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Libraries and scholarly communication

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Description

This chapter provides an overview of academic libraries' growing involvement in the system of scholarly communication. Although libraries have always been consumers of scholarly publications, in the past few decades, they have become more actively involved in the production of scholarly materials. The 1979 *Report of the National Enquiry* on scholarly communication is used as a starting point from which to examine the recent evolution of library services such as institutional repositories and scholarly publishing programs. The necessity of applying an appropriate ethical framework to these services is discussed.

Keywords

Academic libraries, scholarly communication, institutional repository, publishing

Disciplines

Library and Information Science

Comments

Note: This is the author's manuscript of the first chapter of a forthcoming book, *Library Scholarly Communication Programs: Legal and Ethical Considerations* (Oxford: Chandos Publishing).

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Chapter 1: Libraries and Scholarly Communication

"New librarylike services will be offered by publishers and wholesalers, scholars will enter materials directly into libraries, libraries will perform publisherlike or bookstorelike functions."

(Scholarly Communication: The Report of the National Enquiry, 1979)

When the Board of Governors of the National Enquiry, a group composed of librarians, scholars, university press directors, editors, and publishers, issued *Scholarly Communication: The Report of the National Enquiry* in 1979, they included both recommendations and predictions for the future exchange of scholarly knowledge in the United States. At the time, their recommendations reflected the historical reality that academic libraries existed simply as consuming partners in the system of scholarly communication—providing a necessary market for scholarly work, and providing access to that work as a service to students and faculty. The Board's predictions, however, hinted at a more active role for libraries in the scholarly communication system. And, as recent history shows, those predictions were prescient.

In the past ten years, the academic library landscape has experienced marked growth in the number of institutions that are developing scholarly communication programs, services, and positions within their libraries. Creation of these new service areas in libraries, particularly in the North America, has been encouraged by the advocacy and educational efforts of professional associations, seen most prominently in the Association of Research Libraries (ARL)/Association of College and Research Libraries (ACRL) Institute on Scholarly Communication program and in the ARL-initiated Scholarly Publishing and Academic Resources Coalition (SPARC).

As part of this explicit focus on scholarly communication-related services, such as institutional repositories and library publishing programs, concomitant positions for "scholarly communication librarians" have become relatively common. And, perhaps most notably at the University of Minnesota Libraries, knowledge and responsibilities related to scholarly communication services are being included in job descriptions alongside other core librarian duties such as reference services and collection development.

The proliferation of jobs, professional development and conference offerings, and new services under the aegis of "scholarly communication" has led some to wonder whether this focus represents an entirely new direction for academic libraries—and to question how libraries have come to label a discrete set of services and issues with a term, scholarly communication, that encompasses much more. However, even a brief examination of the historical use of the term—and of academic libraries' engagement with it—provides a useful context in which to answer these questions.

"Scholarly Communication" and Academic Libraries: 1979-2001

Though it is generally acknowledged that the system of scholarly communication is composed of both informal and formal modes (e.g. Ball, 2011; Mukherjee, 2010; Morrison, 2009), with the former being personal communications or informal sharing between scholars and the latter the traditional publication process, the dialogue of the past 30 years has largely focused discussion of "scholarly communication" to issues of the formal publishing process. Indeed, the *Report of the National Enquiry* (National Enquiry…, 1979), which was purportedly of interest to "all concerned with the creation and dissemination of scholarly knowledge" (x)—a rather broad characterization—was centered primarily on topics of relevance to the scholarly book and journal publication model. This demarcation of the term was also seen outside of the United States, both from librarians (Stuart-Stubbs, 1981) and publishers (Derricourt, 1993). And though it has been noted that the most useful communication between scholars is that of an informal nature (Brennan, 1993), it was also observed that academic scholars are indentured to formal publication as a means of recognition and reward (Cummings et al, 1992)—and therefore have an especially keen interest in the efficacy of that form of scholarly communication. With the primary stakeholders in the scholarly communication system either most interested in, or indebted to, scholarly publishing, the near synonymous use of the terms has naturally became common.

For those stakeholders in the scholarly communication system (as expressed through scholarly publishing), a constant question since the *Report on the National Enquiry* was published has been: how will, and should, new technologies change the scholarly communication system? Using the *Report* as a historical benchmark, it is clear that academic libraries have been active partners in addressing that question for much longer than the past decade. This partnership was formalized in the *Report*'s recommendations, which called for a standing committee of scholars, librarians and publishers to be formed to collaborate on how to integrate new technologies into the system of scholarly communication.

At the time of the *Report*, the prospect of the growth of networked information, coupled with the questionable financial viability of scholarly publishers, gave rise to much prognostication about the fate of the formal scholarly communication system. Scenarios that questioned the role of both publishers and libraries were not uncommon:

> Potentially the process of scholarly communication could begin and end in one's living room. The scenario is complete: the intermediaries are abolished; there are no publishers and no libraries; there is the author with a computer terminal, and the reader with another. Groups of scholars with related subject interests could be linked to a common database, to create

> an on-line intellectual community. Access would be available not only to finished works, but to working notes. (Stuart-Stubbs, 1981, 113)

These predications were usually tempered with doubts that a truly decentralized means of sharing scholarly information would possess the quality control and peer assurance inherent in the traditional editorial and peer review process (Stuart-Stubbs, 1981; Lyman, 1993). However, it was clear that change in scholarly communication would happen and that libraries would be directly involved in facilitating that change (Cummings et al, 1992; Fraser, 1993); nearly 15 years after the *Report of the National Enquiry*, a study funded by the Andrew W. Mellon Foundation noted that:

> Libraries and publishers already play multiple roles. […] There may be some blurring in the distinctions among the historical roles of publishers as producers, vendors as intermediaries, and librarians as archivists. The electronic revolution may provide the potential for developing university publishing enterprises through scholarly networks supported either by individual institutions or consortia. (Cummings et al, 1992, xxvii)

Perhaps as significantly as the changes in technology, the economics of scholarly publishing, in which academic libraries and publishers are inextricably connected, also led to urgent discussions about the future of scholarly communication. The pricing model for scholarly journals led to libraries cutting their book budgets— weakening the already limited market for scholarly monographs—in an effort to continue to provide access to as much of the expensive journal literature as possible (Cummings et al, 1992). These economic realities became a "serials crisis," as well as a "crisis" in monograph publishing (Thatcher, 1995).

In 1990, the Association of Research Libraries (ARL) created an Office of Scientific and Academic Publishing, "in direct response to the concerns of the Association's members with the rapid increase in both the volume and cost of academic publications, the changing distribution and access modes to them, and matters of intellectual property management and policy" (ARL, 1997). By 1996, ARL had changed the name of the office to the Office of Scholarly Communication and, in 1997 issued a white paper entitled "Scholarly Communication and the Need for Collective Action." The paper succinctly presents the coordinating principles that have come to inform the core of academic library scholarly communication programs today:

> The cost of maintaining research collections has become unsustainable for most institutions. Access to the world's increasing output of research and scholarship is in jeopardy and has already eroded.

> The current publishing environment is a monopoly-like marketplace increasingly dominated by large commercial companies to which faculty sign over their copyrights.

> Easy and open long-term access to research and scholarship cannot be secured by libraries alone. All members of the educational community—faculty, administrators, librarians, and publishers—must be willing to explore new ways of thinking about the creation and dissemination of scholarly communication. (ARL, 1997)

Library professional associations were not alone in calling for changes to the scholarly communication system. In 1998, the chief academic officers of the Big 12 institutions (a regional higher education association in the United States) issued a statement in which they observed that "The challenge facing higher education is whether the academy – in cooperation with not-for-profit publishers and scholarly societies – can take steps to manage its own intellectual property more cost-effectively and assure long-term access to scholarly research" (Big 12, 1998). In their statement, the officers also endorsed a new organization recently created by ARL: SPARC.

The Scholarly Publishing and Academic Resources Coalition (SPARC) was founded in 1997 for the express purpose of "foster[ing] expanded competition in scholarly communication" (SPARC, 1998). Through SPARC, the academic library community became actively involved in scholarly communication not only as a consumer (on behalf of its users), but also as a publishing partner. In 2001, SPARC was one of five founding partners that launched BioOne, a free, not-for-profit online publishing service for not-for-profit publishers (BioOne, n.d.). SPARC's activities have evolved and expanded over the past decade (along with its presence—SPARC Europe was founded in 2001, SPARC Japan in 2003), but its primary focus on advocating for sustainable models for scholarly communication remains unchanged, and provides a framework for individual libraries' scholarly communication activities.

The Current Scope of Scholarly Communication in Academic Libraries

Clearly, the most recent growth of academic library scholarly communication programs and services is not an entirely new phenomenon or attempt by libraries to interject themselves into the scholarly communication process; rather, it is a continued evolution of libraries' roles—the same evolution predicted by the *Report of the National Enquiry* in 1979.

As libraries themselves, and organizations like ACRL, ARL, SPARC, Ligue des Bibliothèques Européennes de Recherche/Association of European Research Libraries) (LIBER), and the Society of College, National and University Libraries (SCONUL) (UK/Ireland) have continued to explore, and advocate for, new ways for libraries to support changing models of scholarly communication, two areas have received continued emphasis: institutional repositories and library publishing partnerships.

Institutional Repositories

As many close to the process predicted in the latter half of the last century, networked technology has enabled scholars to share work directly with one another, without the intermediaries of publisher and library. While informal and individual means of sharing, via email or peer-to-peer file sharing, are useful, scholars also developed centralized means of archiving and sharing their work: online repositories. These repositories were originally intended for informal types of scholarly communication, particularly pre-publication versions (pre-prints) of scholarly manuscripts/articles. One of the most prominent of these disciplinary repositories is arXiv, which was originally created in 1991 to house physics pre-prints (arXiv, n.d.).

The use of online repositories continued to grow throughout the 1990s, with librarians involved in notable discussions and developments at institutions such as the California Institute of Technology and the University of California system (Van de Sompel & Lagoze, 2000; CDL, n.d.; Buck, Flagan, & Coles, 1999). EPrints, an open source repository platform created at the University of Southampton, was released in 2000 by developers in the university's Electronics and Computer Science department (Tansley & Harnad, 2000). Importantly, the availability of EPrints and other repository software like DSpace (co-developed by MIT Libraries and Hewlett-Packard Labs and released in 2002 ("MIT's DSpace...", n.d.)) made the implementation of a repository feasible for a wider range of academic institutions.

As distinct from disciplinary repositories (e.g. arXiv or Cogprints), institutional repositories primarily focus on archiving and disseminating the scholarship of the parent institution, as expressed clearly by MIT Libraries:

> From the outset, the plan was to create an infrastructure for storing the digitally born, intellectual output of the MIT community and to make it accessible over the long term to the broadest possible readership. How might one store and manage the intellectual output of the MIT community so that it won't sink, forever lost, into the quicksand of software and hardware obsolescence? ("MIT's DSpace…", p. 3)

By 2002, with major technological and resource barriers eliminated through the development of both open source (e.g. EPrints, DSpace) and commercial (e.g. Digital Commons) repository platforms, institutional repositories became a viable option for academic libraries that wanted to support changes in the scholarly communication system, particularly the open availability of scholarship. In recognition of the impact that repositories were already having, and of the role that repositories could play in reshaping scholarly communication, SPARC published a white paper: *The Case for Institutional Repositories* (Crow, 2002). The core positions of the paper, that institutional repositories "expand access to research, reassert control over scholarship by the academy, increase competition

and reduce the monopoly power of journals" while "increasing [an] institution's visibility, status, and public value" (Crow, 2002, p. 4), echo the recommendation of the earlier Mellon study that "universities should reclaim some responsibility for disseminating the results of faculty scholarship" (Cummings, et al., 1992, p. xxviii). At most institutions, it has been the library that is best suited to reclaim that responsibility; as organizations with the knowledge, skills, and resources to effectively manage, preserve, and make accessible collections of scholarly work, academic libraries are natural hosts and advocates for repositories. Today, institutional repositories hosted by academic libraries hold a wide variety of student and faculty creative and scholarly work—from pre-prints to conference posters, image collections to musical scores—and are beginning to assume an important new role in managing, and sharing, original research data.

Library Publishing Services

Concurrent with the development of institutional repository programs, academic libraries have also gradually become more involved in traditional publishing activities. While SPARC's involvement with BioOne is noteworthy, individual libraries also took on publishing at the same time. Examples include the University of Michigan Library, which created a Scholarly Publishing Office (now MPublishing) in 2001 to offer an "affordable and sustainable" publishing option for electronic journals (University of Michigan Library, n.d.), and the California Digital Library (University of California), which in 2000, launched eScholarship, an open access publishing and repository platform (CDL, n.d.).

The same factors that led to the development of library-based publishing services also led to problems for university presses. As a 2007 Ithaka report notes, diminished library monograph budgets, technological transitions, and inadequate resources (among other variables) have led some to question the continued viability of university presses (Brown, Griffiths & Rascoff, 2007). However, the report also found that library-press partnerships may be a "natural" way for an institution's publishing activities to continue to grow and strengthen: "Looking ahead, presses and libraries should work together to building publishing environments and develop skill sets that enable the creation and dissemination of innovative types of scholarly products and tools now beginning to breed in the electronic environment" (Brown, Griffiths & Rascoff, 2007, p. 31). At a growing number of institutions, oversight for the university press has been moved into the library, following the lead of schools like Purdue University, whose press has been part of the library since 1992.

More recent reports suggest that, whether it is a partnership with a university press, or the development of a unique publishing portfolio, academic libraries are continuing to expand their publishing services. A 2007 ARL survey of member libraries found that, of the 80 libraries that responded, 43% were providing some type of publishing service (Hahn, 2008). And while early involvement in publishing services was primarily limited to large institutions, the availability and

affordability of online publishing platforms, both open source (e.g. Open Journal Systems) and commercial (e.g. EdiKit®), have made it possible for academic libraries of all sizes to become involved in digital publishing activities.

In recognition of the growing role of libraries as publishers, the U.S. Institute of Museum and Library Services funded a 2010 study "to explore the future of new publishing models based within academic libraries" (Crow et al., 2012, p. 1). The project was a collaboration between the Purdue University Libraries, the Georgia Institute of Technology Libraries and the University of Utah Libraries and examined both ARL members and smaller institutions in an effort to create recommendations for "the further development and professionalization" of library publishing programs   (Crow et al., 2012, p. 3).   Discussion of the "professionalization" of library publishing, and recent literature (Perry et al., 2011; Park & Shim, 2011), are clear indicators that publishing is becoming—and perhaps, has already become—a core service area.

For many academic libraries, publishing and repository services are closely connected, allowing them to provide a continuum of scholarly communication services to their institutional communities, and partner with students and faculty in the "creation and dissemination of scholarly knowledge," be it formal or informal. These services, paired with advocacy around open access, author rights and intellectual property, define today's library scholarly communication programs, and clearly demonstrate that libraries have moved beyond their formerly passive role as consumers in the scholarly communication system.

An Ethical Framework for Scholarly Communication Programs

As academic libraries explore and develop scholarly communication programs that include institutional repositories and/or publishing services, there is a concurrent need for librarians to understand the legal and ethical dimensions of these new services. It is important not just for the creation of best practices, but also to demonstrate that library scholarly communication initiatives are not the 'Wild West' of scholarly communication, but rather that they are valuable services that respect the legal and ethical issues inherent in scholarship. Particularly with institutional repositories (and to a lesser extent with library-published journals), there is a common misperception that these library services will be like this earlier imagining of a networked scholarly communication system:

> "Who will perform the functions of the publisher in a networked environment? There is no quality control on the network, no indexing or cataloguing, no marketing and sales. It is like the 18th Century world of independent printers, before publishing emerged to establish standards and incentives." (Lyman, 1993, p. 23)

This suggestion that because something is free on the network (e.g. an open access repository or open access journal content) it must not be high quality is obviously a fallacy – and yet it has been a persistent one. The most effective way for academic libraries to combat this idea is through transparent practices that display libraries' commitment to quality; quality not in the sense of being arbiters of what content *deserves* to be free, but of what content may *legally and ethically* be made freely available.

Librarianship clearly has a strong history of adherence to legal and ethical standards. However, the issues relevant to the creation and dissemination of original content extend beyond the standards that librarians are most familiar with, which are those related to curating and providing access to content that has already been published by a third party. As libraries take on the role of publisher at its most basic definition ("to make public"), whether that initial publication is through a formal venue such as a journal or through posting to an institutional repository, the library assumes the responsibility for determining the ethical and legal nature of the content being made public and the legal framework for its dissemination. To meet this responsibility, the library must "perform the functions of the publisher": establish standards and provide quality control.

Fortunately, the broader issues that should inform those standards and controls are familiar to most librarians: intellectual property, licenses and contracts, and privacy. It is the unique dimensions of these issues, raised by the types of content shared through institutional repositories and the responsibilities of publishers, which are often unknown or largely unfamiliar. It is the intent of this book to provide librarians, library staff, and others involved in library scholarly communication programs with a basic introduction to the relevant issues, laws, and ethical guidelines that should inform all repository or library publishing services.

Overview of Topics

Following this introduction, the book is organized in three parts: *Institutional Repositories, Library Publishing Services* and *The Road Forward*. While the intent behind this organization is to allow readers to focus on the service area that is of most interest to them, there is obviously considerable overlap between the issues relevant to repositories and publishing services. For example, repository managers must understand publisher copyright transfer agreements to ensure that only the appropriate version(s) of published works are deposited in a repository— and library publishing staff must understand the elements of a copyright transfer agreement in order to decide how to structure their own agreements for authors. In these instances, while some redundancy will be necessary, the most complete treatment of a topic will be provided in the *Institutional Repositories* section, and readers of the *Library Publishing Services* section will be referred to these earlier discussions as appropriate.

Throughout the book, samples of policy language, contracts, and other documentation are provided to aid libraries in developing their own standards of practice. In addition, several case studies are also used to further illustrate certain legal and ethical issues.

It should be noted that, while the legal and ethical principles discussed should be relevant in most, if not all, common law countries, the specific laws and legal guidelines included here are from the United States. While an effort has been made to reference some applicable international law, readers from outside the United States should consult counsel at their institutions to determine if similar laws/regulations exist in their home countries. Further, this book is not intended to be a comprehensive examination of all applicable laws, and should be viewed only as a starting point for further exploration (and certainly *not* as authoritative legal advice).

Institutional Repositories

Chapter 2.1 provides an overview of repository-based services, including a discussion of the issues in collecting and disseminating previously published versus unpublished works. Intellectual property considerations for repositories are discussed, including copyright law, institutional copyright policies, author publication agreements (in relation to journal articles submitted for inclusion in the repository), the role of repository submission agreements, Creative Commons licensing options for repository content, and special considerations for sharing research data through a repository.

Chapter 2.2 moves beyond considerations of intellectual property and into a discussion of disseminating original research results through the repository. The chapter includes an overview of the ethical review process for original research, a discussion of how libraries can collaborate/coordinate with research review committees, ethical considerations for data repositories, and the issue of withdrawn publications.

Chapter 2.3 focuses primarily on the issue of privacy. In addition to general privacy concerns, the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA) from the United States are examined, with implications for repository management discussed. Issues relating to the propriety of repository content, specifically related to defamatory content, are also addressed.

Chapter 2.4 examines the importance of creating a policy infrastructure for an institutional repository, primarily focusing on collection management policies, submission agreements, and memoranda of understanding/service level agreements for repository-based partnerships.

Library Publishing Services

Chapter 3.1 provides an overview of the legal and ethical issues in publishing, with emphasis on scholarly journal publishing, as this is the area in which most libraries have become involved. Ethical guidelines for editors and peer reviewers are discussed, along with common ethical issues for editors and reviewers. The chapter also addresses relationships with authors and ethical issues related to access models for library-published journals.

Chapter 3.2 covers basic publication ethics, drawing on established guidelines from the International Council of Medical Journal Editors (ICMJE), the Committee on Publication Ethics (COPE) and other similar bodies.

Chapter 3.3 revisits intellectual property issues from the publisher's perspective. Author publishing agreements, publisher intellectual property policies, and Creative Commons licensing are addressed. The emphasis of the chapter is on how best to address the balance between protecting authors' rights and creating flexible re-use rights for readers.

Chapter 3.4 covers policy development for new journals, reviewing the types of policies that are recommended. Agreements with editors and publishing partners are discussed, as well as ethics policies for authors. The chapter concludes with a discussion of internal policies and procedures journals can develop to help ensure the legal and ethical nature of published work.

The Road Forward

The final section of the book focuses on next steps for libraries that are considering, or that are already involved in, scholarly communication activities. For any library that wishes to move beyond the pilot stage with a scholarly communication program, a cohesive policy, education, and training framework is vital. This chapter discusses strategies for connecting institutional and library policies to repository and publishing activities. Practical considerations are also covered, particularly the implementation of appropriate workflows to ensure compliance with established policies or guidelines. And, finally, strategies are suggested for faculty, student and library staff education and training.

As noted earlier, libraries have always had a strong ethical approach to service delivery. It is the hope of the author that the information in this book will aid our continually evolving academic libraries to continue that tradition while reshaping what a library can do and be.

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