messages consistent with the suggestion in the FRB's report that my approach was improper. Notice, for example, Rick's reference to "these trips that save so many out of pocket $" and zero reference to any violation of policy.

Finally, the suggestion that I am not sensitive to staff workload or tradeoffs is further belied by my 2007 correspondence with Margaret Mitropoulos of the HBS Finance Department. Prior to accepting my HBS offer, I sought to understand HBS travel policies so that I could ask to include, in my offer letter, any customizations I considered appropriate. (Ultimately I concluded that no changes were needed, thanks to the clarification she provided.) I sent Margaret four questions and received her reply, both shown in Exhibit 8. The correspondence reveals my attention to staff workload ("I wouldn't use this approach lightly, because I realize that it makes accounting more complicated. But I hope it would be available where savings are substantial") as well as my recognition that a policy may be appropriate for its simplicity or ease of application even if it is arguably imperfect in individual cases ("I understand the simplicity of the apparent HBS rule -- easier to make a simple rule for all of North America than to have complicated exceptions"). I think I've been true to the principles laid out in my 2007 discussion with Margaret, including only using nonstandard methods when the savings were significant savings, exactly as I told Margaret I would, and exactly as she said I could. This correspondence (and my matching practices) demonstrate my attention, from the outset of my time at HBS, to the competing interests of saving money and reducing staff workload. Where I received advance permission to use these methods, I don't think I should be faulted for doing exactly what was described as permissible.

Finally, given the FRB's interest in my use of upgrades, I'd like to note a few passengers I have been able to upgrade. In every instance I provided upgrades without requesting or receiving payment of any kind. While most upgrades were my own, a minority came from a colleague. All were within the past 3 years.

- A visiting faculty member was commuting between our campus in Boston and his family in another city. I provided him with approximately half a dozen domestic upgrades.
- I upgraded multiple guests visiting campus for my EC course, including guests coming from California as well as from South America. After I was unable to upgrade one guest on his way to/from campus, I upgraded him and his family on a long-haul flight on a subsequent vacation.
- I upgraded a senior HKS faculty member traveling to teach in Australia.
- I once tried to provide expiring upgrades to faculty and staff traveling for FIELD2. That attempt proved unsuccessful when FIELD staff did not have time to tell me which travelers were flying on eligible airlines. (Exhibit 9 shows my offer and the response I received.)

These upgrades do not directly bear on the FRB's concern about burden on HBS staff, but they add color to the subject. I credit that some of my efforts created extra work for HBS staff, but at least my related activities sometimes managed to surprise and delight others, both within and beyond HBS.

Quantity of outside activities and approach towards outside activities

The FRB's draft report asked about my compliance with the school's cap on outside activities. I think it's apparent that my research is unusually closely linked to my outside activities. This sometimes yields ambiguities at the boundaries. If a policy-maker seeks my guidance, based in part on a scholarly publication, is that an outside activity? It extends beyond the narrowest requirements of research, so perhaps it is not research. Yet I've understood presenting and disseminating research to be part of research, and I count policy-makers and practitioners as a valuable audience. Meanwhile, remarks or presentations to policy-makers are usually pro bono, and my work for any individual policy-maker is always less than ten days per year, not triggering the "significant" clause of the HBS Outside Activities policy (heading Definition of Outside Activities, point 2). These factors, among others, reduce the activity I have classified as Outside Activities within the meaning of that policy.

The FRB's draft report captured much of my excitement for my "work policing the Internet": "It was framed by Professor Edelman, variably, as outside work, as research, as a hobby, and as something he does instead of sleeping." However strange it may sound, this work has indeed spanned all these categories. In assessing time requirements, the FRB should consider that I use automated software to perform routine work, yielding massive efficiencies and productivity increases at certain tasks.

The FRB's draft report suggests additional verification that I comply with the Outside Activities policy and maximum. I am happy to assist however I can. As early as 2008, I offered to supplement my yearly submission (through the relatively limited Annual Reporting tool) with a brief memo. (See Exhibit 10.) At Jean's suggestion, we instead met in person and discussed some unusual aspects of my activities. In one instance, Jean later asked for details about my outside activities, beyond the aggregate information provided in the Annual Reporting tool. I replied the same day to provide the information she requested.

These efforts reveal my longstanding commitment to understanding HBS rules, complying, and providing all appropriate information to confirm my compliance, as well as seeking additional guidance when I anticipate that it might be useful. Relatedly, I note Jean's assessment in her February 4, 2014 email (within FRB Blinkx Exhibit 3), reporting that I was one of only two faculty to participate substantively in conflict of interest meetings, and affirming my focus on these issues. That's not to say that I succeeded in navigating the challenges and requirements, nor does it establish that I learned from my shortfalls or anticipated every problem, but I do think these facts demonstrate my sincere and longstanding effort on questions of outside activities and related matters.

Exhibit 1: My Internal Efforts to Improve HBS and Assist Members of Our Community

I know that no number of positive efforts can "outweigh" the serious deficiencies the FRB examined. Nonetheless, I think my internal efforts reveal the depth of my commitment to making the School the best it can be. While some are widely known, most have been behind the scenes. I offer this listing to give the FRB a better sense of some of my internal efforts—most of which, I hope, raised no concerns.

I assisted various faculty members with short-term disabilities (two people) and permanent disabilities (three people) that impeded teaching and/or research. I also assisted a student with a permanent disability that impeded learning.

My participation tracker improved data collection and analysis for faculty and FAs, saving time, recommending call lists of at-risk students, and tabulating data to explore participation patterns.

My calendar exporter continues to save dozens of hours of FA time each semester, entering complicated MBA teaching schedules into faculty calendars with just a few clicks.

My new FIELD software produces seatmaps for the Batten Hives, replacing what had been a manual copy-and-paste task for FAs. I also prepared software to streamline several FIELD 3 class sessions, keeping sessions synchronized and avoiding awkward gaps between presentations.

I designed the projector "freeze" function, now available in all MBA and Exec Ed classrooms, that lets an instructor use all screens from a single source (such as showing different slides on the three screens).

I offered detailed and specific feedback on course tools, including specifications for Learning Hub design and improvement, as well as finding and documenting bugs for quick resolution.

I offered detailed and specific feedback for the F&R tool that distributes faculty research to the public. After launch, I proposed improvements and uncovered some important errors, including one that led search engines to see gibberish placeholder text instead of information about unit activities.

After 2010-2011 discussions led to the "faculty rights in the use of cases" policy that allowed any faculty member to provide a copy of a case to any individual person, I built a tool to accept and respond to those requests. My tool is now used by several other faculty and available to anyone interested.

After someone leaked copies of the first HBX exam and sold it on the web, I assisted HBX in finding the responsible party, including designing the general strategy, identifying an attorney with relevant experience, and devising methods to uncover the root source of the leak.

My negotiation-related software supports recurring teaching needs for that course, including showing parties' interests in any combination to facilitate rapid assessment of possible coalitions, as well as processing late-arriving poll data to make auto-updating charts and tables.

My HBS Software & Technology page, http://people.hbs.edu/protected/bedelman/software/, indexes and organizes most of my internal software efforts.

I noticed a statement in case footers claiming readers could not exercise rights guaranteed by the fair use doctrine of copyright law. I arranged for this statement to be removed from new and updated cases.

In a series of brainstorming emails in the MBA student culture effort, I offered guidance on reducing incentives for excessive alcohol consumption, including simple policy interventions to discourage all-you-can-drink events and to provide an alternative for those who prefer to drink less or not at all.

I have sponsored a total of 77 MBA Independent Projects, Field Studies, and ISRs.

Exhibit 2: 2013 Emails pertaining to projectors

From: Moon, Youngme
Sent: Friday, August 23, 2013 12:56 PM
To: Edelman, Benjamin
Subject: RE: classroom projectors

I just heard from Gallagher as well. I am SO grateful that you alerted me to this. I am also grateful that you were able to help Media Services come up with such a win-win solution. You are a freaking genius when it comes to this stuff. I'm really so grateful, Ben.

See you back on campus soon!

Youngme

From: Edelman, Benjamin
Sent: Friday, August 23, 2013 11:50 AM
To: Moon, Youngme
Subject: RE: classroom projectors

I just heard from Steve Gallgher. It seems IT will be able to roll us back to 4:3 for the coming academic year, still getting much of the resolution & brightness benefits of the new projector, but without loss of screen space or accelerated transition to 16:10. That's a great outcome, basically what I had envisioned. I think it only happened because you pushed. Thank you!

From: Edelman, Benjamin
Sent: Thursday, August 22, 2013 9:43 PM
To: Moon, Youngme
Subject: RE: classroom projectors

Thanks for the update. I'm sorry this intruded on your vacation… but this may be an area where an hour now, rather than Monday, makes a real difference.

I met Stephen last week and feel we are on the right track. Will see how I can be useful to him on this.

From: Moon, Youngme
Sent: Thursday, August 22, 2013 7:25 PM
To: Edelman, Benjamin; Segel, Arthur
Subject: FW: classroom projectors

FYI see Stephen Gallagher's response below. (he is our new CIO)

hopefully we will be able to implement Ben's suggestions for remedying the situation before the start of classes.

thank you both for alerting me to this issue.

Exhibit 2: 2013 Emails pertaining to projectors (continued)

From: Gallagher, Stephen
Sent: Thursday, August 22, 2013 7:21 PM
To: Moon, Youngme
Cc: Dewey, Brit; Tobiason, Jessica
Subject: RE: classroom projectors

Youngme,

Thanks for reaching out to me. I'm gathering information on the below concern. My team has had some very recent back-and-forth conversations with Ben, and I'm processing the mitigation strategies this evening. I will get back to you by tomorrow morning with more information and suggestions.

-Steve

From: Moon, Youngme
Sent: Thursday, August 22, 2013 5:25 PM
To: Gallagher, Stephen
Cc: Dewey, Brit; Tobiason, Jessica
Subject: classroom projectors

Hi Stephen,

I hope your summer is going well and you are settling into HBS seamlessly.

I am currently on vacation and trying to stay away from email until Monday, but in the past 24 hours I've gotten emails from my faculty colleagues who are really quite upset about a change to the classroom projectors. Apparently, Media Services has upgraded the center projectors ... which means that slides now need to be 16:10 ratio instead of the 4:3 ratio we've historically used. If faculty continue to use the old ratio, the screens are 30% smaller in image; even if they change to 16:10, the screens are 16% smaller in image.

Three things:

1. Changing all of one's slides from 4:3 to 16:10 is a non-trivial amount of work for faculty. I use slides for every class and i'm sure I'm not alone in this. Having changed the formatting of slides before, I can tell you that it is not a matter of simply clicking a button; rather, each and every image, chart and diagram needs to be resized to avoid distortion. Like I said, I've done this before, and it is a real pain in the neck, I promise you. What's particularly disturbing is that we have received no proactive set of instructions and guidance for how to make the transition from Media Services; in fact, the only such guidance we are receiving is from a particularly helpful faculty member (Ben Edelman).

2. The fact that faculty are learning about this now -- a week before classes begin -- is really less than optimal. They are understandably upset about it. We should have received word far in advance. Is there anything we in MBA can do to facilitate better communication about things like this?

I understand that this particular upgrade was probably a no-brainer from a technical standpoint, but believe me, it is a big deal from a teaching standpoint.

3. Is it too late to put in a solution that would not require faculty to switch from the 4:3 format? Or at the very least, delay the change for a semester to give faculty time to adjust? Based on communication with Ben Edelman, I am under the impression that there is a way we could use the upgraded projectors and yet reconfigure them to retain the full 4:3 projection surface.

I realize the timing is tight to make changes here. But I would appreciate the consideration.

Thanks much.

Youngme

From: Moon, Youngme
Sent: Thursday, August 22, 2013 3:11 PM
To: Segel, Arthur
Cc: Edelman, Benjamin
Subject: RE: warning on projector changes for fall 2013; action required

I, too, am learning about this for the first time and I am upset, not only on behalf of the faculty, but for myself personally (this is going to create a huge headache for me)

This is obviously under IT's governance, not MBA's domain, but the fact that they made these changes without telling us is frustrating

When I return to campus next week I will talk to head of IT about it

From: Segel, Arthur
Sent: Thursday, August 22, 2013 2:03 PM
To: Moon, Youngme
Cc: Edelman, Benjamin
Subject: Re: warning on projector changes for fall 2013; action required

This is not good to find out about this now. I have slides for most of my classes and most are new this year and no time now with a FA pretty busy.

From: Edelman, Benjamin
Sent: Thursday, August 22, 2013 2:49 PM
To: Hagiu, Andrei; Segel, Arthur; Keinan, Anat; Coval, Joshua; Gourville, John
Subject: FW: warning on projector changes for fall 2013; action required

Below is a note I sent to my unit colleagues re a technology change important for everyone whose teaching includes slides (even if just in the daily wrap). I expect that Media Services or IT will be in touch to alert you to these changes at some point, but in the interim I thought an early warning would be helpful. Surely the transition to widescreen content becomes even more troublesome when it has to happen in a hurry during teaching.

(I hesitate to write to all EC instructors, so I picked the five of you from the list. Let's call this an email among friends rather than a full-scale alarm.)

Exhibit 2: 2013 Emails pertaining to projectors (continued)

From: Edelman, Benjamin
Sent: Wednesday, August 21, 2013 7:13 PM
To: Mohan, Kevin; Luca, Michael; Gino, Francesca; Wasynczuk, Andrew
Subject: warning on projector changes for fall 2013; action required

I learned today that Media Services has "upgraded" our classroom center projectors. The short of it is that slides now need to be 16:10 ratio (width:height), whereas we've all used 4:3 historically (PowerPoint's default and our prior classroom standard).

If you change to 16:10 ratio, you'll get the benefit of screens that are "only" 16.7% smaller than last year (1/6 smaller, as the new projection image is 5/6 as large). If you fail to change to 16:10 ratio, and continue using old 4:3 material, your screens will be 30.5% smaller than last year (11/36 smaller, as the new projection image will be 5/6 as tall and 5/6 as wide, hence 25/36 as large). Losing 30% of screen space is obviously a big problem for any slide with significant detail.

To change a slide deck to 16:10, go to Design – Page Setup, then click Page Setup, and choose On-screen show 16:10. (Mac instructions vary.)

Text slides will rearrange themselves, probably satisfactorily in general. But each and every image, chart, and diagram will need to be resized to avoid distortion. See "step 1" at http://www.hanselman.com/blog/HowToConvertAPowerPointPresentationFrom43RatioTo169WithoutDistortedOrStretchedImages.aspx.

You might consider asking FA's to help with these adjustments. But I suggest reviewing all work carefully. In the first file I modified, I found I easily cut off key parts of images and diagrams, and I misaligned several annotations markups on a diagram. It's not easy for an outsider to do this right, without a full understanding of slide substance.

I've told Media Services that I think the change is ill-advised. It's particularly terrible for me in light of my on-screen class notes. And I'm shocked that they haven't told faculty well in advance. But they have their reasons for the change, and it seems we'll be stuck with it.

Exhibit 3: Felix Oberholzer-Gee "Decision" Email re Projectors

From: Oberholzer, Felix
Sent: Sunday, April 12, 2015 11:45 AM
To: Sebenius, James; Edelman, Benjamin; Segel, Arthur
Cc: Gallagher, Stephen; Clark, Elizabeth
Subject: Widescreen projection

Dear Colleagues,

Thanks again for participating in last week's meeting. It was helpful to see what your slides would look like and hear your views. After careful consideration of the pros and cons, we have decided not to change the screens in the MBA classrooms. We will still purchase new widescreen projectors, but will overthrow to the current aspect ratio. This sets us up to make the transition to the new standard at a time when we decide that the benefits outweigh the costs.

Thanks,
Felix

Exhibit 4: Discussion with Rawi Abdelal about projector changes; his reply

From: Abdelal, Rawi
Sent: Thursday, February 12, 2015 5:35 PM
To: Edelman, Benjamin
Subject: RE: MBA projector changes

Ben,

Many thanks for your note and the thoughtful reflections on all this. I didn't know any of it, really. I'll look into it.

Thanks again,
Rawi

From: Edelman, Benjamin
Sent: Thursday, February 12, 2015 13:24
To: Abdelal, Rawi
Subject: MBA projector changes

Rawi,

Nice to bump into you today. Thanks for making some time to think about this.

I've been looking at this proposed change to classroom projectors since summer 2013, when I learned about it two weeks before the fall term began. (I always test my classroom equipment in advance given my unusual teaching style, http://www.benedelman.org/boardnotes/ .) It didn't seem wise to me, so I alerted a few colleagues. Arthur Segel escalated to Youngme who got the change delayed repeatedly. But now I hear it's going forward, purportedly with blessing from you, Felix, and others.

The essence of the change is to convert MBA classroom projectors to widescreen, 16:10 aspect ratio, compared to 4:3 now. The label "wide" suggests bigger, but in fact the screens stay the same width and shrink 1/6 in height. Thus, a faculty member who uses the full screens gets a 1/6 reduction in screen space.

At least as serious, a faculty member who makes no change -- who keeps files as is -- only fills the center 5/6 of the screen, with 1/12 blank on left and another 1/12 blank on right. So existing content fills just 25/36 of the screen (=(5/6)*(5/6)), a 11/36 reduction from what we currently have.

Converting content from 4:3 to 16:10 is time-consuming and error-prone. Simple text converts easily. Images stretch. (A circle becomes an oval.) Diagrams are distorted too. Each shape can be adjusted, but that takes time. Often, arrows end up pointing to the wrong place, shapes misaligned, etc. The impact varies considerably across instructors. Those with complicated slides and diagrams are most affected. I suspect EC courses are affected more than RC, based on the kind of material and prevailing teaching style. If one hour is required to fix one slide deck, this quickly adds up to literally thousands of hours of FA time across campus. My current FA is superb, by far the best I've had in eight years; but even when she does this work, I still find I have to make further adjustments and the slides still aren't as good as they began. Even a single screw-up, like a misplaced arrow muddling a diagram, could impact teaching and reduce instructor credibility.

I've seen the same problem in my FIELD 3 TG. Last year's content is 4:3 (from Batten projectors used last year). Now we need 16:9 for new Batten wall screens. Every week's files must be changed. That adds extra steps to the TG process. Often, someone shares files in the wrong format, others don't notice, then we customize in parallel and all have to redo the conversion in parallel. Lots of extra work for zero benefit.

IT presents these changes as necessary for standardization across the campus. I value standardization but don't think that justifies these changes in light of the downsides. I'd rather see us standardize on genuine improvements, rather than standardize on the lowest common denominator.

IT presents these changes as necessary in light of changing projector available for purchase. But in fact my fall 2013 fix is working fine, using the (excellent) new projectors to fill existing screens.

IT presents these changes as necessary in light of the upcoming upgrade to PowerPoint 2013, which has widescreen as the default. But PowerPoint 2013 has 16:9 as the default, not 16:10. So every new deck will have to be adjusted to 16:10 for our rooms, even after the upgrade. Furthermore, the default can be easily changed (including centrally by IT through "remote management" of our computers).

IT says there have been no complaints in the exed rooms where the change has been in place for some months. It's hard to generalize, but I sense some exed material is somewhat less detail-oriented than certain EC courses. There are also significant questions about classroom size (number of chairs in the room, distance from further chair to screen) and screen size.

IT says there have been no complaints in Aldrich 209, where the change was in place for fall 2015. But the fall 2015 instructors in that room were instructors whose teaching style is less likely to flag this issue. Clearly it affects some instructors more than others. And incidentally those are smaller rooms (82 seats) than the main Aldrich rooms (101), making screen size somewhat less urgent there.

I know IT said they'd provide "training and support" for the transition. On inquiry, I learned that the "support" is actually just "training." I think some people may not have understood this.

This is a sensitive subject. I gather IT leaders think they have obtained all required approvals, so I haven't gotten much traction in my recent requests (including my request in December to genuinely enlarge screens in one room where I and other concerned folks could teach EC classes, and my subsequent request to delay the change for one EC room). On one hand, I don't want to interfere with the proper process running its course. But I think it may be even more important to reach the correct decision based on a full understanding of the merits. Shrinking our MBA classroom screens, probably for a decade, shouldn't be done lightly. Nor should we divert this much FA time if there is any other way. I look forward to your thoughts.

This issue matters a lot to me, both because it distinctively affects my teaching style and because I've spent the time to figure it out in detail. Happy to discuss further any time.

Ben

Exhibit 5: Correspondence with IT re "support" to be provided

From: Emmons, Willis
Sent: Saturday, January 31, 2015 4:58 PM
To: Edelman, Benjamin
Subject: RE: from Media Services re widescreen conversion

That's too bad, but you did indeed predict it.

From: Edelman, Benjamin
Sent: Wednesday, January 28, 2015 4:29 PM
To: Emmons, Willis
Subject: from Media Services re widescreen conversion

See below. It's as I predicted: IT support for widescreen transition is training but not actually doing the work.

From: HBS Information Technology [mailto:hbs@service-now.com]
Sent: Wednesday, January 28, 2015 4:09 PM
To: Edelman, Benjamin
Subject: Incident INC0035934 -- comments added

2015-01-28 16:07:54 EST - Benjamin Frey reply from: bfrey@hbs.edu

Hi Professor Edelman,

Sorry for the delayed response, I wanted to check in with my IT counterparts first to make sure I was passing along the right information. My understanding is that the support being provided will be in the form of training the FA's through a variety of methods including one on one consultation but not converting content on their behalf.

-Ben

From: Edelman, Benjamin
Sent: Friday, January 23, 2015 10:26 AM
To: HBS Information Technology
Cc: Frey, Benjamin
Subject: RE: "assistance making this change" to widescreen

Thanks.

Rereading emails about projector changes, I notice this sentence: "If you would like assistance making this change to your materials, please contact Technology Support Services (ithelp@hbs.edu<mailto:ithelp@hbs.edu>; 5-6600) to schedule a consultation." Do you know what kind of assistance they're providing? I don't need anyone to show me the PowerPoint features for changing slides to 16:10 – that's a couple of clicks, trivial. On the other hand the work of updating scores of slides, diagrams, etc. is quite significant – and with reduced FA staffing and other FA commitments, it's not something I can easily ask of my FA at this time. Do you know whether IT or Media Services is providing support in converting material to 16:10?

Exhibit 6: Correspondence re keeping one classroom unchanged

From: Edelman, Benjamin
Sent: Tuesday, February 03, 2015 12:55 PM
To: Gallagher, Stephen
Subject: RE: Classroom A/V upgrade request

Steve,

Thanks for these details.

I have some thoughts about the process here. But I'll save it for another time.

I credit the concern about cost. I've never been excited about the cost of enlarging the screens.

Here's a different approach that avoids incremental expense, but keeps the screen size I've come to be quite attached to: Keep one classroom in 4:3, exactly as is. Based on recent enrollment figures, I'd be fine with any of the MBA classrooms, of any size. That would let me retain the full projection surface I've been using rather than the 1/6 loss currently planned.

We'd keep the existing code on that room's Crestron, keep the projector lens as it is currently set, and keep the screen drop height as it is. I don't see any cash cost to this approach.

The main downside would seem to be potential incompatibility with other rooms. But we seem to be doing fine with a mix of 16:10 and 4:3 rooms right now, including the single Aldrich room already running 16:10 now while the rest are 4:3. If it works to have 15 Aldrich rooms in 4:3 and 1 in 16:10, it should also be workable to have 1 in 4:3 and 15 in 16:10.

For an instructor who arrives with 4:3 content, "my room" would surely be preferable – full projection surface (same as this year) rather than 11/36 reduction.

If an instructor arrives with 16:10 content, that instructor will still get the same square feet of projection surface on all three screens, identical to what that instructor gets this year. 16:10 content would have fewer pixels on the center projector, somewhat reducing quality and brightness. (I think the pixel count would be reduced by 11/36 relative to the approach you're currently planning for all rooms.) To my eye that's not a bad outcome: 1) To date few instructors have 16:10 content and it remains to be seen how quickly folks change. 2) 16:10 instructors would have no reduction in capabilities from the status quo, which I don't think instructors have found deficient. 3) We'd work to assign this room to instructors who don't care about projectors (don't use them much or at all), who keep their 4:3 content for one more year, and/or who (like me) care more about the projection surface size than about pixel count. I'm confident that I could identify instructors who would either be indifferent or, more likely, would view this as a benefit rather than a detriment.

I look forward to your thoughts on this.

Ben

Exhibit 7: Advance staff approval of 2010 upgrade

From: Mitropoulos, Margaret
Sent: Tuesday, March 23, 2010 11:04 AM
To: Malhotra, Deepak
Subject: RE: quick question

Professor Malhotra,

Thank you for checking in advance! You would be able to get reimbursed for the coach fare and the upgrade up to $2,500.

Please let me know if you have any further questions.

Regards,

Margaret

From: Malhotra, Deepak
Sent: Tuesday, March 23, 2010 11:01 AM
To: Mitropoulos, Margaret
Subject: quick question

Hi Margaret,

I will be flying to London in June, in order to teach in an HBS Exec Ed program. The rules regarding travel reimbursement state that I may buy a coach ticket, or a business class ticket with reimbursement limited to $2,500.

Having explored the possibilities, I find that I am able to purchase a business class ticket for under $2,500. The way to do it is for me to buy a coach ticket, and then use a purchased upgrade (NOT frequent flier miles) to upgrade to business class. For reimbursement, I would submit my actual, documented costs (with receipts) for the ticket and upgrade, not to exceed $2,500.

My understanding is that this is well within the reimbursement rules. Please confirm, and I will make the purchase ASAP to avoid rate hikes.

Hope you are well.
Regards,
Deepak

Exhibit 8: 2007 correspondence with Margaret Mitropoulos as to travel policies[*]

From: Margaret Mitropoulos
Sent: Thursday, March 01, 2007 10:35 AM
To: 'Ben Edelman'
Subject: RE: Questions about HBS travel policy

Ben,

Thank you for your email and for taking the time to review the policy. I have addressed your answers below in red. Please keep in mind, there are some differences between the University's policy and ours. Individual schools may be more stringent than the University; however, a school cannot be less stringent.

Please let me know if you have any further questions.

Regards,
Margaret

From: Ben Edelman
Sent: Thursday, March 01, 2007 5:39 AM
To: mmitropoulos@hbs.edu
Subject: Questions about HBS travel policy

Ms. Mitropoulos,

I'm a Harvard Ph.D. student with an offer to join the HBS faculty later this year, as an assistant professor. In understanding the offer, I've tried to familiarize myself with applicable HBS policies, the travel policy key among them, since I know I'll need to travel for research, for conferences, and for case-writing.

Aleta Creech sent me reimbursement policies she retrieved from the HBS Financial Office web site. Separately, I reviewed the relevant HU policies from <http://vpf-web.harvard.edu/ofs/travel/pdf/policy.pdf>. The policies are largely straightforward, and I found them both reasonable and fair. Here are four questions that arose:

* Permissibility of adding stops at my own expense. I've occasionally found that I can add additional stops or segments at minimal, no, or negative expense. Page 58 of the HU policy seems to indicate this is fine, with the traveler paying the extra cost out-of-pocket (if any). Of course I'd retain appropriate documentation of the cost of the simpler itinerary, so we could compute and confirm the difference. I wouldn't use this approach lightly, because I realize that it makes accounting more complicated. But I hope it would be available where savings are substantial. Is this permissible?

[*] For readability in black & white, I marked Margaret's red replies with indents and vertical spacing.

Exhibit 8: 2007 correspondence with Margaret Mitropoulos as to travel policies (continued)

> It is allowed; however it must be clearly stated and supporting documentation must be submitted with the travel report. We will verify the cost of the roundtrip for the airfare portion pertaining to the business trip and that's the amount you will be reimbursed.

* Permissibility of selecting a higher class of service at my own expense. The HBS policy states that "An upgrade at the expense of the University is not permitted" -- exactly suggesting that an interested traveler could book a more expensive ticket and pay the difference out-of-pocket. Is that permissible, with appropriate documentation of the difference in cost (if any)? Of course usually such upgrades are often prohibitively expensive, but occasionally I've stumbled into some great deals. In the most notable cases, First can be available for less than Business -- a phenomenon I hope to explain in a forthcoming academic paper, that I'd be pleased to discuss with you if you're interested.

> The ticket price is not the determining factor when it comes to class of service. The University does not allow first class travel at any time, regardless of cost. HBS is more stringent regarding business class. Only Faculty are allowed to fly business class outside of North America. All other staff (except for RA's who must fly coach class on all flights) can fly business class only when the total air time equals or exceeds 10 hours. If you choose to select a higher class of service, you would be reimbursed for the cost of the allowed fare for that particular flight. We do verify the amounts of the cost of the ticket.

* Hawaii travel. I noticed that the HU policy permits Business travel to Hawaii, but HBS seems to specify Coach (since Hawaii is within North America). Is that right? Ordinarily I wouldn't much care about Hawaii -- hardly a key research destination. But Honolulu turns out to be a frequent meeting venue for several top electronic commerce conferences, so I'll surely have to consider travel there in the coming years. I've previously remarked on the low cost of premium tickets to Hawaii -- often well under $2000 for round-trip Business, making this a far better value (per hour) than, say, Europe. Still, I understand the simplicity of the apparent HBS rule -- easier to make a simple rule for all of North America than to have complicated exceptions.

> You would be able to fly business class to Hawaii.

* London travel. The HBS rules state "business class travel on all flights outside North America, including London." This wording seems confusing to me. I think the most natural reading is that London, of course located outside North America, is therefore eligible for Business travel. But it's odd to mention London specifically, which made me think perhaps this is a special London exception, i.e. that London is the one city outside North America for which only Coach travel is permitted. Since I can read the sentence either way, I wanted to check with you. I know how expensive Business travel to London travel can be, particularly relative to the short travel time. So I wouldn't fault HBS for establishing a special London exception, and even if Business were permitted to London, I suppose I might not want to spend my research budget that way.

> There is a reason for the wording as such. A few years ago, HBS decided to not allow business class for Faculty to London since the travel time was comparable to flying to California. Upon further review, it was decided to reinstate the policy and allow Faculty to fly business class to London.

Thanks,

Ben Edelman

Exhibit 9: Attempt to Upgrade FIELD2 faculty and staff

From: Siegfriedt, Barbara
Sent: Monday, January 14, 2013 7:21 PM
To: Edelman, Benjamin
Subject: Your offer

Hi Ben:

I talked to Cassie late in the day today and she has been so tied up with managing the 1000 plus students all over the world she did not have time to get back to you. Although she appreciates the offer, they are straight out so don't have time to reach out to the faculty that are traveling. She did say that everyone is already booked on business travel so that is good news for everyone!

Thanks again,

Barbara

From: Siegfriedt, Barbara
Sent: Monday, January 14, 2013 9:40 AM
To: Edelman, Benjamin
Subject: RE: United upgrades for faculty and staff traveling for FIELD 2

Hi Ben:

Thanks so much for your generous offer! I sent your message along to Cassie Bordeau who is responsible for the Global Immersion Office. GEO organized both the IXP and RC FIELD 2 programs. I'm sure she will be in touch today.

Thanks,

Barbara

From: Edelman, Benjamin
Sent: Sunday, January 13, 2013 10:12 AM
To: Siegfriedt, Barbara
Subject: United upgrades for faculty and staff traveling for FIELD 2

Barbara,

I have some United systemwide upgrades expiring at the end of January. These are valid for an upgrade to the next class of service (coach to business or business to first) from most United fares (although not from the very cheapest coach fares or the very cheapest business fares). Here are applicable rules. Upgrades are transferable to anyone I designate.

Since I won't be able to use these before expiration, I'd be happy to give them to anyone traveling on HBS business, and I thought of faculty and staff traveling for FIELD 2. I gather most folks are already ticketed in business class, but some upgrades to first could be a nice treat.

I have two, and I think Brian Hall is inclined to offer six more. So we could potentially upgrade quite a few people.

Do you have records of who's flying on which airlines? To arrange the upgrades, I just need record locator (six character code) and passenger last name. If you have ticket confirmations, we'd even be able to check who's on what fare basis – letting us make sure tickets are eligible. Of course there is no guarantee that upgrade space will be available, and some United planes don't even have a first class cabin, but given the number of people traveling, it seems like we can probably find some suitable opportunities to use these.

Thanks,

Ben Edelman

Exhibit 10: 2008 offer to supplement my Faculty Reporting submission

From: Ben Edelman
Sent: Thursday, January 24, 2008 11:58 AM
To: 'Office of the Dean'
Subject: Outside activities discussion

Following up on the DRFD Faculty Reporting and Planning form, and the school's policies on outside activities more generally, it strikes me that I might helpfully elaborate on some of my outside activities in greater detail than the Reporting form allows.

I don't have anything that fits squarely within the list of activities that should be discussed with the Dean in advance. But in the spirit of advance discussion of expert testimony, it might be appropriate to consider the litigation matters in which I serve as co-counsel.

Separately, since most consulting relationships require a contract, a strict reading of the "activities that involve signing a contract" bullet point suggests I (and many others!) are overdue for a check-in -- though I gather that's not how the quoted text is generally interpreted.

I'd be happy to make these disclosures in writing, i.e. a brief memo (one page?) to supplement my Reporting submission. Or if standard practice is to meet to discuss such matters, that's certainly fine too.

Thanks,

Ben Edelman