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ACRL New England Scholarly Communication Special Interest Group Workshop: Partnering with Faculty: Scholarly Communication Conversations

Andrée J. Rathemacher

This report covers a workshop held by the Scholarly Communications Interest Group (SCIG) of the Association of College and Research Libraries New England Chapter (ACRL/NEC), an independent chapter of ACRL. The mission of the ACRL/NEC Scholarly Communication Interest Group is to "develop and nurture a regional community of academic professionals interested in forwarding scholarly communication interests in higher education." The group provides "a forum for sharing ideas about a wide variety of topics, including institutional repositories, authors' rights, and open access and other alternative publishing models." (Scholarly Communications Interest Group, About, http://www.acrlnec.org/scig/?page_id=2, Accessed August 10, 2010). The workshop, titled "Partnering with Faculty: Scholarly Communication Conversations," was held on July 29, 2010 at the Franklin W. Olin College of Engineering in Needham, Massachusetts. Presentation slides are available at http://www.acrlnec.org/scig/?cat=3 (accessed August 5, 2010).

"Methods and Messages that Work"

The workshop featured a keynote address by Peter Suber, Berkman Fellow at Harvard University, senior researcher at SPARC, and Open Access Project director at Public Knowledge. In his address "Methods and Messages that Work," Suber asserted that mandatory archiving

policies instituted by universities and funding agencies are significant agents of change in scholarly communications today. However, in order to make these policies work, faculty and researchers need to be persuaded to comply.

Suber began with an overview of open-access literature and how it is delivered. Open access (OA) literature is digital, online, free of charge, and free of most copyright and licensing restrictions. OA literature can be delivered through institutional or disciplinary repositories, in which are deposited preprints or postprints of articles published elsewhere. There is no local peer review associated with repositories although the material deposited has often been peer-reviewed elsewhere. Access to OA literature through institutional or disciplinary repositories is known as "green" OA. "Gold" OA, on the other hand, is a term used to refer to journals that are open access, whether by birth or through conversion to an open-access model. Peer review, when used, is part of the publishing process of OA journals. Journals can be considered "gold" OA regardless of their business model (whether or not they charge author fees). OA scholarship can also be delivered through personal Web sites, blogs, wikis, databases, Web casts, and other technologies.

After this introduction, Suber stated that his presentation would focus on institutional repositories and how to communicate with faculty about OA policies in a way that will allay their fears about open access and enhance their compliance with these policies. Suber presented two underlying premises that must inform any strategy of communicating with faculty. The first premise is that authors are primary; the amount of OA literature in the world depends on them.

Authors are the ones who decide whether to submit their work to an OA journal (gold OA) and whether to deposit their work in an OA repository (green OA). They also make the decision about whether to transfer their copyright. The second premise is that authors are busy, often too busy to learn much about OA and to act on what they know. For example, most faculty authors believe that all OA is gold OA and that all OA journals charge author fees, both of which are false.

The combination of the fact that authors are primary and authors are busy creates a problem. Researchers have an interest in OA both as authors and readers, and they control the solution, but they rarely focus on OA. The solution, according to Suber, is a nudge from the institutions in a unique position to influence author decisions, namely funding agencies and universities. Good policies from these institutions are needed, as well as good persuasion for faculty (i.e., messages that work). Suber emphasized the importance of good policies in the ability to persuade faculty to follow them. The heart of a good policy consists of five elements: mandatory deposit for all articles; deposit at the time the article is accepted for publication; deposit of the peer-reviewed version of the manuscript; permission to make deposited articles available open access by default; and a waiver of that permission available on request.

Suber next detailed Harvard University's permission model and explained how it avoided copyright problems. Under the Harvard model, faculty grant Harvard University the non-exclusive right to distribute their peer-reviewed articles. Thus, open access through the institutional repository DASH (Digital Access to Scholarship at Harvard) becomes the default for

Harvard faculty publications. This default advances the cause of open access significantly and increases faculty participation. Permission to place an article in the repository is not sought case-by-case and no negotiation with publishers is required since the university has a standing, non-exclusive right to distribute articles written by Harvard faculty. Authors are free to transfer all remaining rights to the publishers of the journal in which their article appears. Suber noted that institutional policies requiring faculty to deposit their articles in a repository will fail if the faculty need to negotiate with publishers. However, a policy such as Harvard's allows policy makers to convey the message, "you don't need to negotiate; you've already given this right to the university."

This default permission may be reversed with a waiver. Authors may request a waiver easily using a Web-based form. The process is automatic; no questions are asked, no rationale is needed, and requests for waivers are never refused. No standing waivers are allowed; authors must make a separate waiver request for each paper. Suber explained that this is needed to truly shift the default to open access. If standing waivers were allowed, the default for that author would be shifted back to non-OA. The waiver process is a small speed bump that effectively changes behavior. Suber noted that the waiver applies to open access only, not to deposits. Authors granted a waiver must still deposit their articles in the repository so that the institution can track and archive the research output of its faculty. However, the article remains "dark" and unavailable to the public until such time as permission to make the article OA is obtained from another source, such as the publisher. Suber elaborated on Harvard's waiver policy, explaining that though the exact rate of waivers at Harvard is unknown, it is much lower than expected. Waivers should not be seen as a failure of the institution's policy, but a virtue of it, since without

the waiver system, faculty would not have voted for the policy. Waivers answer faculty fears and concerns, and, as such, they are beneficial for the advancement of open access repositories.

Suber transitioned into a summary of "what works" in relation to institutional policies for open access repositories and messages to faculty. One strategy that works is to get permission from authors to deposit their work in the repository before they transfer their rights to publishers instead of *from* publishers after authors have transferred their rights. Suber explained that because funders and universities are "upstream" from publishers in the scholarly production process, they can secure some rights from authors before those rights are given away to publishers. When open access is authorized by copyright holders, as in Harvard's policy, it is legally bulletproof and battle tested. This kind of policy also works because it increases authors' control over copyright, which is contrary to their fearful misperceptions. While some faculty suspicious of the administration may suspect a power-grab of rights related to their research, the fact is that with a policy like Harvard's, authors retain the right to authorize open access that they normally would not in a standard transfer of copyright to the publisher. Institutions can communicate to authors that with this new default, authors retain more rights and have more control over their work than previously, and they are still free to transfer the remainder of their rights to publishers.

Suber pointed out that a good policy also preserves authors' freedom to submit to the journals of their choice. Again, this is often contrary to fearful misperceptions. Suber explained that many faculty do not understand the difference between green and gold open access and assume that

open access means that they must submit their research only to OA journals which might not have the reputation of other journals in their field. It is very important to communicate that this is not the case, as policies mandating deposit in an institutional repository focus on green not gold OA. Such a policy does not address where authors submit their work, only what they do with their manuscripts after they are accepted for publication. Academic freedom is not threatened as faculty can submit their work to any journal they wish. Suber noted that some university policies give faculty the "choice" of submitting to the institutional repository or to an OA journal. Suber feels that it is better to cleanly separate support for green institutional repositories from gold OA journals so as not to confuse the two, since confusion between the two has resulted in OA policies being defeated.

Suber explained that it is also important to point out that faculty remain free to decide for or against open access for each publication. A policy that mandates deposit but allows for waivers merely shifts the default to open access but does not coerce faculty to make their work openly available. He likened Harvard's mandate to jury duty: it is a requirement, but there is the ability to opt out. He noted that policies that merely encourage faculty to deposit their work in a repository do not work and are essentially equivalent to the status quo. A mandate requiring deposit is necessary, but faculty should be allowed to opt out so as to preserve their freedom of choice.

Suber summed up the characteristics of good policies by stating that good policies do not ask authors to bypass peer review, to submit only to certain journals, to negotiate with publishers, to

violate copyright, to decrease their rights over their work, or to decrease access to their work. On the contrary, good policies allow authors to increase their rights over their work and to increase access to their work. Good policies enhance discoverability and preservation of authors' work and enlarge the audience and impact of that work. Good policies grant an institution the non-exclusive rights they need to do these things.

To garner support for such policies and to enhance compliance with them once they are passed, researchers need to be educated about copyright and open access, as they are often ignorant about both. Suber again pointed out that the group that controls the solution, the authors, is not the group that understands the problem, the librarians. Unfortunately, messages from librarians and administrators do not sink in as signficantly as messages from peers. Campaigns for open access can be informed by administrators and librarians but need to be lead by faculty.

Regarding copyright, researchers need to understand that authors are the copyright holders until they transfer their rights; that transferring full copyright to a publisher gives the OA decision to the publisher; that many journals will alter the standard contract when asked; that asking for better terms is risk-free; and that experts can help by providing model language for author addenda to contracts, for example.

Regarding open access, researchers need to understand which OA journals exist in their field; that some OA journals charge fees and some do not; that there are OA repositories, not just OA

journals; that repository deposits take just a few minutes; that green OA is compatible with non-OA journal publication; that most non-OA journals allow OA archiving; and that OA significantly increases citation impact. Researchers should understand that it is not charity to deposit in OA repositories; it is in their self-interest, since deposit of research in an OA repository will ensure the preservation of their scholarship and increase its visibility and audience.

During the brief question-and-answer period that followed Suber's presentation, one of the questions posed was what version of the author's manuscript should be deposited in an OA repository. Suber replied that the target was generally the final version of the author's manuscript approved by peer review but not yet copy edited, formatted, or paginated. It is true that the publisher's version is best for citing, but authors care less than publishers and librarians about final published versions and will readily cite papers in repositories. Of course, publishers want to distinguish the final version of the text from other versions and do not like the fact that multiple versions are available. For that reason, institutional policy should allow for the replacement in the repository of the peer-reviewed manuscript with the final published version if allowed by the publisher. Suber emphasized that while publisher versions are easier to cite, it is the final version of the language approved by peer review that contains the good science or scholarship.

Following Suber's talk was a "Persona Exercise" in which participants rotated through small groups and practiced devising a communication plan to address the interests and needs of a

particular "persona" in their community (for example an undergraduate social sciences major creating a media project, a graduate student in the sciences, the dean of a business school, and the faculty editor of a society-published journal). Topics addressed included copyright, fair use, author rights, and open access.

OA Funds / COPE

After lunch, a series of short updates were presented on legislation and initiatives related to scholarly communication. Barbara DeFelice, Digital Resources Program director at Dartmouth College Library, spoke first on the Compact for Open-Access Publishing Equity (COPE). Institutions participating in COPE commit to provide funds to pay fees charged to authors publishing in journals that make all the articles in the journal openly available. COPE was initiated by Stuart Shieber, professor of Computer Science at Harvard University and director of the Harvard University Library's Office for Scholarly Communication. It was launched in September 2009 with five institutions signing on to the stated goal of providing a "sufficient and sustainable funding basis for open-access publication of the scholarly literature." (Compact for Open-Access Publishing Equity, http://www.oacompact.org/compact/, Accessed August 5, 2010). Since then, more institutions have joined.

DeFelice explained that COPE's goal is to support authors in their choice of where to publish by removing cost barriers to publishing in open access journals and to help publishers feel confident about experimenting with new revenue models. Signatory institutions recognize the crucial value of the services provided by scholarly publishers, the desirability of open access to the

scholarly literature, and the need for a stable source of funding for publishers who choose to provide open access to their journals' contents. Common elements of COPE implementations include support for author fees charged to faculty and graduate student authors affiliated with an institution, a cap on total reimbursement per author (either per article or academic year), and a prohibition on supporting author fees when grants will pay those fees. Author fees are only paid for publication in peer-reviewed, open access journals listed in the *Directory of Open Access Journals (DOAJ)* or where the publisher is a member of the Open Access Scholarly Publishers Association (OASPA) or subscribes to the OASPA Code of Conduct. Most COPE signatory institutions do not offer support for hybrid journals (which provide author-supported open access to select articles but also charge subscription fees) or for journals which offer delayed open access to current articles. DeFelice sees COPE as supporting the evolution away from subscription-based revenue models.

FRPAA Legislation

Next, Carolyn Mills, science librarian at the University of Connecticut, provided an update on the Federal Research Public Access Act (FRPAA). This act would require U.S. federal agencies with extramural research budgets of $100 million or more to provide public access to research manuscripts resulting from their funding within six months of publication in a peer-reviewed journal. FRPAA currently exists as two mirror bills before the United States Congress: S1373 submitted in June 2009 and HR5037 submitted in April 2010. Mills pointed out the differences between FRPAA and the National Institute of Health (NIH) Public Access Policy. FRPAA would offer only a six month embargo (as opposed to NIH's twelve months), except for authors

who are federal agency employees and would be granted no embargo period. FRPAA offers options for where research can be posted; it does not specify a particular repository (e.g. PubMed Central) nor does it specify how agencies and authors will secure legal permission to deposit their research (e.g. by retaining copyright). Support for FRPAA is broad-based and includes the Obama administration. Unfortunately for advocates of open access, opposing legislation is also before the U.S. Congress in the form of HR208, the Fair Copyright in Research Works Act, which would amend copyright law and overturn the NIH Public Access Policy.

Experience at MIT with OA Policy

Ellen Duranceau, program manager, Scholarly Publishing & Licensing at the Massachusetts Institute of Technology (MIT), provided an update on the MIT Faculty Open Access Policy. The MIT Faculty Open Access Policy was adopted by a unanimous vote of the faculty in March 2009. It is similar to Harvard's policy in that it gives MIT nonexclusive permission to make available faculty scholarly articles openly on the Web through the DSpace@MIT repository. Duranceau elaborated on the work that has been done by the MIT Libraries under the guidance of the Faculty Committee on the Library System to implement the policy in a way that is as convenient as possible for faculty. The MIT Libraries are taking three approaches to acquiring content for their repository: publisher negotiation, searching for faculty papers on the MIT Web domain, and reaching out to authors for copies of their manuscripts.

Duranceau has negotiated with a number of publishers to allow the libraries to copy the final published versions of faculty articles from publisher Web sites and post them to the DSpace

institutional repository. This approach benefits faculty in that no action is required on their part, and faculty tend to prefer the final version of articles to peer-reviewed manuscripts. Articles acquired from publisher Web sites in this way account for a large majority of the papers posted thus far. Another source of faculty papers is the MIT Web domain itself. Two Simmons Graduate School of Library and Information Science student interns have been systematically reviewing the MIT Web domain to look for data about papers as well as the full text of papers, which has resulted in about 10 percent of papers posted in the repository. Again, this approach requires little direct faculty participation. In the future, it might be possible to automate this process through the use of Web crawlers.

The third channel for acquiring faculty papers at MIT is direct requests to faculty by library liaisons to departments. To support the work of liaisons contacting faculty, the Open Access Policy Outreach Team, formed in July 2009, has created a Microsoft Access database to track faculty authors and citations and help manage the workflow of requesting papers. The database provides information about whether a paper has been opted out, whether the libraries can get it directly from the publisher, from whom and when a paper has been requested, and if the paper has been received. Duranceau sees this work as an opportunity for librarians to play new and critical roles on campus through building relationships with faculty and becoming relevant to their publishing workflow. Plans to expand outreach efforts are underway.

Data Management Outreach at MIT

Amy Stout, computer science librarian at MIT, spoke next on the MIT Libraries' efforts in reaching out to faculty in support of data management. Stout pointed out that many funding agencies now require research data to be made freely available. Support for open access to research data is an important service libraries can provide to researchers. This requires librarians to engage with faculty earlier in the research process than is the case when working with faculty to deposit final versions of articles. MIT librarians offer many levels of data management support to faculty. They recommend repositories for the storage of data, including DSpace@MIT, the joint Harvard-MIT Data Center, and outside repositories. The libraries have also created a Web guide to data management and publishing, offer a workshop called "Managing Research Data 101," and conduct one-on-one consultations with faculty members.

Stout explained that MIT librarians' outreach to faculty on data management issues grew organically out of public service functions in the library. A number of librarians began by identifying faculty to approach through Web sites, news stories, and word of mouth, as well as through direct requests from faculty. In meetings with faculty members, librarians learn the story of the researchers' data, including collection methodologies, file formats, how the data are stored and documented, and what the potential is for secondary analysis. The librarians offer guidance on how to manage the data, including advice on data documentation and metadata, file formats, data conversion and back up, and intellectual property issues. They educate researchers on the components of data management plans, which will be required for all data generated by National Science Foundation (NSF)-funded research as of October 2010. They also facilitate the deposit of existing research data in an archive or repository. As a result, a growing number of

datasets produced by MIT faculty are available in repositories, and ongoing partnerships have been formed between the library and researchers.

Model Author Rights Language

The final update of the afternoon concerned efforts to include author rights language in library content licenses. Ellen Duranceau of MIT reported on the progress of an Association of Research Libraries (ARL) ad-hoc working group formed in October 2009. The goal of the working group was to develop model language for use in library content licenses that would secure the right of institutionally-affiliated authors to reuse their work published by the content provider for scholarly, educational and non-commercial purposes and to deposit their work in open access archives. Duranceau explained that although this was not a new idea—MIT and others have had some success with including author rights language in licenses—no standard language for license agreements had yet been developed. This project was driven by the idea that an institution-wide agreement negotiated as part of a content license on behalf of the institution's researchers would be more efficient and effective than relying on the authors themselves to renegotiate rights to reuse their previously published work or to include author addenda in publishing agreements for their current work. Although many publishers have green OA policies that allow the deposit of author papers in open access repositories, these policies are variable, confusing, and mutable. The working group arrived at the principles that author rights language should be simple and concise and should focus on use rights, not copyright retention. It should allow compliance with institutional and funder mandates requiring deposit of articles in open access repositories, and it should take precedence over any conflicting provisions in

individual author agreements. The working group intentionally omitted any reference to author copyright retention, moral rights, the mechanics of deposit, references to embargoes, and limiting deposit to the author's accepted version, explicitly allowing deposit and use of the publisher's final version. The model language has just been released and has been endorsed by ARL. Next steps are to further distribute the draft language for public comment and trial use and to seek key endorsements.

In-Depth Q & A and Discussion with Peter Suber on OA Topics

Following the updates, an in-depth question-and-answer period with Peter Suber rounded out the day. The first question concerned how to identify open access journals in a discipline and promote them to faculty. Suber mentioned the *Directory of Open Access Journals (DOAJ)*, which is organized by discipline. Faculty might respond that they have not heard of the journals in the *DOAJ*, which is not unlikely, because the oldest journals listed are only about ten years old and most are five years old or younger. Even if they are excellent, they are not well known. Faculty tend to follow prestige over quality, which is unfortunate, since a new journal can be excellent from birth, but not prestigious from birth. Suber reemphasized that it is not necessary to publish in an open access journal in order to make one's research open-access. Faculty can opt for the green OA model, publishing in the journal of their choice but depositing the peer-reviewed version of their paper in an open access repository. Suber noted that 90 percent of journals and over 60 percent of publishers allow green OA, and faculty can request to deposit articles published in other journals, though researchers at institutions with a Harvard or MIT style policy do not need to make such requests.

Another questioner noted that federal funders, for example the NIH, require the open access deposit of articles resulting from funded research. She asked if there are any examples of intra-university funders who do the same, for example deans' offices or foundations. Suber replied that the Washington State Board for Community & Technical Colleges (SBCTC) requires research resulting from their funding to carry a Creative Commons Attribution License and be shared in online repositories (http://www.sbctc.edu/general/admin/Tab_9_Open_Licensing_Policy.pdf, Accessed August 23, 2010). This policy applies to the research itself, not the researchers affiliated with the institutions, as the Harvard and MIT institutional policies do. Suber noted that the best practice for funding agencies with open access mandates is not to allow waivers. Authors meeting publisher resistance to these policies must find another publisher. This is different from the best practice for university policies, which should include waivers to gain faulty support. In the case of the NIH, publishers cannot practically refuse to publish NIH-funded research, as it results in approximately 80,000 peer-reviewed journal articles each year. However, smaller funders might find that publishers refuse to publish work with such mandates.

In response to a request for strategies to gain support for open access policies from a board of trustees, Suber made the point that in most cases where there is faculty support, there is administrative support. Administrators never support open access less than faculty do because administrators are aware of the serials pricing crisis, while faculty are not. Administrators see

open access as a solution to a budget problem, and they tend to support the concept. It is the support of the faculty, then, that is most important to build.

Suber mentioned another advantage of repositories in providing a time stamp on research to show which researchers wrote first about a particular topic. He explained that historically journals took the place of books as the primary source of new scholarship because they came out faster. Now, in some disciplines, the delay between acceptance of a paper by a journal and publication can be lengthy. Repositories can make new scholarship available sooner than a journal can, and in so doing can help authors claim ownership over their scholarship. Researchers can even post a first draft of an article before peer review and revise their submission later. This is common in economics where working papers are posted online in the RePEc (Research Papers in Economics) database. In response, an attendee asked if articles were ever rejected because they were already available in a repository. Suber responded that articles are rejected because they are not good. The exception is with journals that follow the "Inglefinger rule," which started among medical journals. It states that the journal will not publish any article already published or publicized elsewhere, the idea being that non-peer reviewed medical research might be dangerous. Subsequently, many non-medical journals adopted this rule because it protects profits. Fortunately, the rule is in decline, and authors can tell whether a journal follows the rule before they submit their work.

The question was raised about whether an author at Harvard needs permission from his or her coauthors before their work is posted in Harvard's repository. Suber replied that it was

incumbent on a Harvard author to inform his or her coauthors of the policy, and, if any coauthors object, the Harvard author needs to drop them as coauthors or request a waiver. The NIH policy, on the other hand, does not allow for waivers. All work funded in whole or in part by the NIH is subject to the policy.

In response to a question about whether or not Harvard's policy applies to previously published faculty articles, Suber explained that it did not. The copyright for articles published before Harvard's policy was enacted has already been given away to the publishers. That being said, Harvard welcomes the deposit of older articles and provides assistance to faculty in securing the necessary permissions from publishers. It is also possible for libraries to negotiate with individual publishers a blanket permission to deposit older articles. Most publishers do not have a problem with making older articles available open access, especially significantly older articles.

Asked to elaborate on incentives for getting faculty to comply with policies mandating the deposit of their articles in an institutional repository, Suber noted that feedback to authors on the number of downloads of their articles is essential, as download counts today correlate with citation numbers in the future. Many repositories highlight articles with the highest number of downloads in a given month or week. Because faculty are competitive, this fuels participation. The Netherlands, which has a national repository, highlights papers with the most downloads in a category called the "Cream of Science," and researchers want their work to be included. A more

subtle approach is taken by the University of Minho in Portugal, which gives monetary incentives to departments with the highest deposit rates.

A concern was raised that it might be a burden to faculty to have to deposit their papers in an institutional repository when they might prefer to deposit in a disciplinary repository such as Social Science Research Network. Suber responded that software that allows the mutual harvesting of deposits from institutional and subject repositories is under development. It is called the SWORD (Simple Web-service Offering Repository Deposit) protocol (http://www.swordapp.org/, Accessed August 6, 2010). Once this mutual harvesting is implemented, the burden of double deposit will disappear and the stakes will be lower for whether an author chooses to deposit in an institutional or disciplinary repository. He commented that most institutions have an interest in having a full institutional repository even if the same paper exists in another repository, as administrators want to use the institutional repository to showcase and keep track of faculty publications. Hopefully methods will be developed for different repositories to also share download data for specific papers.

The last topic in this open discussion was gold OA and support for the COPE project. Suber was asked whether he supported institutions and funders paying article fees for authors to publish in OA journals, and how he would respond to commentator Stevan Harnad's criticisms of gold OA. Suber pointed out that Harnad believes that green OA must be achieved through repositories before gold OA through open access journals can be addressed. Suber stated that he disagrees and believes both green and gold OA should be developed at the same time. There is a concern

that rising levels of green OA could trigger significant cancellations of subscription-based, peer-reviewed journals. Such a scenario could undermine the system of peer review itself. This has not happened thus far in physics, but other fields might not behave like physics in this respect. We can avoid this possibility and ensure the survival of peer review by cultivating peer-reviewed OA journals at the same time that we cultivate rising levels of green OA.

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