Faculty Rights
and Other Scholarly Communication Practices

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Principal Librarian for Special Projects
Carnegie Mellon
Digital Library Colloquium
January 2007
The Study: March – June 2006

• Purpose
  – Ascertain faculty practices & understanding regarding publishing & disseminating their work
  – Enable the Libraries to target education, tools & services
  – Identify triggers likely to change faculty behavior
  – Pilot for a larger, multi-institution study

• Design
  – Stratified random sample
    • Invited more than needed
    • Turned away 24 faculty
  – Interviews averaged 30 minutes
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### Additional demographics

<table>
<thead>
<tr>
<th>Age</th>
<th>All tracks</th>
<th>Tenure</th>
<th>Teaching</th>
<th>Research</th>
<th>Library</th>
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<tbody>
<tr>
<td>30-39</td>
<td><strong>29%</strong></td>
<td>35%</td>
<td>19%</td>
<td>18%</td>
<td>25%</td>
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<td>40-49</td>
<td><strong>30%</strong></td>
<td>29%</td>
<td>24%</td>
<td>55%</td>
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<tr>
<td>50-59</td>
<td><strong>28%</strong></td>
<td>16%</td>
<td>48%</td>
<td>27%</td>
<td>75%</td>
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<td>60 +</td>
<td><strong>14%</strong></td>
<td>20%</td>
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<th>Gender</th>
<th>All tracks</th>
<th>Tenure</th>
<th>Teaching</th>
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<tr>
<td>Male</td>
<td><strong>70%</strong></td>
<td>73%</td>
<td>67%</td>
<td>91%</td>
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<tr>
<td>Female</td>
<td><strong>30%</strong></td>
<td>27%</td>
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<td>9%</td>
<td>100%</td>
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Interview Q&A

• Questions
  – Access
  – Publishing
  – Copyright

• Answers
  – Faculty sometimes talked around the questions
  – Based on previous answers, some questions weren’t asked
  – Data indicate percentage of all faculty in category
Selected Access & Publishing Questions
Value of web?

• Faculty value the web more as a tool for access than a vehicle of dissemination
What does “open access” mean?

- Prior to guessing, 16% knew the meaning of open access
- **After guessing, 52% knew**
* Meaning of open access

- **Materials are freely available on the public internet**
  - Authors retain control over the integrity of their work and the right to be properly acknowledged and cited
  - Users can read, download, copy, distribute, print, search, or link to the full texts, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose without financial, legal, or technical barriers

- **Venues of open access**
  - Self-archiving by authors
  - Open access journals

Authors must retain the right to self-archive their work
* The open access impact advantage

In 1997–1998, 85 percent of the most highly cited articles were open access. Articles with lower citation impact were more likely to be restricted access.
Heard of the Creative Commons?

- Only 33% have heard of the Creative Commons (CC)
- Some incorrectly think CC means no copyright
* Meaning of Creative Commons (CC)

- Non-profit organization that provides free tools for authors to change © terms legally from All Rights Reserved to Some Rights Reserved

- Science Commons = Creative Commons working with the Scholarly Publishing & Academic Resources Coalition (SPARC) to accelerate the movement of information, tools and data through the scientific research cycle by identifying and removing unnecessary legal and technical barriers
Do © terms affect choice of publisher?

- 77% are NOT influenced by © transfer terms
- 34% said © terms are not important
Keep copies of signed agreements?

- 30% do NOT keep copies
- 22% keep copies, but don’t know where they are
- 6% appear not to realize that “click through” agreements carry the force of law
Tried to negotiate © transfer terms?

- 10% have tried to negotiate © terms for an article

Of those who tried to negotiate

- Re-use of their work was top priority
- The right to self-archive was
  - Of interest to only 3% of the faculty
  - Of interest only to tenure track assistant & full professors in SCS & H&SS
  - Of interest to women slightly more than men
  - Not of interest to faculty ages 40-49
Negotiate if not allowed to self-archive?

- 44% would negotiate, 25% would NOT, 20% not sure
- 16% would change or avoid the publisher
- 8% would ignore the agreement
Selected Copyright Questions
Benefits to retaining copyright?

- 61% said control or flexibility; 8% didn’t know any benefits
- 24% said little if any value in retaining copyright
- 5% appeared to think U.S. © law includes moral rights
Why transfer copyright?

- 66% said because it is required or traditional
- 23% said because it is beneficial – publishers are better at disseminating their work than they are
Understand rights in agreements?

- 32% understand, 41% do NOT, 15% aren’t sure
- 15% don’t read agreements carefully or worry about rights
Presumption if rights are unclear?

- 53% said they would consult their agreements, publishers, colleagues, or legal counsel
- 36% said what they would do without permission
Tenure-track trends

• Faculty **without** tenure are more likely to
  – Know the meaning of open access
  – Consider © transfer terms when choosing a publisher
  – Understand their rights & keep copies of their agreements
  – Assistant professors would ignore the agreement rather than try to negotiate the right to self archive

• Faculty **with** tenure are more likely to
  – See little if any value in retaining ©
  – Not read their agreements or worry about their rights

• Regardless of rank or tenure status, most likely (47%) to act without permission if they don’t understand their rights
Teaching-track trends

• Only assistant teaching professors
  – Consider © transfer terms when choosing a publisher
  – Have tried to negotiate © transfer terms for an article
  – Don’t read their agreements or worry about their rights
  – Aren’t sure if they understand their rights in their agreements
  – Would ignore their agreements with publishers
  – See financial benefits to retaining their ©

• Only full professors will ask permission if they don’t understand their rights
Research-track trends

• Behavior in regard to © transfer
  – No faculty would change publishers because of their © terms
  – Only full professors have tried to negotiate © terms for an article
  – Only associate professors would ignore the agreement rather than try to negotiate the right to self archive

• Assistant research professors
  – All think they understand their rights in their agreements
  – All keep copies of their agreements, but don’t know where

• The following appear to increase with rank
  – Appreciation of the web as a vehicle of dissemination
  – Importance of © transfer terms in choosing a publisher
  – Perception that there is little if any value in retaining ©
  – Acting without permission (overall 27%)
# College trends – Most likely to …

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<tr>
<td>Not be influenced by © terms</td>
<td>CIT 92%</td>
<td>H&amp;SS 88%</td>
<td>Tepper 86%</td>
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<tr>
<td>Not keep copies of © agreements</td>
<td>SCS 61%</td>
<td>Tepper 43%</td>
<td>CIT 42%</td>
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<tr>
<td>Not understand their rights in their agreements</td>
<td>Tepper 57%</td>
<td>SCS &amp; Heinz 50%</td>
<td>H&amp;SS 47%</td>
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<tr>
<td>Not negotiate the right to self-archive</td>
<td>SCS 44%</td>
<td>MCS 33%</td>
<td>Tepper 29%</td>
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<tr>
<td>See benefit to transferring ©</td>
<td>CIT 42%</td>
<td>CFA 36%</td>
<td>Heinz 33%</td>
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## College trends – Most likely to …

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<tr>
<td>See little if any value in retaining ©</td>
<td>Tepper 57%</td>
<td>CIT 50%</td>
<td>UL 25%</td>
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<tr>
<td>Change or avoid publisher if don’t like © terms</td>
<td>UL 50%</td>
<td>Tepper 43%</td>
<td>MCS 28%</td>
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<tr>
<td>Not read agreements carefully or worry about their rights</td>
<td>CIT 33%</td>
<td>H&amp;SS 18%</td>
<td>MCS &amp; SCS 17%</td>
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<tr>
<td>Ignore their agreements</td>
<td>SCS 17%</td>
<td>CFA 9%</td>
<td>CIT &amp; MCS 8%</td>
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Gender trends

• Men are more likely than women to
  – Value the web as a vehicle of dissemination
  – Be influenced by © transfer terms when choosing a publisher
  – Try to negotiate © transfer terms
  – Not try to negotiate the right to self-archive if publisher forbid it
  – Not keep copies of their © transfer agreements
  – Ignore the terms of their agreements
  – Act without permission
  – See little if any value in retaining ©
  – Think © is not important

• Only men said they
  – Don’t understand their © transfer agreements
  – Don’t read their agreements or worry about their rights
Age trends

• When rights are unclear
  – Older faculty are more likely to consult the agreement, etc.
  – Younger faculty are more likely to act without permission

• Ages 30-39 most likely to
  – Try to negotiate © transfer terms

• Ages 40-49 most likely to
  – Be influenced by © transfer terms when choosing a publisher
  – See little if any value in retaining ©
  – Think © is not important
  – Not keep copies of agreements
Selected Influence Questions
If president & provost encouraged publishing in OA journals

Influence where you choose to publish?

- 36% WOULD be influenced, at least under certain conditions
- 41% would NOT be influenced – only junior faculty / men
If president & provost encouraged publishing in OA journals

**Influence negotiate right to self-archive?**

- 49% WOULD be influenced
- 22% would NOT be influenced
If promotion & tenure committees valued OA journals as highly as or more highly than traditional journals

**Influence where you choose to publish?**

- 53% WOULD be influenced – 17% more than pres/provost
- 24% would NOT be influenced – 17% less than pres/provost
If promotion & tenure committees valued OA journals as highly as or more highly than traditional journals

**Influence negotiate right to self-archive?**

- 53% WOULD be influenced – 4% more than pres/provost
- 11% would NOT be influenced – 11% less than pres/provost
Resist influence peddling

- 5% resist president/provost
  - All age ranges

- 17% resist promotion & tenure committees
  - All age ranges
  - Only men
22% would speculate about motives

- 20% speculate about president & provost
- Over half (11%) assume driven by economics

- 11% speculate about P&T committees
- Over half (7%) assume driven by something else
## College trends

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<th>Most likely to NOT be influenced</th>
<th>President &amp; provost</th>
<th>Promotion &amp; tenure committees</th>
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<tr>
<td>Choice of publisher</td>
<td>SCS 61%</td>
<td>CIT 58%</td>
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<tr>
<td>Right to self-archive</td>
<td>Tepper 43%</td>
<td>CIT 33%</td>
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<td>Resist</td>
<td>UL 25%</td>
<td>Tepper 14%</td>
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<tr>
<td>Reflect on motives</td>
<td>UL 75%</td>
<td>Heinz 67%</td>
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22% self-archive or publish OA

- Mostly men
- All age ranges
- Tenure – all ranks
- Teaching – only assistant & associate professors
- Research – only associate & full professors
63% are concerned about OA journals

- All colleges, tracks, ranks & genders
- Concern decreases slightly with age
Incentive to negotiate right to self-archive

Overall, 6% will NOT negotiate
- 6% of the tenure track
- 18% of the research track
- Most likely CIT & Tepper

- 6% of the tenure track
- 18% of the research track
- Most likely CIT & Tepper

- Overall, 6% will NOT negotiate
## Incentives to self-archive

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<th>Tools &amp; support</th>
<th>First or second priority for tenure- and teaching-track faculty and for all colleges, genders, &amp; age ranges <em>except</em> 60 and older</th>
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<tr>
<td>Publisher behavior</td>
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<td>Peer behavior</td>
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<tr>
<th>Tools &amp; support</th>
<th>First or second priority for research-track</th>
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<td>Peer behavior</td>
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<td>University negotiates</td>
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<tr>
<th>Others mandate or request</th>
<th>First priority for faculty ages 60 and older</th>
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<tr>
<td>Better understanding of open access</td>
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## Additional incentives per college

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<th>Event/Request</th>
<th>Priority for College(s)</th>
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<tr>
<td>University negotiates or does collective bargaining</td>
<td>First priority for SCS and Tepper</td>
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<tr>
<td>Evidence of access problem</td>
<td>First or second priority for Tepper, Heinz, and MCS</td>
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<tr>
<td>Better understanding of open access</td>
<td>Second or third priority for CFA, CIT, and SCS</td>
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<tr>
<td>Time and confidence</td>
<td>Second priority for CIT, H&amp;SS, and UL</td>
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<tr>
<td>University requests</td>
<td>First, second or third priority for Tepper, Heinz and CIT</td>
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<tr>
<td>Others mandate or request</td>
<td>Second priority for CFA and Heinz</td>
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Concern about open access exceeds concern about problems in scholarly communication

- Open access: 63%, 69%, 43%, 73%, 75%
- Scholarly communication: 23%, 24%, 14%, 36%, 25%
* The economics of scholarly communication

• Spiral
  – As prices go up, subscriptions go down, which drives prices up and subscriptions down

• Consequence
  – Fewer people have access to your work
* Auxiliary concerns

• Interlibrary loan is likely to change
  – The U.S. Copyright Office is investigating the implications of digital technologies for Title 17 Section 108

• When journal publishers merge, journal prices go up
  – John Wiley & Sons plans to purchase Blackwell Publishing
    • If Wiley raises the prices of Blackwell journals to the company norm, prices will increase significantly
    • Scholarly societies currently publishing with Blackwell are considering exiting if the merger occurs – concerned about price increases and termination of their agreement with Blackwell to never charge a copyright fee for journal articles used in classrooms

* Compelling reasons to self-archive

- Open access impact advantage
- **YOU COULD ALREADY HAVE THE RIGHT**

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<td>Postprint</td>
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<td>Preprint &amp; Postprint</td>
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<td>36%</td>
<td>30</td>
<td>34%</td>
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<tr>
<td><strong>Total self archiving</strong></td>
<td><strong>8,880</strong></td>
<td><strong>83%</strong></td>
<td><strong>51</strong></td>
<td><strong>58%</strong></td>
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<tr>
<td>No self-archiving</td>
<td>1,793</td>
<td>17%</td>
<td>37</td>
<td>42%</td>
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<td><strong>Total in study</strong></td>
<td><strong>10,673</strong></td>
<td><strong>100%</strong></td>
<td><strong>88</strong></td>
<td><strong>100%</strong></td>
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Publisher copyright policies & self-archiving

Use this site to find a summary of permissions that are normally given as part of each publisher's copyright transfer agreement.

Search

Search
  ○ Journal titles  ○ Publisher names

for

find
  ○ contains  or  ○ starts with  or  ○ Exact phrase only  ○ ISSN

Browse
  • All publishers
  • Some publishers

Shortcut to romeo.php?colour=green
Other tools

Directory of Open Access Journals
http://www.doaj.org/

Creative Commons licenses
http://creativecommons.org/license/
Authors’ Rights and Wrongs

• Educational program spring semester 2007 for Carnegie Mellon faculty and graduate students

• Mark your calendar – events scheduled to date
  – January 31, 4:30-6:30, Posner Center – Kick-off by Provost Mark Kamlet, includes reception
  – February 20 and 21, 4:30-6:00, Posner Center – Workshop on copyright & open access (offered twice)
  – March 19, 4:30-6:00, Adamson Wing – Julia Blixrud, Scholarly Publishing and Academic Resources Coalition (SPARC)

Sponsored by University Libraries and university legal counsel
Thank you!

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