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5-10-2018

An Ethical Framework for Library Publishing: Version 0.5 (Draft for Comment)

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An Ethical Framework for Library Publishing

Version 0.5 (Draft for Comment)

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Citation

Library Publishing Coalition Ethical Framework Task Force. (2018) *An Ethical Framework
for Library Publishing, Version 1.0*. San Francisco, CA: Educopia.

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Introduction to the Framework

Background

At the Library Publishing Coalition (LPC) Membership Meeting at the [2017 Library Publishing Forum](#) in Baltimore, Maryland, the community discussed how the LPC can respond to the current political climate.

The discussion was wide-ranging, but kept coming back to the importance of library values and our responsibility as library publishers to center our publishing practice around them. A number of those present offered to devise a way for the conversation to continue beyond the Forum. That group included Marilyn Billings, Jason Boczar, Rebel Cummings-Sauls, Harrison W. Inefuku, Joshua Neds-Fox, Matt Ruen, Emily Stenberg, and Monica Westin, who proposed a task force to tackle the issues raised. This task force was charged with creating an *Ethical Framework for Library Publishing*.

From July of 2017 to June of 2018, the task force members (listed on the title page as authors of this document) identified the topics to be covered in the framework, and then worked in subgroups to review the literature on those topics and identify existing resources of particular relevance to the community of library publishers. The subgroups then drafted the sections you see in this document. Throughout this process, they worked iteratively to devise a structure and format for the framework—a challenging task, and one for which there were many inspirations, but no clear models. In the end, they decided that the most effective structure for the document would break each section into an **introduction**, a **scope statement**, a **review of existing resources**, and a **set of recommendations** for library publishers. Some sections also include a note about **new resources that are needed** and/or **further readings** on the topic.

Context: library publishing and ethics

Academic libraries have entered the publishing space due to changes in ways of disseminating information and in response to faculty members' desire to control their own publishing destiny. This work has been enabled by the emergence of open source or low-cost technologies for publishing, but the motivations for it are broad and deep—for example, library publishers are also deeply engaged with emerging forms of scholarship (and emerging disciplines) that do not yet have a voice within the traditional publishing environment. These motivations often include a desire for increased openness and sustainability in the scholarly communication landscape.

Unlike commercial publishers and traditional presses, the work of library publishers is largely funded through existing library budgets without a profit motive. The goal is instead to increase the impact of scholarship created by faculty and students affiliated with an institution and to disseminate that scholarship as broadly as possible, by emphasizing open access as a means of distribution. Because these publishing activities for academic libraries are a relatively recent endeavor, education and training for librarians as publishers is not

fully established and thus one of the objectives for preparing this guide. Publishing as a role for librarians is increasing in importance for all academic libraries and is not limited to just research libraries, but also includes community colleges and four-year undergraduate institutions. Library publishers are also uniquely positioned to look beyond traditional prestige publishing priorities to partner with faculty, students, and organizations in order provide services such as data preservation and engage in publishing as pedagogy.

As relative newcomers to the world of publishing, libraries are able to draw on a wealth of resources and expertise developed by more established players. To avoid reinventing the wheel, this document is structured primarily around existing resources. The framework pulls together existing publishing codes of ethics (many of which are included in the Publishing Practice section), along with resources from librarianship and other related fields, and contextualizes them for library publishers. The recommendations in each section attempt to distill a wealth of knowledge and guidance into a small set of actionable steps meant to answer the question, “But how do I get started?” They are by no means the only steps to be taken in these areas, but they may help library publishers begin to incorporate these important ethical considerations into their work.

Future plans for the framework

From the beginning of this project, the taskforce designed *An Ethical Framework for Library Publishing* to be an iterative document, more formal than a wiki but less so than a monograph or white paper. The founding group of authors worked on the framework with an understanding that every topic could not be covered, especially with a goal to create a document in less than a year. This framework was always envisioned as a starting place.

In light of an iterative approach, we have decided to call this version 1 from the outset. The definitive version of *An Ethical Framework for Library Publishing* will always be the most current version. Versioning the document will also help make visible the historical transition. Version 2, the taskforce hopes, can be started by a new group of library publishing professionals with new views and ideas. In this way, we hope, *An Ethical Framework for Library Publishing* will never be a static, antiquated document created only from the viewpoint of a small group of people. It can, and should, be a community project.

Topic: Publishing Practice

Introduction

Publishing practice encompasses the range of practical and intellectual activities that publishers undertake in order to develop, produce, and distribute scholarly work. It is informally governed by industry and disciplinary norms, and by agreements developed over time about what best guarantees the authority, integrity, and utility of scholarship. Commercial publishers and academic presses have long recognized the need for common guidance on ethical practice, and infrastructure has grown around this need, notably the Committee on Publication Ethics (COPE). Library publishers, too, must be fully engaged in the ongoing development of and adherence to ethical publishing practice, and as relatively new entrants to the field, should be aware of its established ethics.

Scope

Publishing practice as a domain could arguably include all of the topics covered in this framework. This section will, with some exceptions, constrain itself to activities directly related to the development and production of scholarly work. Library publishing and traditional scholarly publishing share many if not most of these activities in common, and the pertinent ethics will apply. Where this is not the case, this section will attempt to delineate the unique aspects of these areas for library publishers. It is important for library publishers to establish clear documentation that outlines standards for ethical publishing practices in each of the areas detailed in this section (omitting the section on Best Practice Guidelines), in order to establish transparency, repeatability, integrity, and trust in the process and the outcomes.

Resources

This section introduces relevant resources on the topic, and provides context and guidance that will help library publishers to use them effectively.

Authorship

While authorship is not itself a publishing practice, publishers do have ethical responsibilities to their authors that impact their practices. COPE lists “Authorship and Contributorship” as one of its ten core practices, and consolidates its best practice guidance in this area to the following, which should easily pertain to library publishing as well: “Clear policies (that allow for transparency around who contributed to the work and in what capacity) should be in place for requirements for authorship and contributorship as well as processes for managing potential disputes.”

Publishers are ultimately responsible for ethical practice both toward and by the authors they publish or consider publishing. Guidance around these practices is critical to protect

the interests of both parties, including who should receive credit for authorship and why; what responsibilities co-authors have to each other, to the publisher, and to the integrity of the material; and how disputes and edge cases will be handled. These, and a range of other practical cases in publisher policy, are covered in the COPE node for *Authorship and Contributorship*. Awareness of these types of practical problems will help library publishers develop sound ethical policy in this area. Publishers can also extend their practice by directing authors to their disciplinary bodies—professional or academic societies governing the author’s discipline which will have their own ethical standards regarding, for instance, plagiarism and authorial credit.

Publishers in STEM fields should be aware of governmental and disciplinary requirements around conflicts of interest, and provide a mechanism to ensure that authors are fully transparent about their association with potentially conflicting interests. Library publishers can also incorporate tools such as ORCID for author disambiguation at the point of publication.

Library publishers often forego certain traditional services to authors in favor of lightweight workflows (Lippincott, 2017, *Further Reading*). Where this is the case, it could indicate the need for a more robust practice of expectation-setting by the publisher for its authors, to ensure that authors considering a relationship with the publisher are fully aware of the extent and limit of the publisher’s services. When library publishers explicitly value open access, their communication and advice toward authors may move beyond the strictly contractual into an elucidation of and advocacy for the author’s rights in their work. This is one area where library publishing could develop an ethic of author relationship that goes beyond the traditional.

- **Authors Alliance.** (n.d.) Retrieved from <https://www.authorsalliance.org/>

The *Authors Alliance* represents the interests of authors “who write to be read,” which describes the class of authors likely to be published by libraries. Library publishers just entering the field have the opportunity to privilege authorial interests over restrictive copyright, contract, and future rights requirements. The resources at the *Authors Alliance* site constitute a survey of the kinds of issues and rights important to its represented authors, especially concerning dissemination and public access. Publishers considering ethical best practice toward authors should familiarize themselves with these issues.

- Coalition on Publication Ethics. (2017). ***Authorship and contributorship***. Retrieved from <https://publicationethics.org/authorship>

See the narrative for this section for guidance on the significance and use of this node. The resources available at this URL can help provide further guidance and context in this area.

- International Committee of Medical Journal Editors. (n.d.). ***Defining the Role of Authors and Contributors and Author Responsibilities—Conflicts of Interest***.

Retrieved from

<http://www.icmje.org/recommendations/browse/roles-and-responsibilities/>

These statements provide guidance around conflict of interest practices in the sciences, and so will be helpful to publishers acting in those fields.

- **ORCID.** (n.d.). Bethesda, MD: ORCID, Inc. Retrieved from <https://orcid.org>

Disambiguation of authors in an increasingly crowded information space is important, both so that authors can easily receive credit for their publications in promotion and tenure considerations, and when tracking citations of an individual author's works. Commercial publishers are increasingly using ORCID for disambiguation of authors, and library publishers should consider adopting it or another author identification system at the point of publication. ORCID supports an author-friendly ethic, because the author controls how much information, if any, can be seen in their ORCID profile.

Best Practice Guidelines / Codes of Conduct

Publishers often enact their ethics by establishing or adopting codes of conduct (sometimes interchangeably called best practice guidelines or core practices), which define the boundaries of ethical practice for a publisher or a coalition of publishers. The resources below represent best practice/code of conduct statements/frameworks, adopted widely, that apply in most cases to the practices of library publishers.

In 2006, the Coalition on Publication Ethics distilled their *Code of conduct*, governing the ethical practice of a membership of over 350 publishers, into *Best practice guidelines*, meant to be a gold standard of aspirational ethics for publishing and an extension of the *Code*. Together, they comprised a fundamental agreed-upon baseline for ethics in publishing. These documents, while still widely available, were superseded in 2017 by the new *Core practices*, which directly and succinctly detail the standards to which publishers should adhere in order to “preserve and promote the integrity of the scholarly record.”

The ten nodes of the *Core practices* themselves constitute a general framework—perhaps *the* general framework—for ethical academic publishing practice, and apply to many of the elements covered in this section, including Authorship, Copyright, and Peer Review. Library publishers should familiarize themselves with each of the expectations laid out in this framework, especially as they seek to establish and legitimize nascent publishing operations.

- American Library Association Committee on Professional Ethics. (2008). ***Professional ethics: Code of ethics***. Washington, D.C.: American Library Association. Retrieved from <http://www.ala.org/tools/ethics>

The American Library Association adopts a *Code of Ethics* which, though not directed at publishing, nevertheless establishes “a framework for dealing with situations involving ethical conflicts” in libraries (ALACOPE, 2008, *Best Practice Resources*). Given that library publishing activities are situated in the library, this

framework can serve as a canopy under which the ethics of publishing should reside. Where and if they conflict, libraries will need to make reasoned choices about how the values of the library profession inform the practice of library publishing.

- Coalition on Publication Ethics. (2017). **Core practices**. Retrieved from <https://publicationethics.org/core-practices>

The COPE Core Practices comprise the fundamental ethical document informing publishing. See the narrative for this section for guidance on the significance and use of this resource. The extensive resources available at this URL can help provide further guidance and context for ethical practices in publishing.

- Directory of Open Access Journals. (n.d.). **Information for publishers, Sec. 2: Publishing best practice and basic standards for inclusion**. Retrieved from <https://doaj.org/publishers>

The DOAJ's *Information for publishers*, and especially the section on 'Publishing best practice and basic standards for inclusion,' represent an accessible distillation of practical steps that a library journal publisher can take to ensure a high standard of ethical responsibility. These standards for inclusion can serve as a checklist of actions that will, if followed, ensure that library publishers are meeting many of the ethical requirements in the other codes listed here. In turn, meeting these standards ensures that open access journals published by the library can be listed in the DOAJ, which implies legitimacy of publishing practice in this space.

- Open Access Scholarly Publishers Association. (n.d.). **Code of conduct**. Retrieved from <https://oaspa.org/membership/code-of-conduct/>
- Open Access Scholarly Publishers Association. (n.d.). **Membership criteria**. Retrieved from <https://oaspa.org/membership/membership-criteria/>

OASPA's *Membership criteria* forms the heart of its *Code of conduct*. Because membership in OASPA is intended to represent the integrity of the publisher, and signal to potential audiences that the publisher is trustworthy and not likely to engage in disingenuous or predatory practice, library publishers can benefit from adoption of these criteria regardless of their position towards membership in OASPA or towards open access publishing in general. COPE, the Directory of Open Access Journals and the World Association of Medical Editors each consulted on the creation of the *Criteria*, "in an effort to identify principles of transparency and best practice."

Confidentiality/Privacy

Aspects of privacy in the dissemination of scholarship and the tracking of access data are addressed elsewhere in this framework (see Privacy and Analytics), but publishing practice has implications for privacy in editorial processes and the preparation of materials. Publishers have responsibilities for the privacy concerns of an array of participants in the

processes leading up to publication. Workflow choices, such as blind peer review, will require privacy protections for reviewers and authors. Editors and other decision makers require policies that set boundaries for their privacy, balanced against the necessity of their availability to authors and readers. Library publishers should establish clear policies and mechanisms to protect the privacy of key stakeholders in the publishing and peer review processes, including but not limited to research participants, authors, and peer reviewers.

As the section on Privacy and Analytics highlights, privacy is a fundamental pillar of traditional library ethics, usually centered around patron privacy and defense of patron data against unwarranted search and seizure. This value has implications for library publishers, who will also retain personal data about their stakeholders, with connections to the intellectual activities of those parties. The American Library Association distinguishes between privacy, the right to pursue inquiry without oversight, and confidentiality, which involves trusting a second party to gather and keep personally identifiable information without revealing it to a third party. Library publishers will need to consider how to implement the values of the profession in the publishing space.

In an increasingly networked environment, where more and more kinds of data can be shared more easily than in the past, stakeholders are beginning to appreciate the importance of data privacy, especially as high-profile lapses in data security proliferate. European legislation is less forgiving than North America regarding carelessness with personally identifiable data (see the European Union General Data Protection Regulation, covered in more detail in the section on Privacy and Analytics), even as governmental assumptions about and requirements toward open sharing of data are making scholarly research data more available in the publication process. COPE primarily frames its privacy concerns in this area, explicitly addressing questions of consent and confidentiality, and lists resources around the challenges and ethics of data sharing in its Data and Reproducibility node. Library publishers may face a steep curve in ensuring that the data that accompanies scholarly publication is processed in a way that protects the confidentiality of authors and subjects alike.

- American Library Association. (2014). ***Privacy: an interpretation of the library bill of rights***. Washington, D.C.: American Library Association. Retrieved from <http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy>
- American Library Association Intellectual Freedom Committee. (2014). ***Questions and answers on privacy and confidentiality***. Washington, D.C.: American Library Association. Retrieved from <http://www.ala.org/advocacy/privacy/FAQ>

These documents detail the library profession's understanding of privacy and confidentiality in the context of its own professional ethic. They may help library publishers synthesize the ethics of privacy from both the library and the publishing spheres.

- Coalition on Publication Ethics. (2017). ***Data and reproducibility***. Retrieved from <https://publicationethics.org/data>

See the narrative for this section for guidance on the significance and use of this node. The resources available at this URL can help provide further guidance and context in this area.

Contracts, Licenses, Copyright and Fair Use

COPEs salient language on contracts is contained in its *Intellectual Property* node, and reads, “All policies on intellectual property, including copyright and publishing licenses, should be clearly described. In addition, any costs associated with publishing should be obvious to authors and readers.” This is echoed in the American Association of University Professors’ longstanding statement on copyright, “It is...useful for the respective rights of individual faculty members and the institution—concerning ownership, control, use, and compensation—to be negotiated in advance and reduced to a written agreement” (AAUP, 1999, *Further Reading*). This is in the context of complications of intellectual property rights between a University and an individual faculty member, which has particular bearing on library publishers, who are essentially arms of the University and subject to some of the same complications. In the library publishing domain, that written agreement is a contract, the document that governs the arrangement between the author and the publisher.

The purpose of a publishing contract or agreement is to clearly articulate the rights and responsibilities of both the publisher and party to be published. Examples might include agreements between the author and the publisher, between the publisher and a third party regarding a journal, or between a publisher and a third party service provider. In determining the details of a contract, library publishers should consider: the costs and services the library offers or expects; expectations around copyright and licensing terms; responsibility for securing, recording and managing permissions for inclusion of third party materials; transfers of medium, or transfers of platform; and provisions for reversion of rights or other post-publication claims.

Academic libraries have long had concerns about commercial publisher practices relating to authors’ retention of rights. Library publishing has arisen in part to address the unfair and unsustainable patterns of author rights restrictions imposed by these publishers. The journal publishing example proceeds along these lines: faculty engage in research; write articles about that research; submit those articles to a publisher; and in so doing, often relinquish control of their rights, leaving the question of who has access to their work and on what terms solely in the hands of these publishers. This situation necessitates that libraries buy back, often at substantial cost, the research outcomes produced by scholars at their own institutions. With slight differences, this pertains in the case of monographs as well. The transfer of exclusive copyright to the publisher also enables a host of ethically questionable publishing practices: works originally published in a journal may be redistributed in new collections without the author’s knowledge; authors have little say in the republication of backlist monograph titles or the distribution of low-cost versions of titles released only in hardcover.

It is important to acknowledge that the established commercial publishing profession (with some exceptions) advocates for strong copyright protections, as exemplified in the

Association of American Publishers statement on modernizing copyright. But in truth the basic permissions scenario in copyright is relatively simple: the rightsholder authorizes publication. The author either retains rights and licenses those necessary to authorize publication to the publisher, or transfers those same rights to the publisher (in writing). Nothing in this arrangement prohibits either revenue, publication, or open reuse. Open access publication is possible under either scenario, and library publishers who seek to support author ownership should consider exactly which rights they (the publishers) absolutely need. When working with authors, it is important to be clear about the options that are available to them to retain their own copyright. At the same time, it is critical to explain the non-exclusive rights libraries need in order to have permission to publish.

Creative Commons licenses are widely used to implement open access publishing, because they enjoy a robust legal infrastructure and confer broad reuse rights to the public, meeting the full requirements of the Budapest Open Access Initiative. They represent one implementation of the open license, but aren't obligatory to effect open access—a license reserving copyright to the author but giving the publisher the necessary permissions to publish can be negotiated outside the Creative Commons framework as well. Library publishers interested in open access models should determine their license policy in advance in order to provide the greatest transparency to authors.

The use of copyright-protected materials that are not original works by the author may require obtaining reuse permissions. The contract should clearly identify who obtains permission and who pays for permissions if costs are involved. It is common practice in the publishing profession to limit legal risk by seeking written permission for all non-original inclusions in newly published work. However, if the use is for the purposes of commentary, or if the argument can be made that the use of the work is transformative, then library publishers have an opportunity to rely on the provisions of fair use in the copyright code. Brandon Butler at the University of Virginia simplifies advice on fair use to “Use fairly; not too much; have reasons” (Butler, 2016, *Further Reading*). There are numerous resources for determining fair use: Stanford has a short and simple guide, and courts have indicated a deference to domain-specific best practices when making a fair use judgement (the Association of Research Libraries has its own Code in this area).

It should be noted that copyright and its implications constitute both a legal domain (these guidelines do not represent legal advice and the author(s) are not lawyers), and is worthy of an ethical framework of its own. The problems and decisions necessary in navigating ethical contract and copyright practice are various, thorny, and rest on an array of values and assumptions. Library publishers should determine which values and assumptions they themselves hold before enacting a policy approach to copyright and fair use.

- Center for Media and Social Impact. (n.d.). ***Codes of best practices (in fair use)***. Washington, D.C.: Center for Media and Social Impact. Retrieved from <http://cmsimpact.org/codes-of-best-practices/>

In case law decisions, courts have indicated a deference to domain-specific best practices when making a fair use judgement. The collected codes at this site can help contextualize fair use decisions for publishers seeking to exercise this right.

- Coalition on Publication Ethics. (2017). **Intellectual property**. Retrieved from <https://publicationethics.org/intellectualproperty>

See the narrative for this section for guidance on the significance and use of this node. The resources available at this URL can help provide further guidance and context in this area.

- Creative Commons. (n.d.). **Licensing considerations**. Mountain View, CA: Creative Commons. Retrieved from <https://creativecommons.org/share-your-work/licensing-considerations/>

The Creative Commons licenses are widely represented in open access publishing practice; familiarity with the licenses is recommended.

- **Model publishing contract for digital scholarship**. (n.d.). Retrieved from <https://www.modelpublishingcontract.org/>

A Mellon-funded collaboration between Emory University and the University of Michigan, the Model Publishing Contract for Digital Scholarship seeks to ease the development time required to establish contracts for new types of long-form digital scholarship.

- Stanford University Libraries. (n.d.). **Copyright and fair use**. Retrieved from <https://fairuse.stanford.edu>

Stanford Libraries' resource site on copyright and fair use is succinct where necessary but with enough supplementary material to provide further context for many aspects of the law.

Editorial Standards

The emergence of the contemporary library publishing movement puts libraries squarely in a mature field, with a consistent, rigorous editorial practice already well-developed and universally valued. An organization earns its reputation through implementation of editorial standards; such standards enable publishers to identify spurious or false work, or work that is not ready for publication, and provide a pathway toward developing promising work into something worth publishing. Libraries seeking to operate as legitimate publishers can best demonstrate that intention with high-quality editorial work. This is especially important for libraries new to the publishing field as library values, which promote broad collection development and an aversion to censorship, could be misapplied in the editorial realm as a form of noncritical practice. Where libraries decide to undertake editorial work, standards serve as a roadmap for learning and implementing practice. Where libraries decide not to provide traditional editorial services directly, a familiarity

with editorial standards will help them to evaluate third party alternatives, or at the very least to make informed choices about the quality of materials they do publish.

- ***Chicago Manual of Style*** (17th ed.). (2017). Chicago, IL: University of Chicago Press.

In addition to mechanical guidelines for consistent form, the *Chicago Manual of Style* “strives to codify the best practices of an institution and an industry” (p. xv). As a baseline, it covers in detail the elements of manuscript preparation, editing and proofreading, and can inform a consistent ethical approach to editorial practice. Even for publications that don’t use Chicago for citation style, it has invaluable advice about publishing standards and practices. Familiarity with the *Manual* (or a similar publication manual such as the *MLA Handbook* or the *Publication Manual of the APA*), can help library publishing programs make informed decisions and communicate knowledgeably about which services they will offer to authors, and which they may choose to forego.

- Editors Association of Canada. (2016). ***Professional Editorial Standards 2016***. Toronto, Ontario: Editors Association of Canada. Retrieved from <https://www.editors.ca/publications/professional-editorial-standards-2016>

Trade group Editors Association of Canada provides more of an overview of principles than a comprehensive omnibus in their *Professional Editorial Standards*, but their document gives a good survey of the areas to be cognizant of when planning or implementing editorial services.

Peer Review

Peer review arguably represents the core practice of ethical scholarly communication, requiring that experts in the field evaluate a submitted work as a step in its publication, and library publishers must support processes that enable this practice. This is more complicated than it seems at first glance: the Association of American University Presses Handbook on peer review acknowledges that “the peer review process is highly complex, involves many individuals, and must be responsive to the norms of the appropriate fields” (AAUP Acquisitions Editorial Committee, 2016, *Peer Review Resources*).

Exactly how a publisher supports peer review is itself a matter of judgement; ARL affirms the process but not the procedure: “The system of scholarly publication must continue to include processes for evaluating the quality of scholarly work and every publication should provide the reader with information about evaluation the work has undergone.” (ARL, 2000, *Further Reading*). Single-blind, double-blind, and open peer review are common. It has been nearly a decade since Kathleen Fitzpatrick debuted her spirited defense of post-publication peer-to-peer review, *Planned Obsolescence*, in which she argues for a “community-oriented, gift-economy-driven system” (Fitzpatrick, 2011, *Further Reading*) that favors the processes of scholarly work over the outcomes. The mechanisms developed since then to support this kind of peer review, such as Fitzpatrick’s own Media Commons (<http://mediacommons.futureofthebook.org/>), PubPeer (<https://pubpeer.com>), or F1000

Research (<https://f1000research.com/about>), begin to demonstrate the potential of Fitzpatrick's proposal to address some of the limitations of traditional peer review.

Peer review as it is traditionally conducted features an anonymity that can enable a certain amount of abuse, from bias to simple unkindness. This is compounded by the economic incentives provided by the gold APC-funded model of open access publishing. One result of this perverse economy is the phenomenon of predatory publishers—pseudo for-profit publishing outfits that fake the peer review process—and the (false) perception among scholars that open access publications do not undergo peer review (Ferris & Winkler, 2017, *Further Reading*). Correcting this perception was in large part the impetus for the DOAJ's recent requirement that all journals re-apply for inclusion under its new standards, and the establishment of its Seal of Approval for Open Access Journals (Olijhoek, Mitchell, & Bjørnshauge, 2015, *Further Reading*).

COPE's node on *Peer review processes* enjoins publishers to provide training to editors and reviewers on the peer review process, as an ethical imperative. This may be beyond the capacity or capability of many library publishers, and will require an awareness of outside resources that can serve as proxy training for stakeholders in the peer review process. However library publishers treat this, it remains a fundamental obligation in scholarly publishing to address the practice of peer review thoughtfully and with rigor; even more so in the light of the constant and continuing controversies surrounding the practice.

- Association of American University Presses Acquisitions Editorial Committee. (2016). ***AAUP Handbook: Best practices for peer review***. Washington, D.C.: Association of American University Presses. Retrieved from <http://www.aupresses.org/resources/for-members/handbooks-and-toolkits/peer-review-best-practices>

The *AAUP Handbook* provides a baseline understanding of the types and processes of peer review in the scholarly communication endeavor.

- Coalition on Publication Ethics. (2017). ***Peer review processes***. Retrieved from <https://publicationethics.org/peerreview>

See the narrative for this section for guidance on the significance and use of this node. The resources available at this URL can help provide further guidance and context in this area.

Research Integrity

Library publishers should be aware of relevant research integrity standards and work both to enforce them and to educate partners about their importance. Library publishers must also adhere to the rules, regulations, and guidelines for specific academic disciplines and follow appropriate codes of conduct. As highlighted in the COPE Core practice node on *Ethical Oversight*, editors must have a policy that assures research was approved by the discipline's or institution's appropriate body, and that sets up procedures for suspected misconduct that include knowledge of the discipline's regulatory bodies. The Council of

Science Editors, in its comprehensive *White paper on publication ethics*, covers in detail “Identification of research misconduct and guidelines for action,” and this section includes excellent practical steps to take when research integrity is in question, including how to identify it and what to do afterwards.

- Coalition on Publication Ethics. (2017). *Ethical oversight*. Retrieved from <https://publicationethics.org/oversight>
- Council of Science Editors. (2012). *White paper on publication ethics*. Wheat Ridge, CO: Council of Science Editors. Retrieved from <https://www.councilscienceeditors.org/resource-library/editorial-policies/white-paper-on-publication-ethics/>

See the narrative for this section for guidance on the significance and use of these resources. The many further resources available at the COPE node in particular can help provide further guidance and context in this area.

New Resources Needed

This section highlights gaps in the landscape of ethical publishing resources, and suggests areas where development of new resources could have a significant impact.

Library publishers provide a range of activities and services that overlap with the commercial publishing space to greater or lesser degree, and no single definition of library publishing will suffice to describe the entire class of library publishers. There is space, however, for some work to further define—beyond the first steps in this framework—the ethical considerations that are unique to the combination of the two domains, libraries and publishing. This might include an expanded consideration of issues like privacy, selection, and censorship, informed by the values in, for instance, the American Library Association *Library Bill of Rights* and *Code of Ethics*. In some sense, this framework constitutes an attempt at this definition. Nevertheless, a concise distillation of established publishing ethics statements in the light of these resources could be useful in furthering the library publisher’s understanding of their unique ethical responsibilities.

Library publishers also hold the singular position of being both the dissemination and preservation node in the scholarly communication process. It may be that library publishers have ethical responsibilities toward access that commercial and academic publishers do not. Should libraries, for instance, have an ethical imperative to collect what they publish? Or to publish only what they would collect? To what extent do libraries have an additional (and non-commercial) responsibility to enhance the availability of their publications through bibliographic description, extended metadata, original cataloging, or inclusion in discovery networks? These constitute traditional library practice, but it is possible that they should also constitute publishing practice where libraries are publishers.

Recommendations

The recommendations in this section draw on the resources above to provide provide guidance to library publishers looking for concrete, actionable steps they can take in this

area. They are by no means the only place to start, and they may not be feasible or appropriate in all situations, but they may provide a good a starting point for many libraries.

- Familiarize yourself with publishing practice in author relationships; consider whether and where you might advance a preferential ethic toward authors.
- Evaluate whether your practices align with COPE's ten Core Practices, and have explicit and reasoned justifications for where they diverge.
- Establish clear policy regarding protections of stakeholder privacy and confidentiality, not neglecting data privacy.
- Determine in advance your approach to copyright and access, and communicate clearly to contractual parties. When publishing open access, license only those rights you need. Consider relying on fair use when defensible.
- Strongly consider adopting a consistent standard, or ensure that your editors do, to govern editorial practice for your publications.
- Establish an approach to peer review that fits the context of the scholarship you publish, and be transparent about it to your authors and readers.

Further Reading

This section lists additional resources on this topic that may be of interest to library publishers.

General

Association of Research Libraries. (2000). *Principles for emerging systems of scholarly publishing*. Washington, D.C.: Association of Research Libraries. Retrieved from <http://www.arl.org/storage/documents/publications/tempe-principles-10may10.pdf>

Bonn, M., & Furlough, M. (Eds.). (2015). *Getting the Word Out: Academic Libraries as scholarly publishers*. Chicago IL: American Library Association.

Gilman, I. (2013). *Library scholarly communication programs; legal and ethical considerations*. Oxford, UK: Chandos Publishing.

Lippincott, S. K. (2017). *Library as Publisher: New Models of Scholarly Communication for a New Era*. Ann Arbor: MI: Michigan Publishing. DOI: <http://dx.doi.org/10.3998/mpub.9944345>

Skinner, K., Lippincott, S., Speer, J., & Walters, T. (2014). Library-as-publisher: capacity building for the library publishing subfield. *Journal of Electronic Publishing*, 17(2). DOI: <http://dx.doi.org/10.3998/3336451.0017.207>

Suber, P. (2012). *Open Access*. Cambridge, MA: MIT Press. Retrieved from [https://cyber.harvard.edu/hoap/Open Access \(the book\)](https://cyber.harvard.edu/hoap/Open Access (the book))

Taylor, L. N., Keith, B. W., Dinsmore, C., & Morris-Babb, M. (2017). *SPEC Kit 357: Libraries, presses, and publishing*. Washington, D.C.: Association of Research Libraries. Retrieved from <http://publications.arl.org/Libraries-Presses-Publishing-SPEC-Kit-357/>

Confidentiality / Privacy

American Library Association. (n.d.). *Library bill of rights*. Washington, D.C.: American Library Association. Retrieved from <http://www.ala.org/advocacy/intfreedom/librarybill>

Coalition on Publication Ethics. (2016). *COPE Forum 12 February 2016: Data sharing*. Retrieved from <https://publicationethics.org/resources/discussion-documents/cope-forum-12-february-2016-data-sharing>

International Federation of Library Associations. (2015). *IFLA statement on privacy in the library environment*. Retrieved from <https://www.ifla.org/publications/node/10056>

Intersoft Consulting. (n.d.). *General Data Protection Regulation*. Retrieved from <https://gdpr-info.eu/>

Contracts, Licenses, Copyright and Fair Use

Association of American Publishers. (n.d.). *Modernizing Copyright*. Washington, D.C.: Association of American Publishers. Retrieved from <http://publishers.org/priorities-positions/modernizing-copyright>

Association of American University Professors. (1999). *Statement on copyright*. Washington, D.C.: Association of American University Professors. Retrieved from <https://www.aaup.org/report/statement-copyright>

Association of College and Research Libraries. (2012). *Code of best practices in fair use for academic and research libraries*. Washington, D.C.: Association of College and Research Libraries. Retrieved from <http://www.arl.org/focus-areas/copyright-ip/fair-use/code-of-best-practices>

Authors Guild. (2016.) *Fair contract initiative*. New York, NY: The Authors Guild. Retrieved from <https://www.authorsguild.org/where-we-stand/fair-contracts/>

Budapest Open Access Initiative. (2002). Retrieved from <http://www.budapestopenaccessinitiative.org>

Butler, B. (2016, Feb. 24). *Brandon Butler on fair use*. Retrieved from <https://news.library.virginia.edu/2016/02/24/brandon-butler-on-fair-use/>

Morrison, H., & Desautels, L. (2016). Open access, copyright and licensing: basics for open access publishers. *Journal of Orthopaedic Case Reports*, 6(1), 1-2. doi: [10.13107/jocr.2250-0685.360](https://doi.org/10.13107/jocr.2250-0685.360)

Peer Review

Ferris, L. E., & Winker, M. A. (2017). Ethical issues in publishing in predatory journals. *Biochemia Medica*, 27(2), 279–284. <http://doi.org/10.11613/BM.2017.030>

Fitzpatrick, K. (2011). *Planned obsolescence: Publishing, technology, and the future of the academy*. New York, NY: NYU Press.

Lever Press Editorial Board. (n.d.). *Peer review commitments & guidelines*. Retrieved from <https://www.leverpress.org/peerreview/>

Olijhoek, T., Mitchell, D., & Bjørnshauge, L. (2015). Criteria for open access and publishing. *ScienceOpen Research*, 16 November 2015. DOI: [10.14293/S2199-1006.1.SOR-EDU.AMHUHV.v1](https://doi.org/10.14293/S2199-1006.1.SOR-EDU.AMHUHV.v1)

Smith, R. (2006). Peer review: a flawed process at the heart of science and journals. *Journal of the Royal Society of Medicine*, 99(4), 178-182. doi: [10.1258/jrsm.99.4.178](https://doi.org/10.1258/jrsm.99.4.178)

Research Integrity

Wager, E., & Kleinert, S. (2011). Responsible research publication: international standards for authors. A position statement developed at the 2nd World Conference on Research Integrity, Singapore, July 22-24, 2010. In T. Mayer & N. Steneck (Eds.). *Promoting Research Integrity in a Global Environment*. Singapore: Imperial College Press / World Scientific Publishing. Retrieved from https://publicationethics.org/files/International%20standards_authors_for%20website_11_Nov_2011.pdf

Wager, E., & Kleinert, S. (2011). Responsible research publication: international standards for editors. A position statement developed at the 2nd World Conference on Research Integrity, Singapore, July 22-24, 2010. In T. Mayer & N. Steneck (Eds.). *Promoting Research Integrity in a Global Environment*. Singapore: Imperial College Press / World Scientific Publishing. Retrieved from https://publicationethics.org/files/International%20standard_editors_for%20website_11_Nov_2011.pdf

Topic: Accessibility

Introduction

Providing equitable access to physical and electronic publications to enable full participation can seem a daunting task. Library publishers have varying levels of infrastructure and institutional support for undertaking major accessibility initiatives, making industry standards difficult to adhere to. However, by actively understanding the needs of diverse communities, identifying and removing barriers, and staying at the forefront of best practices, library publishers can take advantage of electronic and multimedia technologies that can encourage and enable use by authors and readers with disabilities.

In 2017 the LPC membership took part in a survey (sent to all members of the Library Publishing Coalition to better understand member perspectives about library publishing ethics) in which several members identified accessibility as an ethical principle guiding publishing efforts. The [World Wide Web Consortium \(W3C\) Standards](#) and [Web Content Accessibility Guidelines](#) (WCAG) were cited as helpful resources, and improving User Experience (UX) and remediating PDF documents were listed as current and ongoing efforts. However, producing accessible content may not always be the highest priority for library publishing operations.

In 2015, Harvard and MIT were sued by the National Association of the Deaf (NAD) for failing to comply with the Americans with Disabilities Act (ADA) and the Rehabilitation Act by not including captions on materials for the public. In 2016, UC Berkeley deleted its publicly available online content because the Department of Justice asserted that they were in violation of ADA by not making their material fully accessible to individuals with disabilities. While these two cases were high profile, there are [several examples of open access/education providers failing to make their material accessible](#).

Addressing accessibility is not simply a way to avoid litigation, but a fundamental aspect of a equitable access. In the higher education environment, open access advocates and library publishers have fallen short in making materials accessible at a time when technology offers opportunities to reach people with disabilities in unprecedented ways.

Definitions of Disability

The definitions of disability span law and medicine, depending on context. Legally, a person with a disability is [defined by the Americans with Disabilities Act](#) as “a person who has a physical or mental impairment that substantially limits one or more major life activity. This includes people who have a record of such an impairment, even if they do not currently have a disability. It also includes individuals who do not have a disability but are regarded

as having a disability.” It is unlawful to discriminate both against a person with a disability and against someone associated with a person with a disability under the ADA.

The [American Social Security Office defines disability](#) as “the inability to engage in any substantial gainful activity (SGA) by reason of any medically determinable physical or mental impairment(s) which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.”

Internationally, medical and legal definitions of disability vary widely. [The World Health Organization considers disability](#) to be an umbrella term that includes different types of impairments, activity limitations, and participation restrictions. The WHO defines an impairment as “a problem in body function or structure”; an activity limitation as “a difficulty encountered by an individual in executing a task or action”; and a participation restriction as “a problem experienced by an individual in involvement in life situations.” The WHO’s definition highlights the complexity of disability as “an interaction between features of a person’s body and features of the society in which he or she lives” rather than a simple lack of bodily ability or a health problem.

According to the 2017 [Disability Statistics Annual Report](#), 12.8% of the U.S. population were estimated to live with a disability. According to the [World Report on Disability](#), it was estimated that 15%, more than a billion people, are estimated to live with some form of disability worldwide.

Background

The original ADA legislation of 1990 focused almost exclusively on issues related to housing, employment, and education discrimination; it was not until the ADA was amended in 1998 to include [Section 508](#), which defined for the first time detailed standards in regard to electronic access, that libraries have had to grapple seriously with ADA compliance regarding barriers to information and information technology.

In 2015, Harvard and MIT were sued by the National Association of the Deaf (NAD) for failing to comply with Section 508. In 2016, UC Berkeley deleted its publicly available online content because the Department of Justice asserted that they were in violation of ADA by not making their material fully accessible to individuals with disabilities. While these two cases were high profile, there are [several examples of open access/education providers failing to make their material accessible](#). It is important to note that while these lawsuits are significant history, these quite controversial decisions by the universities were by no means their only course of action; and that fear-based attitudes toward accessibility

that focus on compliance lose the bigger, more important picture of removing environmental and social boundaries to access.

Addressing accessibility is not simply a way to avoid litigation, but a fundamental aspect of a equitable access. In the higher education environment, open access advocates and library publishers have fallen short in making materials accessible at a time when technologies actually offers greater opportunities to reach people with disabilities than ever.

Scope

Accessibility may refer to varying legal and technical definitions of being readily accessible to people with disabilities, as laid out in the [Americans with Disabilities Act](#) and the [Web Content Accessibility Guidelines](#). *Accessibility* may also include a general sense of equitable access and making research and resources available to the widest possible audience. The accessibility group worked to contextualize the spectrum of accessibility concerns in library publishing and provide methods of addressing accessibility up front as design constraint.

Universal design offers one ideal for accessibility work; the [National Disability Authority of Ireland defines universal design](#) as “the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people, regardless of their age, size or disability.” *Inclusive design* is another, newer term that suggests a warmer, less burdensome or intimidating value for designers that recognizes differences rather than imagining sameness.

Resources

This section introduces relevant resources on the topic, and provides context and guidance that will help library publishers to use them effectively.

Best Practices for Publishers

Following the best practices laid out below can help library publishers ensure adherence to accessibility standards.

- [The BISG Quick Start Guide to Accessible Publishing](#)
 - The Book Industry Study Group (BISG) guide serves as a model for best practices in creating accessible digital content for those who live with disabilities, in compliance with international standards, while illustrating why this is a good business practice that will positively impact publishers' and their

partners' bottom line. It is written in non-technical language, and can be downloaded for free through the BISG shopping cart.

- [Checklist for making Google docs accessible](#)
 - We so frequently use tools such as Google docs that allow for collaborative content creation. This checklist is a simple, very doable tool for making shared documents within your organization accessible.
- [Accessible Publishing Best Practice Guidelines for Publishers](#)
 - This document was compiled by the Accessible Books Consortium and was originally published in April 2011, as part of The Enabling Technologies Framework project funded by the World Intellectual Property Organization (WIPO). It spells out what an accessible product is in terms of file formats, structure, content, appearance, etc. It is updated regularly.
- [A Practical Guide to Improving Web Accessibility](#)
 - Many organizations do not have complete control of the online systems used to provide information and services to their users. Off-the-shelf vendor tools make up a large amount of the digital tools many libraries offer users, so often organizations leave it to vendors to make the needed improvements. However, as this article shows, there are things staff likely can do within the constraints of vendor tools and systems to make their content more accessible, as well as communicating more effectively with vendors about accessibility issues.
- [The Association of Research Library's web accessibility toolkit](#)
 - This toolkit is the result of the ARL's accessibility initiative in order to promote the principles of accessibility, universal design, and digital inclusion; help research libraries achieve digital accessibility; and connect research libraries with the tools, people, and examples they need to provide accessible digital content.
- [Section 508's Voluntary Product Accessibility Template](#)
 - A self-disclosing document to evaluate vendor products according to Section 508 Standards. This template is recommended for us when library publishers are evaluating software products for publishing; it is recommended that library publishers not only consider the accessibility of their own publications and websites, but that they also do so for third party platforms and tools.

Web Accessibility

Because many library publications are delivered online, Web accessibility standards are likely to be broadly applicable in a library publishing setting. They offer guidelines and techniques for creating accessible resources, planning and implementation guides, evaluation tools, as well as tutorials and presentations.

- [A Practical Starter Guide on Developing Accessible Websites](#)
 - This article by Cynthia Ng and Michael Schofield in Code{4}lib Journal discusses articles discuss web accessibility and the relation to library web services. This article is meant to fill in this vacuum and will provide practical best practices and code.
- [World Wide Web Consortium \(W3C\) Web Accessibility Initiative \(WAI\)](#)
 - This is a great resource for those unfamiliar and well-versed in Web Accessibility standards. It offers an introduction to the diversity of web users and the challenges they face, guidelines and techniques to creating accessible resources, planning and implementation guides, evaluation tools, as well as tutorials and presentations.
- [Web Content Accessibility Guidelines \(WCAG\)](#)
 - Web Content Accessibility Guidelines (WCAG) is developed through the [W3C process](#) in cooperation with individuals and organizations around the world, with a goal of providing a single shared standard for web content accessibility that meets the needs of individuals, organizations, and governments internationally. WCAG is a technical standard, not an introduction to accessibility and is written primarily for web developers. However, it outlines a wide range of recommendations and provides a useful glossary of terms. Particularly important to note are compliance levels for these standards.

E-Pub and PDF Accessibility

The guides below provide information on creating accessible PDFs and EPUB versions of e-books.

- [EPUB Accessibility Techniques 1.0](#)
 - EPUB 3 is often cited as the best format for ensuring accessibility in e-books. With reflowable text rather than screen images, it makes it possible to resize the text (for readers with low vision) and read aloud (for readers using screen access software). This document is also technical in nature.
- [EPUB Accessible Guidelines](#)
 - More user-friendly option compared to the technical spec of the EPUB Accessibility Techniques 1.0

- [PDF Accessibility](#)
 - Many library publishers use PDF to publish books and journals online. This guide outlines the underlying document structure that makes it possible for a screen reader to properly read a PDF out loud, make it possible to correctly reflow and display the document on a small screen.
- [Free accessible PDF reader from Adobe](#)
 - Adobe® Acrobat® Reader® DC is free software you can use to read and access the information contained within PDF files. Adobe Acrobat Reader DC contains many capabilities specifically designed to make it easier for people with disabilities to read PDF files, regardless of whether the files have been optimized for accessibility.

Images/Visual Resources

The description of visual resources is a crucial component of accessible digital publications, as it affords access to the information contained in images for the many people with disabilities that affect reading, and all people who listen to content read aloud on electronic devices. This toolkit outlines guidelines designed to guide authors and editors creating description of visual resources for accessibility in arts and humanities publications.

- [Describing Visual Resources Toolkit](#)
 - “The description of visual resources is a crucial component of accessible digital publications, as it affords access to the information contained in images for the many people with disabilities that affect reading, and all people who listen to content read aloud on electronic devices. This toolkit outlines guidelines designed to guide authors and editors creating description of visual resources for accessibility in arts and humanities publications.”
- [Resources from the Diagram Center](#)
 - These resources include trainings, description techniques, and examples. (The Diagram Center produces a wide variety of accessibility resources that are worth perusing.)

Captioning for the deaf

- [The National Association for the Deaf's Captioning Services Vendors list](#)
 - An extensive list of vendors prepared by Described and Captioned Media Program. (This list is also linked from the WC3 Multimedia Accessibility FAQ.)

Video/Multimedia

- WC3 [Multimedia Accessibility FAQ](#)
 - What do I need to do to make audio and video accessible? How do I get a transcript made? How do I do captions? This FAQ also contains lists of recommended vendors.
- [CADET: Caption And Description Editing Tool](#)
 - This is a free, downloadable caption-authoring software that enables anyone to product high-quality caption files that are compatible with any media player that supports the display of captions. CADET can also be used to generate audio-description scripts.

Textbooks

Library publishers are increasingly helping to develop open textbooks. Creating accessible textbooks is important to help all students utilize the materials in their courses.

- [BC Open Textbook Accessibility Toolkit](#)
 - The Accessibility Toolkit is a collaboration between BCcampus and CAPER-BC. The goal of the Accessibility Toolkit is to provide the resources needed so that each content creator, instructional designer, educational technologist, librarian, administrator, teaching assistant, etc. has the opportunity to create a truly open and accessible textbook. This guide includes a comprehensive overview of best practices and a useful accessibility checklist.
 - Portland Community College instructions on how to make a Word document accessible
<https://www.pcc.edu/resources/instructional-support/access/word.html>

Technology

Accessible files should be portable across devices. Consider, for example, that the [Kindle Fire does not support braille display or text-to-speech](#) and that the [Nook might be too heavy](#) to hold.

- [California State University Accessible Technology Initiative](#)
 - The Accessible Technology Initiative (ATI) of the California State University is an effort to examine purchases to make sure there is technology access for anyone with a disability. This site includes checklists for content creation as well as procurement, and is a helpful guide to anyone evaluating vendors and tools.
- Student Disability Services
 - Most library publishers are located within institutions with student disability services. Library publishers can partner with these services for planning, testing, and improvement with accessibility tools.

New Resources Needed: from access to opportunity

This section highlights gaps in the landscape of ethical publishing resources, and suggests areas where development of new resources could have a significant impact.

To address the challenges people with disabilities have in getting published within a discipline, as well as journals and other publishing platforms devoted to disability studies:

- An investigation into intersectional accessibility practices and issues
- An investigation into disability studies and publishing across the disciplines, both in terms of challenges that people with disabilities have in getting published within a discipline, as well as journals and other publishing platforms devoted to disability studies (as well as those that publish work from a more critical, disability studies framework) across disciplines and fields.

Recommendations

The recommendations in this section draw on the resources above to provide provide guidance to library publishers looking for concrete, actionable steps they can take in this area. They are by no means the only place to start, and they may not be feasible or appropriate in all situations, but they may provide a good a starting point for many libraries.

- All stages of the publishing process should follow best practices for accessibility, to ensure that publishing workflows and outputs are accessible to users, authors, and publishing professionals. This includes ensuring that documentation about the publishing program is accessible (such as forms, author guidelines, agreements, etc.).

- Accessibility testing should be built into publication workflows (see the resources under the section Best Practices for Publishers).
- A greater effort to encourage and include disability scholars/advocates/partners as authors, peer reviewers, and members of editorial boards.

Further Reading

This section lists additional resources on this topic that may be of interest to library publishers.

Disability Studies

- Introduction to disability studies from the Society for Disability Studies (SDS) <https://disstudies.org/index.php/about-sds/what-is-disability-studies/>
- A model letter from the Society of Disability Studies created for scholars especially as authors negotiating with publishers: <https://disstudies.org/index.php/publications/publishing-accessible-books/>

Types of Disabilities

- Disability overview from the Centers for Disease Control and Prevention <https://www.cdc.gov/ncbddd/disabilityandhealth/disability.html>
- Full list of types of disabilities, with descriptions and accommodations, from Johns Hopkins University <https://studentaffairs.jhu.edu/disabilities/about/types-of-disabilities/>

Accessibility in Library Publishing

- Anderson-Wilk, Mark. Kunda, Sue. *Publisher-Library Partnership for Accessibility: A Case Study of Scholarly Publishing for Public Audiences*. Journal of Electronic Publishing. Volume 15, Issue 1 (2012) DOI <http://dx.doi.org/10.3998/3336451.0015.104>
- Publishing Accessibly—Open Access and Your Library as a “Publisher” <http://accessibility.arl.org/2015/06/publishing-accessibly/> (Note: This is an overview produced by ARL based on conversations during the [2015 Library Publishing Forum](#).)
- [Special Issue of Learned Publishing on accessibility, published January 2018](#)

Accessibility in Commercial Publishing

- [Inclusive Publishing](#) offers an [accessibility checker](#) and other [tools](#) and [resources](#) for publishers.
- DAISY Consortium’s Accessible Standards for Publishing <http://www.daisy.org/publishers>

Publication Examples

- An example of OA publishing that provides accessibility to the deaf
https://link.springer.com/chapter/10.1007/978-3-319-07440-5_32
- An example of a bilingual ASL/English open access journal; currently in development but a [sample article](#) can currently be viewed. You can follow the ongoing work on the [Deaf Studies Digital Journal](#), an open access publication designed for deaf and non-deaf users alike.

Topic: Diversity

Introduction

Publishing is a central aspect of an academic career. The quality and impact of a faculty member's research program is judged primarily through the quantity of publications and perceptions of value assigned to their publication venues. Systemic inequities in academic publishing make it difficult for authors from marginalized identities—whether defined by ethnicity, gender, geography, language, nationality, race, or other identity—from making contributions to the scholarly record. These inequities create obstacles for faculty from marginalized groups from continuing and advancing in their careers.

Academic publishing, which lies at the intersection of academia, publishing, and librarianship, faces gatekeepers from each profession. Academia determines faculty hiring, tenure, and promotion, allocates research funding, and is the pool from which editors and peer reviewers are selected. Publishers determine what is suitable for publication, while librarians select what publications to purchase for collections. Authors from underrepresented and marginalized communities encounter barriers to research and publication at multiple points in the scholarly communication cycle.

In the United States, all three professions are racially homogenous, with 79% of faculty, 87.1% of librarians, and 89% of publishing professionals identifying as white (Inefuku and Roh 2016). Globally, academic publishing is dominated by the United States, marginalizing scholars from the Global South and non-native English authors. The lack of diverse identities in these professions means that narratives that fall outside the “master narrative” created and reinforced by dominant identities and ideologies are pushed to the margins (Stanley 2007).

As a developing sector of publishing, library publishers have the ability to intervene and reduce the impact of bias in content selection and create hospitable environments for a diversity of identities, viewpoints, and approaches.

Scope

Diversity can apply to library publishing in several ways: diversifying the library publishing workforce to be more reflective of societal demographics; ensuring library publishing systems and outputs are accessible to the widest range of users; and utilizing library publishing to increase the diversity of voices represented in the scholarly record.

Broadly considered, diversity can encompass a range of personal identities and lived experiences, including, but not limited to, race, ethnicity, nationality, gender identity, sexual orientation, socioeconomic status, education, technological literacy, and family status. For expediency, this section will focus on increasing the diversity of voices represented in the scholarly record by examining systemic biases in academic publishing

and addressing publishing inequities due to geography, language, race, and gender. However, it is important for library publishers to take a holistic approach to diversity, to ensure that in focusing on one aspect of diversity, we do not fail in considering others. (O'Donnell, et al, 2016)

Resources

This section introduces relevant resources on the topic, and provides context and guidance that will help library publishers to use them effectively.

Diversity and Inclusion in the Published Record

As libraries are increasingly involved in publishing efforts they must understand how other publishers are handling diversity. By looking at examples and pursuing similar methods to ensure inclusion and diversity, library publishers will solicit diverse content and provide opportunities to underserved and underrepresented authors. Additionally, library publishers should take into consideration how diverse formats can foster inclusivity (e.g. oral traditions, digital scholarship, etc.). The examples below represent coalitions and publishers who put an emphasis on diversity and inclusion in their publishing practices.

- Charlotte Roh. [Scholarly Publishing Education for Academic Authors: Reframing the Library's Instruction Role—Scholarly Publishing, Information Literacy, and Social Justice](#).
- Creating a Social Justice Mindset: Diversity, Inclusion, and Social Justice in the Collections Directorate of the MIT Libraries. http://dspace.mit.edu/bitstream/handle/1721.1/108771/MIT_DISJReport_20170209.pdf?sequence=1
- The Collaborative: List of Members <http://equitythroughresearch.com/institutions/>
- Beacon Press <http://www.beacon.org/Assets/ClientPages/History.aspx>
- Lee and Low Books Diversity Initiatives <https://www.leeandlow.com/about-us;>
<http://blog.leeandlow.com/2016/01/26/where-is-the-diversity-in-publishing-the-2015-diversity-baseline-survey-results/>

Geography and Language

Academic publishing is overwhelmingly dominated by publishers based in Western Europe and North America—in [Scimago Journal & Country Rank](#), the top 100 journals are published in either the United States, the United Kingdom, the Netherlands, and Germany, with 49 of the top 50 journals coming from the U.S. and the U.K. In addition to impacting who is able to publish, there is a geographical bias on what topics are selected for publication—in economics, for example, papers about the United States are more likely to be published than papers on other countries (Das et al, 2009).

As academic publishing has consolidated in Western Europe and North America, English has become the lingua franca of academic publishing. This forces Scholars to choose

between publishing in English in hopes of reaching a wider audience, or publishing in their native language in venues that are typically assigned lower values. If authors choose to publish in English, their work risks losing nuances that can be captured in their native language, but cannot be conveyed in English.

- [AuthorAID](#)
AuthorAID is a network of researchers that provide support and resources for researchers in low- and middle-income countries.
- [Journal Publishing and Practices Framework](#)
The Journal Publishing and Practices Framework is a project of African Journals Online (AJOL) and INASP that assesses journals from the Global South and provides standards and feedback for Southern editors to improve their publishing practices.
- Strauss, P. (2010). [“It’s Not the Way We Use English”—Can We Resist the Native Speaker Stranglehold on Academic Publications?](#) *Publications*.
Strauss argues that for academic publishing to allow for the use of non-traditional academic English.

Editorial and Peer Review

Many journals employ double-anonymous peer review (where the identities of the author and reviewers are hidden from each other) to reduce bias in the review process. However, the author’s identity is visible to the editor, which subjects the author to any biases the editor may hold. Library publishers may employ triple-anonymous or open peer review to address biases in the editorial and peer-review processes. These types of peer review practices demonstrate commitment to diversity, transparency and accessibility in scholarly communication. Below are policies and information about facilitating equitable peer review:

- ADA: Journal of Gender New Media, hosted by University of Maryland, Review Policy including pre-review and open peer review: <http://adanewmedia.org/beta-reader-and-review-policy/>
- Friesen, Rilla. (2018).e Past and Present of the Canadian Journal of History / Annales canadiennes d’histoire. Scholarly and Research Communication, 9(1): 0101275, 7 pp <http://src-online.ca/index.php/src/article/view/275/543> Article outlining procedures of the Journal of Canadian History, including a policy to send manuscripts to female reviewers first and second, then to male reviewers.
- Henry S. Richardson, "Announcing an Improvement to the Journal’s Blind Review Process," *Ethics* 127, no. 3 (April 2017): 519-520. <https://doi.org/10.1086/690143> (Triple Blind Review at University of Chicago Press)

Publisher Contribution to Research Impact

Commercially published, and therefore traditionally hegemonic scholarship, is often well-indexed and more visible within the scholarly record (Walters and Linvill 2011). Additionally, gender and geographical biases skew citation rates. Library publishers are

particularly qualified to increase visibility of authors and content from diverse perspectives. Options to increase the visibility of underrepresented perspectives may include: traditional indexing, non-commercial indexing, inclusive metadata (multilingual, cultural and gender inclusive description), content translation, altmetrics, and open access. Directories and indexes with international partners should also be considered to increase discovery among Western and Non-Western regions. More information and indexes below:

- Vincent Larivière, Chaoqun Ni, Yves Gingras, Blaise Cronin & Cassidy R. Sugimoto. Bibliometrics: Global gender disparities in science. *Nature* 504, 211–213 (12 December 2013) doi:[10.1038/504211a](https://doi.org/10.1038/504211a)
- Correa, M., González-Sabaté, L., & Serrano, I. (2013). Home bias effect in the management literature. *Scientometrics*, 95(1), 417-433.
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5017831/>
- Scientific Electronic Library Online (SciELO) <https://www.scielo20.org/en/>
- Directory of Open Access Journals (International) <https://doaj.org/>
- [Journals Online](#)
Databases of journals published in specific countries or regions in the Global South.
- Diverse and Inclusive Metadata: Developing Cultural Competencies in Descriptive Practices, American Library Association, August 9, 2016.
<http://www.ala.org/alctsnews/features/ac2016-program-diverseMD>

Diversity and Inclusion in Organizational Culture

To further identify ways that organizations can recruit and support diverse publishing staff, the following list contains codes of conduct, sustainability models, and reports on diversity. Identifying that diversity and inclusion are necessary for library publishers begins to fix the problem, but clear actions need to be taken. Understanding how other organizations and institutions are working on diversity and inclusion are included below.

Diversity Statements

Diversity statements provide transparency into the practices of organizations around diversity and inclusion. Most diversity statements address organizational and workplace diversity, while some address diversity in the materials published. Below are some diversity statements by publishers or associations representing publishing or libraries.

- Association of College and Research Libraries' editorial board considerations
<http://crln.acrl.org/index.php/crlnews/article/view/16805/18379>
- A report from ACRL's Publications Coordinating Committee
<http://crln.acrl.org/index.php/crlnews/article/view/16805/18379>
- Iowa State University Digital Press Diversity Statement
<http://scholarship.lib.iastate.edu/digital-press/publishing-services>
- Library Publishing Coalition Educational Module on Diversity Policy (forthcoming)

Diversifying the Professions

- Mellon/ AAUP Fellowship Program
<https://scholarlykitchen.sspnet.org/2017/06/29/diversifying-intellectual-leadership/?informz=1>
- OpenCon/ SPARC report on Diversity, Equity and Inclusion
<https://sparcopen.org/wp-content/uploads/2017/07/Diversity-Equity-and-Inclusion-Report-July-10-V1-Release.pdf>
- Code of Conduct to Support Diversity and Inclusion in SSP
<https://www.sspnet.org/community/news/supporting-diversity-and-inclusion-through-a-code-of-conduct/>
- Co-op Sustainability Model
http://eprints.rclis.org/31122/1/2017%20Library%20Publishing%20Forum%20Presentation_20170320_Ghamandi.pdf

New Resources Needed

This section highlights gaps in the landscape of ethical publishing resources, and suggests areas where development of new resources could have a significant impact.

- Sample educational materials on building diverse editorial boards and peer-reviewer pools
- Guides for peer-reviewers on judging submissions from non-native English authors
- Call for submission templates which include diversity
- Create programs or ensure inclusive recruiting for library and university press positions.
 - Job Description template which include job responsibilities needed for diverse understanding and inclusion
 - Develop internships, fellowships and other learning opportunities for students from underrepresented groups
- Sample diversity statements for library publishers
- Programming to encourage diversity within library publishing
- Mentor programs for diverse scholars and professionals from underrepresented groups (with emphasis on diversity and inclusion)
- Inclusive metadata best practices for library publishing platforms
- Best practices and frameworks that make further consideration for underrepresented groups that do not fall within the scope of this framework
- Additional case studies and reports from library publishers which demonstrate a commitment to equity in their practices

Recommendations

The recommendations in this section draw on the resources above to provide provide guidance to library publishers looking for concrete, actionable steps they can take in this

area. They are by no means the only place to start, and they may not be feasible or appropriate in all situations, but they may provide a good a starting point for many libraries.

- Create a diversity statement for the publishing program or point to the library’s diversity statement. Diversity statements should cover organizational/workplace diversity (if not already covered by library or institutional statements) as well as diversity in materials published.
- Educate graduate students and faculty on systemic biases in academic publishing and strategies to dismantle barriers
- Provide educational resources for editors and peer-reviewers about:
 - encouraging diversity and inclusion in submissions and building diverse governing groups, editorial boards, and peer-reviewer pools.
 - considering of English proficiency separately from research quality;
 - identifying intentional usage of non-standard English; and
 - writing constructive reviews to help authors develop as scholars.
- Library publishers can expand the diversity of voices in the scholarly record by:
 - Supporting the development of publications in niche and emerging disciplines
 - Supporting the development of diverse formats (oral traditions, digital scholarship, data)
 - Supporting active efforts to index, create metadata and disseminate via social networks to increase the impact and visibility of diverse authors and content
 - Supporting open or triple-anonymous review to decrease or create transparency around bias
- Provide compensated work experiences for students from underrepresented groups
- Provide access to your publications to diverse audiences through direct promotion in diverse communities and open or reduced cost to access content.

Further Reading

This section lists additional resources on this topic that may be of interest to library publishers.

General

Bookbuilders of Boston (Beacon Press) Fall Forum “[How Do We Make Publishing More Inclusive](#)”

Eigenfactor. [Gender Composition of Scholarly Publications \(1665–2011\)](#).

Elsevier EDGE Certification for Gender Equality

<https://www.elsevier.com/connect/taking-concrete-steps-towards-gender-parity>

Inefuku, Harrison, and Charlotte Roh. [Agents of Diversity and Social Justice: Librarians and Scholarly Communication](#). Ed. Smith, Kevin and Dickson, Katherine A. Open Access and the

Future of Scholarly Communication: Policy and Infrastructure Rowman and Littlefield (2016)

Knott, Cheryl. *Not Free, Not for All: Public Libraries in the Age of Jim Crow*. Amherst: University of Massachusetts Press, 2016. <https://muse.jhu.edu/> (accessed November 3, 2017).

Magi, Trina J., and Martin Garner. *Intellectual freedom manual*. Chicago: ALA Editions, An imprint of the American Library Association, 2015.

Meadows, Alice. “Diversity and Inclusion at SSP: An Interview with Executive Director, Melanie Dolechek.” the Scholarly Kitchen, 2017.

Smart, Pippa and Lettie Conrad. (2017). [Diversity, inclusivity, and accessibility](https://doi.org/10.1002/leap.1106), The Association of Learned & Professional Society Publishers, Vol. 30, pp. 183–184, <https://doi.org/10.1002/leap.1106>.

Stanley, Christine A. 2007. “[When Counter Narratives Meet Master Narratives in the Journal Editorial-Review Process](#).” *Educational Researcher* 36, no. 1: 14–24.

Geography and Language

Collyer, Fran. (2018). Global patterns in the publishing of academic knowledge: Global North, global South. *Current Sociology*. <https://doi.org/10.1177/0011392116680020>.

Das, Jishnu; Do, Quy-Toan; Shaines, Karen; Srinivasan, Sowmya. 2009. [U.S. and Them : The Geography of Academic Research](#). Policy Research working paper ; no. WPS 5152. World Bank.

Hathcock, A. (2016) “[Making the Local Global: The Colonialism of Scholarly Communication](#),” *At the Intersection: Blog About the Intersection of Libraries, Law, Feminism, and Diversity*.

Huttner-Koros, Adam. (2015). [The Hidden Bias of Science’s Universal Language](#). *The Atlantic*.

Inefuku, Harrison W. (2017). [Globalization, Open Access, and the Democratization of Knowledge](#). *EDUCAUSE Review*.

O'Donnell, D., Bordalejo, B., Murray Ray, P., del Rio, G., González-Blanco, E. (2016). [Boundary Land: Diversity as a defining feature of the Digital Humanities](#). In *Digital Humanities 2016: Conference Abstracts*. Jagiellonian University & Pedagogical University, Kraków, pp. 76-82.

Santos, Joana Vieira and da Silva, Paulo Nunes. (2016). [Issues with Publishing Abstracts in English: Challenges for Portuguese Linguists’ Authorial Voices](#). *Publications* 4(2).

Editorial Boards, Peer Review, and Research Impact

Ford, E. (2017). Advancing an Open Ethos with Open Peer Review. *College & Research Libraries*, 78(4), 406. doi:<https://doi.org/10.5860/crl.78.4.406>

Fox, C. W., Burns, C. S., Meyer, J. A. and Thompson, K. (2016), Editor and reviewer gender influence the peer review process but not peer review outcomes at an ecology journal. *Funct Ecol*, 30: 140-153. <https://doi.org/10.1111/1365-2435.12529>

Jung J., Kim JI., Yoon J.W. (2017) A Practical Approach to Constructing Triple-Blind Review Process with Maximal Anonymity and Fairness. In: Choi D., Guilley S. (eds) *Information Security Applications. WISA 2016. Lecture Notes in Computer Science*, vol 10144. Springer, Cham

Logan, Deborah. (2016). [The Importance of a Gender-Balanced Editorial Team](#). Elsevier Connect.

Topaz CM, Sen S (2016) Gender Representation on Journal Editorial Boards in the Mathematical Sciences. *PLoS ONE* 11(8): e0161357. <https://doi.org/10.1371/journal.pone.0161357>

Walters, W., & Linvill, A. (2011). Bibliographic index coverage of open-access journals in six subject areas. *Journal of the American Society for Information Science and Technology*, 62(8), 1614-1628.

Fortney, K., & Murphy, L. S. L. (2016). Getting found: indexing and the independent open access journal. *Western Journal of Emergency Medicine*, 17(5), 508.

Topic: Privacy and Analytics

Introduction

The rise of usage analytics presents a variety of challenges and opportunities for library publishing. While services such as Google Analytics allow publishers and authors to better understand how readers are finding, using, and sharing publications, tracking also raises questions of patron privacy and ethical data usage. As universities increasingly use analytics—usage statistics, altmetrics, bibliometrics, etc.—to measure researcher “productivity,” publishers must consider the broader information ecosystem of publishing analytics.

Privacy is a complex issue that varies widely in its conceptualization and legal implications. For the purposes of this document, we primarily focus on U.S. (and occasionally U.K.) examples that affect reader privacy. The context of privacy norms and laws may be different in other countries.

Patron privacy is a [cornerstone of library practice](#). American Library Association’s [Intellectual Freedom Committee states](#) “In a library, user privacy is the right to open inquiry without having the subject of one’s interest examined or scrutinized by others.” With the post-9/11 expansion of mass surveillance in the US through legislation like the Patriot Act, many libraries have [reaffirmed their commitment](#) to protecting potentially sensitive information. Organizations like the [Library Freedom Project](#) have created resources to teach librarians about surveillance and how digital tools can be used to safeguard privacy.

At the same time, the publishing business model has [increasingly shifted](#) to incorporate the collection, aggregation, and analysis of usage statistics. The uses of this data can include:

- Personalization, potentially including reading recommendations and/or saved content
- Reporting to university administrations on researcher publications and “productivity”

Publishing programs have an interest in collecting readership data because it can help demonstrate the value of the program and help library staff better understand how they can improve these services. However, this data collection can run counter to a library’s commitment to protecting patron privacy—and may jeopardize relationships with faculty who are resistant towards movements to measure researcher impact. Publishing programs must determine how they will balance their need for assessment with reader privacy.

Scope

Includes using https, use of reader analytics, tracking usage with personally identifiable information/sending that back to vendors, especially over insecure channels. Also in scope, making it clear to readers what is being tracked and having opt out options in place.

Resources

This section introduces relevant resources on the topic, and provides context and guidance that will help library publishers to use them effectively.

HTTPS

Using the HTTPS protocol by default on websites has become standard since 2016. The Library Freedom Project calls https “[a privacy prerequisite, not a privacy solution.](#)” HTTPS is not only good for privacy, but it is [good for Google rankings](#); beginning 6 Aug 2014, Google has given HTTPS sites a small boost in rankings, and in Dec 2015 they began to [prefer indexing HTTPS pages instead of HTTP](#). Google Chrome [now displays](#) a “not secure” warning for all HTTP pages. The institution's central information technology departments or the vendor of a hosted service should be able to set this up for a library publisher. Remember that https only prevents eavesdropping on the connection and as such is only a small step toward privacy.

Social Media Sharing Buttons

Buttons to allow easy sharing of content on social media are quite popular on websites. There are concerns that they may slow down websites and may send information to advertisers, allowing individuals to be tracked across different sites. If sharing buttons are used on a site, [there are options that do not set cookies](#). In his [post about library tracking and privacy](#), Eric Hellman states, “Libraries need to carefully evaluate the benefits of these widgets against the possibility that advertising networks will use [a patron’s] search history inappropriately.” American Library Association (ALA) [privacy guidelines for websites](#) state “Libraries should carefully evaluate the impact on user privacy of all third-party scripts and embedded content that is included in their website.”

Analytics

There are many different ways that publishers may collect reader analytics. Perhaps the best known, Google Analytics are used by many libraries to obtain aggregated data about how our websites and publishing platforms are used. This information can help us improve the website and focus on content that is of greater interest to our readers. However, by using Google Analytics, we are providing Google with information about our readers. In 2016, Google altered their default terms (with an opt out) so that one’s web activity may be associated with personally identifiable information (PII), allowing DoubleClick’s ads to

provide relevant/customized advertising. By using Google Analytics on our publishing sites, our readers are being tracked for advertising purposes. According to Eric Hellman's [research of ARL libraries](#), in spring 2016, 72% of ARL libraries use Google Analytics. While there has not been a similar study of library publishers, it is likely that the use of Google Analytics is also prevalent. [Privacy issues with Google Analytics](#) were also addressed by Patrick OBrien and Scott W.H. Young at the 2016 Digital Library Federation Forum. [ALA's privacy guidelines](#) state: "Careful consideration should be given before using a third party to collect web analytics (e.g. Google Analytics) since the terms of service often allow the third party to harvest user activity data for their own purposes."

Library publishers should use services that have opt-out policies. However, the prerequisite for this is that readers know that such a service is being used, is tracking them, and that opting out is an option. [Google Analytics U.S. terms of service](#) state:

"You will have and abide by an appropriate Privacy Policy and will comply with all applicable laws, policies, and regulations relating to the collection of information from Visitors. You must post a Privacy Policy and that Privacy Policy must provide notice of Your use of cookies that are used to collect data. You must disclose the use of Google Analytics, and how it collects and processes data."

Despite this being in the Terms of Service, it does not seem to be widely done in the United States in general or specifically by library publishers. If cookies are used on a website, people should be notified. [Ubiquity Press](#) has a [privacy policy](#) that may serve as an example.

General Data Protection Regulations (GDPR)

The European Union's (EU) [General Data Protection Regulations](#) will go into effect 25 May 2018. In his report on the GDPR, Barmak Nassirian explains that the regulations "[cover\[s\] all facets of information management including the collection, retention, deletion, breaches, and disclosures of personal data.](#)" Library publishers may have authors, editors, and reviewers in the EU, so must consider their personally identifiable data. The Public Knowledge Project (PKP) has recently released [GDPR Guidebook for PKP Users](#). Bepress will ensure that [Digital Commons will be compliant by 25 May](#). The exact impact on library publishers outside the EU is not yet clear.

Student Privacy

If a library publishing program includes student works, consideration should be given to the ethical and legal implications of making student work public. U.S. publishers should familiarize themselves with [FERPA](#), the law governing student privacy rights, and obtain publishing waivers where necessary. Publishers should also consider their ethical responsibilities to students and consider if a student may be at risk if their work is published.

Business Processes

Journals collect information on authors and reviewers to support article submission and review. Unless these processes are completely open, publishers must ensure the author and reviewer information, logins, and content of the reviews is kept secure. Library publishers may also allow readers to submit comments, which may require authentication. Publishers may also keep lists of individuals for marketing and outreach purposes, and these too should be kept securely. Library staff should review contracts with external vendors to ensure that they are familiar with any analytics these platforms may collect.

Most library-published content is open access, but libraries that publish subscription-access content will also need to maintain lists of subscribers, which could be linked to payment information. This vastly increases the complexity of keeping information secure; a third party system to manage these accounts may provide better security than managing this in ad hoc manner. In order to keep this information secure, it would be best for the library publisher to rely on institutional identity management systems, such as Shibboleth. Library publishers should discuss these issues with their central IT departments to follow the local recommendation and get support from experts.

As with any personal information that is collected, it is important to not collect more than is needed, to not retain it longer than necessary, and to make sure the information is kept secure. The [Federal Trade Commission advice for mobile health app developers](#) “if you don’t collect data in the first place, you don’t have to go to the effort of securing it” is good to keep in mind.

Library publishers should also be aware of what is being logged and what log files are being retained. Again, working with institutional IT experts will be helpful.

New Resources Needed

This section highlights gaps in the landscape of ethical publishing resources, and suggests areas where development of new resources could have a significant impact.

- Further research is needed on the kinds of tracking analytics used by library publishers, e.g. Google Analytics.
- Clear options for analytics, should library publishers choose to use them
- Clarification on what library publishers outside the EU must do to comply with GDPR

Recommendations

The recommendations in this section draw on the resources above to provide provide guidance to library publishers looking for concrete, actionable steps they can take in this area. They are by no means the only place to start, and they may not be feasible or appropriate in all situations, but they may provide a good a starting point for many libraries.

- Any library publisher that is not using HTTPS by default should work to make the change immediately.
- Disclose any analytics services your site uses. Check if there are opt out policies for the analytics services you use, and if so, be sure to publicize their use.
- Make sure you have an easy to find privacy policy written in simple to understand language. Provide outreach and education on privacy principles in coordination with the rest of the library.
- Make sure you keep all PII secure and that you do not collect or retain any that you do not need.
- Rely on institutional solutions for personal logins, such as Shibboleth.

Further reading

This section lists additional resources on this topic that may be of interest to library publishers.

- American Library Association. Intellectual Freedom Committee. (2016) Library Privacy Guidelines for Library Websites, OPACs, and Discovery Services. Retrieved from <http://www.ala.org/advocacy/privacy/guidelines/OPAC>
- Health Information Privacy (HIPAA) <https://www.hhs.gov/hipaa/index.html>
- JISC. (2018). General Data Protection Regulation (GDPR). <https://www.jisc.ac.uk/gdpr>
- Lynch, Clifford. (2017). The rise of reading analytics and the emerging calculus of reader privacy in the digital world. *First Monday*, 22(4). <https://doi.org/10.5210/10.5210/fm.v22i4.7414>
- Marden, William. (2017). Third-Party services in Libraries. In B. Newman & B. Tijerina (Ed.), *Protecting Patron Privacy: A LITA Guide* (pp.57–83). Lanham: Rowman & Littlefield.
- Newman, B., & Tijerina, B. (Eds.) (2017). *Protecting Patron Privacy: A LITA Guide*. Lanham: Rowman & Littlefield.
- NISO. (2015). *NISO Consensus Principles on User's Digital Privacy in Library, Publisher, and Software-Provider Systems (NISO Privacy Principles)*. Retrieved from <https://www.niso.org/publications/privacy-principles>
- Smith, Kevin. (2015). Where does FERPA fit? <https://blogs.library.duke.edu/scholcomm/2015/02/23/where-does-ferpa-fit/>
- U.S. Department of Education. *Protecting Student Privacy*.
- U.S. Department of Education. *Family Educational Rights and Privacy Act (FERPA)*.

Topic: Academic and Intellectual Freedom

Introduction

Academic and intellectual freedom are integral to academia. As the [Association of University Professors](#) (AAUP) unequivocally state, "[a]cademic freedom is the indispensable requisite for unfettered teaching and research in institutions of higher education." The position of academic libraries in higher education requires a commitment by the library to academic freedom. As such, academic library publishing programs must maintain a commitment to academic freedom which includes an understanding of the myriad of issues surrounding it."

Traditional, commercial academic publishers, to a greater or lesser degree, have attempted to establish their role within academic freedom. Publishing practices have long incorporated academic freedom. The [COPE statement on censorship](#) acknowledges that "COPE subscribes to and promotes the principles of academic freedom and editorial independence that underpin the pursuit of knowledge inherent in research and academic work." Library publishers must work with editors to document their commitment to academic freedom within the scope of publishing practices.

Scope

The scope of the Intellectual and Academic Freedom section includes information as a common good, intellectual freedom in industry-sponsored research and publishing, and hate speech. These sections contain resources to assist with creating a framework such as guidelines and suggestions. There are areas that are not covered in this section such as the integrity of the publishing record and commitments to defend authors legally or technically (ie. libel or hacking). These issues are important and are suggested for inclusion for the next version of the Ethical Framework.

Resources

This section introduces relevant resources on the topic, and provides context and guidance that will help library publishers to use them effectively.

Academic Freedom

Academic freedom is an underlying principle of academia. The American Association of University Professors (AAUP) represents the largest and most important organization in the United States to address this issue. Below are resources provided but the AAUP. The

American Library Association addresses academic freedom as it pertains to libraries and below is a page providing an overview of academic freedom with documents created by ALA (such as their resolutions supporting academic freedom), relevant publications and articles, and a webcast.

As library publishers it is important to understand the position of libraries within the context of academic freedom. In the Joint Statement on Faculty Status of College and University Librarians, the AAUP stated of Librarians, "Critically, they are trustees of knowledge with the responsibility of ensuring the intellectual freedom of the academic community through the availability of information and ideas, no matter how controversial, so that teachers may freely teach and students may freely learn" (p. 212). The list below also includes articles and other resources to help explain academic freedom, its history and how it relates to libraries.

- American Association of University Professors. Protecting Academic Freedom. Retrieved from <https://www.aaup.org/our-work/protecting-academic-freedom>
- American Association of University Professors. Resources on Academic Freedom. Retrieved from <https://www.aaup.org/our-programs/academic-freedom/resources-academic-freedom>
- American Library Association. (2017). Academic Freedom. Retrieved from <http://www.ala.org/advocacy/intfreedom/academicfreedom>
- Dreyfuss, S., & Marianne, R. (2016). Academic freedom: The continuing challenge. *Portal : Libraries and the Academy*, 16(1), 1–9. <http://dx.doi.org/10.1353/pla.2016.0000>
- Joint Committee on College Library Problems, ACRL. (2012). *Association of College and Research Libraries joint statement on faculty status of college and university librarians*. Retrieved from <http://www.ala.org/acrl/standards/jointstatementfaculty>
- AAUP. (2015). Joint Statement on Faculty Status of College and University Librarians. In *Policy Documents and Reports* (pp. 210–212). Johns Hopkins University Press.
- Jones, B. F. (2009). *Protecting intellectual freedom in your academic library*. Chicago, IL: ALA Editions. Retrieved from <http://www.alastore.ala.org/detail.aspx?ID=2490>

Information as a common good

Academic and intellectual freedom is best realized when openness in distribution of knowledge is applied. Below is a paper by the then Assistant Director-General for Communication and Information of UNESCO that outlines ways that open knowledge is a public good. This idea is fundamental to the core principles of open access. The first line of the *Budapest Open Access Initiative* explicitly lays the historic background and ethical basis: "An old tradition and a new technology have converged to make possible an unprecedented public good."

As an ethical argument, the American Library Association in 1939 provided a basis for the ethical foundation of librarianship and a summary of core beliefs shared among American Library Association members. Item number II is of particular interest: “We uphold the principles of intellectual freedom and resist all efforts to censor library resources.”

Henry Reichman’s review article, published in the *Journal of Academic Freedom*, provides an introductory look at academic freedom by pointing to key resources. Reichman addresses areas such as indoctrination: “To be sure, academic freedom should not protect indoctrination, nor should students—or for that matter faculty—ever be compelled to embrace political, ideological, or religious positions in the name of scholarship” (pg. 5).

- Chan, L, Cuplinskas, D, Eisen, M, et al. (2002). Budapest Open Access Initiative. Retrieved from <http://www.budapestopenaccessinitiative.org/read>
- Khan, A.W. (2009). Universal Access to Knowledge as a Global Public Good. *Global Economic Symposium*. Retrieved April 27, 2018, from <https://www.globalpolicy.org/social-and-economic-policy/global-public-goods-1-101/50437-universal-access-to-knowledge-as-a-global-public-good.html>
- American Library Association. (2008, January 22). Professional Ethics. Retrieved September 19, 2017, from <http://www.ala.org/tools/ethics>
- Reichman, H. (2016). Academic Freedom and the Common Good: A Review Essay. *AAUP Journal of Academic Freedom*, 7, 1-19. Retrieved from <https://www.aaup.org/JAF7/academic-freedom-and-common-good-review-essay#.WcFV2q2Z0u5>

Academic Freedom and Censorship

Academic freedom affects all areas of academia as well as the broader community. These articles and explicit value statements discuss recent issues in academic freedom. One article discusses Cambridge University Press’ removal of more than 300 articles from journals in China. This comes from the request of the Chinese government. In a statement, they claimed that “it had done so to safeguard its other publications.”

Intellectual Freedom is among the core values for the Association of American University Presses. The AAUP partners with other organizations to protect Intellectual Freedom. Some of these organizations include the ALA Office for Intellectual Freedom, National Coalition Against Censorship, AAP Freedom to Read, and International Freedom to Publish Committees.

The National Coalition Against Censorship was formed in 1973, with a mission “to promote freedom of thought, inquiry and expression and oppose censorship in all its forms.” This alliance of more than 50 national non-profit organizations provides support to local communities facing censorship issues. Their mission, values, and current issues are available on the website.

The International Publishers Association defends the freedom to publish, and sees publishers in a unique position to enable freedom of expression by disseminating and distributing the works of others.

- Johnson, I. (2017, August 18). Cambridge University Press removes academic articles on Chinese site. *The New York Times*, p. A7.
- Association of University Presses. (n.d.). Intellectual Freedom. Retrieved from <http://www.aupresses.org/policy-areas/intellectual-freedom>
- National Coalition Against Censorship. (2017). National Coalition Against Censorship. Retrieved from <http://ncac.org/>
- National Coalition Against Censorship. (2017). Hate Speech. Retrieved from <http://ncac.org/issue/hate-speech>
- International Publishers Association. (2014). IPA freedom to publish manifesto. Retrieved from <https://www.internationalpublishers.org/freedom-to-publish/ipa-freedom-to-publish-manifesto>

Intellectual freedom in industry-sponsored research and publishing

The connection between academia and industry-sponsored research is not new. The resources below address some examples of academic freedom and industry-sponsored research or provide resources to proceed with industry-sponsored research. The first article provides an example of the complications stemming from corporate sponsored research. In this case, IBM sponsored research looking into a large portion of employees dying of cancer. The research, which affirmed that there was a likely link between the causes of cancer and working at IBM, was not published by Elsevier. Though Elsevier claimed that the reason for not publishing the article was due to the journal only publishing review articles, Bailar et. al assert that it was not published because of pressure from industry.

The second resource is a monograph that looks into the principles between academic and industry relationships. Of particular interest is the Summary of Recommendations which provide a shorter listing of the recommendations made through the rest of the document. As library publishers, librarians are within the societal construct of the academy. It is worth looking at, and thinking about, the principles behind the relations of the academy and industry in order to help make informed decisions to their publishing practices.

- Bailar, J. C., Cicoletta, A., Harrison, R., Ladou, J., Levy, B. S., Rohm, T., ... Yoshida, F. (2007). IBM, Elsevier Science, and academic freedom. *International Journal of Occupational and Environmental Health*, 13(3), 312–317. <http://dx.doi.org/10.1179/oeh.2007.13.3.312>
- Stone, V. J., & American Association of University Professors. (2014). *Recommended principles to guide academy-industry relationships*. Champaign: University of Illinois Press.

- Axelson O, Balbus JM, Cohen G, et al. (2003). Correspondence about Publication Ethics and Regulatory Toxicology and Pharmacology. *International Journal of Occupational and Environmental Health*, 9(4), 386–391. <https://doi.org/10.1179/oeh.2003.9.4.386>

Hate Speech

The following resource is a report by the Intellectual Freedom Round Table Program. The report gives a very brief overview of the arguments in support and opposition of depriving hate speech from the protections of the First Amendment. The report includes a curated list of selected readings, as well as a list of important cases—the legal history—relevant to Hate Speech and the First Amendment.

Intellectual Freedom is a core value of the American Library Association and the Association of American University Presses. However, Hate Speech is a special class of expression that is not protected by the First Amendment.

- Pearson, G., & Lowry, H. (2000). Hating hate speech: Debating freedom and tolerance in the Chicago IFRT program. *IFRT Report*, 46, 1–3. Retrieved from <http://www.ala.org/Template.cfm?Section=ifissues&Template=/ContentManagement/ContentDisplay.cfm&ContentID=164250>

Recommendations

The recommendations in this section draw on the resources above to provide provide guidance to library publishers looking for concrete, actionable steps they can take in this area. They are by no means the only place to start, and they may not be feasible or appropriate in all situations, but they may provide a good a starting point for many libraries.

- Library publishing programs should develop a policy or statement fully supporting academic freedom. The use of the American Association of University Professors definition of academic freedom is encouraged.
- Be prepared to work with editors of library supported open access publications regarding academic and intellectual freedom by having regular conversations with library staff, faculty, and administrators. These conversations should cover topics discussed above.