TALKING TO AUTHORS IN A WORLD OF ELSEVIER TAKEDOWNS AND OPEN ACCESS MANDATES

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March 19, 2014
ISSUES IN LIBRARIANSHIP

- Open Access
- Copyright
- Author rights
- Cost of scholarship
- E-Reserves – Georgia State University!
- Fair use
- Re-use rights

- Crisis in Scholarly Communication
- AltMetrics
- Cost of Knowledge
- Institutional Repositories
- Inflation Rates of Journals
- “Big Deals”

PLUS

databases, digital humanities, our collections, etc.
What we say to faculty:

Okay, faculty members! You need to negotiate your author agreements with journals, and deposit content in institutional repositories, and support open access. AltMetrics can help measure your impact and open access mandates will help us help you …

What faculty hear:*

blah blah blah blah blah JOURNALS blah blah blah blah blah blah blah blah blah blah IMPACT blah blah blah blah blah blah blah ….

*Data Verified Experimentally 2014/03/18
CASE STUDY

Talking to faculty authors about open access
Why they care:
• Journal publishers are sending take-down notices to faculty for sharing their own research papers.

Why we care:
• Library budgets
• Social justice
• Faculty empowerment
ELSEVIER TAKEDOWN NOTICES

lead with Elsevier’s “unforced error”

3200+ notices to academia.edu
+ notices to department & faculty websites

What to do?
Talk to library. * Also, ask publisher for signed author agreement.

How is it possible?
Author Agreements

How one publisher is stopping academics from sharing their research

By Andrea Peterson, Updated: December 19, 2013 at 5:51 pm

One of the world's largest academic publishers has launched a wide-ranging takedown spree, demanding that several different universities take down their own scholars' research.

Elsevier is a commercial firm that publishes some of the leading journals in many academic fields. In recent weeks, it has sent takedown notices to the academic social media network Academia.edu, and to the University of Calgary, the University of California-Irvine, and Harvard University.

In these cases, Elsevier is within its legal rights to demand the material be taken down. The firm of course requires researchers to surrender their copyrights in a paper as a condition of publishing it. But the recent takedown campaign goes against a long-standing industry practice in which journal publishers look the other way when academics post their own work.

Elsevier's new hard-line approach begins with Academia.edu. Thanks to the Internet, it's easier than ever for researchers to post their work to the world.

Elsevier's takedown notice to the site demands all 18,000 Paper SAGE files be taken down. Elsevier's takedown notice to the site consists of 18,000 URLs — each one a link to a paper.

The new wave of takedowns

The first signs of Elsevier's counterattack came in December. Suddenly, the Academia.edu CEO and his team were receiving thousands of takedown notices. The site's editors worked around the clock for weeks. The site was closed for a day.

Many recipients took to Twitter to vent their anger. A survey of the academic community showed that Elsevier had sent more than 15,000 notices. The company that<br>...
Why we care:
- Library budgets
- Social justice
- Faculty empowerment

Why they care:
- Take-down notices
- Publishers are suing over teacher-assigned readings in ereserves/class management systems.
University sued for ereserves

Make it about them:
Ereserves = Moodle / Blackboard

Make it real:
Faculty TESTIFIED on the stand about their teaching and why they used this article, or 10% of that book.

Make it big:
It’s not just GSU. It’s India, Canada, NZ. It’s textbook sales & models, too.

How is it possible?
Author Agreements

Why we care:

- Library budgets
- Social justice
- Faculty empowerment

Why they care:

- Take-down notices
- Lawsuits for teaching
- Authors have to ask permission and pay fees to re-use their own figures!
IT’S GALLING TO HAVE TO ASK PERMISSION OR PAY FEES FOR YOUR OWN WORK.

Figure reprint fees can be HUNDREDS of dollars. $$$$$

Negotiate your author agreements!
Why we care:
• Library budgets
• Social justice
• Faculty empowerment

Why they care:
• Take-down notices
• Lawsuits for teaching
• Ask permission for your own work

Offer the alternatives, and address benefits/concerns.

• Author agreements
• Open access
NEGOTIATE YOUR AUTHOR AGREEMENTS

Strike through or write in!

Like negotiating for cars or houses.

OR ...

[Redacted text for confidentiality]
CLAUDES TO NEGOTIATE

OA journals generally leave all rights with authors, but watch for:

• OA fees

• Rights to re-use in other formats

• NC (non-commercial) or not

Commercial (toll-access) publisher contracts:

• Indemnification clauses

• Copyright assignment
  - versus exclusive license to all versions in all media in perpetuity
  - versus exclusive license to first publication rights for THIS work
  - versus non-exclusive license

• Your rights to re-use and distribute

• Their rights to edit, title, index, etc.

• Their rights to sue on your behalf without your consent

• Reversion rights – When do their rights end?
NEGOTIATE YOUR AUTHOR AGREEMENTS

... OR

Use the SPARC author’s addendum with all the rights that authors need

DISTRIBUTION and REUSE

http://www.sparc.arl.org/resources/authors/addendum
OPEN ACCESS

Contacting the library and responding to a takedown notice is an immediate response.

Negotiating your author agreement is a forward-thinking approach to dealing with the problem, but it can be challenging for some people, and has to be done every time.

OPEN ACCESS
is the long-term solution.
CLEAR UP CONFUSIONS

- Open access = no peer review NOT TRUE
- Open Access Mandates = no academic freedom NOT TRUE
  - OA Mandates are different from OA journals
  - Open Access Mandates help faculty who can’t or won’t negotiate their author agreements. They put the authority of the university behind faculty, so they can use their own work however they want.
Are open access journals risky?

You need to find out how OA works in their particular discipline and department.

Who in their field supports OA?

Who in their department?

Has P&T recognized it at your institution?

What OA journals are in their field? What are their impact factors? Are they well-received?
BE DISCIPLINE-SPECIFIC

- Lists of OA journals in the discipline
- Page charges: Faculty think of OA as having expensive page charges. Figure out what the standard charges are in the leading toll access journals & OA journals.
- Impact issues relative to OA: High-impact OA journals? Scholarly research on impact of OA in that discipline?
Open access increases impact in [your discipline]

Steve Lawrence, “Free Online Availability Substantially Increases a Paper’s Impact” (Computer Science) http://www.nature.com/nature/debates/e-access/Articles/lawrence.html
OTHER EXAMPLES
GRAD STUDENTS & ETD EMBARGOES

Directly Address Confusion

• Clarify the actual recommendation: e.g., AHA recommended campuses permit up to 6-year; didn’t recommend that 6-year be default or minimum
• Recommendation was actually about flexibility

• Highlight your campus flexibility:
  • Advisor & Committee roles
  • Case-by-case judgment
  • Extensions granted when requested

• Campus faculty set the policies

• Situation is in flux with publishers still exploring benefits of discoverability

• Discuss actual research if needed – most publishers, now & in the past, consider dissertations, with revision

FOCUS ON THE ISSUES THEY CARE ABOUT.
PREDATORY PUBLISHING

Watch for:

• Special issues or spin-off journals that are not conventionally indexed

• Solicitations to pay fees (OA or page charges)

• Solicitations to contribute for free, even if no legal rights given, can be hurtful too: Foreclose other publishing opportunities, or taint your reputation.

FOCUS ON THE ISSUES THEY CARE ABOUT.

It’s not just OA publishers who are predatory.

Grad students are especially vulnerable to predatory publisher solicitations.

Non-OA publishers have author agreements that you MUST review to protect your rights.

FOCUS ON THE ISSUES THEY CARE ABOUT.
ALTMETRICS

Why we care:

- Free us from the tyranny of big name journals!
- Actually capture real impact and value of work!

Why they care:

- Only if it helps them get tenure!
- H-index doesn’t describe them well.
  - Cutting-edge research not readily captured
  - Junior faculty: New research to fill in for citation lags in traditional metrics

FOCUS ON THE ISSUES THEY CARE ABOUT.
DATA MANAGEMENT PLANS

Why we care:
• Access to knowledge
• Relations with IT and library

Why they care:
• NSF mandates
• NOW, NSF is increasing enforcement & scrutiny of applications
• NSF has down-rated and even rejected grants with inadequate data management plans

FOCUS ON THE ISSUES THEY CARE ABOUT.
YOUR ISSUE HERE

Why we care:
• Lay it out for yourself
• Be ready to talk about it
• Tie your reasons for caring, into your expertise, and into your ability to comment on their issues

Why they care:
• Talk with individuals in your target audience to see what piques their interest
• Experiment with your messaging
• Be willing to make mistakes and admit ignorance

FOCUS ON THE ISSUES THEY CARE ABOUT.
OTHER TIPS
NAME NAMES

- Grounds advice in specifics that are recognizable to your audience
- Helps authors pay careful attention to author agreements
- Recommendations to students
- Offers to edit, review
- General awareness

Textbook madness
- Wiley
- Pearson

Treatment of authors / Takedowns
- Elsevier
- American Soc. of Civil Engineers 1

Suing a university for ereserves
- Oxford University Press
- Cambridge University Press
- Sage
- Taylor & Francis
- Copyright Clearance Center [bankrolled but didn’t sue in their own name]

FIND ALLIES

Reach out

Learn what faculty & student authors care about

Identify strategic partners

Go where the faculty & student authors are:
• Department meetings
• Faculty Senate & committee meetings
• Graduate student & postdoc organizations

Strategic partners
• Support units on campus
  - teaching
  - grants & research
• IT
• Compliance
• P&T process support
• Legal Counsel
LAURA QUILTER

LQuilter @ library.umass.edu