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Random Ramblings: Barriers in Higher Education to Open Access and Institutional Repositories

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tation of eBook plans, in all libraries, may be speeded up by a quicker switchover, particularly in states where consortia use is possible. Or, eBook growth may dry up on the vine because of a cutback on book purchases in any form.

Impacts on books come first because they are bought in a quicker time frame. The impact on serials, ejournals, and databases of ejournal information may be slower but even greater even though the emphasis on these materials may be given more precedence than before — if that is possible. Many of these are bought through statewide consortia, which are in turn funded by the states. State money for public services, including education is declining and will decline even more due to loss of jobs of so many citizens, more business failures resulting in lower tax revenue. Also the fact that they will be very less able to borrow money will restrict what they can buy for anyone. The impact here may be slower but may eventually be devastating to student, faculty and researcher access.

Universities and colleges that rely greatly on endowments, such as the Ivy League and older private institutions are and will be hard hit for a long time to come. That money has been invested, some in what were thought to be safe investments such as bonds — no longer that safe — and mutual funds some of which were also considered quite safe because they were amalgams of stocks, bonds, money markets and other sorts of securities. These too have plummeted, as have traditional stock mutual funds.

The **Bernard Madoff** situation in which **Mr. Madoff** is alleged to have taken money for investment and not really done so to the advantage of the investors, but to him, has had a detrimental effect on several colleges and universities. We have all read this in the newspaper. **Brandeis University** and **Yeshiva College** have been especially hard hit. **Brandeis** was looking to sell off valuable works of art from its museum collection. It seems that has been met with alarm from their constituents.

Strategies that money managers have used to help institutions maintain and make money have always included investments overseas, which often do well when the US economy is tanking. No safety here, since the housing and mortgage crisis the money of which underwrote credit for everyone including banks, American, European, international — all of them. The investment firms and solid old banks are crumbling and are being bought up and restructured daily. My bank in the US has been bought up by another bank, and my old bank in Holland was bought up by another financial firm, and then returned to being self — very confusing. I believe this will affect our institutions and us by drying up money for student loans first of all. Fewer students means less money for universities and colleges, etc.

Having worked in the supplier world it has occurred to me that the easy functioning of book and serial supply companies may be impacted, particularly by the drying up of banks as credit sources. In my experience, with subscriptions particularly, agencies have been run on the concept of publishers being paid in advance of real money coming from subscribers to the agencies. The suppliers often rely on short-term loans from banks to pay publishers before they get their subscription money. Sufficient cash reserves

would offset this of course, which many firms may have. However, I would imagine there are some less well funded that may fall by the wayside by the lack of credit needed to keep such businesses running smoothly.

People — How does all this affect real people, such as students and faculty? Fewer student loans available affects the number of students, and faculty needed to teach them. Students also rely on part-time jobs to pay for college. If you are the parent of a college age teenager you are probably already aware that these low level jobs are being filled by older employees who have lost other jobs, or need money to supplement their shrinking retirement money. So there will be less money all the way around to attend college.

Serial and acquisitions librarians such as myself have watched our retirement accounts rise over the years pretty steadily. Much of this money comes from mutual funds if you've looked at your recent retirement account

Lately it is shocking to see how much it has gone down so quickly, unless you were smarter than everyone else and moved it all to cash immediately. Having been in business I believe in hedging my bets by taking some losses going to investments as safe and plodding as I can find. Some mutual funds I have I am hoping will rise again when I retire or am still alive. My smartest investment was buying a signed first edition,

first printing of **Barack Obama's** *The Audacity of Hope* just after he announced he was running for the presidency. That has gone up in value well above anything else I have. Now that was a smart investment.

What this scenario means to many of us is the retirement we counted on coming any day now, may have to be put off. We may find ourselves vying with the teenagers for those lucrative jobs at **McDonald's** or **Target**.

New librarians and library staff competing for fewer jobs available now and probably fewer jobs in the future are of a different type than those I encountered in the past. All have college degrees, even those going for low-paying staff positions. Often they have an MLS and want a staff job. I have had resumes not just from PhDs but also from those with law degrees who had been practicing attorneys. The lure of these low paying jobs is that they are benefited and appear more secure than other jobs.

I didn't live through the Great Depression of the thirties, but my parents and grandparents did. It affected their attitudes towards money and saving the rest of their lives. As librarians and plain old people our better attempts to spend money as carefully as possible, and save safely, whatever that is, may be the good that comes out of all this. 🌱

Random Ramblings — Barriers in Higher Education to Open Access and Institutional Repositories

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“We have met the enemy and he is us.”

When was the last time that the vendor held a gun to a librarian's head to force the selector to subscribe to an expensive online serial package or to the author's head to sign the copyright release form? In the legitimate push to change the mechanisms for distributing faculty research, I believe that librarians have most often underestimated the complicity of higher education in the current scholarly communication system, however dysfunctional it might be. To me, the scholarly communication system is comparable to book distribution where all parties agree that fundamental change is needed, but none seem to be able to bring it about because the players don't want to give up any advantages that the current dysfunctional system grants them. Perhaps both journal and book publishing need a few disasters before a new model can emerge. The current economic crisis, whose effects have not yet hit higher education and libraries very hard, may turn out to be the catalyst.

I will discuss some of the barriers, both hidden and obvious, in higher education to implementing an open access model including persuading or requiring faculty to deposit their research in institutional repositories. Among the many factors,

I've selected the tenure and promotion system, institutional prestige, and copyright.

The Tenure and Promotion System

In my opinion, the most obvious and powerful barrier to open access is the entrenched tenure and promotion system at most research universities that judges faculty on the number of publications and the prestige of where they get them published. This factor is more important for untenured faculty who must prove to their tenured colleagues and to their university administration that they are worthy enough to keep their jobs. The rules for tenure vary across disciplines from the humanities where the tenure book remains important and single authorship is the norm to the sciences that rely upon large research teams and multiple authors. In fact, I see the science model as the barrier to the very reasonable proposition of changing tenure to a submission of only a few select best works. I have a friend who is a biostatistician who may have her name listed as an author on dozens of articles each year for the important but restricted function of her statistical analysis. The difficulty in getting tenure may also

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depend in part on how many candidates are available for the job created by a tenure denial. I suspect that disciplines with a shortage of candidates are much more likely to grant tenure to reasonably competent faculty while those with hundreds of potential applicants can impose much higher standards.

The pecking order for print journals is reasonably well established. In the area of librarianship, articles exist that give the opinions of the leaders in field on which journals are more important. Citation analysis provides another evaluation tool. Open access electronic journals, no matter how good they are, present a risk for an untenured faculty member since these journals have not had enough time to establish their reputations and may not appear in the standard indexing and abstracting sources, a fact that then makes it more difficult for these papers to be cited. Review committees may judge institutional repositories even more harshly unless the repository imposes strict gate keeping policies, which are against the goals of most institutional repositories in their efforts to collect a broad spectrum of institutional documents. Furthermore, finding these articles means using special search tools or going deep into the list of Google results.

A recent article by **Elaine A. Nowick** (Nowick, Elaine A. 2008. "Academic Rank of Authors Publishing in Open Access Journals." *Agricultural Information Worldwide* -<http://www.iaald.org/index.php?page=qb.php>, (v. 1, no. 2, pp. 45-51.) appears to provide evidence of an increasing acceptance of open access journals. To quote from the abstract: "There was no indication that pre-tenured faculty avoided Open Access titles. In fact, there was a slight but significant trend for pre-tenured faculty to publish in Open Access journals."

I would submit a counter-hypothesis that non-tenured faculty are desperate enough to get published that they consider open access publication better than nothing but that they would be much happier to get their research published in highly valued print publications. I would be interested if a researcher could ask these questions and get honest answers.

I'll conclude with a personal example that shows the ironies of the scholarly communication system. Within the last week, I submitted an article in support of open access and institutional repositories to a journal that would not consider publishing it until my co-author and I signed away our copyright.

Research universities could thus do much to foster open access and institutional repositories by changing both the official and hidden tenure, promotion, and salary increment rules to give the same weight to publications in open access publications and to those that are deposited in institutional repositories after some suitable form of review. Right now, I would advise non-tenured faculty to stick with print journals since they will carry the most weight during tenure review.

Institutional Prestige

The second factor, institutional prestige, is closely linked with the first because research institutions want their faculty to publish in those places that bring prestige to the institution. When I was Interim Dean at **Wayne State University** from 1999-2001, the faculty library committee spent much effort trying to find ways to help foster the open access movement on campus by suggesting to the university administration that the university require faculty to not sign away their copyright. The faculty library committee believed correctly that a university mandate would carry more weight than an individual faculty member's attempt to retain copyright. The model was the federal government policy that works produced with government support can't be copyrighted. While the major reason that this initiative died will be discussed in the third section, one university administrator told me directly that he didn't want the university to take any action that would reduce the number of places where his faculty could publish. He also worried that the faculty would not be able to publish in the high impact journals that would bring prestige to the institution since these journals had their choice of manuscripts and could reject those from authors not willing to sign away copyright with few if any negative consequences for the journal.

I would also claim that **Harvard University's Faculty of Arts and Science** is taking very few risks in implementing an open access policy because **Harvard's** reputation is secure. Universities like mine that are hoping to improve their standings in the official statistics such as grants received and in the unofficial pecking order need concrete evidence of their increasing excellence. Getting papers published in journals that reject a high proportion of manuscripts, that have a high impact factor, and that lead to a high level of citations increase this prestige and, with it, the ability to attract superior faculty members. Widespread adoption of open access and institutional repositories might very well help affirm the status quo.

Copyright

The final barrier to open access and institutional access is probably less well known. Faculty often hold copyright to their research so that their universities can't force them to support open access or to participate in an institutional repository. **Jessica Litman**, a nationally recognized copyright expert who is now a professor at the **University of Michigan Law School** but was formerly at **Wayne State University**, came to speak to the faculty library committee when it was investigating asking the university to require faculty to retain copyright. According to her, the copyright issue for scholarly publications is much more complex than it appears. Since universities pay faculty salaries to do research and give them time, office space, clerical help, and sometimes financial support to write their publications, universities could and sometimes do make the case that the university

owns their publications as a work for hire. Many faculty, however, don't accept this principle. I have a colleague who won't even consider this possibility when the issue comes up and argues vociferously that he owns the copyright since he wrote the work. According to **Ms. Littman**, one-third of American universities claim copyright at least theoretically, one third give up any claims to copyright, and one third are silent. Universities have been much more vigilant about ownership of patents because patents can be worth an enormous amount of money while financial reward for scholarship is minimal. The situation is even murkier because the courts have not decided the underlying issue of who owns copyright for faculty publications.

The issue then becomes whether the university or a faculty body can force faculty and staff to deposit their publications in an institutional repository or to avoid signing any copyright agreements that don't provide the possibility of open access. In fact, I would be quite curious to learn what will happen to **Harvard** faculty who continue to publish in journals that require signing away their complete copyright. In my own institution, **Wayne State University**, the union contract explicitly gives copyright to the faculty except in a few uncommon cases where the university commissions the publication. To force faculty to retain partial copyright or to deposit their publications would require a change in this contract. I have speculated that the administration decided not to ask for these changes because doing so might have required an equivalent concession to the union for a revision where the administration was already ambivalent.

Even where the university claims copyright ownership, the claim has been more theoretical than real. Many faculty are quite happy with the current system since they have been successful in getting their works published and see no reason to take on additional burdens to help reduce the costs of the library's acquiring journals. Since happy faculty are most likely more important than happy librarians, I doubt that many university administrations will force the issue. At best, some universities are paying the open access fees and encouraging faculty to deposit their publications in the institutional repository. I await learning whether other faculties follow **Harvard's** lead.

Concluding Thoughts

The obstacles to open access and institutional repositories are not so much "out there" as within the policies, practices, and culture of research institutions. I find it hard to fault publishers who maximize their profits by finding willing authors to sign over their copyright and willing libraries to buy the resulting publications. The winners in the current system, whether university administrators or faculty, need incentives to change. The current economic mess may provide such a prod if the alternatives to savings from open access and institutional repositories are fewer faculty positions, greatly reduced library holdings, or cuts in the departmental travel budget. While I realize that many other issues that I haven't touched in this short essay are needed to give a full analysis of the forces that inhibit changes in scholarly communication, I feel that I can safely say that "we have met the enemy and he is us." 🐻

