



A Note on Releases

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The case release, or permission-to-publish, is an important part of the case writing process for three reasons: protection, validity, and relationship-building. In this note I explain these reasons for obtaining releases, the process of securing them—including building and maintaining your relationship with key people in the organization—and some “what-if” scenarios some case writers may encounter. While you may not have had problems with obtaining releases, I am betting that you know people who have. This note also aims to address some of those sticky problems.

WHY BE CONCERNED WITH RELEASES?

Protection. Authors wishing to publish their cases will be expected by their publisher to have a signed release for any non-public information gathered from an organization. The Institutional Review Board (IRB) of a faculty member’s institution may also require such releases (Rock, 2007). The release serves as an assurance that the participating organization is knowingly and willingly providing information for dissemination and educational use in classrooms. An exception to obtaining a release is when all your data sources are public, as when you, or a journalist, interview a public figure “on the record.”

Validity. As with qualitative research for theory-building or testing purposes, good research methodology requires that the researcher attend to the validity of data gathered (Yin, 2003). Having the organizational informant review the data provided (e.g., his or her own interview quotes) provides the opportunity to correct misconceptions or misrepresentations on the part of the case writer.

Relationship-building. Individual writers and their institutions likely seek to build and maintain good relationships with organizations willing to participate in case research. The case teaching community in general relies on a steady stream of new cases, requiring goodwill between the business community and case writers. These relationships are based on the mutual understanding of the common objective of contributing to the education of next-generation decision makers. They also require that the case writer respect and protect the legitimate confidentiality and privacy concerns of the organization and individuals involved.

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PLAN FOR STAGES OF RELEASES

There are generally three stages in the process of obtaining the “release-to-publish” and three associated types of releases: initial, provisional, and final. In the first stage, your aim is to discuss the purpose of the case with the “key authority,” that is, the person who represents the organization and who has the power to authorize not only the initiation of the project, but also its resulting publication. The key authority, a person such as a CEO or executive director, must listen to your explanation of the project and determine whether it can be done. You don’t want to waste anybody’s time writing a case that won’t be published. If it can be done, then your other goal is to convince the key authority to give you “initial permission to go forward” and begin the actual data collection. At this point you should communicate that you will be asking your key authority to review the case sometime in the future to assure accuracy and intention. You must also communicate that all information gathered will be treated as confidential until the key authority signs off on the case as publishable.

In the second stage, as the investigative and writing processes advance, the case writer will decide what to include or exclude. During the writing parts, the case writer should review the relevant interview material with *each interviewee* to make sure that what you have written says what each interviewee *intended* to say and for general accuracy. Whether you use hard copy that is initialed by the informant or receive an emailed “OK,” you now have documents that show that the informant was asked. This is a standard, and I might add—ethical—procedure, and an *implied permission* situation in your investigation. It protects not only your interviewees, but you as well. Now they can see what their bosses will see in the drafted case and what might be published, pending final release. Your interviewees may make suggestions or ask that you alter quotes attributed to them, as they see how you interpreted their responses in the interview. This is what you want, as long as the quotes and intent are relevant to the case. While the case writer must obtain at least oral permissions from each of the interviewees, written permissions are preferred and might even be required by your IRB, depending upon your institution’s view of cases.

Once inconsistencies have been resolved and implied permissions obtained, it is time to prepare the case for a review by the key authority. Once the key authority has reviewed the entire case and made suggestions, and you have again revised the case if needed, you should ask for a “provisional release” so that it may be class-tested. The provisional release may contain contingencies, such as check-offs for disguise, limited data or limited audience—such as for classroom testing only or workshop review only, and other provisions as requested by the key authority.

Finally, in the third stage and after all the class-testing, reviews, and revisions, you will request a final “release-to-publish.” The set of releases that accumulate amounts to what Corey (1998) calls a “release trail,” sort of like an audit trail, and very handy for establishing that you did indeed get all the authorizations you needed at various stages. A release trail is also useful to have as the case writer seeks final approval of the case, as the trail serves as a reminder of the mutual commitment between the case writer and the organization’s management. Likewise, Naumes and Naumes (2011) remind us that there may be several stages for releases. It all depends on the complexity of the case and the organization.

The point is that general planning for when and how to obtain releases at various stages of your research should be a priority. Without that final release-to-publish, your

work will not receive the professional exposure you desire, nor might you be able to have it used in classroom situations legally.

FINDING AND GAINING ACCESS TO THE KEY AUTHORITY

Suppose you see a news item that strikes you as something worthy of becoming a case; it fits with your teaching objectives and you are motivated to write about it. How will you find the persons in that organization who can aid you? Prior to contacting the organization, it helps to do a bit of background research on the organization, using annual reports, news articles, 10-Ks, and the like to get an idea of who might be the key authority. In many instances case writers gain access to an organization through a strong contact, such as a relative, colleague, or friend, who may not have any authority to permit the research and future publication. In these instances, the case writer must ask his or her contact to provide guidance on which officer or top manager in the organization could officially approve or disapprove of the case research process and its results, especially within the context of your teaching goals. You would not expect the head of finance to sign off on a case about marketing, and you would not want to get to the final stages of your case writing project only to find out that the person you thought would have the authority actually does not. That would be a “whoops” moment you want to avoid. Many case writers make a point of avoiding contacting the organization’s legal counsel as the key authority, due to past experience of having the legal counsel reject the project. Even if you do manage to avoid using the organization’s legal counsel as a key authority, it may turn out that the key authority you do have is more comfortable having the legal counsel review the case in its later stages. It is wise to prepare for that possibility by providing periodic assurances and reminders to the key authority that all internal data, whether documents, conversations, or observations, are strictly confidential until a release is obtained.

An example of using a contact to gain access to the key authority is when I was referred to a person at an environmental interest group that I wished to study and that contact did not have the appropriate authority. However, the contact arranged for me to meet with the executive director who did have the authority. Over lunch, I laid out the purpose of the research, my protocol and my need for releases and initial permission to move forward. Fortunately, the executive director expressed a great interest in the case and its publication and was instrumental in finding the right people to interview, obtaining essential internal documents and providing a valuable letter of introduction. In this instance with the help of my contact, it was easy to establish who the “key authority” was with the ultimate power to sign off on a release and smooth the way. In large organizations, it is not so apparent and the case writer must do a bit of digging, using several contacts and public information to determine who that person is.

Letters of introduction are highly useful. Along with your own written description of the purpose of the study, a letter of introduction from the key authority should allay some of the concerns of potential interviewees and provide a platform for any questions and concerns they may have. The letter of introduction also serves as a signal that you have permission to move forward with the study of the organization and influences the organization’s members to buy into your proposed case project. Gaining support from the top on down smoothes the way.

PROVIDE REASONS FOR A “BUY-IN” AND INITIAL PERMISSION

During the initial meeting with your key authority, while it is important that you explain the purpose of the case and some of the overall teaching and research objectives, it is equally important to make clear that the case writer is not there in a consultative capacity, as that would bias your writing (Leenders, Mauffette-Leenders, and Erskine, 2010; Naumes and Naumes, 2011; Corey, 1998). The initial meeting is an opportunity to discuss the type of data you envision for the case and whether or not the organization can supply it. If it can't, then your work is ended right there. If it can, then you should emphasize that though there will be an instructor's manual based on the case it will **not** need a release from the key authority. This is not negotiable because the instructor's manual contains your professional opinion and analysis and should not include additional case material that your students will not have available to them. Your job is to keep the key authority informed of the approaching review stages for the case, hopefully avoiding any second thoughts by the key authority about the project as it moves forward. On the other hand, the case writer can facilitate any discussion about releases by asking the key authority how *he or she* might view important issues as part of the lessons *you* wish to impart. Shared educational values provide a foundation for moving forward with your objectives.

An example of the “buy-in” process is when I met an executive director prior to writing a case about her trade organization. The executive director was very interested in the pedagogical aims of the research and felt that she and the trade group could provide a realistic picture to students of the key aspects and challenges in the industry, and this tied in with my goals. During our first meeting, and after getting beyond the project plan, we discussed not only the industry and its trends, but also what we thought students might be interested in, with my guiding the discussion into areas that were relevant to teaching goals. That discussion laid the foundation for a substantive interview of the executive director later on and with her eventual granting the final release for publication. Initially, though, the meeting provided an opportunity for the executive director to express her concerns about what would, could, and should be released, especially regarding confidential trade group documents. Through an instructive discussion about permissions and confidentiality, the key authority was then able to assess what was permissible and was not, without deterring the aims of the project. It was a “feel good” meeting for the key authority and me when she provided her assent to move forward with the project.

THE “FINAL” RELEASE-TO-PUBLISH: BEFORE, DURING, AND AFTER AND OTHER DETAILS

Provisional Release and Release-to-Publish: What to Cover and When to Ask

Ultimately, two of the decisions faced by the case writer are *what* to cover with the provisional release and *when* to ask for a signed release-to-publish, and that all depends upon the situation. As stated earlier, the second stage provisional release may have embedded contingencies that the key authority can check off as he or she reviews a draft of the case that is nearly ready for review or publication. Not only is the review good

for your continuing relationship, but it is an extension of the educational process that you began with the key authority during the initial interview. You might invite him/her to a scheduled class-test of your case; it is sometimes surprising to the key authority what students think of the situation depicted and how the students might handle it. Involvement in the educational experience strengthens your relationship and implies a specific deadline for the case release so that more students can benefit.

After amendments based on student, instructor, and reviewer feedback have been made to the case, the case writer produces the “final” publication-ready draft, and this will require the release-to-publish be signed by the key authority, the third stage of releases, after the key authority reads the “final” draft. He or she may request changes and a second reading might be required. This second reading of the case can be facilitated by highlighting the requested changes, and that should make for a quicker turnaround to you. Whether you need a formal “re-release” may be a matter of briefly consulting your key authority. The only rule for a field-based case is that the final release must be obtained prior to publication.

How to Actively Wait for the Release and What to Do after You Receive It

At times, a key authority may take a considerable amount of time to read and release the case. Since it is the final step before submission to a journal, you may want to gently remind the key authority of the initial discussion you had and the common goals you share, including educating students through this common effort. A phone call, if convenient, will give you a chance to gauge what might be preventing the release from happening, and provide an opportunity to meet, if necessary. At this point, you may need to stress that you have met various stages of permission and all that is needed is the final OK. In one instance, my co-author and I had been promised that the release-to-publish was forthcoming. However, after a week beyond the promised date went by, I contacted the key authority and learned that he had given it to select Board members for their input. This was not in our plan at all! With a bit of email discussion, he was able to address their questions, and then sent his approval on to us. We had not expected that four other people might see the case, and were very fortunate that no major glitches happened.

After you have received the signed release-to-publish, it is advisable to archive copies along with the rest of your research project data for future reference and to have available to journals, publishing houses and your institution as they require. In the above situation, I kept hard copies of the emails from the Board members, along with the final release-to-publish. When the case is published, it is good policy to send a copy to the key authority; it will remind that person of the collaborative effort in producing the case, and also of their role in educating students, further strengthening the bond with the case writer and making it easier in the future to write a follow-up case.

What the Releases Might Look Like

What do releases look like? Of course, there are many factors to take into account, such as use of a particular “form” release that is required by your institution. To illustrate, Boston University School of Management advised that faculty-advised student-authored cases use a particular form or “letter of authorization” when approaching an organization for a case study (Heineke, 1995). Your release might be a simple

statement, or it might provide contingencies that your key authority has requested. Hard copy or email, or some other electronic form may be used. Examples of releases are discussed in depth in two references at the end of this note: Leenders, et al. (2010) and Naumes and Naumes (2011). Generic release statements that I have used and tailored to my case writing projects are shown below.

Sample “Initial Release” Statement:

I have discussed the case project, its purpose and processes, and anticipated time frame with [case writer’s name] and I understand that the project is for educational purposes. I give permission for the project to go forward, and request our employees’ cooperation in its development.

Name and Position: _____ Date _____

Sample “Provisional Release” Statement where the Key Authority has made disguise requests:

I have read the case titled: “_____” and authorize its circulation for the purposes of review, presentation at case writers’ workshops, or in class room testing. I reserve the right to review the case prior to submission for publication for final “release-to-publish” purposes. By signing, I certify that I have the authority to release this case. It is my understanding that the following case data will have been disguised:

_____ Company and Individual Names _____ Industry
_____ Geographic Place _____ Numerical Data
Name and Position: _____ Date _____

Sample “Release to Publish” Statement:

I have reviewed the case titled: “_____” by (name(s) of author(s), dated: _____ and authorize its publication in any form. By signing, I certify that I have the authority to release this case. It is understood that this case and its supporting materials may be used for future teaching and research purposes.

Name and Position: _____ Date _____

SOME “WHAT IFS?”

More Than One Organization

Suppose that you are doing one case study but that it involves more than one organization. This is sometimes the situation when writing a public policy case, an industry note, or a strategy case that involves collaborative strategies such as joint ventures. What should you do about a release? For each organization you study, once the case has reached near-publication stage, your responsibility is to provide the part of the case that refers to each specific organization to that organization’s respective key authority for their permission to release about-to-become public information about their

organization. You do not need to show the *entire* case to each key authority, as the key authority is only responsible for what you have written about *their* particular organization and this fact should be reiterated. To show the entire case to one key authority could be inviting a situation where he or she would decline to give a “release to publish” based on what was written about the other organization.

Key Authority of an Organization Is No Longer Available

Sometimes the key people we initially met are no longer available: they move on, retire, or expire. In a situation that I hope you never experience, the executive director of the trade group that I described in this note unexpectedly died during the project. Fortunately for the project, I had interviewed her and reviewed with her what I had written about her and the trade group. Most importantly, I had her signed permission to release the material for publication. Could I use the material she signed off on in the case? Of course, but rather than assume that it was a done deal, I went to the person who replaced her and asked if it was all right with him. He appreciated the gesture and was later a valuable resource in another study I conducted. By establishing contact with your key authority’s replacement, you send the signal that you value them, which is quite useful if you want to update the case at a later time.

When the Case Writer or a Past Employee is the Protagonist

What if *you* are the protagonist in the case? This can happen when the case writer has personal knowledge of an interesting situation and has decided to write about it using insider information. Does the case writer need clearance from the organization? Yes, you do need clearance for inside data. The same is true for situations where the primary informant is a past employee; a release is required if internal information about the organization is disclosed, according to Roberts (2010). The case writer does *not* need organizational clearance for data strictly describing interpersonal conflicts, as for an organizational behavior case, but should be aware that reviewers will pay special attention to the author’s analytic objectivity in the Instructor’s Manual. Importantly, there must be precautions taken, such as using disguise, to protect the informant and other people who are mentioned in the case. It is the responsibility of the case writer to make the case disguised enough, but not so much that the context is destroyed. The case writer may disguise names of informants, the name of the organization involved, the geographic area and financials. The industry might stay the same, or be a related industry, but it is imperative that the actions of the informants, along with the essential issues and problem, stay as close to reality as possible.

The Key Authority Has Second Thoughts about Releasing the Case

Not all key authorities are going to be cooperative by the time you have made your case study publication-ready. Reviewing the final version might result in re-evaluation of the case study and what its implications could be, perhaps not all of them positive. Perhaps the key authority feels, for whatever reason, that passing the case by the organization’s legal counsel is prudent. As mentioned before, review by legal counsel is another hurdle, but one that does not necessarily need to be negative. This is where it would be useful to have a face-to-face meeting with the key authority *and* legal counsel, if possible, to review what alternatives may be available. Asking; “What can reasonably be done so that the case is acceptable to you?” or, “If you could alter this case to make

it publishable, what would you change?” puts the ball in the key authority’s court and legal counsel’s court and provides an opening for constructive discussion. Showing some understanding of the key authority’s and legal counsel’s position may lead to a positive outcome. If not, it is prudent to move on to another project and never use the material that was garnered during the study. At the very least, you will not alienate people you may need in the future.

FINISHING UP AND MAINTAINING A CONNECTION

Your relationship with the key authorities in your case study will be strengthened by keeping in touch periodically with them or other informants and may lead to additional contacts. Phoning, arranging for lunch together, or just emailing may keep your case study in the minds of your informants, which you want, especially if it was viewed as a good experience. When it comes to referrals from your informants and other contacts, you want their experience with you to have significant and positive connection, which may lead to new case writing opportunities.

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