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Open Access Policy Update

U.S and Canada - 2008

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Why Access Policies?

- Funders invest in research with the expectation that it will:
 - Advance/accelerate scientific discovery
 - Lead to greater innovation
 - Provide economic stimulus
- Increasingly recognize that dissemination is an essential component of the research process.
- Research is cumulative - only through **use** of research findings is the **value** of research investment maximized.

Policies Emerging from Multiple Sources

- Local Policies - Higher Education Institutions
- Foundations and Advocacy Organizations
- National Research Funding Agencies
- Proposed by National Legislative Bodies

Public Access - A Step Towards Open Access

- Emerging from both public and private funders/institutions
- Biomedical sciences leading the way, but interest exists in other disciplines
- Policies in U.S. and Canada generally employ “embargo periods”
- “Public Access” vs. Open Access policies

Common Goals of Access Policies

Access - Provide fast, free electronic access to research publications.

Archive - Provide permanent archive of vital scientific research results.

Advance Science - Create new information resource for scientists to use in innovative ways.

Accountability - Allow research funders to manage research portfolios more effectively and transparently.

Common Elements in Access Policies

- Deposition of **final manuscript** upon acceptance into online repository.
- Repository **must** provide for **free public access**, **interoperability**, and **long-term preservation** of material.
- Policies contain embargo period articles must be made public **0-12 months** after publication.
- Policies generally focus on peer-reviewed articles - not **data** (yet) - w/exception of CIHR policy

Terms of Use need Clarification

- Details of re-use permissions and conditions are often not fully articulated. Clarifying these is crucial.

“By open access, we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search or link to the full text of these articles, crawl them for indexing, pass them as data to software or use them for any other lawful purpose...”

- The Budapest Open Access Initiative

National Research Agency Policies

- U.S. National Institutes of Health implemented first U.S. national mandatory public access policy 4/2008
 - Mandatory, immediate deposit, public access within 12 months
 - NIH = \$29 billion US in research per annum
- Canadian Institutes of Health Research implemented policy January 2008
 - Quasi-mandatory; immediate deposit, public access within 6 months

NIH Public Access Policy

SEC. 217. The Director of the National Institutes of Health shall **require** that all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, **to be made publicly available** no later than 12 months after the official date of publication: *Provided*, That the NIH shall implement the public access policy in a manner **consistent with copyright law.**

Foundation/Advocacy Organization Access Policies

- In October, the “Autism Speaks” Foundation became first U.S. Foundation/Advocacy organization to implement access policy.
- Foundation funds original research; policy mirrors NIH - mandatory, 12-month embargo
- Other foundation/advocacy organizations expected to follow suit in 2009

Campus Access Policies

- Harvard FAS the first in the U.S. to vote to implement an Open Access Policy
 - Faculty members required to deposit articles in Harvard's digital repository; **copyright** is retained.
- Stanford University School of Education second school to follow suit.
- Numerous others actively considering policies.
 - Large private and public research institutions
 - Liberal Arts colleges

National Research Legislative Body Policies

- Proposed: U.S Federal Research Public Access Act (FRPAA):
 - Covers research from 11 of the largest U.S. Federal Agencies that fund scientific research; all have \$100million U.S. research budgets.
 - **Requires** deposit of authors manuscript into digital repository within **6** months of publication.
- First introduced two years ago, expected to be re-introduced in U.S. Congress early 2009

Policies Challenging Open Access

- The “Fair Copyright in Research Works Act,” introduced in U.S. Congress 10/2008
 - Bill would amend current U.S. Copyright Law to prohibit federal agencies from conditioning grant agreements to require grant recipients to deposit manuscripts in publicly available repositories.
 - Creates a new category of copyright protected work - “extrinsic works.”
- Bill would effectively make public access policies impossible/illegal in the U.S.

Opportunities

- New U.S. Administration
 - Deep interest in openness & transparency
 - Interest in and respect for science
 - Appointments to key science posts will be telling
- Growing Interest in Individual U.S. Agencies
 - Emerging inquiries on public access policies
 - Interest across disciplines - energy, environment particularly active

Opportunities

- Interest in Canadian Agencies
 - National Cancer Institute of Canada, Ontario Cancer Research Institute, and National Research Council of Canada implementing policies
 - Natural Sciences and Engineering Research Council and Social Sciences and Humanities Research Council announced intentions to implement policies
 - Idea of “homogenizing policies” is gaining traction

Greater Access is a Policy Concern

“Governments would boost innovation and get a better return on their investment in publicly funded research by making research findings more widely available.... And by doing so, they would maximize social returns on public investments.”

-- International Organization for Economic Cooperation and Development, Report on scientific publishing, 2005