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Evolving Issues in Scholarly Communication

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We're going to talk about…

▸ What are the issues? What is scholarly communication?

▸ Where these issues evolve, devolve, and stagnate

▸ What is scholarly communication, again

Some Perspective

The single biggest problem in communication is the illusion that it has taken place.

— George Bernard Shaw

Scholarly Communication: What is it?
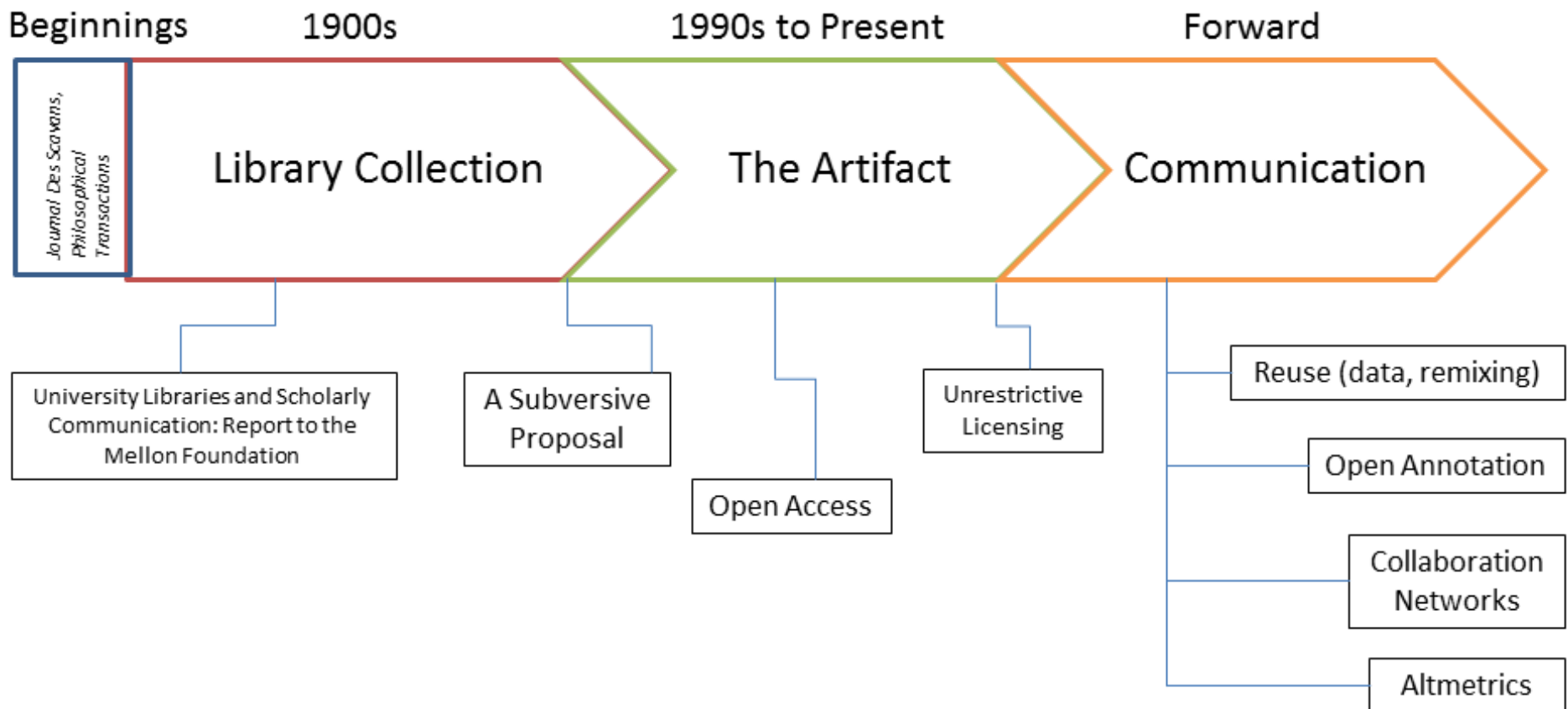
(Brief) History of SC Issues

- What, historically, has been an issue for libraries, scholars, and researchers?
  - Serials Prices
  - Transition from print to electronic
  - Copyright practices as a result of this transition
  - Poor relationships with Vendors
  - Access, Distribution, and readership

History of SC Issues, cont...

▸ What current issues do these populations face?
  ◦ Serials Prices
  ◦ Transition from print to electronic
  ◦ Copyright practices as a result of this transition
  ◦ Poor relationships with Vendors
  ◦ Access, distribution, and readership

▸ Really, it boils down to rights

Persisting Issues in SC?

- Why do these issues persist?

  1. Long-standing business models
  2. Long-standing Tenure and Promotion processes
  3. Let's face it, academics are conservative!!
  4. Apathy

Evolution

- Reconceived "Openness"

- Public Access Mandates
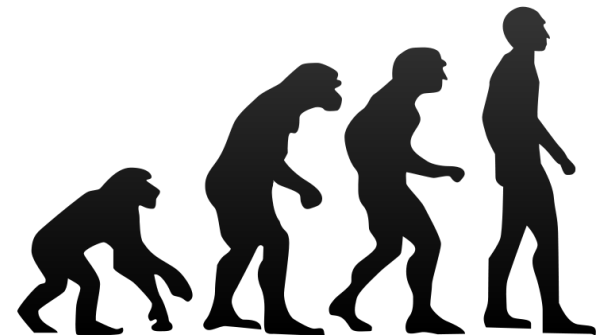
Open Data

- Characteristics:
  - Data is publicly available, downloadable and machine-readable
  - Reusable and modifiable by anyone

- Benefits:
  - Increases understanding of research
  - Allows for validation and replication of findings
    - Systematic Reviews and Meta-Analyses

- Examples:
  - All PLOS journals require data sets be made open
    - required where lawful and ethical
  - Nature & Science journals
  - Federal agencies – more on this later…

PLOS

Open Educational Resources

- Teaching, learning, and research resources that can be used and repurposed by others
    - Includes textbooks, lesson plans, videos, exams, labs, and even full courses

- Typically licensed under Creative Commons licenses or other open licenses

- OERs often created for and/or used in MOOCs

- Finding OER resources: MERLOT, OpenStax CNX, OER Commons

Open Monographs

- Many institutions, funders and UPs are collaborating on OA monographs and texts

- Emerging business models
    - Ex. Univ. of California Open Press Luminos program
        - Cost sharing model where author must secure funding for half the publication fee (~$7,500)
        - Publishing process is the same as with traditional monographs

- Universities creating their own textbooks
    - Univ. of North Georgia history textbook
    - Univ. of Utah nursing textbook (Wimmer, Morrow & Weber, 2014)
        - Librarians assisted with the process, including research and lit. searching, publishing online

Wimmer, E. N., Morrow, A., & Weber, A. (2014). Collaboration in eTextbook Publishing: A Case Study. *Collaborative Librarianship*, *6*(2), 82–86.

Open Peer-Review

- ## PubMed Commons
  - ◦ Social site that allows comments on any article in PubMed

- ## PubPeer
  - ◦ Online journal club that allows users to comment on almost any published scientific article

- ## Publons
  - ◦ "Get credit for peer review"

- ## F1000 Research
  - ◦ Immediate open-access publication with post-publication peer-review

Public Access Updates

- Feb. 2013: White House OSTP memorandum directed all federal agencies with over $100 million in R&D expenditures to develop a plan to make research freely available to the public
  - Also asked agencies to improve access to research data

- 2 years later....
  - HHS, DoD, DoE, NASA, NSF, and USDA have announced public access policies and data sharing policies

Health & Human Services

- NIH has had a Public Access Policy since 2008

- CDC, FDA, AHRQ, & ASPR released policies in Feb. 2015
  - Public Access
    - Will use PubMed Central as the repository
    - Maximum 12-month embargo

  - Data Sharing
    - HHS will develop an Enterprise Data Inventory to serve as the internal data catalog, healthdata.gov will be the public platform
    - Need to develop standards for data management and data sharing

  - Effective date is "no later than the end of calendar year 2015"

National Science Foundation

- Public Access
  - Repository will be DoE PAGES
  - Requirement applies to peer-reviewed journal articles and juried conference papers

- Data
  - NSF has required Data Management Plans since 2011
  - Data must be publicly available in an "appropriate repository" as designated in the DMP

- Mandatory starting in January 2016
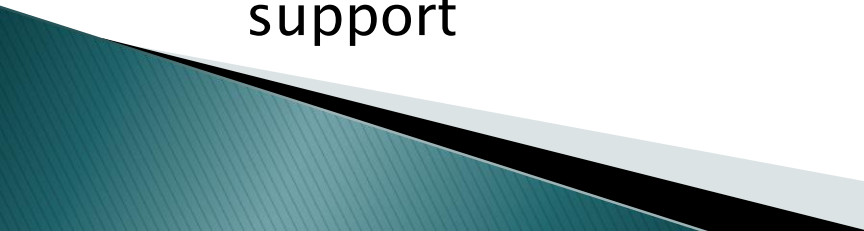
Other Agencies

- Various repositories for articles
  - NASA – PubMed Central
  - USDA – PubAg
  - DoE – PAGES
  - DoD – Defense Technical Information Center (DTIC)

- Most taking a phased approach to data requirements
  - All will require proposals to include Data Management Plans

- Effective dates start around Oct. 2015

FASTR

- Fair Access to Science and Technology Research Act (FASTR) was re-introduced in Congress on March 18, 2015

- Act would mandate public access to federally funded research
  - Same provisions as the OSTP memorandum

- FASTR also calls for long-term preservation of manuscripts

The Downside?

- Every agency has its own policy
  - Researchers with grants from multiple agencies need to comply with multiple requirements
  - Agencies seem committed to harmonizing the policies

- How to store and preserve data
  - Some researchers have LOTS of data

- Researchers need to be trained to manage their data
  - Agencies need to develop guidelines and provide support

Devolution

- Open Access

- Copyright
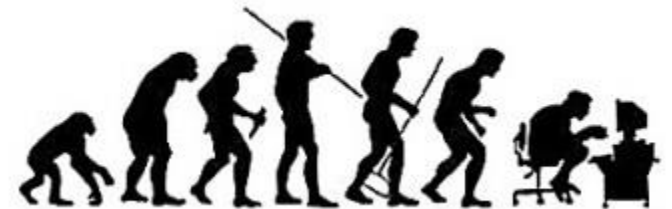
Open Access

▸ Publishers have adapted to OA

▸ OA has been assimilated into business models

▸ Enter "the cascade model"
  ◦ each vendor competes to collect more and more manuscripts

▸ APC Fatigue

Digital Millennium Copyright Act (DMCA)

- Criminalizes "circumvention" of DRM
  - Including whether or NOT copyright is actually infringed
- Allegations of abuse of takedown notices
- Effects on Research
  - Essentially criminalizes cryptographic research
  - Threats issued to researchers

- How might this affect archival copies of e-content?

Trans-Pacific Partnership

▸ A secretive, corporate-authored trade deal
▸ IP chapter would:
- ◦ Entrench controversial IP laws in the US (DMCA)
- ◦ Expand copyright terms (life +70)
- ◦ Introduces language that limits the extent of fair use
- ◦ Adopt criminal sanctions for non-commercial infringement

▸ Can you imagine how this relates to e-content delivery?

▸ How about reuse rights for non-profit educational purposes?

Stagnation

- Copyright

- Institutional Repositories

Cambridge University Press, et al. V. Patton et al.

- "The Georgia State Case"
  - Conglomeration of Publishers suing GSU for "Systemic, widespread and unauthorized copying and distribution of a vast amount of copyrighted works" through library e-reserve system
  - A test of library fair use of the materials it buys and subscribes to
  - First ruling: May 2012 – ruled in favor of defendant
    - Found that almost ALL cases of alleged infringement were fair use
    - In fact, Plaintiffs could not show they owned the rights to a sizable portion of the works under investigation!!!!
  - Plaintiffs file appeal

Appeals Court

- Remanded back to district court as of Oct 2014
- Decision is interesting, and better than it sounds…
  - Held that quantitative test of fair use isn't good
    - i.e. 10%, or 1 chapter in ten
    - Effectively killed the 1976 classroom guidelines for copyright
  - Held that a case by case basis is needed
- Plaintiff motion to reopen record
  - They want to see if they can scrounge up more cases of "infringement"

What's the end game?

- ## According to Kevin Smith from SC@duke
  - ◦ Big picture, clean-cut definition of fair use (e.g. 10%...)
  - ◦ Non-profit educational use does not always favor fair use
  - ◦ GSU Library is a "course pack" creator
  - ◦ Clear statement the 1976 classroom guidelines were the maximum limit on fair use, rather than a minimum set of recommendations
  - ◦ Any 'unlicensed use' constitutes an economic loss
    - How? When libraries license at the institutional level?

- ## Oh, and guess who's the plaintiff's main financial backer??

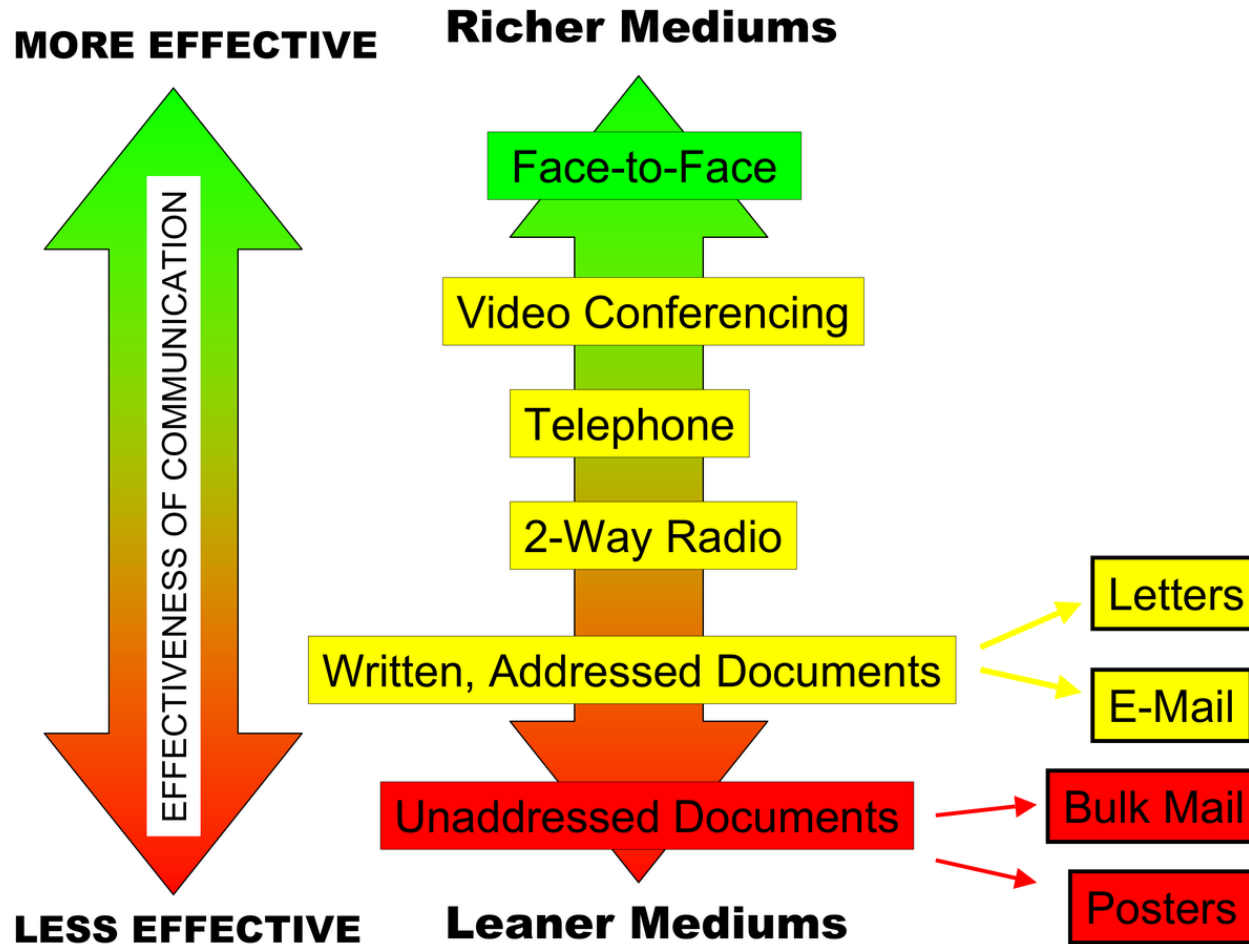- ## Oh, and guess what type of model plaintiffs want in place??
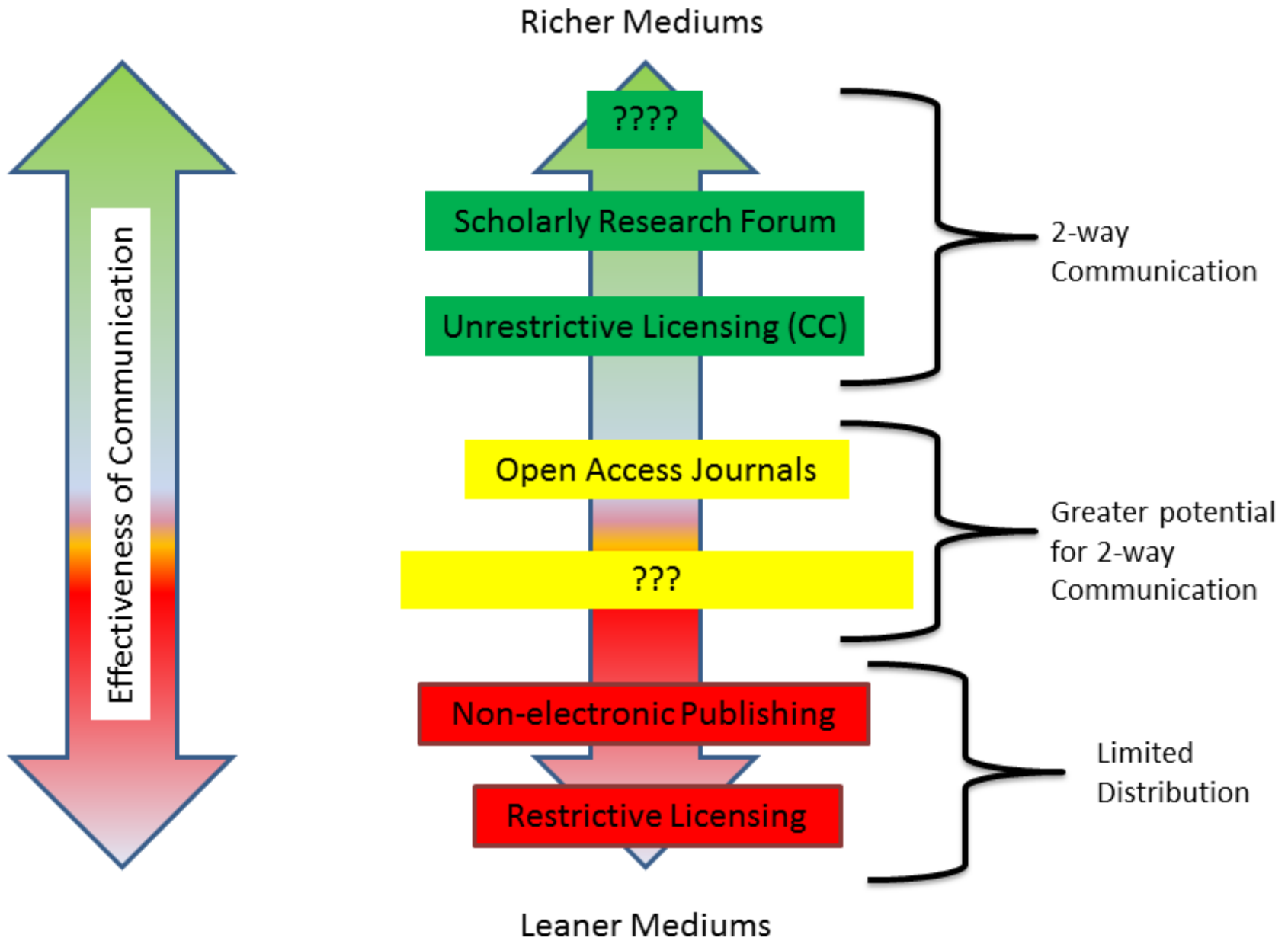
Institutional Repositories

- Same old story...
  - Poor rate of adoption by authors
  - No higher up institutional buy in (with the exception of institutions with mandates, e.g. UC)

- Haven't disrupted anything
  - Elsevier's preprint policy states that it is **<u>fine</u>** to archive a preprint **<u>unless there is a mandate requiring deposition</u>**
  - Where there is no carrot, sure, where there is a stick, no

- That being said...

What is Scholarly Communication, again…

▸ As the way digital scholarship is performed, valued and validated, how do we re-conceptualize "what counts" as scholarly communication?

▸ Are papers written to be read? Or just to be written?
  ◦ Scholarship, or *scholarly communication?*
  ◦ Are all mediums created equal?

Information Richness Theory

MORE EFFECTIVE

Richer Mediums

EFFECTIVENESS OF COMMUNICATION

LESS EFFECTIVE

Leaner Mediums

Face-to-Face

Video Conferencing

Telephone

2-Way Radio

Written, Addressed Documents → Letters

→ E-Mail

Unaddressed Documents → Bulk Mail

→ Posters

Retrospective

*Tell me and I'll forget.
Show me and I might remember.
Involve me and I will understand.*

–Benjamin Franklin

A Lovely Example…

- http://www.michaeleisen.org/blog/?p=1500

Discussion