

Author addendum conundrum

7/15/2020

Presented by: Lauren Byl
Copyright & Licensing Librarian
University of Waterloo
lrbyl@uwaterloo.ca



The Problem

- Researchers needed to comply with Tri-Agency Open Access policy requirements and were looking to do so without spending any of their grant funds
- Researchers also wanted to continue publishing in the journals of their choice
- Though many journals have Open Access policies that allow researchers to comply, approximately 28.6% of journals with large publishers* do not comply
- When researchers asked for ways to get around difficult copyright policies I suggested the use of the SPARC author addendum as one way to negotiate their rights

*Large publishers: Wiley, Sage, Elsevier, Springer, Taylor & Francis, Oxford, Cambridge, dataset:
<https://doi.org/10.5683/SP2/D2QZKP>

The Problem cont'd

- Many researchers had concerns about the suggestion that they negotiate with their publishers
 - Some thought that they were at risk of their publishers rejecting their work
 - Some thought their reputations would be tarnished based on wanting to negotiate
 - Some thought that trying to negotiate would be a waste of time
- Most of them wanted a yes or no answer as to whether or not a publisher would accept the addendum so that they had more certainty about the risk involved

What next?

- Looked to other institutions author rights/copyright pages for guidance
 - All U15 institutions suggest researchers use the SPARC author addendum
 - 10/15 suggest the addendum in a way that implies it is a solution in itself (including Waterloo)
 - Queen's and Manitoba suggest using the addendum as a tool for negotiation
 - Queen's and McGill provide detailed instructions on how to use the addendum during the publication process
 - None of the U15 institutions provided evidence or anecdotes of acceptance
 - Note: I only looked at institutional websites, which may differ widely from information provided in 1:1 communications, or in workshops
- Looked for research on addendum use and acceptance
 - Some studies done on researcher copyright knowledge and behaviours, but only one study that specifically spoke about addenda

Previous research on addenda

- Austin, Heffernan and Davis (2008) surveyed academic and research staff in all Australian universities. They received 509 responses to the survey, of these 87 had used an addendum (17%) and 79 of those had their addenda successfully accepted by the publisher.
- Study occurred early on in OA mandates, and before many publishers had changed their copyright agreements and policies to be more open to these requirements

Previous research on copyright knowledge and behaviours

- Researchers do not usually negotiate their agreements
 - Austin, Heffernan & Davis (2008) – 87% of 509 participants agreed to their publishing agreements, regardless of terms
 - Charbonneau & McGlone (2013) – 97% of 94 participants sign agreements as-is
 - LaFlamme (2017) – none of the participants interviewed (10) had ever negotiated their agreements
- Researchers are either ignoring or misunderstanding the agreements they sign, and this is indicated in the choices they make when self-archiving (Antelman, 2006; Covey, 2009; Morris, 2009)

Informal documentation

- ACRL Scholarly Communications Listserv
 - 2003 – present: Five questions asked about use of addenda
 - People wanted to know about others' experiences with addenda, were they accepted, what did it look like in practice, were authors being rejected due to use
 - Some successful anecdotes were shared, but no one indicated that they'd found research on the topic
- Perakakis (2015) – Blog post describing the negotiation process with Springer
- Vandegrift (2014) – Blog post describing the negotiation process with Taylor & Francis

The Questions

The research was based on 2 questions:

- 1) Are researchers using author addenda to negotiate their copyright agreements?
- 2) Are publishers accepting author addenda?

The Process

- A survey of questions was developed for gathering information about researcher Copyright knowledge and the use of addenda
 - the survey was developed using Qualtrics and sent to faculty associations graduate associations and postdoctoral associations at U15 institutions
- A series of questions was developed for asking publishers about their copyright policies and their acceptance of addenda
 - Publisher representatives at a variety of publishers were reached out to ask if they wanted to participate in the interview

The Results - Participation

- Though each question had a different response rate overall about 85 people responded to the researcher survey
- Of the 15 publishers and publishing organisations contacted, only two publishers agreed to participate

Results - Researchers

- Awareness of author rights and of the availability of addenda continue to be an issue
- Just over 84% of participants indicated that they never tried to negotiate an agreement, 86% of participants indicated they were unaware that author addenda existed
- Of the researchers that indicated they were grant funded many researchers were unaware of the funder's requirements to publish Open Access
 - 69% of participants were not on the right track to comply with their funding agreement:
 - 30% of participants indicated their research was funded by the Tri-Agencies or NIH but indicated they did not have to make their research Open Access in clear contradiction with these funders policies
 - A further 39% weren't sure if there was a requirement to make their work OA
- There was no relationship found between knowledge of an Open Access requirement and willingness to review publisher agreements

Results – Researchers

- Eight participants were aware of author addenda
- Of those eight, three used an addenda while publishing, and two had their addenda accepted

Results - Publishers

- Two large multinational publishers do not accept the SPARC author addendum
- Both publishers:
 - Mentioned the importance of research half-life with regard to length of embargo
 - Thought their current policies made addenda unnecessary
 - Indicated that very few authors attempt to negotiate (approximately 1%, 1-2 a week)
 - Focused on the difficulty of making sure authors were aware of their responsibilities and the terms of the agreement while maintaining the other elements of the publishing process, Publisher 1 stated, “How can we surface the right options at the right time and still make the process seamless?”

Now what?

- More research needed – small sample size
- Awareness of copyright in publishing, and of OA requirements is still low, more promotion and education needed
- Consider changing the way we talk to researchers about author addenda and providing more robust guidance about what using an addendum looks like in practice
- Consider starting a national conversation with publishers through, for example, CRKN, to discuss Canadian exceptions to publisher policies for Tri-Agency funded researchers

QUESTIONS

References

- Antelman, K. (2006). Self-archiving practice and the influence of publisher policies in the social sciences. *Learned Publishing*, 19(2).
- Austin, A., Heffernan, M. & David, N. (2008). Section 4: Copyright Arrangements and Authorship Rights, In Academic authorship, publishing agreements and open access: Survey Results, by the Open Access to Knowledge Project.
- Charbonneau, D.H. & McGlone, J. (2013). Faculty experiences with the National Institutes of Health (NIH) public access policy, compliance issues, and copyright practices. *Journal of the Medical Library Association*, 101 (1).
- LaFlamme, M. "After the Addendum: Author Rights Management and/as Library Service." (2017) Rice University.
- Morris, S. (2009). Journal authors' rights: Perception and reality. Publishing Research Consortium Summary Paper 5.
- Perakakis, P. (2015, September 9). How to negotiate with publishers: an example of immediate self-archiving despite publisher's embargo policy [Blog post].
- Vandegrift, M. (2013, January 30). Proof [Blog post].