San José State University
Senate Task Force to Investigate
Open Access to Faculty and Student Publications

Final Report

DRAFT February 26, 2010

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Executive Summary

TBD
1. Overview

Open Access Movement

The Open Access Movement is a worldwide effort to provide users with free online access to and the use of scholarly and scientific research. Open access is considered a property of individual works but is used to identify the journals, archives, and repositories that make content freely available. Conventional refereed journals and other peer-reviewed sources have been the means for disseminating scholarship and the basis of tenure and promotion decisions for decades. The interest in open access was partially triggered by the increasing financial burden for libraries of maintaining scholarly journal subscriptions. Currently, libraries can only provide access to a representative sample of journals across the disciplines. Open access resources serve as an alternative distribution model. Scholarly open access literature is not free to produce or publish but is free of charge to users. Various publication models support open access literature and in some cases generate a profit. Open access is compatible with peer review, copyright, and the tenure and promotion process.¹

A summary of major milestones in the Open Access Movement can be found in Appendix B.

SJSU Efforts to Support Scholarly Communication and Open Access

E-Collections: While within the past five years there has been a steady growth in the library’s print collections, two thirds of the library’s collection budget is spent on electronic resources, including eBooks, online journals, and citation databases. The electronic books collection has grown in 2007/2008 to over 44,000 titles. The university library provides access to 65,000 unique electronic journals through 283 active electronic databases.

Open Access Journals: The library provides access to approximately 26,000 open access journal titles from 80 databases, e.g., DOAJ (Directory of Open Access Journals).

Digital Repository: Clifford Lynch defines a university-based institutional repository as “… a set of services that a university offers to the members of its community for the management and dissemination of digital materials created by the institution and its community members. It is most essentially an organizational commitment to the stewardship of these digital materials, including long-term preservation where appropriate, as well as organization and access or distribution.”²

SJSU ScholarWorks (http://sjsu-dspace.calstate.edu/) is the campus open access digital repository which provides full-text of theses published from 1989-2006 and current theses beginning in 2010. It is anticipated that faculty scholarship will also be represented in the repository and that access to student and faculty work will promote SJSU research and scholarship and align SJSU with other universities providing open access to scholarly communication.

Digitization Program: The King Library Digital Collections represent rare and unique materials held by San Jose State University Special Collections and the San Jose Public Library's California Room. The collections document the history of the Santa Clara Valley from its agricultural beginnings to the high-tech boom and formation of the Silicon Valley. The range of subjects covered include local politics, social and cultural traditions, education, local business and industry, and historical events. This digital library will stimulate discovery of the rich and diverse resources of the library and will promote new scholarship from our community.

SJSU Open Access Journals Website: The San Jose State University Library is working with scholars to disseminate and provide access to their research and scholarship by providing a virtual server for open access journals. The SJSU Open Access Journals website (http://onlinejournals.sjsu.edu/) hosts journals published under the auspices of SJSU departments and/or edited by SJSU faculty. Currently SJSU faculty members are in the process of publishing premier issues of two open access journals: Asian American Literature: Discourses & Pedagogies and Comparative Philosophy: An International Journal of Constructive Engagement of Distinct Approaches toward World Philosophy.

Task Force History

On March 10, 2008, Sense of the Senate Resolution SS-S08-3 created the Senate Task Force to Investigate Open Access to Faculty and Student Publications, which the members informally call the “Open Access Task Force” (Appendix C). The task force first met in November 2008, and since then has met most months during the academic term.

Over the first six months of our existence, we learned about the open access policies of other U.S. universities, and the forces that were leading to such policies, such as the open access mandate of the National Institutes of Health. We co-sponsored a March 2009 visit to SJSU by the executive director of SPARC (Scholarly Publishing & Academic Resources Coalition) to give a lecture on open access and meet with various campus groups.

After conducting this background research, the task force decided to focus on three areas where university policies could increase incentives (or reduce disincentives) for supporting open access at SJSU:

• encouraging student and faculty to make their research available for publication in the SJSU online repository;
• giving guidance for faculty to retain enough rights to their work when publishing in a traditional journal so that they can republish it in the SJSU repository; and
• making sure that RTP requirements did not discourage junior faculty from publishing in open access journals.
Final Task Force Recommendations

From March 2009 until March 3, 2010, committee members worked individually, in subcommittees and as a whole to draft and refine a series of recommendations to update and augment SJSU policies to be compatible with the widely accepted principles of open access. Wherever possible, we sought to draw upon open access policies from other universities (Appendix C), which reflect both similar investigation and deliberation, but also a balance between open access and other university goals.

Our report includes the following recommendations, which are contained in subsequent sections of this report:

2. A Sense of the Senate resolution supporting open access at SJSU. We believe such an official vote of the Academic Senate would make clear the university’s position on open access for future senate decisions, as well as specific actions by departments, colleges, or the campus administration.

3. Changes to the policy on student theses to make these available to the SJSU online repository, while allowing for potential embargoes to allow publication from these theses.

4. Alternatives to encourage dissemination of published (and unpublished???) faculty research on the repository.

5. Educating faculty and other campus affiliated authors about how they can retain rights to their work upon publication compatible with supporting the online repository.

6. Modifications to existing RTP policies that assure that publication in open access journals would be evaluated by the same standards as publication in non-open access venues.

We also include appendices containing additional data to provide additional background and explanation for these recommendations.

2. Sense of the Senate Resolution

Background

On March 10, 2008, Sense of the Senate Resolution SS-S08-3 created the Senate Task Force to Investigate Open Access to Faculty and Student Publications, which the members informally call the “Open Access Task Force.” The task force has met since November 2008, investigating how policies might be created or modified to support open access at SJSU.

The committee’s focus was on what policies would facilitate open access to knowledge produced at SJSU. Open access researcher Peter Suber (now at the Harvard Law School library) has identified two key principles for universities to support open access.³

1. Universities should provide open access (OA) to their research output.

2. Universities should not limit the freedom of faculty to submit their work to the journals of their choice.

The task force is proposing specific policy changes to encourage both approaches for open access to knowledge produced at SJSU. This includes direct dissemination of SJSU research and other relevant knowledge via the CSU/SJSU Library's Institutional Repository, and also removing barriers to faculty publishing their own work in open access journals.

The goal of this resolution is to give an overarching policy statement to the committees considering these individual policy changes, so that the specific changes are considered in the context of a broader university commitment to principles of open access.

**Recommendation**

We recommend that the Senate adopt a resolution similar to the one listed below.

**Sense of Senate Resolution**

**Support for Open Access to Scholarly Work and Research**

Whereas: The university supports the Mission of the California State University, which includes advancing and extending knowledge, learning, and culture, especially throughout California, and

Whereas: The broad dissemination of knowledge benefits the scholarly community and the general public, and

Whereas: Economic and legal barriers continue to limit access to knowledge, and

Whereas: The principle of open access is actively being adopted by universities, professional organizations and federal agencies, and

Whereas: Emerging forms of scholarly work do not depend on traditional publishing formats, and

Whereas: The SJSU Institutional Repository serves as an infrastructure for disseminating and providing access to scholarly work, therefore be it

Resolved: that the San Jose State University Academic Senate supports the principle of open access to scholarly work and research, and

Resolved: that the San Jose State University Academic Senate supports new models for scholarly publishing that will promote open access and are consistent with standards for peer review and scholarly excellence, and

Resolved: that the San Jose State University Academic Senate encourage the University to promote the use of the institutional repository — and other new and existing infrastructures. — for the dissemination of knowledge created at SJSU to the local, state and global community.
3. Student Theses

This section relates to policies requiring students to make their theses available to the SJSU online repository, with particular consideration given to the maximum embargo period that students may elect prior to such online distribution.

Definition

This section considers two issues:

1. A student thesis, as defined by Senate policy S94-8 (see Appendix C),
2. An embargo of a thesis is defined as a delay in the release of the thesis from the time it is filed with the University to the time it is made available on the University's online repository.

Relevance to Open Access

Today's researchers expect that material will be available digitally and have demonstrated a clear preference for digital access to research and scholarship. Electronic submission of SJSU theses will serve as an opportunity for the Library to provide digital access to graduate research. The SJSU electronic theses will be available to the worldwide community from SJSU ScholarWorks, the campus open access digital repository which provides full-text of SJSU theses. The theses are also available from any computer on or off campus via the ProQuest Dissertations and Theses subscription database. This resource provides full-text for SJSU theses from 1989 to the present.

The University Library and Graduate Studies and Research are transitioning towards electronic submission and digital archiving of theses in the 2010 spring semester. The electronic format applies to the submittal of a thesis to the University following review and approval by the thesis committee and Graduate Studies & Research and will not affect the review procedures currently in practice which rely on a paper copy.

Open access availability of graduate theses will increase the speed at which research methods and results are shared and enhance the potential benefits of intellectual property. It is anticipated that the electronic format will promote SJSU research and scholarship and align SJSU with other universities providing open access to scholarly communication.

Policies at Other Universities

Many universities allow embargos of theses and dissertations often specifying 6 months, or one or two years. The reasons for the embargos are varied but may include:

1. To allow research collaborators (including research adviser) to publish their work
2. To allow sole author to publish work based on the thesis
3. To protect patent applications
4. “To protect individual rights to privacy because of the thesis subject or when cultural respect is being infringed.”

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4 New Mexico State University, “Embargo of Dissertations or Master’s Theses,” http://lib.nmsu.edu/aboutlib/policies/policy040.shtml
Of the CSU campuses examined (Fresno, Fullerton, Long Beach, Los Angeles, SFSU and SDSU) only SDSU mentioned a one year embargo period and Fresno mentioned a 90 day embargo period. Fresno does its submissions and reviews via Blackboard. SDSU has “electronic thesis folios” available.

Below are examples of other universities that have already addressed the issue of embargo policies for online repositories of theses and dissertation, and the corresponding website:

- **Duke University**, “Availability of Your Electronic Dissertation,” [http://gradschool.duke.edu/academics/theses/availability.php](http://gradschool.duke.edu/academics/theses/availability.php) Duke provides three embargo options are available: 6 months, one year, or two years. This document also provides some scenarios when an embargo should be considered


- **New Mexico State University** – “Emargo of Dissertations or Master’s Theses,” [http://lib.nmsu.edu/aboutlib/policies/policy040.shtml](http://lib.nmsu.edu/aboutlib/policies/policy040.shtml) The approved embargo period is 24 months. The document includes a section on conditions for approving an embargo.


- **University of California, Irvine**, “Master’s Thesis / Signature Page,” [http://www.grad.uci.edu/forms/students/Masters_Thesis_signature.doc](http://www.grad.uci.edu/forms/students/Masters_Thesis_signature.doc), Allows for three embargo options: 6 months, one year, or two years.


- **University of Kansas**, “Electronic Theses and Dissertations (ETD) Release Form,” [http://www.graduate.ku.edu/-downloads/04-d6_KU_ETD_release.pdf](http://www.graduate.ku.edu/-downloads/04-d6_KU_ETD_release.pdf) Three embargo options are available: 6 months, one year, or two years.

- **University of Minnesota**, “Thesis or Dissertation Embargo Request,” [http://www.grad.umn.edu/current_students/forms/gs20.pdf](http://www.grad.umn.edu/current_students/forms/gs20.pdf) Three embargo options are available: 6 months, one year, or two years.

### Existing Senate Policies

SJSU Academic Senate policy **S94-8**, (Policy on Research, Scholarship and Creative Activity; Grants; and Academic Freedom) will be impacted by open access to graduate theses, specifically the section on **Student Research**. The policy currently states, “The protection of proprietary data for a period not to exceed 180 days may be applied to student publication.”
Recommendations

It is recommended that the Academic Senate forward this document to the Graduate Studies and Research Committee to consider revisions for Senate policy S94-8, because online dissemination of theses provides wider and more rapid dissemination of thesis information than was anticipated in 1994. As such, the current maximum embargo period of 180 days may compromise the ability of student (or faculty) to publish their work if online distribution is considered prior publication.

In particular, we call to the GS&R Committee’s attention the following two issues.

1. Student Rights

Current policy stipulates a maximum embargo period of 180 days (6 months). The Task Force considered as reasonable increasing the embargo period from 1 to 3 years, although it could take considerably longer to publish a work. The policy could include a mechanism to extend the embargo (perhaps by petitioning the AVP for GS&R) if the maximum embargo was inadequate and the student was able to show the probability of publishing in a reasonable longer time frame. Students submitting creative work theses, e.g., students in the Creative Writing program, may wish to request a permanent (or indefinite) embargo on the thesis.

Even if the student elects to impose an embargo on the thesis, anyone within the King Library building will have access to the electronic version. In that sense, it is no different than a paper copy available in the library. However, if "off campus" full-text access to embargoed theses is restricted to SJSU students, faculty, and staff, this will limit the potential impact upon students’ ability to publish their theses.

2. Faculty Rights

Online distribution of student theses may also impact the rights and obligations of faculty and others involved in the same research project. For instance, students working in faculty labs and with external collaborators have a responsibility to their colleagues regarding shared data. There may be conflict with the timing of releasing data – via the thesis or via published journal article.

4. Faculty Publications

This section relates to policies to encourage faculty to make their published research available to the SJSU online repository.
Definition

For the purposes of this section, *faculty publications* refers to works produced by persons with SJSU faculty status and excludes work produced by undergraduate and graduate students, except where undergraduate and/or graduate students are co-authors with faculty. Faculty publications also may result from collaborations with faculty at other universities. In addition the term *faculty publications* is limited to peer-reviewed work that has been published elsewhere and excludes work that is in development. Published peer-reviewed work may include images, video performances and media productions.

Relevance to Open Access

Open access to the research and scholarship of SJSU faculty via an institutional repository facilitates the discovery and dissemination of knowledge.

A *digital repository* is an online, searchable, web-accessible database containing works of research deposited by scholars. The purpose is both increased access to scholarship and long-term preservation. Digital repositories built to serve a specific institution's community of users are called *institutional repositories*. (See glossary of terms in Appendix A).

Clifford Lynch defines a university-based institutional repository as “…a set of services that a university offers to the members of its community for the management and dissemination of digital materials created by the institution and its community members. It is most essentially an organizational commitment to the stewardship of these digital materials, including long-term preservation where appropriate, as well as organization and access or distribution.”

Benefits of an institutional repository at San José State University

- Captures and preserves the intellectual output of the institution
- Represents the quality of work generated by members of the institution
- Increases the visibility and status of the institution’s scholars

Benefits for the Individual

“Research papers that are freely available online are on average downloaded and cited earlier and more often than those that are not. Depositing academic work in an open access repository therefore increases the profile of an author on a world-wide basis, increasing both the dissemination and the impact of the research they undertake. Regular submission of an author’s work to a repository provides an author with a central archive of their work and a record of publications to add to their CV.”

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Existing Senate Policies

SJSU Academic Policy F98-3 (Intellectual/Creative Property Ownership) states, "The primary goals of San Jose State University...are to teach, to expand knowledge through scholarly studies and research, to fully disseminate the results of such studies and research...Discovery and dissemination of knowledge represent the core of the academic mission at SJSU; these activities have inherent and essential value to the University and to society."

Recommendations

It is recommended that San Jose State University provide open access to faculty publications via the existing institutional repository, SJSU ScholarWorks, and that the Academic Senate forward this document to the Curriculum and Research Committee to address the following issues and determine the need to revise Senate policy F98-3.

Here we identify two alternate approaches for providing open access to SJSU research and scholarship.

1. Encouraging Contributions

1. Some universities adopt a policy of "encouraging" faculty to contribute their work to open access repositories rather than mandating that they do so. What actions should the University take to encourage contribution to the open access repository and who is responsible for implementing the policy? The policy may provide few or no incentives to identify and meet priorities. Sample wording of such policy might be:

   SJSU faculty are encouraged to contribute peer-reviewed scholarly work to the SJSU Institutional Repository to facilitate broad dissemination of their research and scholarship in support of the Mission of the California State University.

2. Requiring Contributions

Some universities mandate faculty to contribute their work to an open access repository, usually within a specified time, e.g., 6 – 18 months after publication. Mandate policies frequently include opt-out provisions based on agreements with publishers, copyright issues, or legal restrictions. To be effective a mandate policy needs to address compliance issues and responsibility. Sample wording of such policy might be:

   SJSU faculty are required to contribute peer-reviewed scholarly work to the SJSU Institutional Repository to facilitate broad dissemination of their research and scholarship in support of the Mission of the California State University.

References

5. Author Rights

This section considers educating faculty and other University authors to retain rights in their work that will allow redistribution of that work via online repositories and other Open Access venues.

**Definition**

Authors are granted rights to their work under copyright law. Copyright protection occurs the moment a work is “fixed in a tangible medium.” Author rights are retained until some or all are transferred through a written agreement or until the period of copyright protection expires and the work enters the public domain.\(^7\)

**Relevance to Open Access**

The Open Access movement, which aims to make scholarly literature freely available on the World Wide Web, provides authors with many more options for broadly distributing their work. Authors who elect to publish their articles in traditional print or online journals and also wish to participate in the open access movement must retain some or all of their original author rights. This usually means revising or amending traditional publishing agreements. Authors should be aware of the control they wish to retain over their work, e.g., use the work as a basis for a future publication, and thus retain the corresponding rights.

An author addendum is a means by which publishing agreements can be revised or amended to reserve control of author rights. Numerous academic institutions have developed such addenda which permit the author to freely use his/her work in research and teaching activities. The Science Commons website offers a Scholar’s Copyright Addendum Engine that assists the author in generating a SPARC PDF form for attachment to a publishing agreement.\(^8\) Other examples of author addenda can be found on the Open Access Directory website.\(^9\)

The promotion of open access to SJSU research and scholarship is dependent upon authors retaining some or all of their author rights. Authors can achieve open access goals by publishing in open access journals or retaining the rights to freely use and share original work published elsewhere.

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\(^7\) The Copyright Law of the United States can be found in Title 17 of the United States Code at [http://www.copyright.gov/title17/circ92.pdf](http://www.copyright.gov/title17/circ92.pdf)

\(^8\) Scholar’s Copyright Addendum (n.d.), [http://scholars.sciencecommons.org](http://scholars.sciencecommons.org)

\(^9\) “Author addenda,” [http://oad.simmons.edu/oadwiki/Author_addenda](http://oad.simmons.edu/oadwiki/Author_addenda) modified Feb 20, 2010
Existing Senate Policies

SJSU Academic Policy F98-3 (Intellectual/Creative Property Ownership) states, “Copyrightable works produced by authors who are SJSU faculty, staff, or students shall remain with the authors as defined by federal copyright law…”

Recommendations

The Academic Senate is encouraged to inform faculty of author rights issues and the desirability of retaining some or all of these rights to facilitate broad dissemination of their research and scholarship in support of the Mission of the California State University. Possible venues for addressing these issues may include the Center for Faculty Development’s New Faculty Orientation Program and University Library and Research Foundation workshops.

6. Retention, Tenure and Promotion

This section considers how the University's RTP policies might discourage junior faculty from publishing in Open Access publications.

Relevance to Open Access

If the Retention, Tenure and Promotion process is based against open access journals or other alternative venues of publication, then this will discourage junior faculty from publishing in such journals and thus supporting open access.

Open access journals are newer than most established journals, and are published online rather than in printed form. As such, publication in open access journals might be interpreted in the RTP process as less rigorous or scholarly as publication in more established journals.

In reality, open access journals may use the same processes, standards and even individuals (editors and referees) as printed journals.10 Both open access and printed journals vary widely in their rigor, selectively and impact. In some cases, open access journals have achieved results surpassing comparable printed journals. For example, PLOS Medicine (established 2004) was in 2008 ranked 6th in impact factor among general medicine journals, after the British Medical Journal but ahead of the Annual Review of Medicine.11

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The task force believes that the University RTP policy should be modified so that faculty publication in open access journals (and online publications more broadly) is treated neither worse nor better than comparable printed journals. To avoid misunderstanding, this policy should be widely available to candidates, RTP committees and relevant administrators (department chairs, deans, AVP, provost).

**Existing Senate Policies**

Section II(B) of Senate Policy S98-8 says (in part)

> Scholarly achievement includes, but is not limited to, books, articles, reviews, technical reports, computer software, application for and/or awards of grants, or papers read to scholarly associations -- in general, work based on research and entailing theory, analysis, interpretation, explanation, or demonstration.

> ...

> Scholarly or artistic or professional achievement should be thoroughly evaluated by one's disciplinary peers, within and/or outside one's department, not merely enumerated. Acceptance of scholarly or artistic work by an editorial or review board (or jury) constitutes an evaluation of that work. ...

**Policies at Other Universities**

University of California, Berkeley (March 2005): 12

Advancement and Promotion: **All those involved in the process of academic review will not discriminate against alternative venues for scholarly communication.** As always, work will be judged based on its individual quality and scholarly content. The role of a publication venue in this process will be assessed according to such criteria as its demonstrated standards, degree of selectivity, and the quality of its peer-review.

University of North Carolina at Chapel Hill (March 2005)13

Be it resolved that the Faculty Council encourage the Provost to:

> ...

3) **work with department chairs to review tenure and promotion standards to recognize publishing in non-traditional sources,** and

4) urge department chairs to discuss the problems in scholarly communications with their faculties.

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13 “Journal of Proceedings of the Faculty Council,” UNC Chapel Hill, March 4, 2005, [http://www.unc.edu/faculty/faccoun/minutes/M05FC03.htm](http://www.unc.edu/faculty/faccoun/minutes/M05FC03.htm)
Recommendations

We found it difficult to improve upon the policies of UC Berkeley and UNC Chapel Hill listed below; both clearly and simply state neutrality (neither for nor against) towards non-traditional publishing venues, of which electronic-only journals (including open access journals) are the most common alternative.

We recommend that Section 2)B)2) of S98-8 be revised to indicate such neutrality with regards to non-traditional publishing venues.

7. Conclusions
# Appendix A: Glossary

<table>
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<tr>
<th>TERM</th>
<th>DEFINITION</th>
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<tr>
<td>Copyright</td>
<td>Refers to ownership of creative works (such as text, images, films, performances, art works, music or software) as provided by U.S. or other national law. By default, authors are the owners of their work, but that ownership may be assigned by the authors to another party (such to a publisher). Copyright owners (such as for-profit publishers) are often reluctant to embrace open access principles, because it limits their ability to generate income from users of a work that pays for the cost of acquiring and distributing that work.</td>
</tr>
<tr>
<td>Digital Repository</td>
<td>An online, searchable, web-accessible database containing works of research deposited by scholars. Purpose is both increased access to scholarship and long-term preservation. Digital repositories are often built to serve a specific institution's community of users, in which case is it is called an institutional repository.</td>
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<tr>
<td>Embargo</td>
<td>For digital repositories, this refers to works that do not appear in the repository for some period of time, which might be a fixed period, until publication or indefinitely. For authors, embargos can allow time for external publication in venues that support career goals, such as a journal article or a book of poetry. For commercial publishers, embargoes assure that publishers have the opportunity to recoup the costs of publication and research before making works available freely.</td>
</tr>
<tr>
<td>Encourage Policy</td>
<td>Some universities adopt a policy of &quot;encouraging&quot; faculty to contribute to open access repositories rather than mandating that they do so. Policies that encourage rather than mandate are obviously not coercive, but they are also less effective in reaching the goals of the policies.</td>
</tr>
<tr>
<td>E-Prints or ePrints</td>
<td>Scholarly works that have been deposited in a digital repository. Also the name of a specific producer of digital repository software <a href="http://eprints.org">eprints.org</a>.</td>
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<tr>
<td>ETD</td>
<td>[Abbreviation/Acronym] Electronic Theses and Dissertations</td>
</tr>
<tr>
<td>Faculty Publication</td>
<td>A narrow definition of this phrase implies only work produced by persons with faculty status and excludes work produced by undergraduate and graduate students, and possibly work produced by persons when they were faculty but are no longer faculty. However, a broader definition allows for collaborations between faculty and students, or between University faculty and faculty here or at other universities.</td>
</tr>
<tr>
<td>Faculty Scholarship</td>
<td>Faculty scholarship refers to the availability in digital format of a peer-reviewed work that has been published elsewhere already and excludes work that is in some stage of development or has not been evaluated according to some vetting process that determines if a work is “published.” A publication entails print-oriented media, but open access could include access to images, video performances, and media productions that have been presented elsewhere within the context of professional evaluation.</td>
</tr>
<tr>
<td>Institutional Repository</td>
<td>A type of digital repository that is designed to collect the work of a particular institution (usually a university). See also &quot;Repository.&quot;</td>
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<tr>
<td>TERM</td>
<td>DEFINITION</td>
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<tr>
<td>Intellectual and Creative Property</td>
<td>Ownership of intellectual and creative property is related to copyright. Open access undermines the concept of &quot;owning&quot; intellectual and creative property insofar as it diminishes the value of intellectual and creative labor by making it freely available. But ownership of intellectual or creative property also refers to who is responsible for the content of the work, which sometimes includes more than the authors of the work. Subjects of research may sometimes own part of the research about themselves. Some universities claim that as a result of making faculty research possible, they own a part of the published research. At San Jose State University, Academic Senate policy F98-3 declares that faculty are the sole owners of the research they publish.</td>
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<tr>
<td>Library</td>
<td>A university’s library is often responsible for implementing and maintaining an open access policy, because the repository of open access materials is considered an extension of library services and information provided by the University to strengthen the knowledge provided by the curriculum and the disciplines represented in the colleges. Libraries are assumed to have the best expertise to manage open access technology and administrative issues. However, open access could be managed at the college or departmental level in relation to a University policy establishing standards and expectations for maintain open access. However, it is difficult to identify a single institution that has successfully developed an open access policy that appointed responsibility for open access to colleges or departments. Some open access policies appoint a university officer outside of the library, often the Provost, to review open access procedures and adjudicate conflicts related to the operation of an open access repository.</td>
</tr>
<tr>
<td>Mandate Policy</td>
<td>Some universities mandate (rather than encourage) their faculty to contribute their publications to an open access repository. A mandate policy requires faculty to submit to the open access repository electronic versions of their publications within a specified time after the publications have appeared elsewhere, usually six to eighteen months. Mandate policies include opt-out provisions that allow some publications to remain exempt from inclusion in the repository, due to agreements with publishers, copyright issues, or legal restrictions. A problem with mandate policies is that to be credible or effective, they require enforcement provisions and mechanisms for policing the collection of open access publications. A mandate policy includes some punishment for ignoring the policy and for failing to meet deadlines or to follow procedures established to assure the credibility of the mandate. Such a policy also entails a clear statement of how resources will be allocated for assuring compliance and who is responsible for assuring compliance.</td>
</tr>
<tr>
<td>Metadata</td>
<td>Data that describes other data. For items in open access repositories, this usually consists of a full bibliographic reference, abstract, keywords, and similar information. Also: tabulation of users, frequencies, times, categories of information.</td>
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<td>OA</td>
<td>[Abbreviation/Acronym] Open Access</td>
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<tr>
<td>Open Access</td>
<td>The scholarly communication reform movement that aims to make scholarly literature freely available on the public web. An umbrella term, open access includes both open access journal publishing and author self-archiving in digital repositories or on personal websites. The Open Access movement aims at improving the dissemination of scientific information. Open access may mean in addition to published articles theses produced by SJSU graduate students or SJSU documents, such as Senate minutes or green sheets (considered as historical artifacts) or Special Collections items or art works and digital performances by SJSU faculty, then the Committee should recommend the scope of the repository, along with a clear statement of purpose for the repository. That is, the repository itself “publishes” the manifold work of the faculty at SJSU and serves as a historical archive of the faculty's activity in shaping the University.</td>
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<tr>
<td>Open Access Policy</td>
<td>If “open access” refers to an electronic, web repository of articles published by the faculty, then a policy recommending open access should indicate who is responsible for maintaining an electronic repository of the published articles, how all persons anywhere will gain access to the articles, when faculty are expected to submit articles for open access, and when the repository is expected to post the article after receiving it. A recommendation to establish an open access repository should contain reasonably accurate cost estimates for maintaining the repository and who will pay those costs. The policy should also clarify the consequences of failing to comply with the policy. University libraries are frequently the curators of open access policies, but oversight of the policy is usually the responsibility of another unit, such as the Office of the Provost, the Office of Graduate Studies and Research, or the Office of Information Technology. See also &quot;Encourage Policy&quot; and &quot;Mandate Policy.&quot;</td>
</tr>
<tr>
<td>Ownership</td>
<td>Refers to control over the distribution, organization, and identity of property. Ownership also sometimes includes responsibility for the creation of property: owners are therefore sometimes authors, although authors are not always the owners of the works they create. Open access allows institutions (such as a university) to provide access to materials created by owners. However, open access also means that users of such materials may freely redistribute it after access, reducing (or eliminating) the ability of the owner to charge for access to that work.</td>
</tr>
<tr>
<td>Peer Reviewed</td>
<td>An evaluation process in which a journal article submitted for publication undergoes critical review by experts in the article's subject area (also known as referees) before it is ultimately published.</td>
</tr>
<tr>
<td>Preprint</td>
<td>In the context of Open Access, a preprint is a draft of an academic article or other publication before it has been submitted for peer-review or other quality assurance procedure as part of the publication process. Preprints cover initial and successive drafts of articles, working papers or draft conference papers.</td>
</tr>
<tr>
<td>Publication</td>
<td>When a work is made publicly available: originally defined as being distributed in printed form, but increasingly via online distribution.</td>
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<tr>
<td>TERM</td>
<td>DEFINITION</td>
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<tr>
<td>Repository</td>
<td>A website that aims to collect, preserve and proffer electronically the intellectual output of a subject or organization without charge to the world. A repository may store digital copies of publications that have appeared elsewhere, but in some cases, the repository may simply link to web sites or other repositories that store a faculty publication. The repository for San Jose State University is called SJSU Scholar Works, but the repository links to graduate theses stored with ProQuest Dissertations and Theses.</td>
</tr>
<tr>
<td>Scholarship</td>
<td>Systematic inquiry the results of which are usually shared through publication. Publication is only a component of scholarship. Systematic inquiry occurs differently, according to disciplinary conventions established largely through academic institutions. Open access is also a component of scholarship to the extent that scholarship is possible for scholars because of the institutions for whom the work or they public that supports their institutions or research projects.</td>
</tr>
<tr>
<td>Self-archiving</td>
<td>Placing a copy of an article (or other scholarly work of research) in a digital repository. Sometimes this term is also used to refer to the practice of authors placing their articles on personal websites, although such distribution usually does not provide an assurance of preservation, as is provided by institutional repositories.</td>
</tr>
<tr>
<td>SPARC</td>
<td>[Abbreviation/Acronym] Scholarly Publishing and Academic Resources Coalition: &quot;an international alliance of academic and research libraries working to correct imbalances in the scholarly publishing system. Developed by the Association of Research Libraries, SPARC has become a catalyst for change. Its pragmatic focus is to stimulate the emergence of new scholarly communication models that expand the dissemination of scholarly research and reduce financial pressures on libraries&quot; <a href="http://www.arl.org/sparc/">http://www.arl.org/sparc/</a></td>
</tr>
</tbody>
</table>

**References**

Scholarly Communication Glossary (SCG)  
http://www.library.uiuc.edu/scholcomm/glossary.html  
ScholarSpace Glossary http://library.hawaii.edu/scholarspace/glossary.html  
Sherpa Open Access abbreviations, acronyms and terms  
http://www.sherpa.ac.uk/glossary.html#a
Appendix B: A Brief History of the Open Access Movement

The timeline for the open access movement can be traced at least to 1966 with the establishment of ERIC (Educational Resources Information Center), launched by the U.S. Dept. of Education. Within the past two years numerous developments, particularly in the academic and federal sectors (communities) have resulted in expanded open access.

However, important steps in broadening and deepening open access policies at American universities occurred during 2008-2009.14

- In February 2008 Harvard University's Faculty of Arts and Sciences adopted a policy requiring faculty members to allow the university to make their scholarly articles available free online.
- In April 2008 the National Institutes of Health (NIH) implemented the NIH Public Access Policy requiring all journal articles resulting from NIH-funded research to appear in PubMed Central, the NIH open access archive, within 12 months of publication in a journal.
- In May 2008, the Harvard Law School joined the Faculty of Arts and Sciences in adopting an open access policy.
- Stanford University School of Education passed an open access policy in June 2008 in the wake of Harvard’s action.
- In March of 2009, MIT faculty unanimously adopted a university-wide open access policy.
- Also in March 2009, the John F. Kennedy School of Government at Harvard passed an open access policy similar to other policies adopted at Harvard.
- In June of 2009, University of Kansas became the first U.S. public university to pass a university-wide policy to make faculty research available via their repository.
- Also in June 2009, Senators John Cornyn and Joe Lieberman reintroduced the Federal Research Public Access Act (FRPAA) in the US Senate. FRPAA would essentially extend the NIH open access policy across the federal government. It would require all US agencies with research budgets of $100 million or more to ensure that the output of any research they fund is made freely available within six months of publication. The FRPAA would apply to all unclassified research funded by agencies including the Departments of Agriculture, Commerce, Defense, Education, Health and Human Services, Homeland Security, Transportation, Environmental Protection, as well as the National Science Foundation and NASA.

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14 This list is adapted from the University of Maryland, “FAQ — English Department,” http://www.lib.umd.edu/CLMD/Faculty/englishdept.html - recent (Last modified: October 05, 2009):
In September 2009, five major research universities (Cornell, Dartmouth, Harvard, MIT, UC-Berkeley) announced their joint commitment to open access journals by agreeing to the establishment of mechanisms for paying author fees.

In February 2009 AAU, ARL, CNI and NASULGC issued the publication *The University's Role in the Dissemination of Research and Scholarship — A call to Action*. Although this document doesn't specifically use the term “open access,” it contains recommendations to campus leadership to actively disseminate new knowledge.

The January 2010 Report & Recommendations from the Scholarly Publishing Roundtable urges all facets of intellectual pursuit to make public their findings and research. The report, commissioned by Committee on Science and Technology of the United States House of Representatives in coordination with the White House Office of Science and Technology Policy (OSTP), strongly recommends public access to scholarly writings.

**References**


San José State University Dr. Martin Luther King, Jr. Library, University Library Self-Study (May 2009) [http://www sjlibrary.org/gateways/academic/sjsu_5y_review_09.pdf](http://www.sjlibrary.org/gateways/academic/sjsu_5y_review_09.pdf)


Appendix C: Relevant SJSU Policies

SS-S08-03: Creating Task Force to Investigate Open Access

At its meeting of March 10, 2008, the Academic Senate passed the following Sense of the Senate Resolution presented by Senator Peter for the University Library Board.

SENSE OF THE SENATE RESOLUTION

Calling for a Task Force to Investigate Open Access to Publications through an SJSU institutional repository, and make appropriate Recommendations

Resolved, That the Academic Senate of San Jose State University should organize a special task force to investigate whether SJSU should adopt a policy concerning Open Access to faculty publications through an institutional repository managed by the University Library; be it further

Resolved, That the special task force should consider whether SJSU has an obligation and/or a need to create an Open Access policy of its own. It should consider, among other things, the examples of the Harvard Faculty of Arts and Sciences [1] in adopting an open access policy, the example of the NIH Public Access policy [2], and the success and reputation of open access publications such as the Public Library of Science; be it further

Resolved, That the special task force should include representatives of all concerned administrators and faculty; among those representatives should be the Dean of the University Library, a specialist from the library on institutional repositories, a representative from the office of Graduate Studies and Research, a representative from the University Foundation, appropriate Deans and/or Associate Deans, faculty with expertise on RTP issues, faculty with experience and expertise on copyright issues, faculty who (collectively) have published government-funded research in a wide range of peer reviewed journals— including online, faculty who have served on the Foundation Board, and any others that the Senate and its committees think useful to give the Task Force the widest possible expertise on the subject

Rationale:

The subject of “Open Access” to faculty publications has steadily grown in importance over the last several years and has finally reached a crescendo this spring. First, the NIH promulgated requirements for open access to publications funded by NIH grants, and second (after their own task force took a year to study the issue) the Harvard Faculty of Arts and Sciences adopted a sweeping open access policy for nearly all articles they publish.

The general background for open access concerns the spiraling costs both of print journals
and of online subscriptions to electronic journals. Universities have increasingly resented the fact that they hire faculty and fund their research, but that their libraries then have to pay huge amounts of money to access the fruits of this research. It has come to the point that many libraries can no longer afford to subscribe to all the journals in which their own faculty publish—or they can only do so by making inordinate sacrifices elsewhere in their budgets. This is a gross perversion of the ideals of academic freedom, in which the ideas and knowledge of faculty are supposed to be widely disseminated among their peers and colleagues for critical comment and public benefit.

For a number of years, University Libraries and faculty activists have urged that academia begin to take measures to find alternative ways to disseminate faculty knowledge. There have been formidable barriers to overcome—including the need to publish in established peer-reviewed journals, copyright restrictions, and others. Only recently have solutions to these problems begun to become available, as the Harvard faculty attest. For example, publishing in peer-reviewed journals does not preclude open access dissemination of faculty research and scholarship.

The University Library Board believes that it is now time for SJSU to examine these issues for itself, with the full resources of its faculty and staff. We now do have an electronic repository which could be used for faculty publications—if appropriate. Above all, a policy concerning something as vital as faculty publications should be produced by the faculty—and not imposed through external pressures.

Approved: 13-0-0

Discussed at meeting on March 3, 2008. Approved by email vote March 5, 2008

Present: Moon, Bernier, Smith, Peterson, Von Til, Bakke, Kifer, Whitney, Chung, Chang,

Fleming, DeSalvo, Peter

Absent: 

Vote: 13-0-0

Financial impact: S.O.S. resolutions have no financial impact

Workload impact: S.O.S. resolutions have no direct workload impact. However, should the Senate decide to create a Task Force on Open Access as suggested, it would of course involve considerable committee work.


S02-8: Information Technology Resources Responsible Use Policy

See http://www.sjsu.edu/senate/S02-8.htm
F98-3: Intellectual/Creative Property

See http://www.sjsu.edu/senate/f98-3.htm

S98-8 Appointment, Retention, Tenure and Promotion Criteria...

“S98-8 Appointment, Retention, Tenure and Promotion Criteria, Standards and Procedures for Regular Faculty Employees”

See http://www.sjsu.edu/senate/s98-8.htm

S94-8 Policy on Research, Scholarship and Creative Activity...

“Policy on Research, Scholarship and Creative Activity; Grants; Academic Freedom”


Appendix D: Open Access Policies at Other Universities

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<thead>
<tr>
<th>School</th>
<th>URL</th>
</tr>
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<tbody>
<tr>
<td>University of Kansas (2005)</td>
<td><a href="https://documents.ku.edu/policies/provost/ScholarlyInformation.htm">https://documents.ku.edu/policies/provost/ScholarlyInformation.htm</a></td>
</tr>
<tr>
<td>University of North Carolina at Chapel Hill (2005)</td>
<td><a href="http://www.unc.edu/faculty/faccoun/minutes/M05FC03.htm">http://www.unc.edu/faculty/faccoun/minutes/M05FC03.htm</a></td>
</tr>
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