

Open Access Policy, IUB Faculty Council

Scope

PREAMBLE

The Faculty of Indiana University-Bloomington is committed to disseminating the fruits of its research and scholarship as widely as possible. In keeping with that commitment, the Faculty adopts the following policy.

Policy Statement

GRANT OF LICENSE AND LIMITATIONS

Each Faculty member grants to The Trustees of Indiana University permission to make available their scholarly articles which are deemed Traditional Works of Scholarship under the Intellectual Property Policy and to exercise the copyright in those articles. More specifically, each Faculty member retains copyright and grants to the Trustees of Indiana University a nonexclusive, irrevocable, worldwide license to exercise any and all rights under copyright relating to each of their scholarly articles, in any medium, for the purpose of making their articles widely and freely available in an open access repository, provided that the articles are not sold, and appropriate attribution is given to authors, and to authorize others to do the same.

SCOPE AND WAIVER (OPT-OUT)

The policy applies to all scholarly articles authored or co-authored while the person is a member of the Faculty, except for any articles completed before the adoption of this policy and any articles for which the Faculty member entered into an incompatible licensing or assignment agreement before the adoption of this policy. Faculty members retain responsibility for complying with any incompatible licensing or assignment agreements they have executed before the adoption of this policy. Upon express direction by the Faculty member, the Office of the Vice Provost for Faculty and Academic Affairs, or his or her designate will waive application of the license for a particular article or delay access for a specified period of time. Likewise, upon express direction by the Faculty member, a particular article's archival status (open access, no access, or delayed access) may be changed at any time.

DEPOSIT OF ARTICLES

Each Faculty member will provide an electronic copy of the author's final version of each article no later than the submission date of the next annual faculty reports at no charge to the appropriate representative of the Office of the Vice Provost for Faculty and Academic Affairs in an appropriate format (such as PDF) specified by the Office of the Vice Provost for Faculty and Academic Affairs. The Office of the Vice Provost for Faculty

and Academic Affairs may make the article available to the public in an open access repository. The Office of the Vice Provost for Faculty and Academic Affairs in collaboration with the Office of the Vice President for Research, in consultation with Bloomington Faculty Council governance, is responsible for interpreting this policy, resolving disputes concerning its interpretation and application, and recommending changes to the faculty from time to time. The policy will be reviewed after three years and as needed thereafter.

EXPLANATORY NOTES

This policy is based on a model open access policy developed by Stuart Shieber of the Harvard Office for Scholarly Communication. It includes a freely waivable rights-retaining license and a deposit requirement. This language is based on and informed by the policies voted by faculties at Harvard, MIT, Stanford University School of Education, Duke University, the University of California, and others. Information explaining the motivation for and implementation of open access policies, including an annotated model policy, is available at the web site of Harvard's Office for Scholarly Communication (<http://osc.hul.harvard.edu/>). Extensive information about good practices for university open access policies is provided in a widely endorsed guide from the Harvard Open Access Project (<http://bit.ly/goodoa>).

FAQ to accompany IUB Open Access Policy

These frequently asked questions are for informational purposes only and are not part of the IUB Open Access policy.

BASICS

1. How would faculty authors comply with this policy?

Comply with the policy a) by submitting your work as part of your annual review through Digital Measures Academic Insights (DMAI) or directly to [IUScholarWorks](#) or b) by opting out of the policy on DMAI or the IUScholarWorks website.

2. What kinds of writings should be submitted?

The policy applies to “scholarly articles.” Using terms from the Budapest Open Access Initiative, scholarly articles are works that describe the fruits of research and that authors give to the world for the sake of inquiry and knowledge without expectation of payment. Such articles are typically presented in peer-reviewed scholarly journals and conference proceedings.

This policy does not apply to books, popular articles, commissioned articles, fiction and poetry, encyclopedia entries, ephemeral writings, lecture notes, lecture videos, or other copyrighted works. Although the policy is not meant to address these kinds of works, authors would be welcome to include them in IUScholarWorks.

3. What version of the paper is submitted under this policy?

The author’s final version of the article; that is, the author’s manuscript with any changes made as a result of the peer review process, but prior to publisher’s copy-editing or formatting. Some publishers refer to this version as the “author’s accepted manuscript,” others call it the “post-print.” Typically, this is the author’s final word processing document with all post-peer review revisions adopted and with all tables and figures attached.

4. Would the policy apply to works that were published prior to adoption of the IUB Open Access Policy?

No. The policy would not apply to articles that were accepted for publication prior to adoption of the IUB Open Access Policy. Nor would the policy apply to any articles you write after leaving IUB.

5. Does the policy apply to co-authored papers?

Yes. Each joint author of an article holds copyright in the article and, individually, has the authority to grant IUB a non-exclusive license. Joint authors are those who participate in the preparation of the article with the intention that their contributions be merged into inseparable or

interdependent parts of the whole. Although your co-authors' permissions are not required to comply with this policy, if you are concerned that a co-author would not want to share the work in an open access repository, you may decide to opt out of the policy for that article.

6. My article is already available in an open access repository or journal. Would I have to upload it to IUScholarWorks?

No. If a copyright-permitted version has been shared online, you could send IU Libraries a link to the item. The policy works in collaboration with public access policies (PubMed Central), preprint servers (arXiv, SSRN, RePEc, etc.), and open access journals.

7. How would I opt out?

Authors may comply with the policy by completing an opt-out form on DMAI or IUScholarWorks. An email notification and letter acknowledging your compliance with the policy would be generated.

BENEFITS

8. How would this open access policy benefit faculty authors?

This is an author's rights policy. ***By adopting this policy, faculty retain rights to their scholarly articles and proceedings.*** By including scholarly articles in an open access repository, authors increase their readership and citation rates. Articles in IUScholarWorks are indexed by search engines, receive a stable hyperlink, and are archived for safekeeping. This policy also helps authors comply with funding-related public access policies.

9. How does this policy benefit IUB students, alumni, and other communities?

With this policy, IUB would demonstrate its commitment to disseminating the fruits of its research and scholarship as widely as possible.

10. How would this policy benefit the university?

By providing access to articles by IUB faculty members, this policy would increase the impact of IUB research and creativity both on a local and global scale. Furthermore, by including works in the institutional repository, faculty members can ensure that scholarship is preserved and accessible long after journals and publishers move, consolidate, or cease publication.

CONCERNS

11. Is IUB's draft policy unique?

No. Harvard University, MIT, University of California, University of Kansas, Duke University, Stanford School of Education, and many others have similar policies. See a [list of universities in](#)

[the U.S. that have policies](#) and a [complete world-wide list](#) of various kinds of open access policies.

Research funders are supporting such efforts as well. For instance, the National Institutes of Health now require posting of articles derived from research they fund in the open-access repository, PubMed Central; and the Howard Hughes Medical Institute (HHMI) as well as the Wellcome Trust require any scholarly articles on research they fund to be made openly accessible.

12. Does this policy restrict my publishing options?

No. Faculty authors are free to submit and to publish in any journal they choose. The opt out provision protects an author's freedom of choice and ensures that the policy is compatible with any publishing opportunity.

13. Will my journal refuse to publish my article?

No. Journals gladly accept articles from faculty authors from universities with open access policies. If a journal refuses to publish an article under the policy, authors have the ability to opt out of the policy for that article.

14. Do I have to pay an "open access fee" in order to comply with the policy?

No. Most journal publishers (including Elsevier, SAGE, Springer, Taylor & Francis, and Wiley) permit authors to archive manuscripts in institutional repositories at no cost to the author. Over 80% of the world's 1.1 million articles published in 2010 could be archived under current copyright law within one year of publication (Laakso, M. 2014, *Scientometrics*, In Press. <http://www.openaccesspublishing.org/?p=146>). Ask a librarian before you pay or, if necessary, opt out.

15. Will I have to negotiate my copyright transfer with my journal publishers?

No. You do not have to negotiate your copyright transfer. During the submission process you may choose to embargo the article according to the journal's copyright policy. You may also decide to opt out.

In some cases, however, you may decide that negotiating your copyright transfer is in your best interest. In these cases, the policy will support your efforts. The policy operates automatically to give IUScholarWorks a license in any scholarly articles faculty members complete after its adoption.

To thoroughly exercise this license, communicate this policy to your publisher and add to any copyright license (or assignment for scholarly articles) an addendum stating that the agreement is subject to this prior license. That way, you will avoid agreeing to give the publisher rights that are inconsistent with the prior license to IUScholarWorks that permits open-access distribution.

If you choose to negotiate your copyright with your publisher, here is a suggested statement to begin the discussion:

"Journal acknowledges that Author retains the right to provide a copy of the final manuscript, upon acceptance for Journal publication or thereafter, for compliance with the Indiana University Open Access Policy and for public archiving in IUScholarWorks as soon as possible after publication by Journal."

Alternatively, IU also provides a [suitable form of addendum](#) used in copyright negotiations at Big 10 Academic Alliance (formerly CIC) institutions. Whether you use the addendum or not, the license to IUB will have force, unless you complete the opt out process.

16. Are the Trustees of Indiana University, IUB, or IUScholarWorks taking the rights to my writing?

No. As the author, you own the copyright to your work until you transfer it to someone else. This policy grants specific nonexclusive permissions to IUScholarWorks. You still retain ownership and complete control of the copyright in your writings, subject only to this prior permission. You can exercise your copyrights in any way you see fit, including transferring them to a publisher if you so desire. However, if you do so, IUB would still retain its license and the right to distribute the article from its repository, IUScholarWorks. Also, if your article arises, in whole or in part, from NIH-funded research and was accepted for publication after April 7, 2008, you must retain sufficient rights to comply with NIH's Public Access Policy. Other funding-related policies require similar rights. To search a database of funding-related policies, visit SHERPA/JULIET: <http://www.sherpa.ac.uk/juliet/>

17. What does the policy mean by "exercise any and all rights under copyright"?

Copyright is not one right, but rather is best thought of as a bundle of rights granted to authors by the Copyright Act. Generally, these rights are reproduction, distribution, making derivative works, public performance, and public display. For IUB to most effectively make scholarly articles freely and widely available, it may need to use many of these rights. For instance, simply taking a word processing file of an article, converting it to PDF, and making it available for public reading or download could involve the distribution, derivative works, reproduction, and display rights. The most important points are that the policy does not prevent you from exercising any of these rights and IUB's exercise of these rights is only "for the purpose of making...articles widely and freely available in an open access repository, provided that the articles are not sold, and appropriate attribution is given to authors, and to authorize others to do the same."

18. What happens if I do not opt out, but assign exclusive rights to a publisher anyway, mistakenly signing a publisher's agreement that conflicts with the policy?

IUB's license would still have force, because it would have been granted (through this policy) prior to the signing of the publisher contract. If the publisher expresses concern that cannot be remedied, you can always opt out of the license for that article.

19. What if my article is archived in IUScholarWorks with my permission, but afterwards I decide that I no longer want it to be available to readers on the site?

Under this policy, authors retain rights to their scholarly articles. An author may change a particular article's archival status (open access, no access, or delayed access) at any time. Although requests are rare, authors may contact IUScholarWorks to ask for temporary or indefinite embargos on the full text access to an item.

20. Will compliance with this policy hurt my reputation as a scholar?

No. By increasing your readership, this policy would be to your benefit. This policy does not reduce your opportunity to publish in any journal—including a subscription journal with a leading citation impact factor. Finally, you may decide to comply with the policy by opting out of the open access distribution.

21. Will this policy have a negative impact on the quality of science and the record of scholarship?

By increasing access and the speed of dissemination, policies such as this one reduce barriers to research and learning. Articles archived under this policy would not replace or supplant the version of record. Each manuscript will include a reference and, if possible, a hyperlink to the publisher's website. With or without this policy, the academic community will need to work on the problem of version control in digital scholarship. There are technical and standard-based solutions that will address this problem. Nomenclature and modeling efforts have been begun by the National Information Standards Organization and the Version Identification Framework. These efforts will be closely monitored.

22. Would this policy hurt my scholarly society or journal?

Authors may opt out as needed. However, there is no empirical evidence that even when all articles are freely available, journals are canceled. The major societies in physics have not seen any impact on their publishing programs even though an open access repository (arXiv) has been for more than ten years making available nearly all of the High Energy Physics publications. If there is downward pressure on journal prices over time, publishers with the most inflated prices – which tend to be the commercial publishers – will feel the effects sooner. Journals will still be needed for their value-added services, such as peer review logistics, copy editing, type setting, and maintaining web sites.

Libraries, scholarly societies, and journals face a publishing marketplace in transition; this transition will happen with or without open access policies.

23. What if my co-authors' institutions have different policies regarding author's rights and self-archiving?

It is very unlikely that this policy will create a true conflict with policies at other institutions. In fact, IUB co-authors may find their work already included in the repositories of universities that have adopted a policy such as this one.

If, for some reason, a co-author objects to providing access to the item in IUScholarWorks, the IUB author may decide to “opt out” of the policy for that article.

24. But I already comply with the NIH Public Access policy, why does IUB need its own policy?

This policy would supplement existing public access policies—many articles are published without federal funding. By building a repository of IUB scholarship, we ensure that the university can maintain and preserve a record of the work completed by our faculty. By acquiring and preserving the author’s accepted manuscript, the IUB Open Access Policy makes it easier to comply with the NIH Manuscript Submission process. It has been proposed that as more U.S. government agencies (including NSF, DOE, DOD, NEH, etc.) move to adopt mandatory public-access policies, records in repositories such as IUScholarWorks could serve as evidence of compliance.

25. Why do we need a policy if faculty can submit works to PubMed Central, SSRN, arXiv, and other sites? Don’t these services meet the need for open access archiving?

Other repositories have limitations that exclude many of the scholarly articles and proceedings authored by IUB faculty. PubMed Central, for example, is not open to submissions from any author, but is limited to journal articles reporting research funded by the NIH and to biomedical journals with pre-existing agreements with PubMed Central. As your home institution, IUB has a vested interest in providing services that cannot be promised elsewhere—for example, long term preservation. Furthermore, this policy aims to increase access to scholarship authored by IUB faculty members—as such, it maximizes authors’ rights. By helping faculty to retain their rights, this policy facilitates sharing in any repository. If authors choose to share in another repository, IUScholarWorks will archive a version of the shared item for safe keeping.

28. I already self-archive my work in an open access repository; will this policy detract from download counts from my preferred repository (e.g. SSRN)?

IUScholarWorks is a noncommercial repository supported by an academic library. Items are indexed for discoverability and included in long-term, digital preservation plans. If you prefer to protect your download counts at another repository, IUScholarWorks will archive a version of the shared item for safe keeping, but link out to a stable URL for downloads.

29. Who will review the implementation of the policy?

The Office of the Vice Provost for Faculty and Academic Affairs in collaboration with the Office of the Vice President for Research, in consultation with Bloomington Faculty Council governance, is responsible for reviewing the implementation of the policy. The policy will be reviewed after three years and as needed thereafter.

Sources: FAQs adapted from *IUPUI Faculty Open Access Policy* and *MIT Faculty Open Access Policy FAQ*.