

The Academic Authorship, Publishing Agreements, and Open Access Survey: An Australian Perspective

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A. INTRODUCTION

In 2007 the Open Access to Knowledge (OAK) Law Project undertook an online survey, *Academic Authorship, Publishing Agreements and Open Access*, which was conducted from 2 October 2007 through to 9 November 2007. The survey attracted 509 participants.¹ The survey was designed to acquire empirical evidence relating to academic authors' perceptions of open access, copyright ownership, online repositories, open access journals, and publishing agreements. The survey also sought to obtain evidence on two specific themes. First, what have been the experiences of academic authors in negotiating and entering into publishing agreements with commercial publishers? Second, what motivates and what prevents academic authors from depositing their work into online repositories or publishing their work with open access journals?

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1 See Anthony Austin, Maree Heffernan, & Nikki David, *Academic Authorship, Publishing Agreements & Open Access: Survey Results* (2008), online: http://eprints.qut.edu.au/archive/00013623/01/13623_3.pdf at 14 [*Academic Authorship*].

1) What Does the Survey Tell Us?

The goal of the survey was to develop strategies to facilitate greater levels of open access depositing of author “items” and to balance and satisfy academic authors’ concerns between open access and their commercial publishing interests. In the survey, “item” was defined as any periodical publication, journal article, research paper, conference paper, or book chapter.²

B. SUPPORT FOR OPEN ACCESS AND END-USER RIGHTS

As evidenced in Figure 1, the majority of participants support the elements of open access. Over half of them stated that broader access to the results of publicly funded research, distribution of information freely and without cost, and the making of information available for reuse were “extremely important.” The participants also stipulated which benefits of open access were of greatest relevance to them, being: increased accessibility to research outputs, easier access to material within specialized research field(s), and improved dissemination through broader circulation of research outputs.³

In addition, the majority of academic authors were happy to grant institutions a limited non-exclusive licence to place work in a non-commercial, publicly accessible, online institutional repository.⁴ “Work” was defined by the survey as being any periodical publication, journal article, research paper, conference paper, or book chapter, but excluded any monographs or entire books.⁵

Despite the fact that authors regarded other elements of open access as being of greater relevance to them, Figure 2 shows that the majority of authors saw repositories as a “fairly,” “very,” and “extremely” important element of open access,⁶ and nearly half of the survey participants (44 percent) had

2 But excluding monographs or entire books. *Ibid.* at 97.

3 The benefits of open access include increased accessibility to research outputs (61 percent strongly agreeing; *mean*=4.48), easier access to material within specialized research field(s) (56 percent strongly agreeing; *mean*=4.39), and improved dissemination through broader circulation of research outputs (52 percent strongly agreeing; *mean*=4.37). *Ibid.* at 53, Figure 21 “Benefits of Open Access.”

4 Ninety-three percent of survey respondents are in favour. *Ibid.* at 47, Figure 19 “Use of Online Repositories.”

5 *Ibid.* at 97, “Appendix B: Defined Terms in Survey.” (“Work” was not defined in the appendix.)

6 Ninety-two percent. *Ibid.* at 53, Figure 21 “Benefits of Open Access.”

placed a copy of their work in an institutional repository.⁷ In addition, the majority of authors would like end-users to have rights to reuse work or to distribute to others on a non-commercial basis.⁸

Figure 1: The Benefits of Open Access⁹

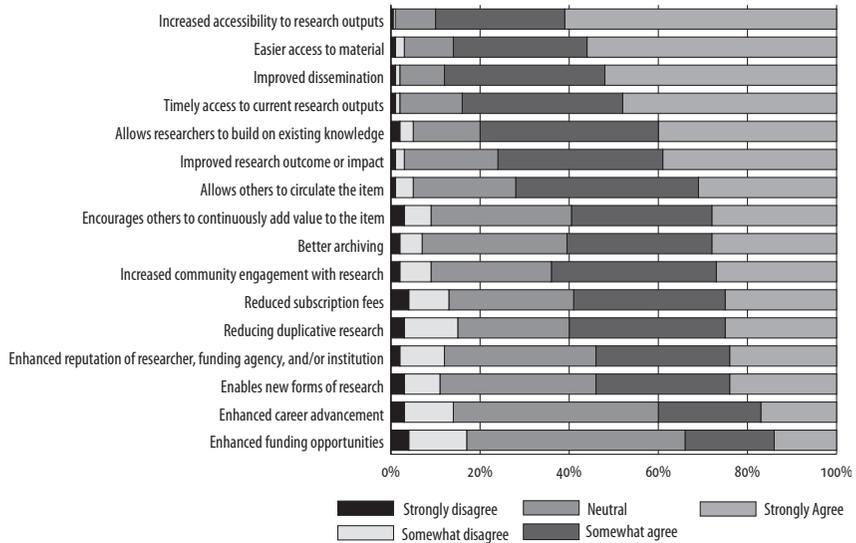
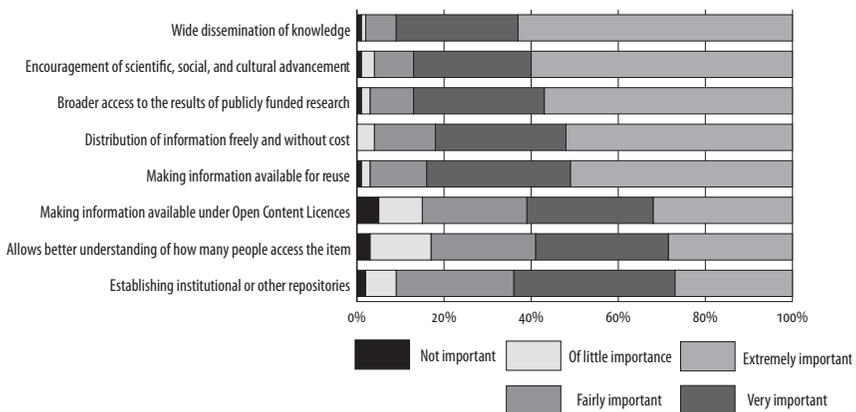


Figure 2: The Relative Importance of Elements of Open Access¹⁰



7 *Ibid.* at 60, Figure 22 “Frequency of Various Publishing Activities (Past Five Years).”

8 *Ibid.* at 63, Figure 24 “End-User Access Rights for Items Deposited into a Repository.”

9 *Ibid.* at 53, Figure 21 “Benefits of Open Access.”

10 See *Ibid.* at 50, Figure 20 “The Relative Importance of Elements of Open Access.”

C. PUBLISHING DECISIONS AND DEPOSITING DECISIONS

In making a decision to publish, it seems that reputation, impact, and quality of peer review will be of greater relevance to an academic author's decision to publish than simply being able to deposit into an open access repository or to publish in an open access journal.¹¹

In addition, the majority of authors have no preference between an assignment and a licence,¹² which may explain why the majority of authors have entered into assignment agreements with publishers.¹³ Almost every second author did not understand the terms of a publishing agreement but signed it anyway, and they were unsure if they were allowed to deposit into a repository under either their previous publishing agreements or their most recent publishing agreements.¹⁴ It is only the minority of academic authors who prefer assignments¹⁵ or who prefer to retain rights of open access in their works through a licence.¹⁶

This habit of entering into assignments with publishers may be influenced by the fact that the majority of authors think that it is too much trouble to negotiate a licence with publishers.¹⁷ Some survey participants stated that authors are not prepared to contest the assignment of their ownership rights to publishers if it may prejudice their chances of being published:

Negotiating copyright conditions sounds like a good idea except that authors may not have their papers considered for publication if journals don't want to be bothered negotiating . . . the better journals hold all the cards . . . if you want to be published you need to accept their conditions.¹⁸

11 *Ibid.* at 25, Figure 8 "Relevant Factors Influencing Choice of Publication or Publisher."

12 According to 54 percent of respondents. *Ibid.* at 31, Figure 10 "Preference Regarding Assigning or Licensing Copyright."

13 Sixty-three percent of respondents. *Ibid.* at 31.

14 Over 50 percent of respondents. *Ibid.* at 33, Figure 12 "Deposit a Copy in A Repository."

15 Eight percent of respondents prefer assignments. *Ibid.* at 31. An assignment generally transfers all ownership rights in a work by an academic author to publisher, including the right to deposit that work into open access repositories.

16 Thirty-two percent prefer to retain rights of open access in their works through a licence. *Ibid.* A non-exclusive licence, however, will generally allow the author to retain ownership in that work and the right to deposit versions of that work into open access repositories, provided that the publisher is granted the exclusive right to publish the final version of the work.

17 Over 50 percent. *Ibid.* at 39.

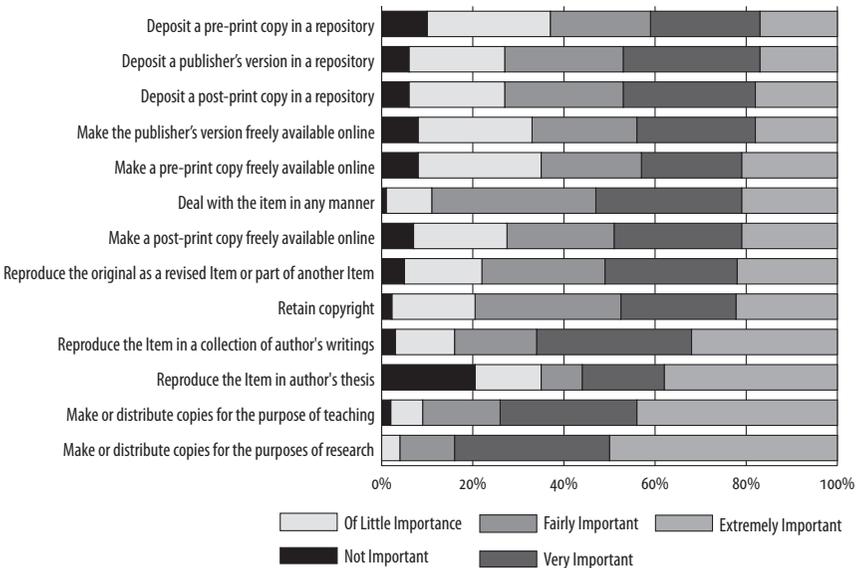
18 *Ibid.* at 77.

By the time a journal article has been pushed through the peer review process we are always sick of it and will take any conditions on offer.¹⁹

. . . I am unhappy about the way publishers want copyright assigned to them and feel authors have little choice in the matter if we want our material published in particular journals.²⁰

Despite that authors regarded the retention of rights to make and distribute copies for teaching and research as being of greater relevance to them, Figure 3 shows that the majority of authors saw the depositing of work into repositories as a “fairly,” “very,” and “extremely” important right for authors to retain in publishing agreements.²¹

Figure 3: Relevant Rights for an Author to Retain²²



1) Reasons Not to Deposit or Publish in Open Access

When authors were queried about why they have chosen not to deposit work into repositories, it was either because of a lack of knowledge regarding

¹⁹ *Ibid.*

²⁰ *Ibid.* at 78.

²¹ Sixty-three to seventy-three percent. *Ibid.* at 36, Figure 16 “Relevant Rights for Authors to Retain.”

²² *Ibid.*

where to deposit their work,²³ their concern about publishers attitudes to the depositing of work into repositories,²⁴ the use and re-use of their works in repositories,²⁵ or because they were unsure how depositing would promote their work, profile, employment, or career²⁶ (See Figure 4).

Figure 4: Reasons for Not Depositing a Work into an Institutional or Other Repository²⁷



When authors were asked why they had not published with open access journals, they also cited factors such as funding restrictions, open access journal publishing fees, metrics, reputation, and impact as issues that influenced their decisions:

Schemes like the RQF are a real disincentive to publish electronically (“open access” journals are not regarded as being as “serious,” nor as prestigious as the traditional outlets for publishing research).²⁸

The main issue is that I don't see any significant advantages to me to publish outside the traditional journal paths and a significant disadvantage is that I have to pay to get published (which ARC and other agencies refuse to fund).²⁹

23 Twenty-nine percent. *Ibid.* at 62, Figure 23 “Reasons for Not Depositing an Item into an Institutional or Other Repository.”

24 *Ibid.*, 15 percent.

25 *Ibid.*, 17 percent.

26 *Ibid.*, 11 percent.

27 *Ibid.* at 62, Figure 23 “Reasons for Not Depositing an Item into an Institutional or Other Repository.”

28 *Ibid.* at 103, Appendix C: Listing of Open-Ended Comments.

29 *Ibid.* at 76.

Open access journals in my area are not important publishers and do not attract citation counts. If they did, then that might change my and others attitude to open access publications.³⁰

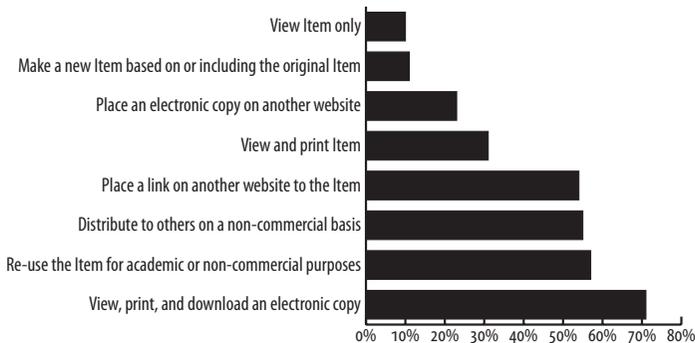
These newer (open access) journals are not yet established as high quality journals in my field of research. (i.e. no impact factor).³¹

D. END USERS OF OPEN ACCESS DEPOSITED OR PUBLISHED WORK

End users are those persons or organizations who access work that has been deposited or published online through repositories or open access journals. In the survey, almost three-quarters (72 percent) of authors indicated that they would like an end-user to have rights to view, print, and download an electronic copy when accessing their work in an institutional or other repository.

Over half (57 percent) of survey participants said that they would like a repository end-user to have rights to reuse the work for academic or non-commercial purposes, to distribute to others on a non-commercial basis (55 percent), or to place a link on another website to the work as deposited in the repository (54 percent)³² (see Figure 5). As one author commented: “I’m happy with any non-commercial use that acknowledges the source of the material.”³³

Figure 5: Preferred End-User Access Rights for Work Deposited into a Repository³⁴



30 *Ibid.* at 77.

31 *Ibid.*

32 *Ibid.* at 65, Figure 25 “Preferred End-User Access Rights for Items Deposited into a Repository.”

33 *Ibid.* at 66.

34 *Ibid.* at 65, Figure 25 “Preferred End-User Access Rights for Items Deposited into a Repository.”

1) What Does the Survey Tell Us About Open Access Journals?

For those participants who have published in an open access journal, most indicated that they did so because they either had an open access journal in their disciplinary area or because they desired to promote open access principles and ideals.³⁵ Participants made the following specific comments as to why they have published in an open access journal:

To make my research more accessible and more widely recognized.³⁶

I have just submitted my first paper to an open access journal because I have come to understand its power to assist others to access regardless of financial circumstances.³⁷

For me one of the most important factors when choosing a journal is the reputation of that journal. So an open access journal also needs to have a good reputation (and good impact factors etc) to be considered. In my field there is one very good open access journal in which I have published a paper, and I would definitely consider them for future papers.³⁸

However, more than half of the survey participants have never published in an open access journal.³⁹ Almost one-quarter indicated that they have not published in an open access journal because they were either unfamiliar with the process or they have no motivation to do so or because it is not adequately recognized or acknowledged for the purposes of promotion.⁴⁰ Academic authors specifically commented on dissuading factors such as publishing fees, metrics, reputation, and impact:

The main issue is that I don't see any significant advantages to me to publish outside the traditional journal paths and a significant disadvantage is

35 Open access journal in their disciplinary area (45 percent); desire to promote open access principles and ideals (29 percent): *ibid.* at 73, Figure 28 "Reasons for Publishing in an Open Access Journal."

36 *Ibid.* at 75.

37 *Ibid.*

38 *Ibid.*

39 Fifty-nine percent of respondents have never published in an open access journal. *Ibid.* at 73.

40 Twenty-two percent of respondents indicated that they have not published in an open access journal because they were either unfamiliar with the process, they have no motivation to do so or it is not adequately recognized or acknowledged for the purposes of promotion. *Ibid.* at 76, Figure 29 "Reasons that Prevented Authors from Publishing in an Open Access Journal."

that I have to pay to get published (which ARC and other agencies refuse to fund).⁴¹

Open access journals in my area are not important publishers and do not attract citation counts. If they did, then that might change my and others attitude to open access publications.⁴²

My decisions about publication are based on journal impact factor, journal specialization, and likelihood of acceptance. Current open access journals do not tick enough of these boxes.⁴³

In addition, participants were asked what things could be done to encourage publication in open access journals. Figure 6 shows that academic authors were in favour of there being a greater number of open access journals and receiving more information about open access opportunities and funding that covers author/publication costs in order to assist them to publish in open access journals.⁴⁴ Participants also suggested that issues regarding reputation, impact, publishing fees, and funding support need to be addressed:

Make the journals high impact—i.e., excellent reputation, high quality of peer review, excellent proofing.⁴⁵

Make it free to publish in them.⁴⁶

Positioning of the journals (impact factor and citation indexes) relative to other journals considered more prestigious to peers.⁴⁷

Better ranking of these journals for NHMRC/other grant provider assessment.⁴⁸

41 *Ibid.* at 76.

42 *Ibid.* at 77.

43 *Ibid.*

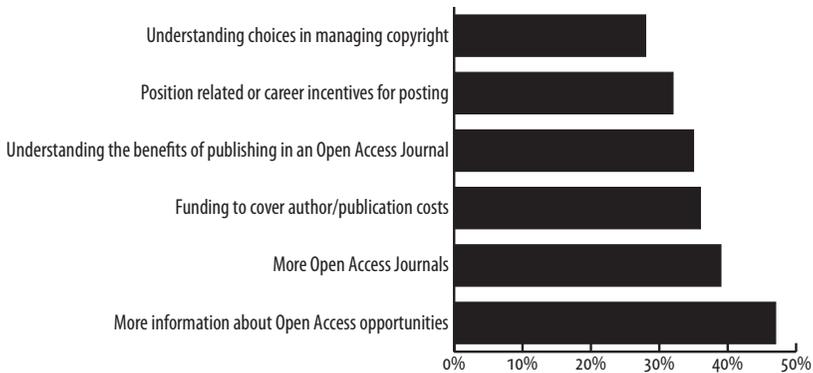
44 Forty-seven percent of academic authors would like more information about open access opportunities. Thirty-nine percent would like more open access journals. Thirty-six percent would like funding to cover author/publication costs to assist them to publish in open access journals. *Ibid.* at 78, Figure 30 “Ways to Encourage Publishing in an Open Access Journal.”

45 *Ibid.* at 79.

46 *Ibid.*

47 *Ibid.*

48 *Ibid.*

Figure 6: Ways to Encourage Publishing in an Open Access Journal⁴⁹

E. WHAT DOES THE SURVEY TELL US ABOUT ARTS AND SCIENCES?

The survey participants came from a diverse range of research fields. Approximately 57 percent of respondents indicated that their research was in the areas of Science and Technology and 43 percent of respondents indicated that their research was in the fields of the Arts and Social Sciences. Approximately 25 percent of participants identified medical, health, and epidemiology; 19 percent identified biology, chemistry and physics; 14 percent education; and 12 percent identified humanities as research fields in which they are involved.⁵⁰

1) How Do the Arts and Sciences Differ?

Researchers in the field of Arts and Social Sciences (Arts) and researchers in the field of Science and Technology (Sciences) generally had similar views and experiences in relation to open access, copyright ownership, online repositories, open access journals, and publishing agreements, such as:

- Researchers in both Arts and Sciences publish with large commercial publishers⁵¹
- When choosing a publication or publisher, the quality of the peer review is important to both Arts and Sciences authors
- Both Arts and Sciences authors prefer end-users of repositories to have similar rights in relation to deposited works, namely: to view

49 *Ibid.* at 78, Figure 30 “Ways to Encourage Publishing in an Open Access Journal.”

50 *Ibid.* at 18, Figure 2 “Main Disciplinary Area of Respondents.”

51 *Ibid.* at 22–23.

only; to view and print; to view, print, and download; to distribute on a non-commercial basis; to reuse the work for academic or non-commercial purposes; and to make a new work based on or including the original work.⁵²

The survey results also provide a number of examples where the Arts and Sciences disciplines gave different priorities to certain issues.

Arts

- Many principles of open access are of greater significance for Arts authors. They are more in favour of open access being a way to enable new forms of research, the establishment of institutional or other repositories, and encouraging a better understanding of how many people access work in repositories.⁵³
- Arts authors are more likely to be active in searching for work within institutional repositories and to direct students to use repositories. Arts authors prefer that their institutions promote open access and that repositories give accurate information on work viewings and downloads.⁵⁴
- Arts authors will give greater priority to Australian institutional publishers⁵⁵ and to publications that provide copy editing assistance and commissions or payments for publication.⁵⁶
- In relation to publishing agreements, Arts authors are more likely to examine them before signature and to inform a publisher of any dissatisfaction they may have with its terms. They are more inclined to negotiate and amend publishing agreements⁵⁷ or to attach an author addendum.⁵⁸ When retaining rights in publishing agreements, Arts authors prefer to retain rights to the copyright in the work, to make or distribute copies for the purpose of teaching, and to reproduce the original as a revised work or part of another work.⁵⁹

52 *Ibid.* at 64, Table 27 “End-User Access Rights for Items Deposited into a Repository by Disciplinary Area and Years Publishing.”

53 *Ibid.* at 51, Table 19 “Mean Level of Relevance of Elements of Open Access by Research Area.”

54 *Ibid.* at 48, Table 16 “Use of Online Repositories by Research Area.”

55 *Ibid.* at 23, Table 1 “Type of Publisher by Area of Research.”

56 *Ibid.* at 26, Table 4.

57 *Ibid.* at 41, Table 10 “Publishing Agreements by Research Area.”

58 *Ibid.* at 61, Table 25 “Frequency of Various Publishing Activities (Past Five Years) by Disciplinary Area.”

59 *Ibid.* at 37, Table 7 “Mean Level of Relevance of Rights for Authors to Retain by Research Area Organisation.”

- Arts authors will not be inclined to deposit their work into any repository if a commercial publisher's attitude is against depositing or if they believe that the deposit process is too difficult or time-consuming. They will not deposit if they are uncertain about the copyright position in their work or if depositing is not recognized for promotion purposes.⁶⁰ In order to improve repository participation, Arts authors prefer that their institutions provide a service to answer author queries about depositing.⁶¹
- Although both Arts and Sciences authors prefer end-users of repositories to have similar rights, Arts is more likely to have deposited work into repositories where end-users can view, print, and download work, reuse the work for academic or non-commercial purposes, or be able to place a link on another website to the deposited work.⁶²

Sciences

- Sciences authors are more likely to publish with international disciplinary societies,⁶³ and the reputation of a publication will be of greater significance for them when choosing a publisher or a publication.⁶⁴
- When retaining rights in publishing agreements, Sciences authors prefer to retain the right to reproduce the work in the author's thesis over other rights.⁶⁵
- Sciences authors are more likely to view publishing agreements as being hard to negotiate or to sign publishing agreements without examining its terms.⁶⁶

Sciences authors will not be inclined to deposit their work into any repository if their institution does not have its own repository or if they prefer to

60 *Ibid.* at 62, Table 26 "Reasons for Not Depositing an Item into an Institutional or Other Repository by Disciplinary Area, Years Publishing and Employing Organisation."

61 *Ibid.* at 69, Table 29 "Mean Level of Relevance of University or Institutional Mechanisms to Improve Participation in Depositing Items in Institutional or other Repositories by Research Area."

62 *Ibid.* at 64, Table 27 "End-User Access Rights for Items Deposited into a Repository by Disciplinary Area and Years Publishing."

63 *Ibid.* at 23, Table 1 "Type of Publisher by Area of Research."

64 *Ibid.* at 26, Table 4.

65 *Ibid.* at 37, Table 7 "Mean Level of Relevance of Rights for Authors to Retain by Research Area Organisation."

66 *Ibid.* at 41, Table 10 "Publishing Agreements by Research Area."

place their work on a personal website.⁶⁷ They prefer that repository end-users only be allowed to view deposited work.⁶⁸

F. WHAT DOES THE SURVEY TELL US ABOUT JUNIOR AND SENIOR ACADEMIC AUTHORS?

Approximately two-thirds (62 percent) of survey participants were actively involved in research for more than ten years (senior authors), 22 percent were actively involved in research between five and ten years, and 15 percent were involved for more than twelve months but less than five years (junior authors).⁶⁹

1) How Do Junior and Senior Academic Authors Differ?

The survey results provide a number of examples where senior authors and junior authors differed in relation to issues of open access, copyright ownership, online repositories, open access journals, and publishing agreements.

Senior authors

- Senior authors are more likely to publish in open access journals in order to promote open access principles and ideals.⁷⁰
- Senior authors are more likely to publish with large commercial publishers, international disciplinary societies, Australian institutional publishers, and Australian disciplinary societies,⁷¹ and also if their work is commissioned.⁷² Senior authors are more likely to inform a publisher of dissatisfaction with the terms of their standard publishing agreement and to negotiate and amend those terms.⁷³
- Senior authors will not be inclined to deposit their work into a repository where they perceive depositing to be a difficult or time-

67 *Ibid.* at 62, Table 26 “Reasons for Not Depositing an Item into an Institutional or Other Repository by Disciplinary Area, Years Publishing and Employing Organisation.”

68 *Ibid.* at 64, Table 27 “End-User Access Rights for Items Deposited into a Repository or Disciplinary Area and Years Publishing.”

69 *Ibid.* at 19, Figure 3 “Length of Time Involved in Research.”

70 *Ibid.* at 74, Table 33 “Reasons for Publishing in an Open Access Journal by Number of Years Publishing.”

71 *Ibid.* at 23, Table 2 “Type of Publisher by Number of Years Publishing.”

72 *Ibid.* at 27, Table 5 “Mean Level of Relevance of Factors Influencing Choice of Publication or Publisher by Number of Years Publishing.”

73 *Ibid.* at 42, Table 11 “Publishing Agreements by Number of Years Publishing.”

consuming process, or where they have uncertainty over publisher's attitudes towards depositing, or if they prefer to place their work on their personal website.⁷⁴

- They prefer that repository end-users only be allowed to view and print deposited work.⁷⁵

Junior authors

- Many principles of open access are of greater significance for junior authors. They are more in favour of the dissemination of knowledge through open access, broad access to the results of publicly funded research, the encouragement of scientific, social, and cultural advancement via open access, making information available for reuse through open access, making information available under open content licences, and encouraging a better understanding of how many people access work in repositories.⁷⁶
- Junior authors prefer that open access provides them with the following benefits: easier access to material within specialized research field(s), new forms of research, increased research citation, timely access to current research outputs, enhanced career and funding opportunities, the enhancement of the reputation of the researcher, a reduction in subscription fees and duplicative research, and increased community engagement with research. They also prefer that open access allows researchers to build on existing knowledge and circulate works and encourages others to continuously add value to them.⁷⁷
- Junior authors are more likely to be active in searching for work within institutional repositories⁷⁸ and they prefer to choose a publication or publisher that supports repository depositing. They also prefer publications or publishers that provide comments or feedback

74 *Ibid.* at 62, Table 26 “Reasons for Not Depositing an Item into an Institutional or Other Repository by Disciplinary Area, Years Publishing and Employing Organisation.”

75 *Ibid.* at 65, Table 28 “Preferred End-user Access Rights for Items Deposited into a Repository.”

76 *Ibid.* at 52, Table 20 “Mean Level of Relevance of Elements of Open Access by Number of Years Publishing.”

77 *Ibid.* at 55, Table 23 “Benefits of Open Access by Number of Years Publishing (Mean Level of Agreement).”

78 *Ibid.* at 49, Table 17 “Use of Online Repositories by Number of Years Publishing.”

from peer reviewers, but they are more likely to be influenced in this choice by the opinions of their own faculty or department.⁷⁹

- When retaining rights in publishing agreements, junior authors prefer to retain the right to deal with the work in any manner they choose and to have the ability to retain copyright in the work. They prefer to retain the right to deposit a preprint copy of the work in an institutional or other repository, or to reproduce the original as a revised work or part of another work, and to reproduce the work in the author's thesis.⁸⁰ However, junior authors will not negotiate amendments to a publishing agreement if they feel that the need to publish for promotional purposes outweighs the risk of negotiating amendments.⁸¹
- Junior authors are more likely to deposit work into repositories that allow their end-users to view, print, and download works, distribute works on a non-commercial basis, and make new works based on or including the original work.⁸² They also prefer repositories that allow end-users to place an electronic copy of or link to the work on another website.⁸³
- In order to improve repository depositing,⁸⁴ junior authors would prefer that institutions link depositing to career advancement, provide assistance with cataloguing metadata, improve the searchability of repository works, conduct workshops for authors and end-users, and provide a service that answers author repository queries.⁸⁵
- Practical aids such as template publishing agreements, copyright toolkits, template clauses, and template author addenda would be of greater benefit to junior authors in managing copyright in their works. They also preferred their institutions to provide them with

79 *Ibid.* at 27, Table 5 “Mean Level of Relevance of Factors Influencing Choice of Publication or Publisher by Number of Years Publishing.”

80 *Ibid.* at 38, Table 8 “Mean Level of Relevance of Rights for Authors to Retain by Number of Years Publishing.”

81 *Ibid.* at 42, Table 11 “Publishing Agreements by Number of Years Publishing.”

82 *Ibid.* at 64, Table 27 “End-User Access Rights for Items Deposited into a Repository by Disciplinary Area and Years Publishing.”

83 *Ibid.* at 65, Table 28 “Preferred End-user Access Rights for Items Deposited into a Repository.”

84 *Ibid.* at 70.

85 *Ibid.*, Table 30 “Mean Level of Relevance of University or Institutional Mechanisms to Improve Participation in Depositing Items in Institutional or other Repositories by Number of Years Publishing.”

an online advocacy centre and support from copyright or research offices for this purpose.⁸⁶

- Institutional obligations and the availability of open access journals in a relevant disciplinary area are greater motivational factors for junior authors to publish in open access journals.⁸⁷

G. UNIVERSITY AND NON-UNIVERSITY SECTORS

The majority of participants (89 percent, n=453) were employed by a university or a higher educational institution (“university”), with the remainder employed by government, industry, or other research bodies (“non-university”). The majority of respondents (80 percent) were employed by large organizations (i.e., organizations with 1,000 or more employees), with approximately 11 percent employed by organizations with between 500 and 1,000 employees. Almost 61 percent of respondents described their organizational role as “lecturer,” 25 percent as “researcher,” and 4 percent as “dean/head of school.”⁸⁸

University and non-university respondents were similar in terms of deciding who they choose to publish with,⁸⁹ and in the factors that influenced their choice of publication or publisher.⁹⁰ They also had similar strategies for managing copyright in work,⁹¹ and similar ideas as to what could be done to improve their participation in depositing work in institutional or other repositories.⁹²

1) How Do University and Non-University Sectors Differ?

Despite certain similarities, the survey results did raise a number of issues that the university and the non-university sectors gave different priorities and emphasis:

86 *Ibid.* at 46, Table 14 “Mean Level of Usefulness of Strategies to Better Manage Copyright of Items by Number of Years Publishing.”

87 *Ibid.* at 74, Table 33 “Reasons for Publishing in an Open Access Journal by Number of Years Publishing.”

88 *Ibid.* at 17.

89 *Ibid.* at 24, Table 3 “Type of Publisher by Employing Organisation.”

90 *Ibid.* at 28, Table 6 “Mean Level of Relevance of Factors Influencing Choice of Publication or Publisher by Employing Organisation.”

91 *Ibid.* at 39, Table 9 “Mean Level of Relevance of Rights for Authors to Retain by Employing Organisation.”

92 *Ibid.* at 46, Table 15 “Mean Level of Usefulness of Strategies to Better Manage Copyright of Items by Employing Organisation.”

University

- When retaining rights in publishing agreements, Universities prefer to retain the right to make a preprint copy of the work freely available online.⁹³
- Establishing institutional or other repositories⁹⁴ and the depositing of work into repositories so that it is freely available online⁹⁵ is of great significance to universities.
- Universities will be inclined not to deposit work in a repository where they perceive depositing to be a difficult or time-consuming process, where they have uncertainty over the copyright position, or where depositing is not recognized for promotion purposes;⁹⁶
- Being able to identify an open access journal in a disciplinary area was a greater motivating factor for universities to publish in open access journals.⁹⁷

Non-university

- Non-universities want new forms of research to be enabled through the application of open access.⁹⁸
- Publishing in an open access journal in order to promote open access principles is a significant motivator for non-universities.⁹⁹
- When retaining rights in publishing agreements, non-universities prefer to deal with work in any manner they choose¹⁰⁰ and are more likely to amend a publication agreement.¹⁰¹

93 *Ibid.* at 39, Table 9 “Mean Level of Relevance of Rights for Authors to Retain by Employing Organisation.”

94 *Ibid.* at 52, Table 21 “Mean Level of Relevance of Elements of Open Access by Employing Organisations.”

95 *Ibid.*

96 *Ibid.* at 62, Table 26 “Reasons for Not Depositing an Item into an Institutional or Other Repository by Disciplinary Area, Years Publishing and Employing Organisation.”

97 *Ibid.* at 74, Table 34 “Reasons for Publishing in an Open Access Journal by Employing Organisation.”

98 *Ibid.* at 56, Table 24 “Benefits of Open Access by Employing Organisation (Mean Level of Agreement).”

99 *Ibid.* at 74, Table 34 “Reasons for Publishing in an Open Access Journal by Employing Organisation.”

100 *Ibid.* at 39, Table 9 “Mean Level of Relevance of Rights for Authors to Retain by Employing Organisation.”

101 *Ibid.* at 43, Table 12 “Publishing Agreements by Employing Organisation.”

- Not being able to deposit in a repository because of uncertainty regarding publishers' attitudes was of greater impact for non-universities.¹⁰²

H. SUPPORT FOR OPEN ACCESS

The majority of survey participants showed support for the elements of open access and broadly agreed as to the benefits of open access, particularly where open access would provide the benefits of access to another parties' information and research. They supported the depositing of work into a repository through a non-exclusive licence for non-commercial, publicly accessible online repositories, and giving end-users greater rights of access, reuse, and distribution of works on a non-commercial basis.

1) Factors that Impact Support for Open Access

Whilst there is support for open access, there are also impediments to that support. Most publishing agreements are not being negotiated or amended in order to retain rights for open access publication. This practice is exacerbated by assigning copyright ownership in works to publishers and a general lack of knowledge about ownership rights, publishing agreements, negotiating amendments, and understanding how open access publishing will affect career and reputation.

2) Education, Assistance, and Support

Academic authors need proactive assistance and education from institutions, repositories, open access journals, and funding bodies to ensure that support for open access publishing can continue. The benefits and disadvantages of open access publishing need to be addressed with authors. They need to know why depositing or publishing in open access should not prejudice their chances of publishing with commercial publishers and how it affects their career, particularly in the case of junior authors:

I support open access as a principle but believe that the issue of impact factors reduces the usefulness of this avenue for publication. Unless OA

102 *Ibid.* at 62, Table 26 "Reasons for Not Depositing an Item into an Institutional or Other Repository by Disciplinary Area, Years Publishing and Employing Organisation."

publication is given a status as activity relevant to promotion there isn't much reward for the effort involved.¹⁰³

Academic authors want to know how depositing or publishing with open access journals and repositories will benefit their careers. These facilities need to reassure authors that they can provide accurate and high-profile metrics, citation, and satisfy author requirements for reputation, impact, and quality peer review. As our survey participants commented:

I am happy to submit articles to open access journals as long as they are of good quality. Some are already of good quality but others are not. Use of open access journals is increasing and will therefore pose stronger demands on the quality of the open access journals. However, the editors of open access journals should also impose strict demands on the quality of article submissions.¹⁰⁴

. . . I think institutions must spearhead the process of open access (if they support this) by (i) defraying the costs for their staff members; (ii) working to gain and recognize the quality of open access outlets (at this stage, the best journals in my field do not permit open access), (iii) advocating bibliometrics that would favour open access (for use by granting agencies, promotions committees). As academic research in Australian universities is owned by the university, the university has a responsibility to promote open access and not make this the responsibility of individual staff.¹⁰⁵

Funding bodies may need to explain to authors whether they will support the depositing or publishing of funded work into repositories or open access journals:

I believe in open access publishing whenever possible. The problem is that academic audit culture (e.g., RQF, journal impact factors) works in the other direction, forcing authors back to commercial publishers that want copyright licensed or assigned. Open access journals are lowly weighted in these exercises, even though they get read more often, generate more reputation (as measured through conference invitations, etc.), and at least in my field are at the cutting edge of advance.¹⁰⁶

103 *Ibid.* at 113.

104 *Ibid.* at 58.

105 *Ibid.* at 59.

106 *Ibid.*

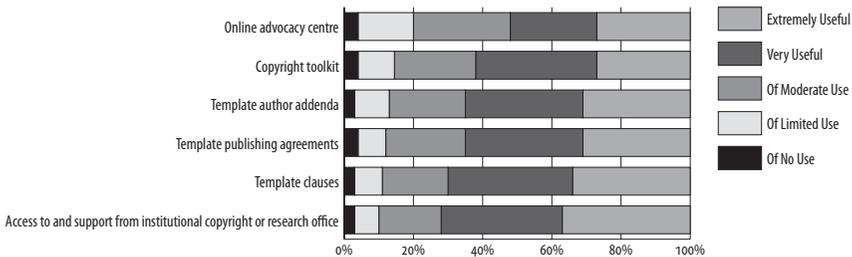
Different approaches and strategies will be needed to promote open access to different author groups.¹⁰⁷

Ultimately, authors want active support from institutions regarding copyright issues,¹⁰⁸ as well as template clauses, publishing agreements, and addenda¹⁰⁹ (see Figure 7). Figure 8 shows that authors particularly wanted guidelines from their institutions which would instruct them on how to deposit work into repositories.¹¹⁰ This could take the form of a practical guide for authors that would explain how to

- make informed decisions on depositing and publishing, and how to negotiate copyright with publishers; and
- identify assignments, exclusive licences, and non-exclusive licences in publishing agreements, and how ownership rights and their effect on retaining open access publication rights are dealt with in these various agreements.

Such a guide would also contain an author-friendly publishing agreement or author-friendly addenda that would license an author's work to publishers on a non-exclusive basis, without assigning ownership, and retain rights to deposit and disseminate the work for open access.

Figure 7: Relative Strategies to Assist in the Management of Copyright of Work¹¹¹



107 As demonstrated by the differences between junior and senior authors, arts and sciences authors, and university and non-university authors.

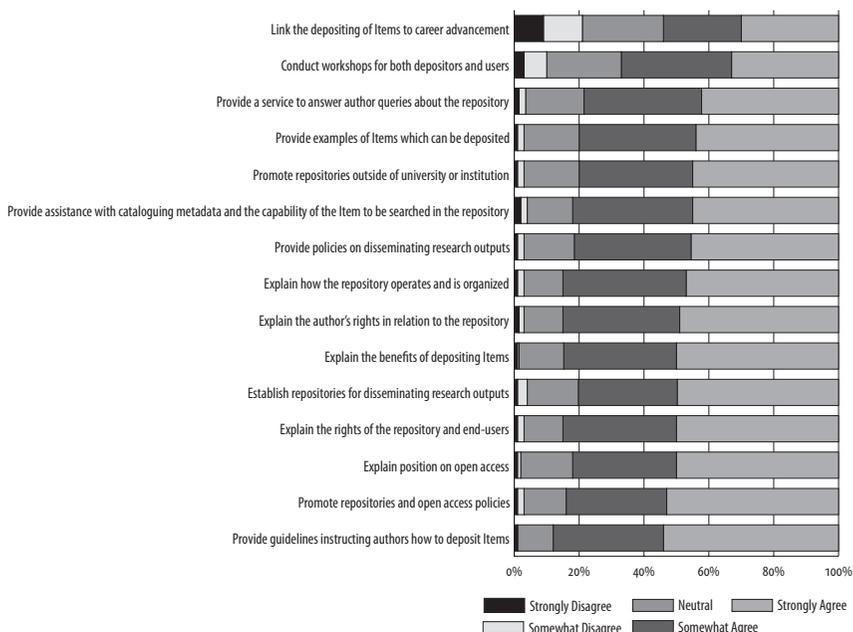
108 Seventy-two percent regarded this as “very” to “extremely” useful. See Figure 18 “Relative Strategies to Assist in the Management of Copyright of Items,” *ibid.* at 44.

109 Sixty-five to seventy percent regard these as “very” to “extremely” useful.

110 Eighty-eight percent “somewhat agreed” or “strongly agreed” with this statement. *Ibid.* at 68, Figure 27, “University or Institutional Mechanisms to Improve Participation in Depositing Items in Institutional or Other Repositories.”

111 *Ibid.* at 44, Figure 18 “Relative Strategies to Assist in the Management of Copyright of Items.”

Figure 8: University or Institutional Mechanisms to Improve Participation in Depositing Work in Institutional or Other Repositories¹¹²



I. CONCLUSION

Whilst there is a growing trend for universities to introduce mandatory depositing into repositories in an effort to promote open access, they should also consider how such policies will be reconciled with academic authors' concerns regarding open access publishing. Will such mandates generate compliance or will they serve to prejudice the benefits of open access in the eyes of academic authors?

The survey has demonstrated that a majority of authors understand the value of open access and are willing to support it, but it also shows that there is a need to ensure that mechanisms are put in place that engage authors about open access and give them reassurance that they will not be disadvantaged by depositing or publishing in open access repositories or journals.

It is submitted that these concerns are not something that can be resolved themselves by mandates. The survey participants have told us what

¹¹² *Ibid.* at 68, Figure 27 "University or Institutional Mechanisms to Improve Participation in Depositing Items in Institutional or other Repositories."

they want: the provision of education, support, and resources. Institutions, open access publishers, and funding bodies should take these requests into account when adopting policies to address open access publishing.

These suggestions are just small additions to the promising work that is already being done by the many dedicated universities, institutions, repositories, open access journals, funders, and other organizations that seek to promote the principles and benefits of open access.