



April 4, 2012

MEMORANDUM

TO: Academic Deans
Department Chairs/Program Directors

FROM: Reed Dasenbrock *RD*
Vice Chancellor for Academic Affairs

SUBJECT: UHM Open Access Policy, Effective Fall 2012

On December 8, 2010, the Mānoa Faculty Senate endorsed an open access policy for UH Mānoa. The principle of open sharing of information, known as the Open Access movement, has grown in academia. A commitment to Open Access ensures access to scholarship that is digital, free of charge to the user, free of most copyright restrictions, and is disseminated over the Internet. Institutions of higher learning and many federal funding agencies have mandated the dissemination of research results and scholarship as widely as possible by requiring the deposit of research into open access repositories.

The proposed policy was reviewed by the UH General Counsel's Office and the University of Hawai'i Professional Assembly. It was approved by Chancellor Hinshaw on March 19, 2012. The adoption of this policy codifies UH Mānoa's commitment to open access. In accordance with this policy, each UHM faculty member will grant to the University nonexclusive permission to make available his or her scholarly articles and to exercise the copyright in those articles for the purpose of open dissemination. Faculty may request a waiver to this policy for a particular article by submitting a written request.

A copy of the new policy is attached for your information and dissemination. Additional copies may be downloaded from the OVCAA website:

http://www.manoa.hawaii.edu/ovcaa/admin_memos/

The Scholarly Communication Committee will be informing faculty about this new policy and will be working with them on its implementation. Please disseminate this policy to your appropriate units.

Attachment

c: Mānoa Faculty Senate Executive Committee
University Librarian Geary
Scholarly Communication Committee (B. Tillinghast)

UNIVERSITY OF HAWAI‘I AT MĀNOA
OFFICE OF THE VICE CHANCELLOR FOR ACADEMIC AFFAIRS

ACADEMIC POLICY

March 2012

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OPEN ACCESS POLICY

I. POLICY

In compliance with the Mānoa Faculty Senate Resolution on Open Access, each Faculty member grants to the University of Hawai‘i at Mānoa nonexclusive permission to make available his or her scholarly articles and to exercise the copyright in those articles for the purpose of open dissemination. Each Faculty member grants to the University of Hawai‘i at Mānoa a nonexclusive, irrevocable, paid-up, worldwide license to exercise any and all rights under copyright relating to each of his or her scholarly articles, in any medium, provided that the articles are not sold for a profit, and to authorize others to do the same.

II. PURPOSE

Over the last fifteen years the principle of open sharing of information for the common good, known as the Open Access movement, has grown in academia. A commitment to Open Access ensures access to scholarship that is digital, free of charge to the user, free of most copyright restrictions, and is disseminated over the Internet. Momentum has grown so that institutions of higher learning and many federal funding agencies worldwide have mandated the dissemination of research results and scholarship as widely as possible by requiring the deposit of research into open access repositories.

The Faculty of the University of Hawai‘i at Mānoa supports this concept and is equally committed to disseminating the fruits of its research and scholarship as widely as possible making it more accessible and affordable. The Faculty further realizes that a majority of scholarly activities and outcomes are directly supported by the taxpayers of the United States and therefore should be made available to the community rather than limiting access by strictly publishing in for-profit scholarly journals. They are committed to providing open access to their scholarship rather than supporting a restrictive access through subscription-based commercial publishing.

This policy will increase the open distribution of much of the research taking place at the University of Hawai‘i at Mānoa. By supporting open distribution, the policy will give greater exposure to UHM researchers and to their scholarship.

Open Access discussions have been taking place at UHM since late 2008. The Scholarly Communication Committee convened in early 2009 and organized numerous presentations and activities on campus for the next year and a half. In the spring of 2010 the Committee worked with the Committee on Research and later the Senate Executive Committee to discuss the development of and presentation to the Mānoa Faculty Senate of an Open Access Resolution. The resolution called for the UHM Administration to develop and implement an Open Access Policy. This issue was taken to the Mānoa Faculty Senate in May, 2010 and presented as an up-coming resolution to consider. In December, 2010, the resolution was an agenda item at the Mānoa Faculty Senate meeting, where it was passed with almost unanimous approval.

III. APPLICABILITY/SCOPE

This policy will affect the Faculty of the University of Hawai‘i at Mānoa. The policy applies only to scholarly articles completed after the policy was adopted. The policy will apply to all scholarly articles written while the person is a member of the Faculty except for any articles completed before the adoption of this policy and any articles for which the Faculty member entered into an incompatible licensing agreement before the adoption of this policy. The Chancellor or Chancellor’s designate will waive application of the policy for a particular article upon written notification by the author, who informs the University of the reason.

IV. EFFECTIVE DATE

This policy will be effective with the start of the Fall 2012 semester.

V. DEFINITIONS

- A. Nonexclusive permission: A permission giving the University of Hawai‘i at Mānoa the right to distribute an article from its repository. Faculty members still retain ownership and complete control of the copyright. Faculty can exercise their copyrights in any way you see fit, including transferring them to a publisher if they so desire.
- B. Irrevocable, paid-up worldwide license: The permission granted may not be taken back; there are no fees associated with the permission granted; and the permissions apply worldwide.

- C. Final version of the article: The author's version with any changes made as a result of the peer-review process, but prior to publisher's copy-editing or formatting.
- D. Manuscript copy: A copy of a research article that has been peer reviewed and edited and is ready to submit to a publisher for copy editing.
- E. Not sold for profit: UHM could not generate a profit from exercising the rights granted, but could recover costs for a service related to the articles, such as printed course packs.
- F. Open dissemination: Journal articles stored and made available on the public Internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful, noncommercial purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself.
- G. Scholarly articles: Faculty's scholarly articles are articles that describe the fruits of their research and that they give to the world for the sake of inquiry and knowledge without expectation of payment. Such articles are typically presented in peer-reviewed scholarly journals and conference proceedings.
- H. ScholarSpace: The institutional repository for the University of Hawai'i at Mānoa, which is an online, open-access archive of the University's scholarly output. Visit <http://scholarspace.manoa.hawaii.edu/>.

VI. RESPONSIBILITIES

The University of Hawai'i at Mānoa Library, Desktop Network Services Unit, will maintain the institutional repository. Faculty librarians and staff will facilitate the submission of the scholarly articles and will be available for consultation about the procedures.

The Chancellor's Office, or its designee [i.e., Desktop Network Services], in consultation with the Mānoa Faculty Senate will be responsible for interpreting this policy, resolving disputes concerning its interpretation and application, and recommending changes to the Faculty.

VII. PROCEDURES

At the time a scholarly article has been peer reviewed, edited and is ready to submit to a publisher for copy editing, the Faculty member will provide an electronic version of the manuscript copy at no charge to the Desktop Network Services Unit at the University of Hawai'i at Mānoa Library in an appropriate format (such as PDF).

Papers should be submitted as of the date of publication. To submit a paper under the policy, upload the author's final manuscript, post peer-review, via a web form (<http://library.manoa.hawaii.edu/about/scholcom/opt-out/submissionauth.php>) or send it to Desktop Network Services at sspace@hawaii.edu.

The articles will be made available to the public via ScholarSpace, the open-access institutional repository at the University of Hawai'i at Mānoa.

If a journal publisher refuses to publish an article because of this prior license, Faculty have a number of options.

- A. Persuade the publisher that it should accept UHM's non-exclusive license in order to be able to publish the article.
- B. If the publisher requires a temporary embargo, ScholarSpace can comply.
- C. Seek a different publisher.
- D. Consult Desktop Network Services or the Patent and Copyright Committee about taking steps to address the publisher's specific concerns.
- E. Obtain a waiver for the article under the policy.

To obtain a waiver, fill out the web form (<http://library.manoa.hawaii.edu/about/scholcom/opt-out/contact.php>) or send an email or other written notice to sspace@hawaii.edu informing UHM of the following:

- Name of UHM author
- Title of article (expected or working title)
- Journal you expect to publish in
- Reason you are opting out

Faculty are also encouraged to retain ownership of the copyright of published papers where possible. Faculty may use an Author Addendum (<http://library.manoa.hawaii.edu/about/scholcom/copyrights.html#publishing>) to attach to the publishing agreement.

The UHM Open Access Policy will be reviewed after five years by the Manoa Faculty Senate, with a report presented to the Faculty.

VIII. REFERENCES

General Information about Open Access and Scholarly Communication
Open Access Overview
<http://www.earlham.edu/~peters/fos/overview.htm>

National Institutes of Health Public Access Policy

<http://publicaccess.nih.gov/>

Open Access at the University of Hawaii at Manoa

UHM Scholarly Communication Office resources, including FAQs

<http://library.manoa.hawaii.edu/about/scholcom/index.html> .

Open Access Policies at Other Universities

Duke University Open Access Policy

<http://library.duke.edu/openaccess/>

Harvard Faculty Open Access Policy

<http://osc.hul.harvard.edu/policies>

MIT Faculty Open Access Policy

<http://info-libraries.mit.edu/scholarly/mit-open-access/open-access-at-mit/mit-open-access-policy/>

The University of Kansas Faculty Open Access Policy

<http://www.lib.ku.edu/openaccess/>