WESTERN
ILLINOIS
UNIVERSITY

OPEN ACCESS TO RESEARCH TASK FORCE

FINAL REPORT

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Open Access Task Force Member Directory

Chair:

Dr. Michael G. Lorenzen, Dean of Libraries

Members:

Dr. Dale Adkins, Associate Dean, College of Education & Human Services

Dr. Colin R. Harbke, Associate Professor of Psychology (UPI)

Dr. Robert J. Hironimus-Wendt, Professor of Sociology

Dr. Rose McConnell, Professor and Chair of Chemistry

Dr. Lisa Miczo, Professor of Communication

Dr. Nancy Parsons, Associate Provost for Undergraduate & Graduate Studies

Dr. Kanu Priya, Assistant Professor of Management & Marketing (QC)

Mr. Jordan Schilling, Springer Science and Business Media

Dr. James A. Schmidt, Associate Dean, College of Arts & Sciences

Ms. Linda R. Zellmer, Associate Professor, University Libraries

Administrative Assistant:

Ms. Lora J Adcock, Library Administration Office

Public Act 098-0295

SB1900 Enrolled

LRB098 09377 RPM 39518 b

AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Open Access to Research Articles Act.

Section 5. Purpose. The General Assembly finds and declares the following:

(1) to maximize the social and economic benefits of research to the public, the published research articles produced by faculty at public universities should be made as widely available as possible, wide availability referring both to the depth of availability of a given research article (including immediate availability where practicable, long-term preservation and free public access, and broad accessibility for reuse and further research) and the breadth of research articles made available;

(2) the public support these employees receive and the increased impact that broad public dissemination of research has is an important public purpose;

(3) many public universities have developed, or are developing, the capacity to provide free access over the Internet to such research through institutional repositories or otherwise; and

(4) a substantial portion of the research currently is not freely available over the Internet because the faculty have entered into publication agreements with terms that restrict public access to the fruits of unclassified research conducted by these State employees.

Section 10. Definitions. In this Act, "public university" means the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, or any other public university or college now or hereafter established or authorized by the General Assembly.

Section 15. Task forces.

(a) By January 1, 2014, each public university shall establish an Open Access to Research Task Force. Each task force shall be appointed by the chairperson of the board of trustees for the public university, with the advice and consent of that board. Each task force shall be comprised of voting members and non-voting members. The voting members shall include, without limitation, members representing the university's library, members representing faculty, including, where applicable, a labor organization that represents faculty at the public university, and members representing university administration. The non-voting members shall include, without limitation, a member representing publishers who publish scholarly journals. In the instance of public universities that have multiple campuses, each campus shall have representation on the task force. The task force shall review current practices and design a proposed policy regarding open access to research articles, based on criteria that are specific to each public university's needs.

(b) Each task force shall (i) consider how the public university can best further the open access goals laid out in this Act, whether by creation of an open access policy for the public university, creation of an open access policy for the State, or some other mechanism; (ii) review how peer institutions and the federal government are addressing issues related to open access and ensure that any institutional or statewide policies are consistent with steps taken by federal grant-making agencies; and (iii) consider academic, legal, ethical, and fiscal ramifications of and questions regarding an open access policy, including but not limited to the following:

(1) the question of how to preserve the academic freedom of scholars to publish as they wish while still providing public access to research;

(2) the design of a copyright policy that meets the needs of the public as well as of authors and publishers;

(3) the design of reporting, oversight, and enforcement mechanisms;

(4) the cost of maintaining and, where applicable, creating institutional repositories;

(5) the potential for collaboration between public universities regarding the use and maintenance of repositories;

(6) the potential use of existing scholarly repositories;

(7) the fiscal feasibility and benefits and drawbacks to researchers of institutional support for Gold open access fees (where publication costs are covered by author fees rather than by subscription or advertising fees);

(8) the differences between academic and publishing practices in different fields and the manner in which these differences should be reflected in an open access policy;

(9) the determination of which version of a research article should be made publicly accessible; and

(10) the determination of which researchers and which research ought to be covered by an open access policy, including, but not limited to, the question of whether a policy should cover theses and dissertations written by students at public institutions; research conducted by employees of State agencies; research supported by State grants, but not conducted by employees of public institutions or State agencies; research materials digitized using State funding; data collected by covered researchers; research conducted by faculty at institutions that receive Monetary Award Program grants under Section 35 of the Higher Education Student Assistance Act; research conducted by part-time, adjunct, or other non-permanent faculty; research at least one of whose co-authors is covered by the policy; research progress reports presented at professional meetings or conferences; laboratory notes, preliminary data analyses, notes of the author, phone logs, or other information used to produce final manuscripts; or classified research, research resulting in works that generate revenue or royalties for authors (such as books), or patentable discoveries.

(c) Each task force shall conduct open meetings with advance notice and shall allow individuals to address the task force regarding open access issues. Notwithstanding any provisions of the Open Meetings Act and subject to feasibility, members of the task force and interested parties may participate by phone or video conference.

(d) On or before January 1, 2015, each task force shall adopt a report setting forth its findings and recommendations. These recommendations shall include a detailed description of any open access policy the task force recommends that the public university or State adopt, as well as, in

the case of the public university, a plan for implementation. This report must be approved by a majority of the appointed task force voting members. A task force shall also issue minority reports at the request of any member, including a non-voting member. Each report shall be submitted to the board of trustees of the respective public university, the Board of Higher Education, both chambers of the General Assembly, and the Governor. The Board of Higher Education shall publish, on its Internet website, a list of all public universities subject to this Act. The list shall indicate which public universities have submitted the report required pursuant to this subsection (d).

Section 99. Effective date. This Act takes effect upon becoming law.

WESTERN ILLINOIS UNIVERSITY
BOARD OF TRUSTEES

December 13, 2013

Resolution 13.12/3
Open Access to Research Task Force

Resolution:

WHEREAS the Open Access to Research Articles Act (OARAA) was signed into law by Governor Quinn on August 9, 2013.

WHEREAS as detailed in the OARAA, the work of the Task Force for the 2014 calendar year will be to provide a report detailing their findings.

THEREFORE be it resolved that the Board of Trustees of Western Illinois University approves the following OARAA Task Force:

Michael Lorenzen, Dean of University Libraries (Chair)
Nancy Parsons, Associate Provost for Undergraduate & Graduate Studies
James Schmidt, Associate Dean, College of Arts & Sciences
Linda Zellmer, Associate Professor, University Libraries
Robert J. Hironimus-Wendt, Associate Professor of Sociology
Lisa Miczo, Professor of Communication
1 Faculty Representative from Education*
Colin Harbke, Associate Professor of Psychology (UPI)
Kanu Priya, Assistant Professor of Management & Marketing (QC)
1 Publisher Representative**

THEREFORE be it further resolved the University President the authority to name replacement members if vacancies occur during the existence of the Task Force.

* Dale Adkins, Associate Dean, College of Education & Human Services was appointed at a later date.
**Jordan Schilling, Springer Publishing, was appointed at a later date.

Open Access Glossary

(Definitions taken from the Oxford Open Access Project)

Open Access (OA) - Open Access is "unrestricted, online access to peer reviewed and published scholarly research papers where a user must be able to do the following free of any publisher-imposed access charge:

1. Read published research in an electronic format.

2. Search for and re-use (including download) the content of published research papers subject to proper attribution.

Green OA - Green OA is where a paper is stored in an online open repository other than the publisher's system. This can be an institutional repository, and/or one designated by the funder of the research e.g. Europe PubMed Central. Note: The version of the paper released as green OA is normally the accepted manuscript: i.e. the paper as accepted for publication, including all changes resulting from peer review, but not necessarily incorporating the publisher's formatting or layout.

Gold OA - Gold OA is where a paper is published immediately as OA in an online journal and is therefore stored in the publisher's system.

Key points to note:

1. To cover the costs of gold OA, publishers normally charge a fee to the author or their institution, known as the Article Processing Charge (APC).

2. The version of the paper released as gold OA is the version of record: i.e. the publisher's final (formatted) version.

Embargo Period - Some publishers only permit green OA after an embargo period which can range from a few months to several years.

Article Processing Charge (APC) - An APC is a fee paid to the publisher to make an article free at point of access. Whilst Open Access principles promote free availability of research and scholarly output, research papers are not cost free to produce. The cost of publication is moved from the reader (via subscriptions and pay-walls) to the author (via the APC).

Hybrid journal - A newly popular variation on open-access journals is the hybrid open-access journal. This refers to a journal where only some of the articles are open access. This status typically requires the payment of an APC (article processing charge) to the publisher.

Double-dipping - Double-dipping describes the situation where a journal charges an APC on top of its normal subscription fee if an author wishes to make their particular article OA. In effect, the institution is paying twice.

Immediate Deposit/Optional Access (ID/OA) - IMMEDIATE DEPOSIT: A copy of the final peer reviewed accepted version of the article (conference paper or other item) is deposited in ORA at the time of final submission to the journal (or other publisher) OPTIONAL ACCESS: Access to the full text is applied at the point of deposit to open access wherever possible: otherwise the item is embargoed in compliance with publisher's permissions (or other reason), with a date given when the item will be freely available, or embargoed indefinitely.

The benefits of ID/OA are:

1. A copy is preserved locally for the long-term.

2. Access can be granted as required.

3. The author doesn't have to remember to deposit the item after a publisher embargo period.

4. A record of the item is made available at the earliest opportunity resulting in early visibility – much earlier than in bibliographic databases and in many journals.

5. The item CAN be made freely available at the earliest opportunity for the widest possible dissemination

Creative Commons - Creative Commons (http://creativecommons.org) is a nonprofit corporation dedicated to making it easier for people to share and build upon the work of others within the framework of national copyright laws. The Creative Commons suite of free copyright licenses provides a simple, standardized way to give users permission to share and use creative and scholarly work.

Source: Open Access at Oxford, http://openaccess.ox.ac.uk/glossary/.

Introduction

Illinois Public Act 98-0295, the Illinois Open Access to Research Articles Act, was passed by the Illinois Senate on April 25, 2013, the House on May 16, 2013, and signed by the Governor on August 9, 2013. It states that the "published research articles produced by faculty at public universities should be made as widely available as possible." Open access can be achieved by paying a fee to publishers to make articles openly accessible (Gold Open Access) or by placing a pre-print or post-print of an article in a subject or Institutional Repository.

Public Act 98-0295 requires public universities to appoint Open Access to Research Task Forces that will "consider how the university can best further the open access goals laid out in" the Act, "review how peer institutions and the federal government are addressing issues related to open access and ensure that any institutional or statewide policies are consistent with steps taken by federal grant-making agencies" and "consider academic, legal, ethical, and fiscal ramifications of and questions regarding an open access policy."

The Western Illinois University Open Access Task Force was appointed by the Board of Trustees on December 13, 2013. It was led by Dr. Michael Lorenzen, Dean of Libraries. The Task Force divided into subcommittees to consider various aspects of the Act. The subcommittee members consulted with Department Chairs, Department Personnel Committees and faculty about a variety of issues, including:

- What factors influence academic publishing in your discipline?
- What influences the selection of a publication medium (journal/book/audio/video, etc.)?
- What influences your choice between an open access medium or a traditional access publication medium?
- What issues do you foresee with a possible mandated open access policy of scholarly publications/products?
- What issues might arise for faculty in your department/discipline with a possible university repository for open access publications?

Based on the discussions of the subcommittees with various constituencies, the Open Access Task Force has come to the following major conclusions:

- Western Illinois University should consider establishing an institutional repository to comply with Public Act 98-0295.
- In order to preserve academic freedom, Western Illinois University should adopt an open access policy that allows authors the choice to opt in or out of the policy and any associated distribution procedures on a case-by-case or work-by-work basis.
- The final version (peer-reviewed post-print) of research articles or other text-based publications should be made publicly available.
- Faculty and staff at Western Illinois University need to learn more about open access and related issues such as green open access and retention of copyright and intellectual property rights.

Summary of Task Force Recommendations

Illinois Public Act 98-0295 requires the Open Access to Research Task Force to "consider how the university can best further the open access goals laid out in" the Act, "review how peer institutions and the federal government are addressing issues related to open access and ensure that any institutional or statewide policies are consistent with steps taken by federal grant-making agencies" and "consider academic, legal, ethical, and fiscal ramifications of and questions regarding an open access policy." The Law requires Task Forces to address following issues. The major conclusions of the Task Force are included in this section. A more complete discussion of these issues is available on pages 21-38.

(1) the question of how to preserve the academic freedom of scholars to publish as they wish while still providing public access to research;

Faculty members in all disciplines at WIU feel very strongly that a university policy should not be implemented that limits the freedom of faculty members to submit their scholarly work to journals of their choice. In order to preserve academic freedom, any open access policy adopted at Western Illinois University should allow authors the choice to opt in or out of the policy and any associated distribution procedures on a case-by-case or work-by-work basis. At the same time we acknowledge the immediate benefits that faculty will receive from distributing their work in a public repository.

(2) the design of a copyright policy that meets the needs of the public as well as of authors and publishers;

The Intellectual Property statement in the Western Illinois University Board of Trustees Regulations ensures that authors will retain rights to their works. Further, University Policy does not limit or restrict where or in what form authors' works can be distributed. The proposed Open Access Policy and related procedures are consistent with WIU's policies regarding intellectual property and copyright and will allow authors an additional means to distribute their works.

(3) the design of reporting, oversight, and enforcement mechanisms;

WIU has mechanisms in place that can be adapted to create a reporting and oversight mechanism for compliance with an open access policy. They include the Graduate School's Electronic Thesis & Dissertation submission process and the Authors Database and Recognition program. To comply with the Open Access Policy, authors of journal articles and other scholarly works can be asked to voluntarily submit either a record of their publications with a request to opt-out of the repository, or a pre-print or post-print of their work to be included in the repository.

(4) the cost of maintaining and, where applicable, creating institutional repositories;

Establishing a repository will require technical personnel to develop, run, maintain and customize a repository; librarians to educate faculty about open access, repositories and promote participation; clerical staff to ensure that information is input correctly; equipment (server and storage space); and software. Funding will be needed to support the technical and staffing needs as well as gold open access fees. The Task Force agrees that funding for this mandate should not be taken from the University Libraries' or university's budget.

(5) the potential for collaboration between public universities regarding the use and maintenance of repositories;

(6) the potential use of existing scholarly repositories;

WIU does not have an institutional repository. In order to comply with this law, WIU should consider establishing a repository or determine whether a repository could be shared among institutions in the State of Illinois.

(7) the fiscal feasibility and benefits and drawbacks to researchers of institutional support for Gold open access fees (where publication costs are covered by author fees rather than by subscription or advertising fees);

Gold Open Access could cost more than $200,000 a year, although some publishers will waive these fees on a case-by-case basis.

(8) the differences between academic and publishing practices in different fields and the manner in which these differences should be reflected in an open access policy;

There is a significant variation in the research/scholarship needs and value systems for different disciplines. The disciplines are in different stages of accepting electronic communication into their scholarly communication system. Maintaining academic integrity through a rigorous peer review or juried publication process is essential in all academic disciplines. Vanity publications must be avoided at all costs. An institutional open access policy should recommend faculty consider options that will allow for open access whenever possible; however publication in open access journals should NOT be mandated.

If an institutional repository is established as part of an open access policy, great care should be taken in the management of the repository, including consideration of the implications and impacts on the various disciplines. To that end, the decision to include information in the repository, or to provide complete open access to the publication, should be left to the authors (with departmental, publisher, and sponsor permission).

(9) the determination of which version of a research article should be made publicly accessible; and

Only the final version (post-print) of a research article (or other text-based publication) should be made publicly accessible. "Published" research includes research that is distributed through a publishing company or professional organization, including publications that have been published at a cost to the researcher. The repository should not include research posted on individual web pages. "Research" includes any printed article or text-based publication.

Only those components of the publication made "public" to those receiving the publication would fall under the policy. Data not included in the final piece, full book access, scales developed or utilized, proprietary material associated with patents, and other components that were a part of the research process but not a part of the final printed publication will not be subject to "public" access.

In circumstances where publisher-established embargoes, restrictions, and/or proprietary constraints do not allow the published work to be made available through the repository, an abstract can be submitted that points or links to the source of the published research, where they may purchase materials covered by these restrictions. People interested in the article could also contact the authors for a copy.

(10) the determination of which researchers and which research ought to be covered by an open access policy, including, but not limited to, the question of whether a policy should cover theses and dissertations written by students at public institutions; research conducted by employees of State agencies; research supported by State grants, but not conducted by employees of public institutions or State agencies; research materials digitized using State funding; data collected by covered researchers; research conducted by faculty at institutions that receive Monetary Award Program grants under Section 35 of the Higher Education Student Assistance Act; research conducted by part-time, adjunct, or other non-permanent faculty; research at least one of whose co-authors is covered by the policy; research progress reports presented at professional meetings or conferences; laboratory notes, preliminary data analyses, notes of the author, phone logs, or other information used to produce final manuscripts; or classified research, research resulting in works that generate revenue or royalties for authors (such as books), or patentable discoveries.

An Institutional Repository for Western Illinois University should include: students' theses and dissertations; research conducted by employees of State agencies; research supported or sponsored by State grants; published research of WIU faculty; research conducted by part-time, adjunct, or other non-permanent faculty and research for which at least one of the co-authors is covered by the policy; classified research and research that could result in works that generate revenue or royalties for authors (such as books). Authors of all research covered by an open access policy should have the choice to opt in or out of the policy and any associated procedures required to electronically distribute their works on a case-by-case basis. Some consideration should be given to including Honor's Theses or Papers in the repository.

(a) By January 1, 2014, each public university shall establish an Open Access to Research Task Force. Each task force shall be appointed by the chairperson of the board of trustees for the public university, with the advice and consent of that board. Each task force shall be comprised of voting members and non-voting members. The voting members shall include, without limitation, members representing the university's library, members representing faculty, including, where applicable, a labor organization that represents faculty at the public university, and members representing university administration. The non-voting members shall include, without limitation, a member representing publishers who publish scholarly journals. In the instance of public universities that have multiple campuses, each campus shall have representation on the task force. The task force shall review current practices and design a proposed policy regarding open access to research articles, based on criteria that are specific to each public university's needs.

Proposed Open Access Policy
for
Western Illinois University

Introduction

The Faculty of Western Illinois University is committed to disseminating our research and scholarship as widely as possible. The Social Responsibility section of the Mission Statement, Higher Values in Higher Education states: *WIU will serve as a resource for and stimulus to economic, educational, cultural, environmental, and community development in our region and well beyond*. In addition to the public benefits gained by disseminating the results of our scholarly activity, faculty will benefit from providing greater access to their work through increased impact, retention of copyright and long term preservation.

Grant of License

Upon choosing to submit their scholarly works, each Faculty member grants Western Illinois University permission to make their submitted/eligible published scholarly articles available and reproduce and distribute those articles for the purpose of open access in an Institutional Repository. In accordance with the Intellectual Property Policy of the Western Illinois University Board of Trustees Bylaws and Regulations (Section II. A. 17.C), Faculty retain the rights to their works, including the copyright of those works.

Scope & Waiver

This policy applies to all scholarly articles authored or co-authored while the person is a member of the Faculty except for any articles published before adoption of this policy and any articles for which the Faculty member entered into an incompatible licensing or assignment agreement before the policy was adopted.

Upon request by a Faculty member, Western Illinois University will waive the policy for a particular article or delay access to the article for a specified period of time.

Deposit of Articles

To assist the University in disseminating and archiving their articles, Faculty will provide an electronic copy of the final author's version of the article in an appropriate format to the designated representative of the Provost's Office as of the date of its publication for inclusion in an open access repository, or inform the Provost's office that the article is freely available in another repository or as an open access publication. In cases where the author has assigned their copyright to a publisher or agreed to an embargo period, the article will be archived in the WIU Repository without open access for the period of the embargo, or permanently if a waiver has been granted.

Policy Oversight

The Faculty Senate, Western Illinois University and University Professionals of Illinois Local 4100 will be jointly responsible for implementing this policy, resolving disputes concerning its interpretation and application and recommending any changes to the Faculty. Any changes to the text of this policy will require approval of the Faculty Senate, University Professionals of Illinois Local 4100 and the Western Illinois University Board of Trustees.

Compliance Mechanism

The Faculty calls upon the Faculty Senate, University Professionals of Illinois Local 4100 and Western Illinois University to develop and monitor a plan for a service or mechanism that will make compliance with this policy as convenient as possible for the Faculty.

Policy Review

The Faculty Senate and Western Illinois University will review the policy and its implementation within two years and present a report to the Faculty and Western Illinois University Board of Trustees.

(b) Each task force shall

i. consider how the public university can best further the open access goals laid out in this Act, whether by creation of an open access policy for the public university, creation of an open access policy for the State, or some other mechanism;

ii. Review how peer institutions and the federal government are addressing issues related to open access and ensure that any institutional or statewide policies are consistent with steps taken by federal grant-making agencies

How are peer institutions addressing issues related to open access?

Western Illinois University has 15 peer institutions. Websites at each of these institutions were examined to determine whether they have institutional repositories, open access policies, and whether they are participating in other activities related to scholarly communication. The findings are summarized in Table 1.

Institutional Repositories – of the 15 WIU peer institutions:

- 4 (27%) do not have a repository
- 2 (13%) have repositories under development
- 9 (60%) have institutional repositories (4 of these repositories are cooperative within the state or the state university system)

Open Access Policies

Only 1 WIU peer institution (the University of Northern Iowa) has a policy related to open access. That policy is actually a statement on retention of intellectual property rights by the Iowa Board of Regents (1) described in the Copyright section of their minutes for May 15-16, 2002. Two of the WIU Peer Institutions have open access policies regarding theses and dissertations. None of the other institutions has an open access policy. James Madison University has done a study on scholarly communication (2), but it does not recommend an open access policy at this time. It should be noted that two of the WIU peer institutions are state institutions in Illinois which are also required to develop open access policies under Illinois Public Act 098-0295.

Scholarly Communication Activities

Western Illinois University has participated in several activities related to scholarly communications and open access. Each year, the Libraries collect information on scholarly and creative activity of WIU faculty and staff and host an Author's Reception to recognize that activity. The Libraries' have also participated in Open Access Week (2012), taught workshops on identifying acceptable publication venues, and given a presentation on open access to Faculty Senate (September 27, 2011) and training sessions on predatory publishing to Department Personnel Committees (August, 2012). About half (7) of WIU's peer institutions have held talks, workshops or studied issues related to scholarly communication and open access.

Table 1: Summary of Western Illinois University Peer Institution Open Access Activities

Institution	OA Policy?	Repository?	Scholarly Communication?	URL
Appalachian State University	No	Yes - NC Docks (Cooperative)	Yes	http://www.library.appstate.edu/services/faculty/scholarly
California State University-Chico	Masters Theses	Yes - Chico Digital Repository (cooperative among all CSU)	No	http://csuchico-dspace.calstate.edu/
Central Washington University	No	Yes	No	http://digitalcommons.cwu.edu/
College of Charleston	No	Yes	No	Statewide digital library
Eastern Illinois University*	No	Yes	Yes	http://thekeep.eiu.edu/
James Madison University	Theses & Dissertations	Yes	Yes	http://commons.lib.jmu.edu/ Note that they have also had discussions and developed a report on scholarly communications at JMU (http://sites.jmu.edu/scholarlycommunication/tag/open-access/)
Missouri State University	No	No	No	
Montclair State University	No	No	No	
Sam Houston State University	No	No	No	
Southern Illinois University-Edwardsville*	No	Under Development	Yes	
University of North Carolina-Wilmington	No	Yes - NC Docks (Cooperative)	Yes	http://libres.uncg.edu/ir/uncw/
University of Northern Iowa	IA Board of Regents	No	Yes	http://guides.lib.uni.edu/content.php?pid=264088&sid=2180318
University of Wisconsin-Whitewater	No	Yes (cooperative among all UW system)	No	http://minds.wisconsin.edu/handle/1793/8339
Western Kentucky University	No	Yes	No	http://digitalcommons.wku.edu/
Western Washington University	No	Under Development	Yes	Coming in October, 2014

Federal Government Mandates

There are four different Federal government mandates concerning open access to research. They include:

NIH Mandate - the National Institutes of Health (NIH) requires all of their grant recipients to submit an electronic version of peer-reviewed manuscripts of publications concerning results of their funded research to the National Library of Medicine's PubMed Central. These publications are made openly accessible 12 months after publication. In this case, the National Institutes of Health is maintaining the repository, rather than mandating that articles be archived by the institution receiving funds.

White House Memorandum on Expanding Public Access to the Results of Federally Funded Research – this policy memorandum from the White House Office of Science and Technology Policy (OSTP) directs Federal agencies that have more than $100 million in research and development expenditures to develop plans to make the published results of research that they fund "freely available to the public within one year of publication." It also requires researchers to improve management of digital data resulting from their research. Federal agencies must submit compliance plans by August 22, 2014.

National Science Foundation (NSF) – NSF has also announced a Public Access Initiative. In 2011, NSF began requiring that proposals include data management plans describing how researchers receiving funding will comply with NSF's policy on distribution and sharing of research results (http://www.nsf.gov/eng/general/dmp.jsp). They are also working on a draft plan on open access to comply with the White House Office of Science and Technology Policy Memorandum. A summary of their Public Access initiative is available at: https://www.nsf.gov/about/budget/fy2014/pdf/45_fy2014.pdf.

Consolidated Appropriations Act of 2014 (U.S. Congress)

Several open access bills have been introduced in Congress, including the Federal Research Public Access Act (FRPAA) and Fair Access to Science and Technology Research Act (FASTR). None these bills have been passed into law. The U.S. Congress' Consolidated Appropriations Act of 2014 (3) included a section on public access policies, which is similar to the OSTP memorandum:

"SEC. 527. Each Federal agency, or in the case of an agency with multiple bureaus, each bureau (or operating division) funded under this Act that has research and development expenditures in excess of $100,000,000 per year shall develop a Federal research public access policy that provides for—

> (1) the submission to the agency, agency bureau, or designated entity acting on behalf of the agency, a machine-readable version of the author's final peer-reviewed manuscripts that have been accepted for publication in peer-reviewed journals describing research supported, in whole or in part, from funding by the Federal Government;
> (2) free online public access to such final peer-reviewed manuscripts or published versions not later than 12 months after the official date of publication; and
> (3) compliance with all relevant copyright laws.

Both the OSTP Memorandum and the Appropriations Act require agencies to develop and/or submit compliance plans. The OSTP plans are due August 22, 2014.

iii. consider academic, legal, ethical, and fiscal ramifications of and questions regarding an open access policy, including but not limited to the following:

(1) the question of how to preserve the academic freedom of scholars to publish as they wish while still providing public access to research;

The infringement of academic freedom associated with any mandate that *restricts or limits* authors' ability to choose where, in what form (e.g., article, chapter, or book), or through which medium (e.g., print, electronic, or any combination of the two) a work is distributed is self-evident. Similarly, any state or institutional *encouragement* toward a particular distribution outlet, form, or medium may also create, or has the potential to create, equally detrimental infringements on academic freedom.

When the potential consequences created by any State open access policy are considered fully, it is clear that academic freedom will be preserved by permitting individual authors the choice to opt-in or opt-out of the policy and any associated procedures required to electronically distribute their works on a case-by-case or work-by-work basis.

(2) the design of a copyright policy that meets the needs of the public as well as of authors and publishers;

As open access is currently a developing and growing phenomenon, the legal and intellectual property implications of open access have yet to be fully realized. As such, standardization of copyright policies as they pertain to open access across publishers will facilitate the continued growth and acceptance of open access among authors. Similarly, copyright policy as it relates to open access includes a variety of issues and complications that are not typically considered or relevant to traditionally published works. Thus, standardization of open access policy will have a secondary benefit in that publishers, as a group, will be better equipped to respond to and to respond more readily as the relevant laws continue to be introduced and revised. Ultimately, this standardization of copyright policy as it pertains to open access across publishers will further increase the acceptance and use of open access by authors and, in doing so, increase public access to these works. In the interest of improving current and standardizing copyright policy to better accommodate open access, authors should work with publishers to determine archival standards, particularly as they apply to Green Open Access. Further, as standardization of open access policies has yet to be achieved, authors should be attentive to limitations on archiving or open access to their works when considering copyright transfer.

Current copyright law and copyright transfer policies pertain to the final published copy of the work (e.g., a fully edited and typeset article). It does not include the post-print or manuscript form of the same work. Despite this, many publishers require a 12 month embargo (or more) before the post-print version of the work can be made available in an open access repository as part of the copyright transfer between the author and the publisher. Once successfully archived, authors and archivists should strive to ensure that the final, copyrighted work is the one that becomes part scholarly record by including full citation information of the final published work and instructions for attributing appropriate credit to the final published work with on any archived post-print versions of the same work. Under the Creative Commons licensing system for electronics works

(https://creativecommons.org/licenses/), this description is consistent with a CC BY Attribution license. The various licenses available through Creative Commons can be used as a model or guide in the development of open access policy and procedures. For example, authors may be able to select which license they wish to invoke on a work-by-work basis as part of the submission process.

Authors from Western Illinois University should be aware of university policy as it pertains to their works. Section II.A.17 (http://www.wiu.edu/board_of_trustees/regulations/general.php) of the Board of Trustees Regulations contains a statement on intellectual property that includes copyright and patents. It identifies the types of works that are subject to copyright and procedures for managing and resolving copyright ownership.

Section II.A.17.C.3 outlines the creator's and University's rights in works that can be copyrighted:

"a. Traditional academic copyrightable works created using University resources usually and customarily provided (including internally funded grants) are owned by the creators.

b. Traditional academic copyrightable works created with use of University resources over and above those usually and customarily provided shall be owned by the creators but licensed to the University. The minimum terms of such license shall grant the University the right to use the original work in its internally administered programs of teaching, research, and public service on a perpetual, royalty-free, non-exclusive basis. When the circumstances of development lead the University to claim more than minimum license rights, the rights of the creator and the University shall be outlined in a written agreement prior to development. Questions or conflicts shall be resolved by the Intellectual Property Oversight Committee."

Section II.A.17.C.5 states "Works owned by the author may be copyrighted, published, and distributed by the author, or by others to whom the author has assigned such rights, subject only to any license referred to in clause (3) above."

On review of WIU's current policy regarding intellectual property and copyright it can be concluded that the Intellectual Property statement in the Board of Trustees Regulations ensures that authors will retain rights to their works. Further, University Policy does not limit or restrict where or in what form authors' works can be distributed. The proposed Open Access Policy and related procedures are consistent with WIU's policies regarding intellectual property and copyright and will allow authors an additional means to distribute their works.

(3) the design of reporting, oversight, and enforcement mechanisms;

Three mechanisms exist for reporting scholarly and creative activity at Western Illinois University (WIU):

(a) the annual submission for the Author Recognition Reception,
(b) the annual report of faculty and academic support professionals' accomplishments (i.e., WIU's Professional Achievement Award (PAA) process or annual report), and
(d) the Graduate School's Electronic Thesis & Dissertation Submission Process

Each of these existing university processes were considered as a possible means through which an oversight mechanism could originate.

Author's Database and Recognition Reception - Each spring, the WIU Libraries host the annual Author's Recognition Reception. To prepare for the event, faculty and staff are encouraged to submit information about their publications and other scholarly & creative activity, which is then incorporated into the WIU Author's Database (https://www.wiu.edu/library/bibliograph/wiuau_approach.php). Several librarians also search databases to find articles written by WIU Faculty. To comply with the Open Access Policy, authors could be asked to submit a pre-print or post-print of their work to a repository as part of the submission process and, in doing so, opt-in to the repository. In cases that authors elect to opt-out of the policy, they could document the publication (i.e., provide bibliographic information and an abstract) and request that the open-access policy be waived on a work-by-work basis.

Professional Achievement Award (PAA) or Annual Report – At Western Illinois University, all faculty and academic support professionals submit an annual report of their accomplishments, including scholarly and creative activities, either as a Professional Achievement Award (PAA) document or an annual report. The PAA reports include information on the activity's significance as well as citation information for any resultant publications. The PAA reports are reviewed and evaluated by the Department Personnel Committee Chair, the Department Chair and then forwarded to their College's Dean who, after further review, sends them on to the Provost. Tenured faculty who do not submit a PAA document provide an annual report of their activities in to their department chair, who reviews the document and may write an informal response. At some point in the review process for PAA and annual reports, someone could be assigned to ensure that a pre-print or post-print of the work was also submitted to the open-access repository (i.e., opt-in) or a request that the open-access policy be waived on a work-by-work basis (i.e., opt-out).

Graduate School's Electronic Thesis & Dissertation Submission Process – Prior to graduation, many WIU graduate students upload electronic copies of their theses or dissertations to an online database maintained by ProQuest. At the time of submission, students could be asked to opt in or out of the Open Access Policy and associated procedures or request an embargo so that they could pursue a patent or formal publication. Greater detail regarding the Graduate School's ETD Submission process is described at: http://www.wiu.edu/graduate_studies/thesis_and_dissertation/submission.php.

Of these mechanisms, linking the Open Access Policy to the Authors Database and the Electronic Thesis & Dissertation submission are preferred. Linking the Open Access Policy to the annual activity reports or Professional Achievement Award (PAA) systems could create problems by muddling two disparate systems with differing goals together. In addition, if it ends up that an Open Access Policy for the entire state of Illinois is adopted, the system that is used to collect information should apply to all institutions and should not be linked, directly or indirectly, to systems that are used for personnel evaluation, productivity assessment, or to determine employee compensation.

One major barrier to linking the Open-Access reporting mechanism to the existing Authors Database and Recognition Reception is that this system is currently limited to WIU authors who are faculty, academic professionals, or staff. It would be necessary to modify the mechanism so that external organizations and students would be able to contribute and opt-in to the repository. In addition, all authors, including students submitting theses and dissertations, should be able to opt-out of the Policy and associated procedures or request an embargo so that they, as desired, would be able to publish their research through traditional means or to apply for patents. Authors should also

be able to rescind an initial election to opt-out out the Policy and subsequently opt-in or request that access be delayed (an embargo) to allow them time to explore fully potential traditional publication or patent options.

Despite a clear need to overcome this barrier, the Authors Database and Electronic Thesis & Dissertation submission process may be good starting points to implement procedures needed to comply with an Open Access Policy. Authors from state agencies, people working on collaborative projects, and other organizations/groups may need to work through another Illinois institution to access the repository in a similar way.

(4) the cost of maintaining and, where applicable, creating institutional repositories;

According to an article on the costs of Institutional Repositories (4), the expenses associated with institutional repositories cannot be determined. The author does, however, list items that involve costs. They include:

- Technical personnel – to develop, run, maintain and customize the repository (full time initially, but part time after it is established).
- Librarian(s) – to educate people at the institution about the repository, promote participation and other duties (copyright management; CV collection and assessment; develop metadata). This could require at least 25 – 35% of a person's time. Some of this work might also be done through the Libraries' liaison program, but will require additional time (i.e. Academic Credit Equivalent or ACES) for liaison duties.
- Clerical Staff – needed to ensure that information is input correctly (title, authors, abstract, subject terms, etc.) and/or mediate submissions.
- Equipment – development server, web server, storage, a relational database and a back-up system.
- Software – many repositories run on open source software such as DSpace, although other options are available.

Although not mentioned in this article, since the law mandates that articles be placed in a repository, personnel would be needed to oversee compliance.

Some of the technical and software costs could be outsourced to repository hosting corporations, such as Berkeley Electronic Press (bepress), which provides the Digital Commons software system used at several Illinois institutions (ISU, EIU, SIUC, Governor's State). Based on a proposal that they submitted, the technical costs of a repository through BE Press would be about $30,000. Other options that they offer would increase the cost. Costs for personnel (Librarian, clerical, administrative, compliance officer, etc.) would remain the same.

The following table from Burns, Lana and Budd (5) provides approximate costs of a repository:

Table 2: Costs of Developing and Maintaining an Institutional Repository (from: Burns, Lana and Budd, 2013)

Costs	n	Min	Mdn	M	Max
Implementation	17	$1,200	$25,000	$52,100	$300,000
Annual	20	$500	$31,500	$77,300	$275,000
Personnel, Annual	17	$100	$70,000	$86,186	$235,200
Software, Annual	10	$2,500	$23,000	$22,350	$40,000
Hardware, Annual	6	$500	$5,500	$13,250	$50,000
Total		$4,300	$149,500	$237,936	$850,200

(5) the potential for collaboration between public universities regarding the use and maintenance of repositories;

(6) the potential use of existing scholarly repositories;

(7) the fiscal feasibility and benefits and drawbacks to researchers of institutional support for Gold open access fees (where publication costs are covered by author fees rather than by subscription or advertising fees);

A survey of Gold open access costs for articles published by WIU Faculty was developed based on publications listed in the WIU Author's Database from 2012. Journal titles for articles published in 2012 were searched in *Ulrich's Periodicals Directory* to identify their publisher. The website for each journal was then examined to determine whether the journal had an open access option, charged open access fees, page fees or other fees, whether authors could archive pre- or post-prints and to determine the possible cost of gold open access. In 2012, WIU authors published 198 articles in 164 different journals from 100 different publishers. Of those articles:

- 106 (64.6 %) have some sort of Open Access option:
    - 93 (56.7 %) allow authors to place preprints on their website or in their institutions' repository.
    - 106 (64.6 %) allow authors to place post-prints on their website or in their institution's repository (Green Open Access).
- 16 (9.7 %) were published in open access journals.
- 75 (37.9 %) of the journals did not provide any information on open access, open access fees or whether authors could archive pre-prints and post-prints.
- 1 (0.5 %) does not have an open access option.

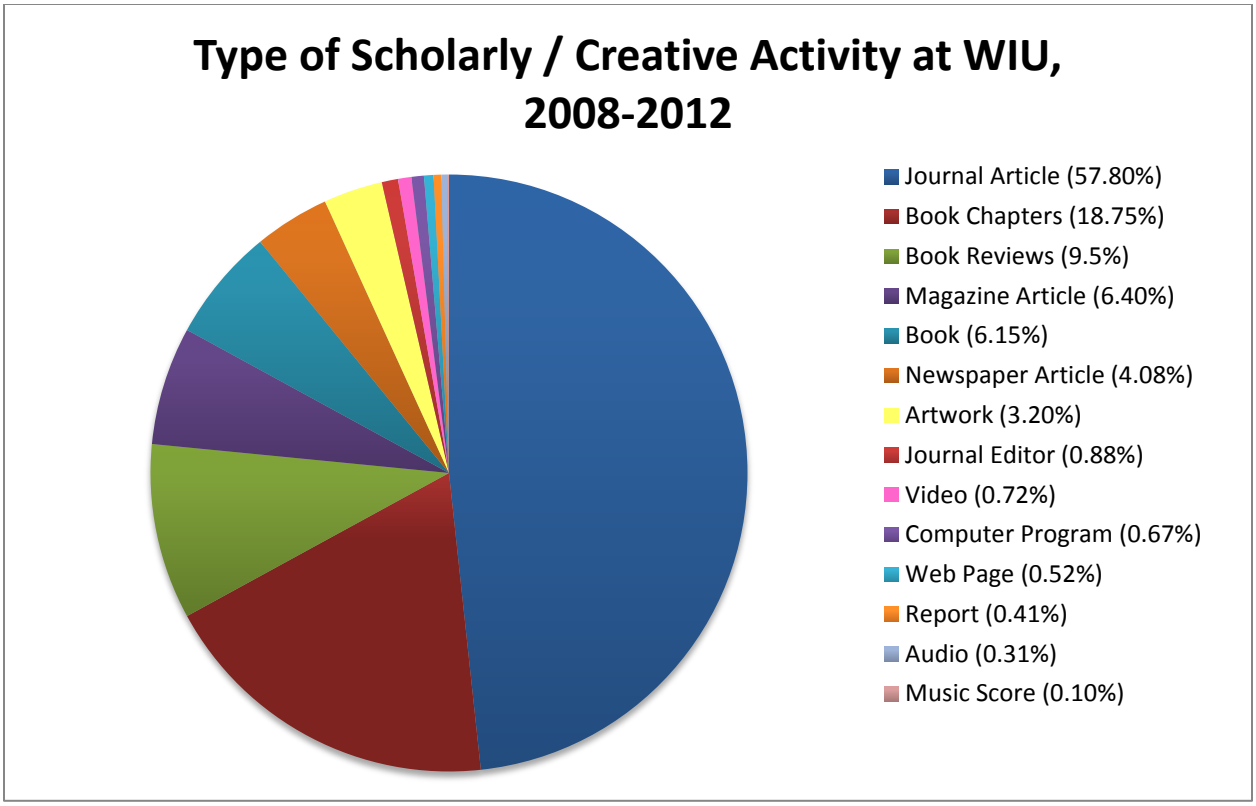
While examining the publisher websites, the costs of all possible fees (page and gold open access fees) were noted for each journal. For articles published by WIU Authors in 2012, Gold open access would have cost somewhere between $219,955.00 and $222,470.00. Some publishers will waive this fee on a case-by-case basis.

(8) the differences between academic and publishing practices in different fields and the manner in which these differences should be reflected in an open access policy;

Data from the Western Illinois University Author Bibliography from 2008-2012 were downloaded and examined to determine the types of scholarly and creative activity taking place on campus. The Author Bibliography contains information about scholarly and creative activities that were reported by WIU faculty and staff or found in database searches; it may not be a comprehensive summary of all scholarly and creative activity at Western Illinois University. During the 5 year time period, WIU faculty and staff participated in 14 different types of scholarly and creative activities:

Table 3: Scholarly Activities of Western Illinois University Faculty and Staff

Activity	Number	Percent
Journal Articles	935	48.30%
Book Chapters	363	18.75%
Book Reviews	184	9.50%
Magazine Article	124	6.40%
Books	119	6.15%
Newspaper Articles	79	4.08%
Artwork	62	3.20%
Journal Editor	17	0.88%
Video	14	0.72%
Computer Program	13	0.67%
Web Page	10	0.52%
Report	8	0.41%
Audio	6	0.31%
Music Score	2	0.10%



According to the data that faculty and staff submitted for inclusion in the Author Bibliography, between 2005 and 2012, WIU faculty and staff authored 935 journal articles; 597 of the articles were written by multiple authors and 338 were written by single authors. In addition, WIU Faculty and staff published 184 book reviews. Every Department at Western Illinois University published at least one journal article; 41 articles were authored by faculty and staff from more than one department.

Table 4: Scholarly Activities of Schools and Departments at Western Illinois University

Department	Multiple Author	Single Author	Articles	Book Reviews	Total	College
Accountancy & Finance	13	6	19	0	19	B & T
African American Studies	1	6	7	2	9	A & S
Agriculture	11	1	12	4	16	B & T
Art	0	3	3	3	6	FA & C
Athletics	1	0	1	0	1	SS
Biological Sciences	78	11	89	3	92	A & S
Broadcasting	0	1	1	0	1	FA & C
Center for Best Practices in Early Childhood Education	0	2	2	4	6	E & HS
Chemistry	50	1	51	0	51	A & S
Communication	25	11	36	1	37	FA & C

Table 4, continued: Scholarly Activities of Schools and Departments at Western Illinois University

Department	Multiple Author	Single Author	Articles	Book Reviews	Total	College
Communication Sciences & Disorders	2	1	3	0	3	FA & C
Computer Science & Information Systems	26	1	27	0	27	B & T
Counselor Education	2	0	2	0	2	E & HS
Curriculum & Instruction	35	61	96	1	97	E & HS
Dietetics, Fashion Merchandising & Hospitality	12	0	12	0	12	E & HS
Economics & Decision Sciences	13	10	23	5	28	B & T
Educational & Interdisciplinary Studies	6	7	13	2	15	E & HS
Educational Leadership	1	2	3	7	10	E & HS
Engineering Technology	5	0	5	2	7	B & T
English & Journalism	1	41	42	9	51	A & S
Foreign Languages & Literature	1	2	3	1	4	A & S
Geography	20	7	27	1	28	A & S
Geology	13	1	14	0	14	A & S
Health Sciences	5	2	7	1	8	E & HS
History	4	19	23	78	101	A & S
Instructional Design & Technology	10	1	11	3	14	E & HS
Kinesiology	35	4	39	0	39	E & HS
Law Enforcement & Justice Administration	22	33	55	2	57	E & HS
Management & Marketing	20	4	24	0	24	B & T
Mathematics	21	10	31	0	31	A & S
Music	1	11	12	4	16	FA & C
Nursing	1	0	1	0	1	A & S
Other	7	15	22	9	31	Other
Philosophy & Religious Studies	3	14	17	10	27	A & S
Physics	26	2	28	0	28	A & S
Political Science	22	9	31	2	33	A & S
Psychology	45	7	52	1	53	A & S
Recreation, Park & Tourism Administration	7	3	10	1	11	E & HS
Social Work	0	1	1	1	2	E & HS
Sociology & Anthropology	13	11	24	8	32	A & S
Theater & Dance	0	1	1	2	3	FA & C
University Libraries	4	11	15	14	29	Other
Women's Studies	0	4	4	3	7	A & S

Table 4, continued: Scholarly Activities of Schools and Departments at Western Illinois University

Department	Multiple Author	Single Author	Articles	Book Reviews	Total	College
Center for Applied Criminal Justice	1	0	1	0	1	E & HS
Infant & Preschool Center	0	1	1	0	1	E & HS
Multiple Departments	34	0	34	0	34	Other
Total	597	338	935	184	1119	

To assess the differences between academic and publishing practices in different fields and the manner in which these differences should be reflected in an open access policy, a subcommittee surveyed Department Chairs, Department Personnel Committees and faculty members in 30 Departments (10 from the College of Arts and Sciences; 8 from the College of Education and Human Services; 6 from the College of Business and Technology; and 6 from the College of Fine Arts and Communications). Participants were asked the following questions:

A. What factors influence academic publishing in your discipline?
B. What influences the selection of a publication medium (journal/book/audio/video, etc.)?
C. What influences your choice between an open access medium or a traditional access publication medium?
D. What issues do you foresee with a possible mandated open access policy of scholarly publications/products?
E. What issues might arise for faculty in your department/discipline with a possible university repository for open access publications?

A. Factors influencing Academic Publishing

The most critical factors influencing academic publishing at WIU are the promotion and tenure requirements. WIU has a highly structured review process for retention, promotion, and tenure which influences academic publishing. In some departments, such as Philosophy & Religious Studies, English & Journalism, History, the Fine Arts and others, faculty members primarily use a sole author approach that allows for significant name recognition in their fields. This recognition draws students to the university, their departments and classrooms. In other disciplines, such as the natural and applied sciences, social sciences, education and business and technology fields, academic publishing is a collaborative effort among colleagues, either within the same department, with colleagues in other departments, and often with colleagues from across the state, and around the country. Faculty members in these disciplines feel the team approach helps them to advance in their fields, attracts greater funding from grants or foundations, and serves as a pipeline for students in their programs of study. In some departments, academic publishing serves as a critical part of the educational process, as students are included in their scholarly endeavors and serve as coauthors on their publications. The subcommittee found that various disciplines have different needs and value systems relating to academic scholarship.

B. Selection of a Publication Medium

As is evident from the table, faculty in every department at Western Illinois University publish journal articles, including articles in art and music history journals. Even faculty in Theater and Dance publish journal articles about set design and technical aspects of stage production. In some disciplines, faculty prefer to publish books, either as fiction or nonfiction, rather than journal articles. In rapidly changing disciplines, such as the computer sciences, publishing reports in conference proceedings are more common, and are valued equally with journal articles. Some departments have scholarly products that contain a unique audio, visual, and/or 3-D component that is essential to understanding the work.

The primary factor influencing selection of a publication medium among all departments at WIU is the peer review process. Other factors that were cited by faculty included "the fit" of the publication outlet with the research and the "difficulty" of having the paper accepted into the outlet. Nevertheless, all department chairs and DPC chairs cited the peer review/referee process as the single most important factor when asked about their perceptions of both standard and newer forms of publication. Whether the publication medium is a journal, a book, or a conference proceeding, a critical review of a work by external members of the discipline prior to publication is important. Every department chair and DPC chair who spoke with the subcommittee indicated that evaluation of their faculty members scholarship includes an evaluation of the publication medium (journal, book, proceedings, etc.) for its refereed status, its rejection rate, and its stature in the field.

C. Factors Influencing Choice between Open Access or Traditional Publication Medium

When reviewing factors that influence a choice between an open access and traditional publication medium, there was at first a tendency among faculty in many disciplines to confuse open access with those that are electronically available via library subscriptions or through memberships with a professional organization. While many traditional print journals are available electronically, they are not free and open to the world, as often the publishers rely on library subscriptions or organization membership fees to offset publication costs. In many disciplines, some journals offer authors an open access choice for their publications but charge a significant fee to recoup their revenue loss. According to those interviewed there is tremendous variation in the availability of reputable open access journals among the various disciplines. In some departments, such as Philosophy & Religious Studies and Business, there are selected journals for some sub-disciplines that are widely regarded as peer reviewed quality publications, but very few or none of them offer the author an open access option.

It was further stated that in some sub-disciplines of philosophy publishing outside of traditional journals is viewed as suspect by others in the discipline. Respondents from other departments, such as Management & Marketing, indicated that open access publications often have a high acceptance rates and are subsequently perceived to be of lower quality by peers. On the other hand, in other departments, such as Theater and Dance, there are many mainstream open access journals that are highly regarded, juried publications, some of which are supported entirely by advertising.

Overwhelmingly most senior faculty, DPC chairs, and department chairs tended to equate the newer electronic only journals with a perception of lower quality and some with a complete lack of peer review. Many disciplines have had to deal with the issue of vanity publications that disguise

themselves as peer reviewed journals (predatory publications). Therefore, a great deal of effort is required to investigate the refereed status of a journal whenever a faculty member publishes in a newer journal. Many department chairs reported that they have had to tell a junior faculty member that a publication would not be counted in their portfolio as it had not been properly peer reviewed. This builds great distrust of many of the newer electronic only journals by senior faculty and department chairs.

Even when the issue of peer reviewed status of a journal is separated from the open access aspect of a journal, many department chairs feel that the quality of an electronic-only medium is lower than that of a traditional journal. They feel that traditional journals have page limitations which require journal editors to accept only the highest quality work, or work of greatest interest, while electronic-only journals have no such page limitations. Also, it was stated by some that the vast proliferation of new electronic-only journals "pretty much guarantees that one can get almost anything published somewhere." All of the department chairs interviewed cited peer review as crucial; many expressed concerns that the quality of peer review may be declining. In some departments the perception of lower quality of electronic-only journals is more prevalent among senior faculty than junior faculty. However, in those departments junior faculty members were also acutely aware of the negative perceptions of electronic-only journals currently held by many senior faculty and administrators. Many junior faculty members stated that despite their personal acceptance of the newer journals, they avoid such journals because they feel that many Department Personnel Committee members, College Personnel Committee members, department chairs, and deans likely hold some negative perceptions of these journals. The junior faculty members expressed concern that the negative perceptions held by some administrators, especially those of other disciplines, may impact their evaluations for retention, promotion, tenure, and Professional Achievement Awards. These concerns are primarily based on assumptions they make based on the disciplines of the administrators in question.

The faculty and department chairs interviewed in the interdisciplinary fields expressed concerns about the unbiased peer review process of journals in small highly specialized fields with a small community of scholars. At the same time these faculty expressed an effort to avoid "catch-all" journals, especially the newer ones, as the broad journal titles are often sign of a predatory publication. Faculty members in interdisciplinary fields spoke of a preference to publish within a single traditional discipline in highly recognized publication outlets. However, faculty members in interdisciplinary fields that form a bridge between two fields, such as law enforcement and economics, or military science and ethics, also expressed concerns about the peer review process in those traditional journals, often stating that "the reviewers often view the article from only one side."

D. Issues with a Mandated Open Access Policy

While most faculty and administrators agreed with the philosophical notion of free availability of information for the purposes of research, most expressed deep concerns about the possibility of a policy which mandates open access to faculty publications. These concerns include:

> **1. Intellectual property and fair use issues.** Faculty in several departments work under contract or in collaboration with companies to evaluate a pesticide or herbicide, in drug or computer program development, or to design a production set, video, or a group of photographic images, etc. for the company. Exceptions to deal with intellectual property

issues must be included in any open access policy for sponsored research and scholarship. Safeguards are also needed to ensure the fair use of images from the visual arts and communications disciplines. Often faculty members in some disciplines create scholarly products, publish portions of their work to a limited audience, and then use these published portions to foster collaborations or gain funding for larger projects. Concerns were raised that a policy which mandates open access to publications and/or products would inhibit these efforts to gain external collaborations and/or funding.

2. Program assessment concerns in Curriculum and Instruction. Faculty members in the Department of Curriculum and Instruction expressed deep concerns that state and discipline specific assessment and accreditation bodies will use open access information to evaluate their programs. They stated that in the past, state assessment and accreditation committees have used course syllabi and other information posted on departmental web pages to assess and evaluate educational programs. As these assessments may impact state accreditation and/or program certifications, the Department of Curriculum and Instruction endeavors to limit open access to information that has not undergone extensive review. Care must be taken to consider not just the validity of the information posted in an open access repository but also how it may be used politically in a competitive discipline to impact program certifications.

3. Financial issues with open access. In many disciplines traditional print journals are electronically available, but are not free and open to the world, as most publishers rely on library subscriptions or organization membership fees to offset the costs of the publications. In these disciplines a few reputable journals offer authors an open access choice for their publications but charge a significant fee to recoup their losses from subscription fees through an author/department pay model (gold open access). Faculty members in many disciplines were not aware of the gold open access option for open access; however, once explained, their responses were overwhelmingly negative. Many faculty saw paying to publish one's work as self-promotion and in conflict with the peer review process. In the Humanities, faculty members in particular equated author/department-pay models to vanity presses, while those in the Fine Arts equated it with advertising. Faculty in some disciplines in the Natural Sciences and Economics were somewhat accustomed to page charges, however. Even *Proceedings of the National Academy of Sciences of the United States of America* has page charges, depending on the number of color images included in the manuscript. In general most WIU faculty members felt publication charges would compromise academic integrity. Many department chairs raised publication charges as an issue and stated that gold open access would discriminate against smaller institutions in the state, and would also discriminate against departments with fewer resources, such as grants and donors.

4. Limitations on academic freedom. Almost all of the department chairs and faculty felt that any policy that required faculty to publish or distribute their research in an open access forum would limit their academic freedom to publish in many of the journals in their discipline. In some disciplines, few or none of the quality journals and book publishers have open access options. In other disciplines, such as the natural sciences, some of the traditional high quality publications allow open access as either gold open access (immediately available in open access for a fee) or green open access (available as open access after 1 to 2 years). Gold open access requires a substantial fee to allow the publisher to recoup losses from fewer library subscriptions. Green open access (the ability to share a post-print in a

repository) may or may not require a fee, but does involve an embargo period. Many journals in the health and social sciences also accommodate the National Institutes of Health (NIH) mandate to make all work supported by NIH funding openly accessible in PubMed.gov within 12 months of publication. However, even in the natural sciences not all journals make copyright provisions for this style of green open access. Many WIU faculty members, including most of the disciplines, feel that their academic freedom to publish their work would be partially or severely limited by a policy that requires open access to scholarly publications. Some further suggested that because many journals in their discipline would not accept publications from state institutions with such an open access policy, faculty recruitment would also be impacted.

5. Perceived impact of open access policy on scholarly reputation. In some Departments, the faculty indicated that the respected journals in their field do not have an open access option. Some indicated further that a stigma is attached to scholars in their field who publish outside the acceptable respected journals. Some faculty members expressed concerns that a policy mandating open access publishing would create a "brain drain" in the state, indicating that the top minds in the field would leave the state, and further impact the recruitment of top level scholars as faculty members. Others indicated that a great deal of training must be undertaken to change the current mindset in regard to open access publishing, not just at WIU, but also within the discipline.

6. Issues with the evaluation process. Although WIU has a highly structured evaluation system for retention, promotion, tenure, and Professional Achievement Awards, there are variations among the different departments of how different publication mediums are counted in their department criteria. In some areas, refereed publications might be the most prestigious form of publication. There might be other equally or more prestigious forms of publication mediums in other disciplines. Some departments have department criteria documents that specify a requirement for traditional print journal publications, and other department criteria describe open access publications as vanity presses.

E. Issues with a Possible Institutional Repository for Open Access Publications:

In looking at open access policies of several international universities and government agencies, such as NIH, many make use of an openly accessible institutional repository, rather than relying on open access journals. These institutions comply with journal open access policies or seek permission from the publishers; articles are only posted in repositories when given permission to do so. When this process was described to the representative WIU faculty and department chairs who were interviewed, the following issues were raised:

1. Issue of either hosting an incomplete institutional repository or creating limitations on academic publishing practices. Several department chairs stated that publishers in their disciplines often do not allow authors to archive post-prints, and so they would be unlikely to provide blanket permission for a manuscript to be included in an open access institutional repository. A survey of publishers reported by Suber in 2008 (6) indicated that only 57% of surveyed publishers stated they give permission for post print archiving. More recent SHERPA/RoMEO statistics indicate that 66% of the publishers in their database allow archiving of post-prints (7). Some department chairs indicated that journals in some disciplines are less likely to allow post print archiving in an institutional repository, and

therefore an institutional repository would show little or no research activities from some departments, and more from other departments. They expressed fears that this incomplete record could impact funding.

On the other hand, if an institutional policy were established which requires the faculty (during negotiation of copyright transfer) to employ an author addendum that allows the author to retain rights so that the article can be archived in an open access institutional repository, many publishers would not agree to the addendum. This would lead to institutional limitations on academic publishing. In some disciplines the faculty indicated such a requirement could be a severe limitation to their research careers and progress toward tenure.

2. Intellectual property issues. Faculty members in several departments raised the issue of intellectual property. Some work under contract to a private company that requires confidentiality. Other faculty members publish portions of their work to only a limited audience, and then use these published portions to foster collaborations or to gain funding for larger projects. Many faculty mentor graduate and honors students on thesis projects that are portions of a larger faculty research project funded by a grant or contract. Exceptions would be needed for faculty who wish to protect their intellectual property rights to specific research.

3. Supplementary information and data set inclusion issues. In many disciplines, faculty are expected to provide supplementary information to the publisher when a manuscript is published. This is especially true in the sciences. Supplementary information includes spectral, chromatographic, and crystallographic data, as well as DNA or structural information, and in some cases detailed experimental conditions. Questions were raised as to whether or not the supplementary data (which is generally not published but is made available to the reader by the publisher only upon request) should be included in an institutional repository. If supplementary data from the science disciplines is included, the question can then be raised as to whether data sets used by the social sciences, business, finance, economics, marketing, and many other disciplines, should also be included. In many departments faculty rely on pre-existing data sets (rather than new experimental data) to generate research publications. In some cases the data sets are freely available from government sources, but in other disciplines the data sets must be purchased. Faculty and department chairs in both Geography and Management and Marketing indicated that their faculty form specific collaborations with colleagues in other states in order to share data sets that are not available to them at WIU. Such collaborations would be jeopardized if an open access institutional repository required inclusion of data sets. Also, many data sets must be kept confidential because of Institutional Review Board requirements.

4. Technical issues: Some disciplines have scholarly publications/products that are more than text, charts, graphs, and figures. Some require moving images and/or audio while others would best be represented as 3-D models.

5. Management of the institutional repository. Several department chairs expressed concerns about how an institutional repository would be managed. The faculty and department chair in Computer Sciences were especially concerned about who would be required to set up and maintain such a repository. Another issue raised was the inclusion of

in-progress work. There was concern that in-progress work should not be included as it is not as useful to the reader/researcher as a finished product. However, a few faculty members felt that open access to in-progress work could "help scholars build reputations in the field, even if they do not directly affect retention, promotion, and tenure."

Questions were also raised about the development of a collection policy for items to be included in an institutional repository. Should any publication, including those in vanity presses, be included in the institutional repository? As many predatory journals do not screen manuscript submissions for plagiarism and/or false information, or in some cases grammar and punctuation, how would the inclusion of such publications reflect on the institution? What are the legal ramifications to the institution? How would such publications impact students who may use the repository as a source of information about WIU and its programs? Additionally, some faculty expressed concerns of whether accreditation bodies or political action committees could exploit information posted in an open access repository to advance their causes, and possibly criticize WIU or some of its programs. How would the information posted, and/or possible comments made regarding the information posted, affect donations to the programs at WIU? One department chair stated, "There is a reason our campus releases information to the media only through a central office".

6. Faculty evaluation issues. Some administrators and Department Personnel Committee chairs expressed concerns about whether accepting a publication in the institutional repository would imply that it was acceptable in the faculty evaluation process. If so, this would circumvent the established DPC and department chair evaluation process as it pertains to scholarship. Even if a clear distinction is drawn in the minds of the administration, some faculty members will still likely use acceptance of a publication in an institutional repository as an argument for its acceptance by the department in a promotion and tenure decision. Similar arguments have already been seen for faculty publications that were given credit in Professional Achievement Award documents. If an approval process is established for an institutional repository, and a faculty member submits a questionable publication that is not approved for inclusion in the repository, will there be a mechanism in place for the faculty member to contest the decision or file a grievance, as they currently do for similar PAA issues?

7. Suggestions regarding an institutional repository. Some faculty and department chairs interviewed questioned the ultimate purpose of an open access policy. Some asked if the purpose of an open access policy is to inform the public about how institutional support is used for research endeavors, while others felt the purpose is to create a free research tool for others in the discipline to use to aid them in their own research.

If the purpose of an open access policy is to better inform the public about university research then perhaps only "broader impact statements" (such as those posted by the National Science Foundation) should be included on an institutional repository with links to the actual publications (if open access is permitted) or the pertinent journal web sites (if online access is available). Links to any articles in open federal databases that contain information in the publication should also be included. A "broader impacts statement" is a description of the purpose of the research in layman's terms including a description of the broader public benefit or impact that may be derived from the research. The National

Science Foundation (NSF) requires every grant application to include a 1 page "broader impacts statement" which is posted on a site that is open to the public.

If the purpose of an open access policy is to provide a free resource for scholars to use then perhaps the institutional repository should contain the abstract of the publication and include highly significant data and relevant conclusions. The abstract should also contain a link to a PDF of the complete publication (if open access is permitted) or to the pertinent journal web site (if online access is available). Links to open federal databases that include information in the manuscript should also be included. Another option is to host "green open access" to full manuscripts. This is similar to the National Institutes of Health (NIH) PubMed.gov. PubMed.gov is a searchable repository of publications resulting from work supported by NIH. Abstracts of articles in journals and books with key words are included in the repository. Each item in the repository includes a link to the openly accessible manuscript (if more than 12 months since the publication date or if openly accessible) or a link to the contents of the website for the journal issue containing the article. If the reader/researcher has an institutional library subscription or organizational membership that allows access to the journal they can download the PDF from the journal web site. If the reader/researcher has no access through their institution or organization they can access enough information to decide if the article will be useful and to allow an interlibrary loan request to be made.

(9) the determination of which version of a research article should be made publicly accessible; and

The subcommittee met to discuss various factors influencing the decision, including:

- whether more than one version of a published piece be in the repository at any one time (e.g., should pre-publication drafts of journal articles be included or only final versions?)
- what should be considered "published" for these purposes (e.g., books/articles published by a publisher vs. self-published documents, blog posts, or personally created web pages)
- what should be considered "research" for these purposes (e.g., printed, textual material? Visual arts? Representations of three-dimensional arts? New media?)
- what components of the research process should fall under this purview (i.e., what components of the research should be included for public access? Raw data? Results of analyses? The finished, published work?)

After much discussion, the subcommittee recommends:

1.) Only the final version (post-print) of a research article (or other text-based publication) should be added to the WIU repository. This recommendation is based on the idea that multiple versions of the same work in the repository may make it confusing for readers to know which version is most recent. It may also make it confusing, when searching the repository, to know whether a version has been vetted through a review/refereeing process. By limiting the repository to 'final products' (post-prints) we would make clear that these objects are the final products of the research/scholarly process. To determine if this approach was favored by the various disciplines in the university, a request was made of

department chairs to review this recommendation and our rationale. Support for limiting the repository to final versions (post-prints) was nearly unanimous among those who responded.

2.) "Published" research would cover research that is disseminated through a publishing company or organization. This would include those pieces that have been published at a cost to the researcher, but would not include research posted on individual web pages. The subcommittee agreed it was important to distinguish between self-published works and other-published works, if for no other reason than to place some limits on what might be included in the repository.

3.) "Research" would include any printed article or text-based publication. The Act states in Section 5, Purpose: *"to maximize the social and economic benefits of research to the public, the published research articles of produced by faculty at public universities should be made as widely as possible…"* (emphasis added). This seems to indicate the intent of the Act is for the repository to make available text-based publications. The subcommittee found no reason to expand the scope of the repository beyond that stipulated in the Act.

4.) Only those components of the publication made "public" to those receiving the publication would fall under this purview. Data not included in the final piece, full book access, scales developed or utilized, proprietary material associated with patents, and other components that were a part of the research process but not a part of the final printed publication would not be subject to "public" access. The subcommittee again interpreted the scope of the Act to be limited to the actual end product (i.e., the "publication") and we found no reason to expand the scope of the repository.

5.) In circumstances where publisher-established embargoes, restrictions, and/or proprietary constraints do not allow the published work to be made available through the repository, the subcommittee recommends that an abstract be submitted with an electronic pointer or link to the source of the published research, where they may purchase materials covered by these restrictions. In instances where it is not possible for the published work to be made available via the repository, due either to copyright restrictions or fiscal constraints of making available published material, a summary/abstract (with linking information to the publication itself) would suffice to alert the public to the work's existence and availability. (It should be added that a frequent comment in our polling of department chairs involved concerns that requiring full text versions of all publications to be available in the repository would, in essence, impose unfair restrictions on faculty in choosing outlets for publication. The subcommittee shares this concern and we believe placing an abstract or summary in the repository in those cases would meet the spirit of the Act.)

(10) the determination of which researchers and which research ought to be covered by an open access policy, including, but not limited to, the question of whether a policy should cover theses and dissertations written by students at public institutions; research conducted by employees of State agencies; research supported by State grants, but not conducted by employees of public institutions or State agencies; research materials digitized using State funding; data collected by covered researchers; research conducted by faculty at institutions that receive Monetary Award Program grants under Section 35 of the Higher Education Student Assistance Act; research conducted by part-time, adjunct, or other non-permanent

faculty; research at least one of whose co-authors is covered by the policy; research progress reports presented at professional meetings or conferences; laboratory notes, preliminary data analyses, notes of the author, phone logs, or other information used to produce final manuscripts; or classified research, research resulting in works that generate revenue or royalties for authors (such as books), or patentable discoveries.

The purpose and goal of any Open Access Policy and its related procedures should be to provide widespread access to and ready distribution of scholarly and creative works. As such, the policy should be sufficiently broad to extend to and include individuals with any State affiliation and their works. In doing so, however, it is evident that an Open Access Policy and associated procedures are best viewed as a benefit, as opposed to a mandate, for authors who are directly or indirectly affiliated with the State or a State entity. Moreover, a core extension of this perspective is that the decision to opt in or out of the Open Access Policy must be maintained throughout the policy and associated procedures. The decision to participate belongs to the individual author or team of authors in the case of collaborative works. Any work that is made available in accordance with the policy must be of a sufficient quality and form that it can be universally shared and used. As such, the creative and scholarly works must meet a standard for the work to be complete, thorough, and sufficiently independent from other works that it could reasonably be distributed through alternative means. The specifics of the standard for whether a scholarly or creative works can be distributed need to be determined.

The Task Force believes that 1) students' theses and dissertations, 2) research conducted by employees of State agencies, 3) research supported or sponsored by State grants, 4) research conducted by faculty at the approved Monetary Award Program schools, 5) research conducted by part-time, adjunct, or other non-permanent faculty, 6) research for which at least one of the co-authors is covered by the policy, and 7) classified research and research that could result in works that generate revenue or royalties for authors (such as books) or patentable discoveries should all be covered by the policy with the stipulation that the authors have the choice to opt in or out of the policy and any associated procedures required to electronically distribute their works on a work-by-work basis. *Some consideration should be given to including Honor's Theses or Papers in the repository, depending on consultation with the Honor's Council.*

Works that are potentially incomplete, such as 1) research materials digitized using State funding, 2) data collected by covered researchers, 3) non-refereed research progress reports presented at professional meetings or conferences, and 4) preliminary data analyses, notes of the authors, phone logs, or other information used to produce final manuscripts raised concerns. These types of preliminary or partial materials that may or may not have resulted in final scholarly or creative works may not provide a sufficiently thorough and complete explanation to be accurately understood and used by others. Inclusion of preliminary materials may complicate the policy and associated procedures, or overwhelm the repository with incomplete and unusable materials. As such, the subcommittee felt that any scholarly or creative work covered by the policy should be of a form that is sufficiently complete, thorough, and independent from other works that it could reasonably be distributed through alternative means.

CONCLUSIONS

- Faculty and staff at WIU need to learn more about open access and issues related to open access such as green open access, and retention of copyright and intellectual property rights. They may not realize that many of the journals in which they publish allow self-archiving (green open access) or know how to find information on their author rights.
- Faculty members in all disciplines at WIU feel very strongly that a university policy should not be implemented that limits the freedom of faculty members to submit their scholarly work to journals of their choice.
- In order to preserve academic freedom, any open access policy adopted at Western Illinois University should allow authors the choice to opt in or out of the policy and any associated distribution procedures on a case-by-case or work-by-work basis.
- WIU has mechanisms in place that can be adapted to create a reporting and oversight mechanism for compliance with an open access policy. They include the Graduate School's Electronic Thesis & Dissertation submission process and the Authors Database and Recognition program. To comply with the Open Access Policy, authors of journal articles and other scholarly works can be asked to voluntarily submit a either a record of their publications with a request to opt-out of the repository, or a pre-print or post-print of their work to be included in the repository.
- Gold Open Access could cost more than $200,000 a year, although some publishers will waive these fees on a case-by-case basis.
- Establishing a repository will require technical personnel to develop, run, maintain and customize a repository; librarians to educate faculty about open access, repositories and promote participation; clerical staff to ensure that information is input correctly; equipment (server and storage space); and software.
- Funding will be needed to support the technical and staffing needs as well as gold open access fees. The Task Force agrees that funding for this mandate should not be taken from the Libraries' materials budget.
- There is a significant variation in the research/scholarship needs and value systems for different disciplines. The disciplines are in different stages of accepting electronic communication into their scholarly communication system.
- Maintaining academic integrity through a rigorous peer review/juried publication process is essential in all academic disciplines. Vanity publications must be avoided at all costs.
- Many disciplines have negative perceptions of open access journals. Changing these perceptions in the near future will be difficult. It will likely require some time and "changing of the guard" before the perceptions of open access journals for these disciplines are changed. The issue of predatory publications greatly complicates and slows the acceptance of open access journals.
- An institutional open access policy should recommend faculty consider options that will allow for open access mediums whenever possible, however publication in open access journals should NOT be mandated.
- The university should facilitate the use of open access journals through funding. The university now pays most of the cost of peer reviewed journals, through library subscription fees and faculty salaries. They should continue to fund the cost of using peer reviewed journals by funding author fees for open access publications as the disciplines move in that direction.

- If an institutional repository is established as part of an open access policy, great care should be taken in the management of the repository, including consideration of the implications and impacts on the various disciplines. To that end, the decision to include information in the repository, or to provide complete open access to the publication, should be left to the authors (with departmental, publisher, and sponsor permission), similar to the way Research Gate hosts research information and open access publications.
- An Institutional Repository for Western Illinois University should include: students' theses and dissertations; research conducted by employees of State agencies; research supported or sponsored by State grants; published research of WIU faculty; research conducted by part-time, adjunct, or other non-permanent faculty; research for which at least one of the co-authors is covered by the policy; classified research and research that could result in works that generate revenue or royalties for authors (such as books) should be covered by an open access policy, with the stipulation that the authors have the choice to opt in or out of the policy and any associated procedures required to electronically distribute their works on a work-by-work basis.
- Some consideration should be given to including Honor's Theses or Papers in the repository, depending on consultation with the Honor's Council.
- The costs of creating, maintaining and supporting an institutional repository for Western Illinois University and support for gold open access need to be allocated through the state budget process.

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