

The University's Role in the Dissemination of Research & Scholarship: A Call to Action

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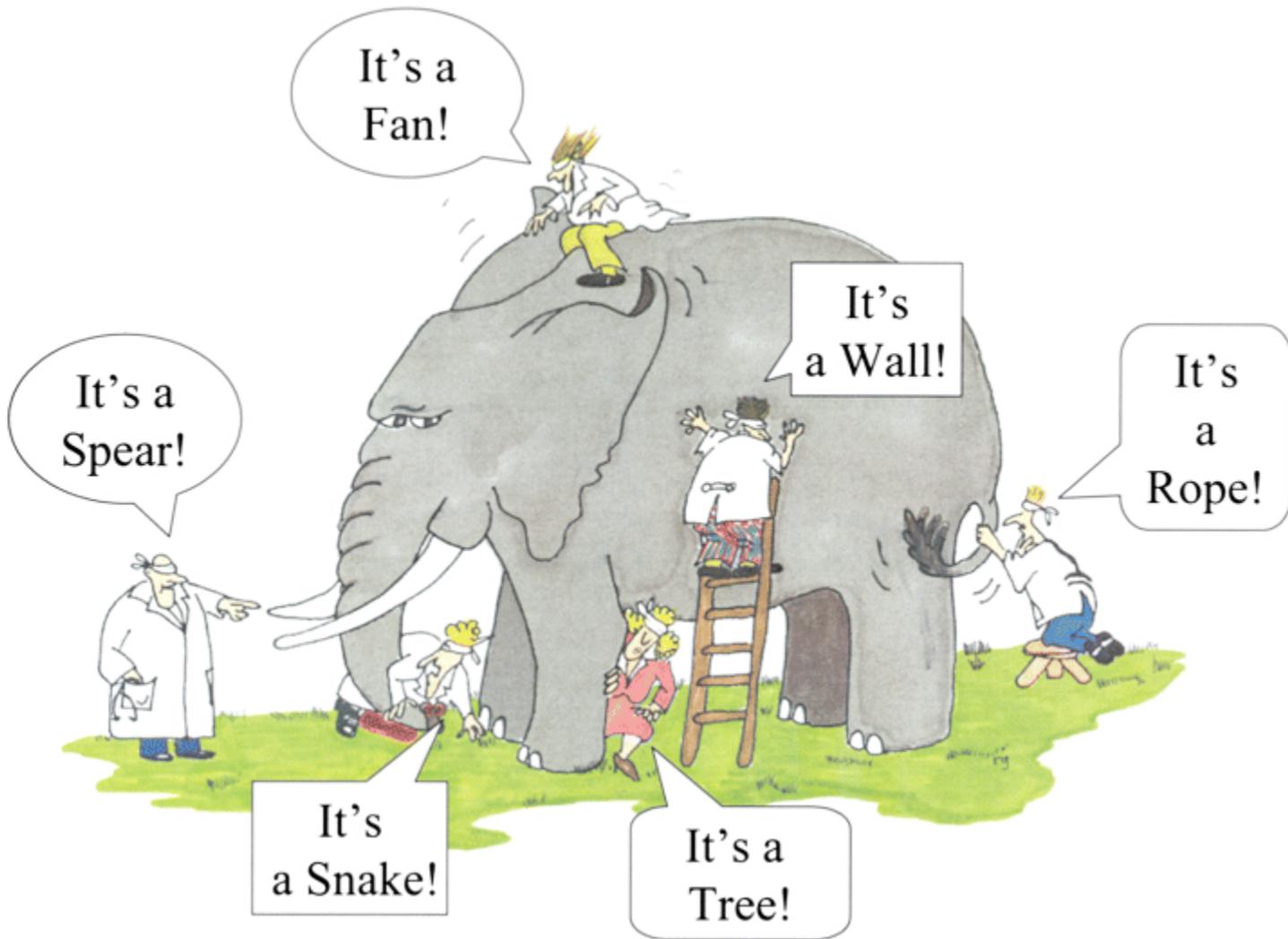
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The rationale for a university role in dissemination has been well documented and articulated.

- Scholarship and research make substantial use of institutional resources
- Public funding underwrites much of the research output of universities
- Scholarship and research results are not reaching their intended audiences
- Institutions are losing control over the “raw material” of teaching and research

But “universities” don’t create the intellectual property at issue.

- Intellectual freedom mandates individual choice.
- Content leaks out of the university (and away from authors) one copyright transfer agreement at a time.
- Faculty motivations are conflicted and complicated.
- Faculty roles and responsibilities are critical to constructive change.



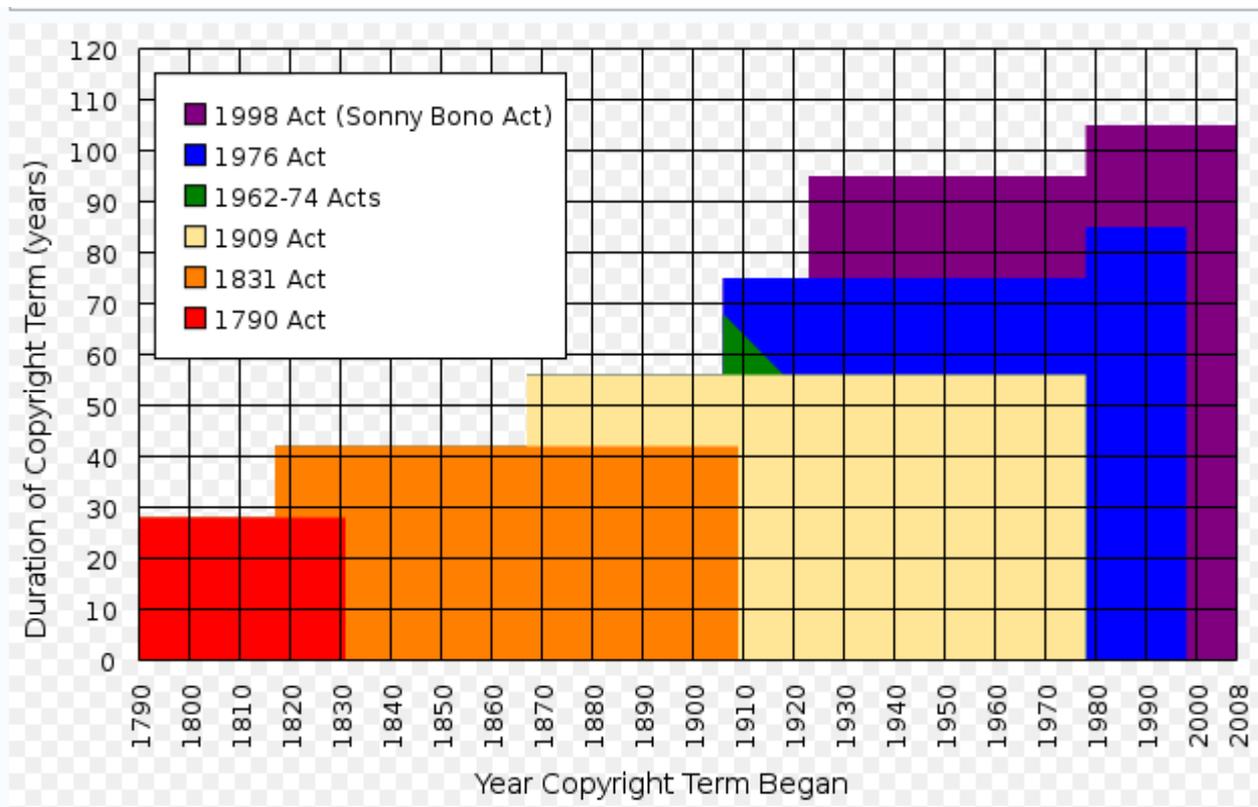




US Copyright Term

For individual authors: Life of the author plus 70 years.

For works of corporate authorship: 120 years after creation or 95 years after publication, whichever endpoint is earlier.





Scholarship and research are now largely under private ownership.

- Print: Libraries own copies of journals purchased
- Digital: Libraries rent or lease access to journals online
 - Vulnerable to loss of back issues when cancel or publication changes hands
 - Libraries work to mitigate these effects, but in most cases not permitted to archive digital content

Typical Publisher Copyright Transfer Agreements control whether the Author:

- May use articles in teaching
- May reuse the text, charts or figures in future work
- May distribute copies of the article to others
- May post a copy of the article
- May use the article in open educational initiatives



Publishers are beginning to flex their muscles in their terms and conditions of access.

For example, contracts attempt to exclude access for:

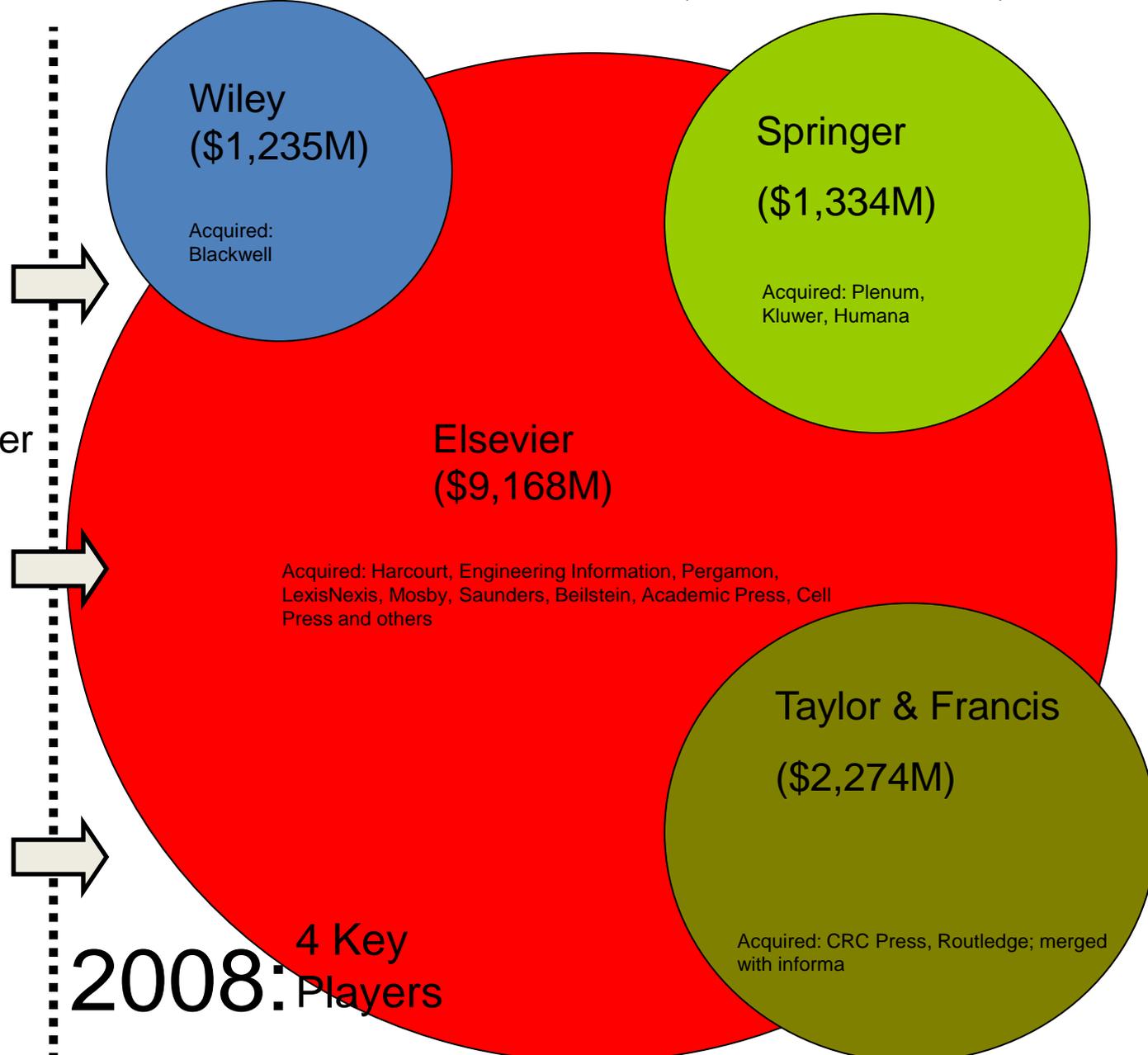
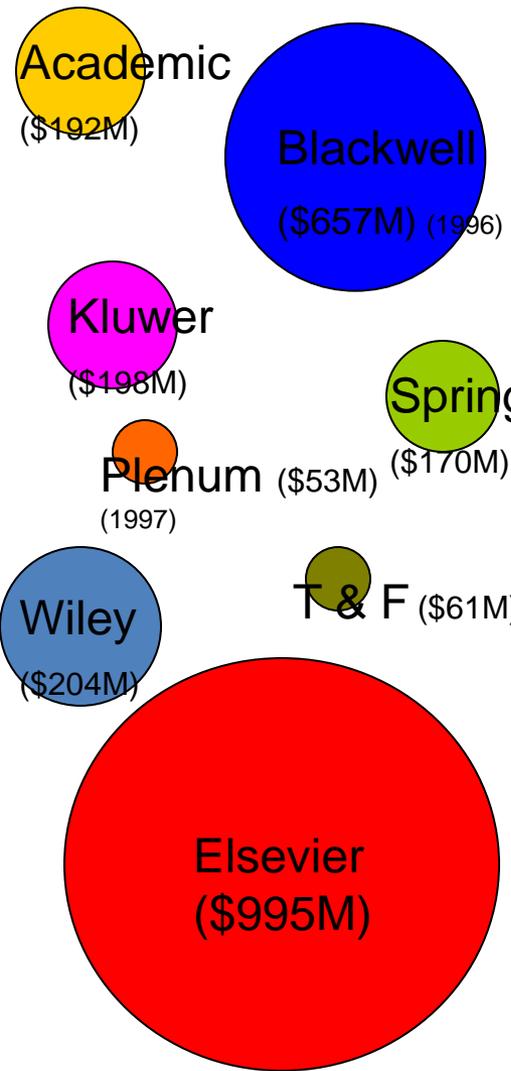
- Students Other than Sloan School
- IS&T Staff
- Whitehead Institute
- Lincoln Laboratory
- Visitors (incl. visiting students & visiting faculty)
- Most contracts do not explicitly allow for access by affiliated researchers



STM Commercial Journal Publisher Consolidation

(Revenues in US \$ Millions)

1998: 8 Key Players



2008: 4 Key Players

(Shown very roughly to scale)

Key observation

The system of journal publication is structured as a copyright negotiation between publishers and individual faculty authors.

To move to a better system the faculty must play a role as a collective body, not just as individuals.

It takes time and an appropriate process to have the conversation.

- Faculty Ad Hoc Committee on Open Access
- Understand the issue
- Consider options and impact
- Broad, deep feedback from colleagues
- Revisions, reality checks
- Policy mechanisms
- Test
- Vote
- Implementation

MIT Faculty Open-Access Policy

The Faculty of the Massachusetts Institute of Technology 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:

Each Faculty member grants to the Massachusetts Institute of Technology **nonexclusive permission to make available his or her scholarly articles and to exercise the copyright in those articles for the purpose of open dissemination**.

In legal terms, each Faculty member grants to MIT a nonexclusive, irrevocable, paid-up, worldwide license to exercise any and all rights under copyright relating to each of his or her scholarly articles, in any medium, provided that **the articles are not sold for a profit**, and to authorize others to do the same.

To assist the Institute in distributing the scholarly articles, as of the date of publication, each **Faculty member will make available an electronic copy of his or her final version of the article** at no charge to a designated representative of the Provost's Office in appropriate formats (such as PDF) specified by the Provost's Office.

The Provost's Office **will make the scholarly article available to the public in an open access repository.** The Office of the Provost, in consultation with the Faculty Committee on the Library System will be responsible for interpreting this policy, resolving disputes concerning its interpretation and application, and recommending changes to the Faculty.

The policy will **apply to all scholarly articles written 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.

The Provost or Provost's designate **will waive application of the policy for a particular article upon written notification by the author, who informs MIT of the reason.**

The policy is to **take effect immediately**; it will be reviewed after five years by the Faculty Policy Committee, with a report presented to the Faculty.

The Faculty calls upon the **Faculty Committee on the Library System to develop and monitor a plan** for a service or mechanism that would render compliance with the policy as convenient for the faculty as possible.

Every university will have its own structure and culture.

At MIT:

- One faculty, five schools
- Strong faculty governance
- Engineering, Science, and Management are significant disciplines
- Concern for students and junior faculty
- Bias for action

Summary

The traditional scholarly publication environment is increasingly problematic

- For universities
- For many faculty

MIT faculty should increase open access to our publications

We need a process where faculty can act as a body, not just as individuals

MIT needs authority to act on behalf of the faculty to preserve and share the record of scholarship and research

At MIT it took many oars: Intangibles

- Supportive Provost
- Committed Associate Provost and VP for Research
- Non-traditional General Counsel
- MIT Press
- Experience with NIH mandate
- Appreciation for the value of openness
- Respect for disciplinary differences

AAU Intellectual property principles

- Open, free exchange of ideas
- Publication in scholarly & scientific journals
- Meritocracy – rewards are on the basis of quality of work
- Organized skepticism – judgment withheld until ideas are tested
- Common ownership of good; which holds that research and scholarship are products of social collaborations and are assigned ultimately to the community.