Hang on to your rights (author rights!): A survey of author rights services on library websites

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Abstract

Author rights (AR) underpin many scholarly communication (SC) activities. For example, for authors to openly distribute their work, and thereby enjoy greater reach and impact, retaining the rights necessary to do so is essential. However, author rights may not be something familiar to authors. And in cases where an author is working with a publisher who may not be supportive of these rights by default, they may not feel confident advocating on their own behalf. Libraries are well positioned to provide services that inform and support authors in efforts to retain their rights. In doing so, libraries can additionally nurture a more open and sustainable scholarly ecosystem. Based on our review of 145 Association of Research Library and Carnegie 1 research library websites, we noted the intended audience of and information available on author rights. This poster will discuss our findings and make recommendations for libraries to both establish and grow author rights services.

Methods

- Identified 145 ARL and Carnegie R1 library websites for SC information
- Limited to English language websites
- Web review
- Identified trends with author rights, including information about copyright, Creative Commons, Authors Alliance, author addendums, Sherpa/Romeo, and manuscript versions.

Lit Review

What are author rights?

- AR are the exclusive rights afforded to an author, which they retain for the duration of copyright **unless the author assigns the rights elsewhere.** (17 U.S.C. § 106)

Should Libraries do rights-related work; if so, why?

- ALA notes, "Libraries are leaders in trying to maintain a balance of power between copyright holders and users… As libraries advocate for user rights and access to information, it's crucial to continue to address the emerging challenges posed at the intersection of technology, society, and law." (https://libguides.ala.org/copyright)
- With technological advances and changes in copyright law (e.g., DMCA), universities developed policy and established DMCA agents, which Ferullo (2011) noted were insufficient to address broader IP issues related to "the way educators do business." In response, libraries are well positioned to become advocates and work across an institution to coordinate comprehensive copyright services to meet the needs of the changing research landscape.
- Despite the clear need for copyright support out of libraries, Lewin-Lane et al. (2018) noted, "the creation of copyright services in academic libraries is still an emergent area with no clear universal service model."

What sort of author rights information should we share with our users?

- Bishop's (2011) review of 20 ARL websites demonstrated a "dedication of academic librarians to explain the complexities of copyright policy, law, and protocol to their campus constituencies" through various methods on topics related to course reserves, archives and special collections, and institutional repositories, most commonly. LibGuides provided more general copyright and IP support to their user communities at 12 of the 20 institutions.
- LaFlamme (2017) noted the inadequacy of simply connecting authors with addenda and described Rice's move to instead offer a publishing agreement review service, department-level author rights retreats, and social network checkups to support authors in their rights-related decision making.
- Thomas's (2013) study recommended libraries offer the following core copyright services: "[h]elp patrons use copyrighted materials fairly and legally," and "[c]onsult with authors on their publishing agreements."

Is there a commons author rights services model?

- In a 2012 survey on SC activities at academic libraries found that AR were one of the most offered topics. "Outreach and educational activities most offered include authors' rights and open access, and digitization and hosting the IR top the list of digital content services." (Thomas, 2013)
- Peters (2011) noted that as institutions build out a web presence and market resources, "The real value…lies not in informing the public university community about copyright law and educating them about how to use properly copyrighted material, but in helping all parties involved take full advantage of the information and

materials available to them in the name of creating the best and most effective educational experience possible."

How do we not incur risk from offering these services?

- When building out the University of Houston's copyright services, Lewin-Lane et al. (2018) examined models at other institutions for best practices. They found that while some of the literature recommended that staff receive additional academic training, it wasn't "necessary." What was necessary, however, was the need to clearly "clearly distinguish their information from legal advice."

Project Variables
- Scholarly communication web presence (Yes/No)
- Copyright information (Yes/No)
- Author rights information (Yes/No)
- Creative Commons information (Yes/No)
- Author Alliance information (Yes/No)
- Sherpa/Romeo information (Yes/No)
- Author addendum (Yes/No)

Results and Discussion
- Of the 145 universities, 101 (69.6%) had SC pages; of those 68 (67.3%) had information highlighting author rights.
- A search for stand-alone sites addressing author rights on the 145 universities found that 59 (40.7%) had AR information.
- In a review of the web pages, we found that 53 (76.8%) of the 69 SC-related pages and 45 (76.2%) of the 59 stand-alone pages contained descriptions and/or definitions of AR.
- One of the main informational themes was copyright, with 58 (85.2%) of the SC pages and 55 (93.2%) of the 59 stand-alone pages referring to copyright issues; another major topic was author addendums with 56 (81.1%) of the SC pages and 43 (72.9%) of the SA pages.
- Several sites linked to and/or covered Creative Commons information, including 39 (57.3%) of the SC and 24 (40.7%) of the SAs.
- Few pages highlighted Authors Alliance information, with 10 (14.4%) of the SC pages and 14 (23.7%) of the SA pages linking or listing this information.
- Many of the pages lacked legal disclaimers; only 9 (13%) of the 69 SC pages and 9 (15%) of the 59 SAs noted informational intent of the site rather than serving as a legal contribution. Examples included:

- o This web site presents information about copyright law. The University Libraries make every effort to assure the accuracy of this information but do not offer it as counsel or legal advice. Consult an attorney for advice concerning your specific situation. (University of Minnesota Libraries)

Recommendations

- Since IRs are the repositories of authors' works, these sites should provide easy access to clear information about AR, preferably linked to a SC page that addresses many AR-related issues.
- Content should be written for the web. Readers are not patient when they read webpages, and visitors often have a particular goal in mind when they arrive at your page. Meet them where they are.
  - o "Thoughtful titles and headers, along with consistency at all levels, strengthen your content." You can layer information by "offering a snippet of content about a topic along with an option to see more. This is a helpful technique for both drawing users in and for keeping your webpages focused and succinct." (Blakiston, 2017)
  - o "Bishop (2011) finds that self-service online copyright information on ARL members' websites is often difficult to navigate for average users." (Lewin-Lane et al., 2018)
- Don't assume your users are fluent with the terminology. A glossary of terms, such as the one at the [University of Houston](#), provides a means for users to understand the concepts underlying their decision making.
- Since much of the AR content has legal implications, the page should include a note making it clear the institution is not providing legal advice and/or a legal disclaimer. Interesting examples we found included:
  - o Does this website provide legal advice to me?: No. This website provides information and resources to help faculty members and others understand the open-access policy and to assist in compliance but does not provide individual legal advice. The Office for Scholarly Communication and its staff also are not able to provide individual legal advice. If you wish legal advice about your copyrights or individual situation, you should consult your own attorney ([Harvard)](#)
  - o Please note that this guide is not meant to be a substitute for legal advice. ([Illinois University Library](#))
  - o The author of this page in not a lawyer and the information provided does not constitute legal advice. ([University of Tennessee Knoxville)](#)
- Emphasize the service you offer in addition to sharing resources with website visitors.

- o In 2017, LaFlamme found that for Rice University, and likewise other academic institutions, "…moving beyond the provision of author rights resources and into the realm of service delivery. No website, however well researched, will be comprehensive and yet specific enough to meet the needs of Rice's diverse, demanding faculty."
- Consider connecting author rights with the IR – take the mystery out ARs and their relationship to open distribution through an IR. For example, consider a dropdown menu with document type, "What do you want to add to the IR?" and then offer recommendations for identifying whether the author has retained the rights to distribute the work openly.

Key Author Rights Resources
- **ACRL Scholarly Communication Toolkit: Author Rights**
- **Sherpa/Romeo**
- **SPARC Addendum**
- **Creative Commons**
- **Authors Alliance**

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