



UNIVERSITY SYSTEM of MARYLAND

USM Statement Supporting Open Access Dissemination of Scholarship: Frequently Asked Questions (version 2017.07.30.b)

1. *Why did the University System of Maryland release the Statement Supporting Open Access Dissemination of Scholarship?*

Answer: The statement originally was drafted by the libraries of the USM institutions and is supported by key USM-convened groups that represent the interests of stakeholders within USM institutions. Those groups include the Council of University System Faculty, USM Student Council, the Academic Affairs Advisory Council, and the Council of University System Presidents. These groups support the statement because it encourages researchers and authors to explore and better understand and the potential benefits of Open Access dissemination of their works. Open Access dissemination is a proven strategy for increasing the visibility, usage, and impact of scholarship, so the statement aligns with USM's stated goals of increasing the visibility and impact of USM investments.

2. *What is "open access dissemination" of scholarship?*

Answer: According to the Public Library of Science (<http://www.plos.org>), "Most publishers own the rights to the articles in their journals. Anyone who wants to read the articles must pay to access them. Anyone who wants to use the articles in any way must obtain permission from the publisher and is often required to pay an additional fee... Paying for access to journals [made] sense in the world of print publishing, where providing articles to each reader required the production of physical copies of articles, but in the online world, with distribution as wide as the internet's reach, it makes much less sense."

Open Access is an alternative to paid or subscription-based access to high-quality peer-reviewed scholarly content. Open Access dissemination of scholarship makes research and other creative works freely available online and provides sufficient rights to fully use and reuse these resources. Open Access dissemination may include a variety of activities including:

- a. Choosing to publish in fully Open-Access journals, whose entire contents are freely available online.
- b. Choosing to publish in subscription-based journals which also provide authors with options to make their articles openly accessible on an article-by-article basis (usually for a one-time fee or "Article Processing Charge").

- c. “Self-archiving” or placing a version of your complete research article or other work in a freely-accessible online location such as a personal or departmental web page, or in an Open Access institutional or disciplinary digital repository. Such availability usually also includes explicit permission from authors for readers to download, use, and possibly reuse the articles for free and with little or no restrictions.

3. The terms “Open Access” and “Public Access” are used frequently in discussions about publishing and dissemination requirements for grant-funded research. Are there differences between the two terms?

Answer: “Public Access” refers to a specific federal mandate requiring agencies funding research at over \$100M per year to require researchers to make a copy of all peer-reviewed articles, reports, and data resulting from that funding freely available via a publicly-accessible repository such as the National Library of Medicine’s PubMedCentral. These resources are then freely available for use by anyone.

“Open Access” as explained in #2 above, implies that a work is not only freely-accessible but also freely-reusable under a broad set of permissions granted by the original author or creator. Currently, authors who choose Open Access dissemination of their works may choose from a variety of statements granting broad permissions to readers. Some of the most commonly-used permissions statements are maintained by the Creative Commons organization (creativecommons.org).

So, while any author can choose to participate in Open Access publishing as an alternative to traditional publishing models, only specific researchers and authors must comply with Public Access mandates as part of the terms and conditions for receiving research grants from specific funders.

4. How does the Statement Supporting Open Access Dissemination of Scholarship relate to the current “Open Educational Resources” (OER) initiatives within USM and some of the USM institutions?

Answer: These are two separate but related activities.

The Statement Supporting Open Access Dissemination of Scholarship focuses on encouraging authors to retain and exercise their rights and choices on how they share their peer-reviewed research and other scholarly works. It also states the potential benefits to be gained through broad Open Access dissemination of peer-reviewed research and other scholarly works, and encourages USM institutions to support scholars who choose Open Access as part of their publishing strategy. It is not a mandate or requirement for any USM institutions or individuals.

Many OER initiatives currently focus on encouraging teaching faculty to select and incorporate openly-accessible resources into the curriculum. USM institutions may decide to take different approaches to incorporating OERs into the curriculum, ranging from simple encouragement to possibly broader requirements.

Open Access and OER are closely related, particularly in authors' and creators' decisions about freely sharing and allowing widespread use of their scholarly works.

5. *Is this statement a mandate requiring researchers and authors at USM institutions to publish or disseminate their works in Open Access journals or repositories?*

Answer: No, this statement is not a mandate or any sort of requirement. Its purpose is to collectively affirm the potential value of Open Access as a strategy to help USM, its member institutions, and individual faculty and students to achieve increased impact, recognition, and value of their scholarly works. Each USM institution is free to pursue its own local policies and practices that best meet specific local needs. Each institution's faculty, students, and other researchers are free to continue making individual choices consistent with relevant existing USM and local institutional policies.

6. *The statement also encourages authors to “retain some or all” of their copyrights. What does that mean, and how can individual authors avoid handing over full copyright to publishers of prestigious academic journals?*

Answer: Using a common practice carried over from the time of print journal publishing, today the publishers of many subscription-based scholarly journals still require authors to sign over some or all of their copyrights, in exchange for having articles published. When authors sign over full copyright to publishers, their works suddenly become someone else's intellectual property. This widespread transfer of copyrights and ownership allows publishers to impose a variety of technical, legal, and financial barriers to accessing authors' works. Such barriers inhibit the fullest potential dissemination of research and limit the benefits to readers, the authors themselves, and to society as a whole.

However, researchers and authors worldwide are becoming increasingly savvy about the benefits of retaining some or all copyrights associated with their works. Instead of assenting to journal publisher demands for full copyrights transfer, many authors over the past decade have begun using tools and support such as the *SPARC Author Addendum* (see http://sparcopen.org/wp-content/uploads/2016/01/Access-Reuse_Addendum.pdf) to modify the publication agreements offered by most scholarly journal publishers. According to SPARC, “*Transferring copyright doesn't have to be all or nothing. The law allows you to transfer copyright while holding back rights for yourself and*

others. This is the compromise that the SPARC Author Addendum helps you to achieve...Publishing agreements are negotiable. Publishers require only your permission to publish an article, not a wholesale transfer of copyright. Hold onto rights to make use of the work in ways that serve your needs and that promote education and research activities.”

If a publisher does not automatically accept the Addendum or similar modifications to its standard copyright transfer agreement, do not hesitate to contact the publisher. At this point, most scholarly publishers have likely encountered more than one author wishing to retain some copyrights. If you have a clear understanding of which rights you wish to retain, you can often successfully negotiate an alternative contract that better meets your needs as the author and owner of the work. Your bargaining position with the publisher will be much stronger if you can point to some other requirement that you retain rights. For example, if you receive funding from a granting agency that requires you to retain some rights, point that out and don't give the publisher any choice. Or perhaps you need to retain some copyright-related rights due to the requirements of a patent application or contract.

If you are unsure about your ability to negotiate with a publisher, please feel free to consult with your USM library. Your library may be able to direct you to additional helpful resources, to advise you directly, or to refer you to other local experts or experts within other USM institutions.

7. *Why should scholars consider Open Access dissemination and retaining copyrights to their works? Are there reasons authors should prefer Open Access publishing and dissemination over the more traditional practices of publishing in subscription-based academic journals?*

Answer: The Statement Supporting Open Access Dissemination of Scholarship emphasizes three empirically provable advantages of Open Access publishing and sharing -- increased visibility, usage, and impact of research and scholarship. These advantages should be important to both individual researchers and to higher education institutions.

There are also other reasons to consider Open Access dissemination, including the ever-rising costs of subscription-based access to journals and other scholarly works. These cost increases for all types of subscription-based journals have significantly outpaced the growth of university budgets and continue to result in less purchasing power for college and university libraries. Facing these types of financial pressures, many academic libraries repeatedly have to make hard decisions about journal cancellations, and cannot provide needed materials to adequately support academic programs.

The advantages of Open Access scholarship are compelling enough that the student-driven Right to Research Coalition has designated Open Access as the

“preferred method for scholarly communication”. (see <http://www.righttoresearch.org/about/statement/index.shtml>)

8. Some professional associations and learned societies rely upon journal subscription revenues to subsidize conferences and other valuable activities. Does Open Access dissemination of scholarship threaten the financial prospects for these important organizations?

Answer: Multiple studies over the past five years have attempted to forecast the economic impact of various Open Access activities on both commercial publishers and learned society publishing. Most such studies have faced serious limitations due to the differences in a) scholarly communication and information-sharing habits across academic fields; b) institutional, national, and international policies, laws, and research funding programs that influence scholarly communication; and c) different models for supporting Open Access.

A recent report from the International Association of Science, Technical, and Medical Publishers (see http://www.stm-assoc.org/2015_02_20_STM_Report_2015.pdf, page 118) reflected a general sentiment in this sector of the scholarly publishing industry:

*“The actions of the scholarly community and the publishing market make it clear that the open access debate has now moved on to **what** is necessary to make it sustainable (rather than **whether** this is possible), and to the problems of how a transition should be managed.”*

In the midst of a clear industry-wide shift, scholarly and learned societies have responded in a variety of ways to the challenges and opportunities presented by Open Access. Some continue to charge fees for subscriptions to both print and electronic journals; some have handed over their journals to commercial publishers; some have either migrated to fully Open Access or partially support Open Access in other ways. Learned societies exist to foster and disseminate knowledge and generally are more averse than commercial publishers to risk and experimentation. While some will experiment on a small scale, many learned society publishers will likely wait and observe the long-term economic impacts of Open Access on commercial publishers before choosing new publishing models.

The Statement Supporting Open Access Dissemination of Scholarship clearly acknowledges that scholarly publishing is in a transitional period, and that there is value in having multiple co-existing scholarly communication models. Individual authors who wish to support scholarly and learned societies by publishing in their subscription-based journals can still do so if they feel it aligns with their professional goals. However, even in such situations, the Statement encourages authors to consider retaining some or all of their rights to also distribute or re-use their

intellectual property in other ways, instead of transferring all copyrights to those publishers.

For more perspectives on learned societies and Open Access, see <http://www.nature.com/nature/focus/accessdebate/8.html>

9. Does Open Access threaten journals, scholarly societies, small publishers, or peer review?

Answer: Open Access journals and repositories have been growing and multiplying for nearly two decades. During this time, no conclusive evidence has emerged to prove that Open Access harms scholarly publishers or the peer review process for academic publishing. Additionally, according to available data the gradual and continuing spread of Open Access has not resulted in journal subscription cancellations by college and university libraries. Journal subscriptions and cancellations are more greatly influenced by factors such as diminishing library budgets and journal subscription price increases. As an example, the arXiv.org subject repository for the High-Energy Physics field has been in operation since 1991 yet that field's primary journals and publications have not been harmed by the repository's existence. The journal model of peer-reviewed scholarly publishing provides critical needed services for USM institutions and scholars and USM will continue to support this model.

10. Can I still publish my research and other creative works in my preferred journals?

Answer: Individual scholars still remain free to continue publishing in their preferred journals and other media, even if those are subscription-based, if they feel it aligns with their professional goals. However, even in such situations, the Statement encourages authors to consider retaining some or all of their rights to also distribute or re-use their intellectual property in other ways, instead of handing over all copyrights to publishers.

11. Will choosing to disseminate research and scholarship through Open Access journals or repositories harm those in tenure-track processes who need to show publications in high quality journals?

Answer: The number of high quality peer-reviewed journals is proliferating across many scholarly fields so most researchers should experience a growing number of high quality publishing options. Additionally, Open Access dissemination (whether through publishing in Open Access journals or exercising an author's rights to make a version available in an open digital repository) offers three empirically provable advantages to those in tenure-track processes, increased visibility, usage, and impact of research and scholarship.

Even in fields where high quality peer-reviewed Open Access journals are not yet a viable option, a large number of existing subscription-based high-quality peer-reviewed journals now offer the option to make a version of an author's paper openly-accessible either on the publisher's own technical platform or by self-deposit in an open digital repository of your choosing. The Statement Supporting Open Access Dissemination of Scholarship encourages faculty, students, and other researchers to learn more about their options, retain some or all of their copyrights, and choose Open Access dissemination if it aligns with their professional publishing strategies.

12. How can I determine if the primary peer-reviewed journals in my academic field already support Open Access dissemination? Also, what are "predatory" Open Access journals, and how do I avoid them?

Answer: A couple of places to start are:

- a. Directory of Open Access Journals (<https://doaj.org/>), a community-maintained database with information on more than 9,000 high-quality peer-reviewed journals spanning the sciences, technology, medicine, social sciences, and humanities.
- b. SHERPA/RoMEO (<http://www.sherpa.ac.uk/romeo/index.php>), a database of the copyright and self-archiving policies for more than 22,000 scholarly journals and publishers.

If these resources do not contain information about journals and publishers in your academic field, you can also contact a journal's editor or publisher directly and inquire about their policies.

"Predatory" Open Access publishers and journals are designed to resemble high quality peer-reviewed scholarly publishing programs. However, they primarily function to charge aspiring authors large fees in exchange for publishing submitted articles. Predatory publishers and journals usually do not provide the rigorous vetting and intellectually solid peer-review, editing, or other services that characterize reputable scholarly journals.

Identifying predatory publishers and journals can be challenging, but it can be helpful to check other papers and works a journal has published. Your professional colleagues and peers often are another excellent source of information and advice about publishers and journals in your academic field. If you are still unsure after consulting these sources, please feel free to consult with your USM library. Your library may be able to direct you to additional helpful resources, to advise you directly, or to refer you to other local experts or experts within other USM institutions.

13. I have seen references in other places to multiple types of Open Access, such as “Gold” and “Green”. What do these mean, and how do they affect my decisions as an author?

Answer: According to broad consensus among publishers, libraries, authors and other stakeholders, the following definitions accurately summarize these terms:

- a. Green Open Access - Often also referred to as “self-archiving”, this refers to the practice of authors self-depositing a research paper or other creative work into an openly-accessible digital repository such as an institutional or disciplinary online repository. The version of a paper distributed in this manner is usually the version accepted for publication, including all changes as a result of peer review, but not necessarily including a publisher’s final formatting or layout. If you are interested in making your work available through a local institutional repository, please check with your institution’s library to learn if they offer repository services.
- b. Gold Open Access - This refers to immediately publishing a paper as openly-accessible directly through the publisher’s online platform. Many scholarly journal publishers now offer an option to immediately publish your paper as Open Access, in exchange for a one-time fee, often referred to as an “Article Processing Charge” (APC). APCs usually are not paid directly by authors, but instead through grants or research funders, universities, or other institutions. Most major grant-funding agencies now permit you to include anticipated publishing APCs as an allowable cost in your grant budget. **Note:** “Gold” is not intended to imply that this method is superior to “Green”.

14. The journal in which I wish to publish an article will allow me to release a copy of my paper as Open Access, but only after a specified delay or “embargo” period. Is this normal?

Answer: Embargoes are a common requirement for many subscription-based journals. Embargo periods of six to twelve months are common, before authors are allowed to release an Open Access version of a paper. If you choose to self-archive a copy of your paper in an openly-accessible institutional or disciplinary repository, many of the existing repositories understand and can honor embargoes and will allow you to suppress access to your paper for a limited time after it is deposited, if an embargo is desired/required.

15. The USM Open Access Statement mentions openly-accessible repositories. What are those?

Answer: Hundreds of universities in the U.S. and around the world, and a variety of research-driven organizations, provide digital repositories in which authorized scholars can deposit openly-accessible versions of their research papers and other

scholarly works. Some example disciplinary repositories include arXiv (<https://arxiv.org>) for the Physics community, the Social Science Open Access Repository (<http://www.ssoar.info/en/home.html>) and the Social Science Research Network (<https://www.ssrn.com/en/>) for Social Sciences, AgEcon (<http://ageconsearch.umn.edu/>) for Agricultural Economics, ERIC (<http://eric.ed.gov/>) for Education, and PubMedCentral (<https://www.ncbi.nlm.nih.gov/pmc/>) for Biomedical and Life Sciences.

An online Directory of Open Access Repositories (<http://www.opendoar.org/>) provides information and links for thousands more, but not all, Open Access repositories around the world. Each repository typically has its own requirements for eligibility to register as a contributor, and other policies.

Closer to home for USM institutions, several of the USM libraries already provide their own repository platforms and services for research and other creative works produced by faculty, students, departments, and research centers.

Some of the digital repositories provided for USM institutions include:

Maryland Shared Open Access Repository (MD-SOAR) is a shared platform used by multiple USM and non-USM institutions. For more information and a list of the participating institutions using this shared system, see <https://mdsoar.org>.

Digital Repository at the University of Maryland (DRUM) is available to authorized faculty, students, and other researchers and authors for the University of Maryland at College Park. For more information see <http://drum.lib.umd.edu>.

UMB Digital Archive is a service provided by the Health Sciences and Human Services Library for the University of Maryland, Baltimore. For more information see <http://archive.hshsl.umaryland.edu/>.

Digital Commons @ UM Carey Law is a repository and services provided for the students and faculty of the University of Maryland Francis King Carey School of Law. For more information see <http://digitalcommons.law.umaryland.edu/>.

ScholarWorks @ UB School of Law is provided for use by faculty and students of the University of Baltimore School of Law. For more information see <http://scholarworks.law.ubalt.edu/>.

If you are interested to learn more about repositories and services available to you as a researcher or author, please contact your institution's library.