

Asking for Permission: A Survey of Copyright Workflows for Institutional Repositories

Ann Hanlon and Marisa Ramirez

abstract: An online survey of institutional repository (IR) managers identified copyright clearance trends in staffing and workflows. The majority of respondents followed a mediated deposit model, and reported that library personnel, instead of authors, engaged in copyright clearance activities for IRs. The most common “information gaps” pertained to the breadth of information in copyright directories like SHERPA/RoMEO. To fill these gaps, most respondents directly contacted publishers for permissions. Respondents typically did not share publisher responses with other IRs, citing barriers such as time, expertise, staffing, and the need for improved methods for sharing data with copyright directories.

Introduction

Academic institutions have been implementing institutional repositories (IRs) at a steady pace since at least 2002, when Clifford Lynch declared them “essential infrastructure for scholarship in the digital age.”¹ As of 2010, IRs remain “works in progress.” Those involved with IR management look to resolve issues such as technical infrastructure and organizational structures, faculty engagement, and implementation of institutional mandates. As we move forward, successfully populating IRs with scholarship requires attention to all of these issues. Populating them with target content—published journal articles—will require additional attention to issues of copyright, authors’ rights, and permissions clearance. While the IR has become a more widely accepted component of preserving and disseminating the scholarly record of the university, formalized practices for populating repositories are still largely non-existent, a gap felt most acutely in the area of copyright clearance.

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In Fall 2009, the authors, institutional repository managers themselves, conducted an international online survey of IR managers at colleges and universities in order to gain a clearer understanding of the staffing, resources, activities, and tools employed to clear the copyrights for published work intended to be deposited into an IR. The

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survey aimed to discover trends in IR staffing and workflows and to identify barriers to broader sharing of publisher permissions policies among IR managers. This paper reports the findings of that survey, providing IR managers with a useful outline of common practices and suggesting areas in which broader collaboration might be valuable. Finally, it provides a snapshot of IR management with respect to copyright clearance activities.

Background

A rich body of literature greets a new IR manager surveying the library and information science journals for information on IR implementation, technical infrastructure, and the related scholarly communication and open access movement.² A portion of this literature has focused on the impact of repository deployment on library staffing, often emphasizing the new roles academic libraries and librarians are assuming as IR managers. In most cases, these new roles are viewed in a positive light: IRs would seem to put libraries in a good position to move from what is regarded as their traditional role as a passive steward of information to a newly active role as “disseminators of intellectual output for entire universities.”³

The current study has been guided by two key works of recent years: the MIRACLE project, an Institute of Museum and Library Services (IMLS) funded effort to “investigate the development of institutional repositories” (2007); and the final Mellon report by Carole L. Palmer et al., entitled “Identifying Factors of Success in CIC Institutional Repository Development” (2008).⁴ Investigators for the MIRACLE project conducted a census of IRs in order to “identify the wide range of practices” amongst IR managers. Among other findings, the results pointed to intellectual property management as a key barrier to IR success. Asked about thirteen factors that would “inhibit the deployment of a successful IR,” implementing institutions ranked “contributors’ concerns about intellectual property rights for digital materials,” fourth.⁵ Results also showed that, among implementing institutions, the intellectual property rights for IRs were most commonly managed by library staff.

Similarly, in their report aimed at identifying the “strategies and conditions influencing the advancement of institutional repositories,” Palmer et al., identified copyright clearance as a significant complicating factor in IR success, with respect to both IR managers and faculty. Faculty reported that “the time and effort involved in determining or securing copyright often outweighed IR benefits.” While their report focused on case studies of three institutions with different IR implementation emphases, the authors concluded that, across all models, “IP management strategies need to be more professionalized both locally and broadly across the academic library community. Investment in blanket approaches and more automated techniques would have a long-term payoff.”⁶



Both studies recognize the barrier that copyright clearance presents to successful IR implementation. However, broad IR copyright clearance activities, with an emphasis on common clearance methods, approaches, and processes, have not yet been studied in sufficient depth. A litany of problems plague current rights management processes—publishers’ slow response time to author rights questions, overly aggressive licensing terms, unclear terms of licensing, and poor rights record-keeping. This is so even when looked at from the publishers’ point of view.

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In a recent article on rights management, academic publishing was described by its authors, themselves members of the publishing industry, as “being a bit shambolic in licensing and rights management practices and stuck in some Dickensian past of ledgers and quill pens.”⁷

And yet universities continue to implement IRs at a steady clip, as evidenced by the OpenDOAR organization’s growth chart, which shows the number of repositories doubling from under 1,000 in 2007 to close to 2,000 in 2010.⁸ In the current state of ad hoc rights management, it falls to the IR manager—usually a library employee—to negotiate this byzantine rights management landscape. Anecdotal evidence, gathered informally through listservs, conference presentations, and hallway conversations, initially suggested to the authors that many IR managers share some common—possibly duplicative—copyright clearance practices. The authors’ shared experiences led to the investigation of how other IR managers handle the problem of copyright permissions. What copyright clearance practices do IR managers have in common and where do gaps in information and policy persist? To what extent do IR contributors and managers rely on SHERPA/RoMEO and similar tools? Most important, what practices can ease the burden of copyright clearance? By identifying redundant processes and common workflows, the profession would be presented with opportunities for increased collaboration, information sharing, and the development of best practices in IR copyright clearance.

Methodology

In October 2009, survey invitations were e-mailed via the OpenDOAR e-mail service to 778 IRs that met the OpenDOAR parameters of “content type=articles” and “repository type=institution.” One hundred twenty-one completed survey responses from 25 countries were collected from October 12—November 12, 2009. Our study sought to answer the following research questions:

- R1. What copyright clearance workflow models are repositories following?
- R2. Who is typically responsible for IR copyright clearance activities?
- R3. What common tools or approaches are employed in the copyright clearance workflow models?

R4. How are repositories recording and sharing the copyright clearance policies that they collect through the course of their copyright clearance activities?

The survey comprised 29 questions that were developed to collect information on models and workflows, roles and responsibilities, tools and sharing, and challenges (See Appendix A for full set of survey questions).

The survey format, question wording, length of the survey, and the use of an online survey tool were all considered in order to reduce the burden on respondents, increase the response rate, and eliminate bias. A built-in skip logic limited respondents to relevant questions. The survey was pretested with six IR managers. The survey format and question wording were updated to eliminate points of confusion as indicated by the pre-testers.

With a response rate of 15 percent there is the possibility of bias due to non-response. That is, the individuals who did not respond to the survey may have answered differently than those who did. Additional sources of bias may have been introduced by allowing individuals to skip questions, scroll backward and forward, change their answers, and exit at any time. The results of this study are of a descriptive nature, and only characterize the respondents of the survey.

A large majority (70.4 percent) of respondents engaged in copyright clearance activities with entities such as publishers, in order to make published faculty work and other scholarship available in their repository. The results of our study provide further insight into the attributes of those respondents.

Results

Almost half of all respondents were from institutions in the United States or the United Kingdom. Only eight respondents were from institutions in Asia and one from Africa (South Africa). The proportions roughly correspond to the geographic distribution of repositories in OpenDOAR for the same category, with the United States and United Kingdom being somewhat better represented in the survey than in OpenDOAR.

Respondents were asked about enrollment of full-time students (undergraduate and graduate). The average number of students reported was 19,729. The highest enrollment reported was 200,000 and the lowest enrollment was 100. The median was 14,000.

DSpace was the most widely used platform among respondents (40.8 percent), followed by EPrints (24.2 percent), Other (22.5 percent), and Digital Commons (12.5 percent). Fedora and CONTENTdm were reported by 4.2 percent of respondents each. Of those who replied "Other," roughly a third (33 percent) used in-house developed IR systems, or systems such as ETD-db, OPUS, and CDS-Invenio.

Respondents were asked how many years their IR had been operational. The average was four years of operation. The longest period reported was 15 years and the shortest was three months. The most commonly reported period (the mode) was three years.

The average number of items in surveyed repositories was 7,080, with a median of 3,150. The maximum number reported was 60,000 items, and the lowest was 62 items.



Table 1

Primary manner published faculty research and scholarship is added to an IR

Deposit model	Percent of total responses
Author self-deposit	7.3%
Deposit on behalf of the author	36.6%
Combination of author self-deposit and deposit on behalf of the author	53.7%
Other	2.4%

Deposit Model and Roles and Responsibilities

The majority of survey respondents (90.3 percent) reported providing either deposit on behalf of the author (36.6 percent) or combination of author self-deposit and deposit on behalf of the author (53.7 percent)—in other words, some kind of mediated deposit (see Table 1). Only Australian and European respondents reported author self-deposit as the primary method of IR deposit.

Participants were asked to indicate the responsible party for a range of copyright clearance activities. Taken as a whole, respondents reported that librarians and library staff were the parties most likely to engage in copyright clearance activities for IRs. This was the case even for those institutions who reported author self-deposit as the primary method of IR deposit. Authors, however, were more likely than anyone else to be involved in the review of their own license agreements. While authors contacted publishers for permission to deposit, librarians and library staff were more likely than authors to do so, according to respondents. Librarians and library staff were also those most likely to record publisher policies. Legal counsel did not appear to be significantly involved with copyright clearance. (see Figure 1)

Librarians and library staff were least likely to participate in the review of author license agreements. This is probably because the specific agreement is between the author and the publisher, while other permissions activities, such as locating standard publisher policies and contacting publishers for permission, can be done on an author's behalf.

Tools and Methods

The next set of questions on the survey dealt with tools and methods for copyright clearance. When asked about the resources or services used to determine publisher IR deposit policies, the majority of respondents (97.8 percent) reported using SHERPA / RoMEO or analogous tools in Spanish or Japanese, such as Dulcinea or the Japanese Society of Copyright Policies. These tools have compiled publishers' copyright and archiving policies into

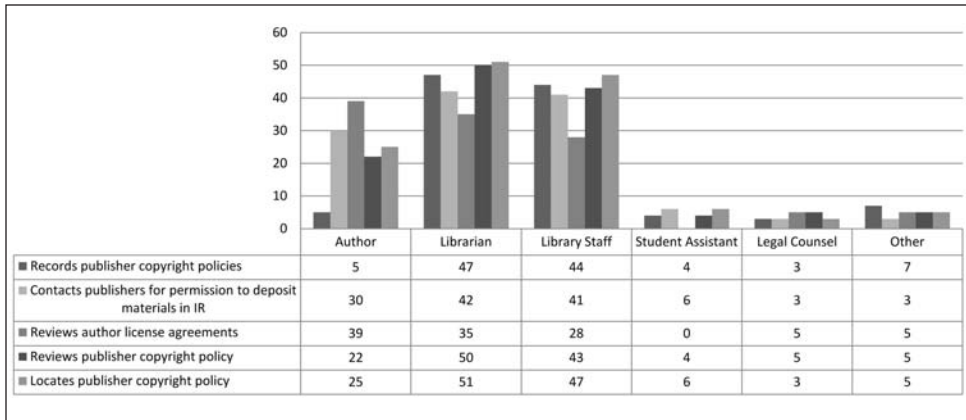


Figure 1. Copyright Clearance Roles and Activities

online directories that can assist in determining publisher policies for IRs. As expected, use of the publishers' website and review of author license agreements downloaded from the publisher website were also reported to be important tools used for determining publisher's copyright policies. Regardless of deposit model (author self-deposit or mediated deposit), SHERPA/

RoMEO was the most commonly reported tool used in permissions workflows.

According to respondents, while these directories were crucial to permissions workflows, 53 percent reported that these tools did not completely satisfy their information needs. The most commonly reported "information gaps" pertain to the breadth of information in these directories, including publishers' policies on IR de-

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Contacting Publishers

To fill in information gaps, 88.3 percent of respondents directly contacted publishers for permission to deposit published materials in the IR. E-mail was reported as the most common method of contact. The majority of respondents, 79.5 percent, used standardized language in their correspondence with publishers and included the full citation of the article in question, as well as a URL to the IR (74 percent) and a request to use the



Table 2

Tools Used to Record Publisher Responses

(Totals add up to more than 100 percent. Respondents can select all that apply)

Tool.	percent of total responses
E-mail	58.2%
Hard copy printout	47.8%
Spreadsheet	41.8%
Other	19.4%
Database	16.4%

publisher PDF version in the IR (58.6 percent). A little over a third (37.5 percent) of the respondents requested “blanket permission” from a publisher or journal, which could be applied to future published work from their institution’s authors, and therefore eliminated the need for further correspondence with that publisher.

The majority of respondents reported that they retained publisher responses (85.9 percent), typically storing the publisher response in e-mail or printing out and filing a hardcopy (See Table 2). Some repositories reported using “other” methods including storing the individual publisher response with the uploaded item. One respondent described their process: “we PDF the e-mail or hardcopy and add the PDF to the record for the item in the IR.” Another respondent indicated using a Customer Relationship Management tool to track contacts and communication history with the publishers. Several respondents reported keeping this information hidden, either as a suppressed file attached to the submission or within an internal wiki or other internal content management system.

The most commonly retained information from the publisher responses included the journal title, the date the information was collected from the publisher, and the publisher policy on IR deposit. Over half (54.8 percent) of respondents did not update their locally retained publisher records based on new data from publishers.

The overwhelming majority (95.1 percent) of respondents reported that they did not have a dedicated budget for copyright clearance costs for the IR, and the other 4.9 percent said they didn’t know. No one reported having a dedicated budget. This response is in some ways unsurprising. It aligns closely with the philosophy that libraries should not pay to provide open-access to articles authored by their faculty if they are already paying content licensing fees, and paying salaries to faculty who are not compensated by publishers for their contribution.



Table 3

Characteristics of Repositories that Share Publisher Responses with Other IRs, Compared to All Responses

	All responses	Share pub responses with other IRs
Repository Model	Mediated: 36.6% Author: 7.3% Hybrid: 53.7%	Mediated: 33.3% Author: 20% Hybrid: 46.7%
Who Contacts Publishers for Permission?	Author: 34% Librarian: 46% Library Staff: 46%	Author: 48% Librarian: 24% Library Staff: 64%
Use Standardized Permission Letter	78.8%	80%
Retain Publisher responses via e-mail	59.7%	66.7%
Retain Publisher responses in spreadsheet	43.5%	46.7%
Retain hard copy of Publisher response	48.4%	40%
Records updates based on new data from publishers (such as a revised policies following a merger, etc)	Yes: 45.6% No: 54.4%	Yes: 54.5% No: 45.5%

Sharing Publisher Responses

Seventy-eight percent of the respondents did not share publisher responses with other IRs, even though their clearance work involves contacting publishers to verify policies on IR deposit. The repositories that shared information with others (20.0 percent) reported either distributing their information through one of the existing copyright directories or sharing the information on an “ad hoc” basis. Respondents reported that they shared information if it was judged to be more broadly useful or valuable to other institutions. For example, one respondent reported sharing publisher information “if the publisher is Australian and the response is generally applicable (i.e., not an institutionally specific permission).” Another respondent suggested that “if it is a general policy and not individual permission, then information is fed to SHERPA / RoMEO.”



IRs that shared publisher policy information with others were similar to the IRs that did not share policy information. “Policy sharers” had slightly higher rates of author involvement: 46.7 percent of them followed a hybrid repository model (a combination of mediated deposit and author self-deposit), 33.3 percent followed a mediated deposit model, and 20 percent followed an author-deposit model. Library staff (64 percent), the author (48 percent), or a librarian (24 percent) were primarily responsible for contacting the publishers to request copyright permissions for IR deposit, reflecting a higher rate of author involvement than for all survey respondents. These IRs utilized permission workflows similar to others, such as contacting publishers using a form permission letter (80 percent) and retaining publisher responses using e-mail (66.7 percent), spreadsheets (46.7 percent), and hard-copy printouts (40 percent). However, they are atypical in that they were more likely to update their records when new publisher policy information became available (54.5 percent). (See Table 3 for full comparison)

A majority of respondents (53 percent) also reported that they did not share publisher policy information with a copyright policy directory like SHERPA/RoMEO. These respondents cited time, expertise, and staffing as barriers that would need to be resolved locally before publisher policy information could be regularly shared with copyright directories. Legal liability (“we don’t want to be responsible if the information is incorrect”) and internal workflows (“remembering and knowing how” to report the information) are other areas that were cited as additional challenges. Publisher non-response was another impediment to successfully clearing copyright for IR material. Several respondents expressed frustration with “actually getting publishers to respond to inquiries in a timely manner” or “getting responses from smaller publishers.”

External considerations appeared to present additional barriers to broader sharing of publisher policy information with copyright directories. Fifty-six percent of respondents reported needing an improved method for sharing data with a copyright directory, with some respondents indicating that they were unaware this possibility even existed, stating that “to participate, we would need basic information on how to get started.”

Discussion

Deposit Model and Roles and Responsibilities

Repositories were originally conceived as sites where authors themselves would deposit their work, with authors primarily responsible for clearing permissions. The literature addressing the beginning of the self-archiving movement assumed that the responsibility of rights retention and negotiation would be in the hands of the author.⁹ A 2007 article on IR roles in libraries lamented that “self-submission has not yet been adopted widely,” though this “phenomenon may change over time.”¹⁰ However, more recent studies have embraced the notion of widespread mediated deposit—meaning

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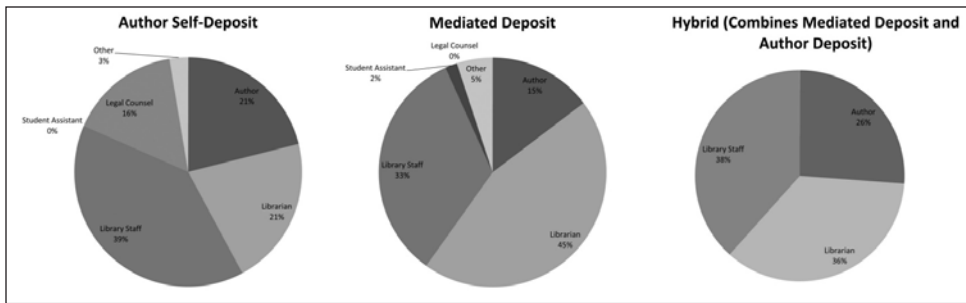


Figure 2. Primary Roles Responsible for Copyright Clearance Activities, Correlated to Deposit Model

that material is deposited on behalf of the author by a third party, usually someone associated with the IR. Raym Crow's 2002 seminal position paper on IRs posited librarians as having the primary role in "awareness" and "archiving" of scholarly research.¹¹ By 2008, a survey of attendees at that year's SPARC Digital Repositories Meeting found that respondents expected "mediated deposits (to IR and/or to PubMed Central)" and "copyright checking and negotiating agreements" would be "significant trends" in 2009.¹² And recent findings suggest that copyright concerns are a primary barrier for faculty self-archiving.¹³ The results of our survey further suggest that mediated deposit is common, and author self-submission is the exception.

Our survey results describe an environment where libraries have assumed a primary role in checking permissions for published faculty scholarship prior to deposit (see Figure 2).

In fact, in all three deposit models, librarians combined with library staff constitute 60 percent or more of all copyright clearance activities (Author self-deposit = 60 percent; Mediated deposit = 78 percent; Hybrid deposit = 67 percent). These findings reinforce what IR managers have begun to suspect. While the goal has been author self-deposit, including rights clearance by the authors themselves, the reality is closer to what Sarah Shreeves and Melissa Cragin noted in their 2008 article examining the present and future state of IRs: "...the depositor is expected to have the right to deposit or to have negotiated the right to deposit the content, although we have found that in practice it is often the repository managers who are doing this work."¹⁴

Tools and Methods

Copyright clearance directories, like SHERPA/RoMEO, are used to bring together an array of publisher copyright policy information. As indicated by our survey respondents, these resources are relied upon heavily by IR managers. However, these directories have some shortcomings that have been previously observed including coverage gaps, ambiguous policy information, and the necessity for users to possess some knowledge of copyright law for proper interpretation and application.¹⁵ As one survey respondent put it, copyright directories are "invaluable, but not all publishers are covered, and there is no equivalent for books." Another respondent reported that directories "don't know whether our author has negotiated anything with a publisher, nor indeed can they tell

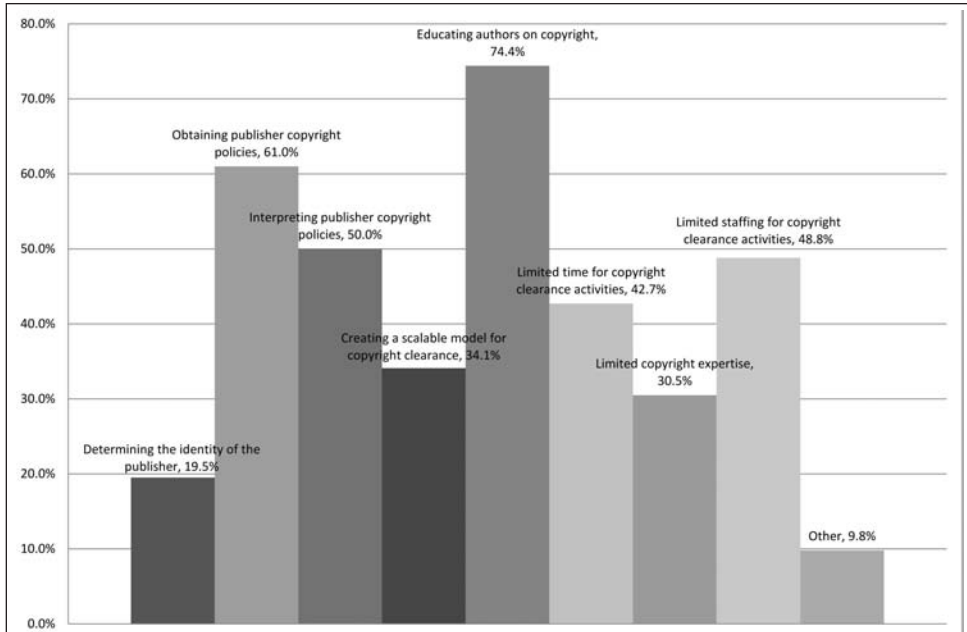


Figure 3. Top Copyright Challenges (Survey Questions: “What are the top copyright challenges faced by your IR?”)

us about previously existing policies at the time our author signed their agreement. The most useful way to check copyright is always going to be to refer to the author’s license agreement. But not all the authors seem to have kept that and it is difficult enough to get them to send the articles, never mind those agreements as well!”

Given that requests are specific to particular citations would seem to indicate that respondents are taking an item-by-item approach to copyright clearance. That is, the copyright clearance information they receive from publishers is usually specific either to the individual article addressed in the inquiry, or, if broader, to their institution alone, and is not transferable to the larger repository community. This means that most permissions information that is collected by any single institution is most likely not eligible to be shared in a directory like SHERPA/RoMEO.

Sharing and Barriers to Sharing

Ultimately, publisher policy exchange is not the focus of IR activities. Any such goal is further complicated by the fact that publisher responses are typically specific to the inquiry, making it difficult to be more broadly applicable. As one respondent stated, “often permissions are given on a ‘one-off’ basis not stating an overall policy.” Instead, IRs are faced with other copyright challenges, including obtaining and interpreting publisher copyright policies, and the education of authors about copyright, licensing, and rights retention. In fact, when asked for the top copyright clearance challenges faced by their IR, the majority of respondents chose “Educating authors on copyright” (74.4 percent). This was closely followed by “Obtaining publisher copyright policies” (61 percent). One



respondent reported their greatest challenge was a hybrid between the top two answers, “one challenge can be that although a publisher may have a copyright policy—not all of them include specific mention of their policy in regards to repositories. It seems it is

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not so much authors that need to be educated as publishers that need to be educated.” (See Figure 3)

Conclusions and Recommendations

After conducting a survey of institutional repository (IR) managers, trends in copyright clearance staffing and workflows are evident. The majority of respondents followed a mediated deposit model, and reported that li-

brary personnel, instead of authors, engaged in copyright clearance activities for IRs.

Workflows and challenges were remarkably similar among respondents, regardless of geographic location, deposit model, or size of institution. The most common

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“information gaps” pertained to the breadth of information in copyright policy directories like SHERPA/RoMEO. To fill these gaps, most respondents directly contacted publishers, on behalf of authors, for permission to deposit published materials in the IR. Respondents typically did not share publisher responses with other IRs or copyright directories, citing barriers such as time, expertise, staffing, and the need for improved methods for sharing. 97.8 percent of respondents relied on SHER-

PA/RoMEO to verify publisher permissions. And while 88.3 percent of respondents directly contacted publishers for permissions, only a minority shared publisher responses with other IRs (20 percent) or SHERPA/RoMEO (31.3 percent).

The informality of copyright workflows, including strategies for recording and tracking copyright information, is striking. This may be an indication of the relative newness of the field. For example, compared to interlibrary loan—an established field of practice that has software, systems, and formalized workflows that coordinate with centralized copyright bodies—IR copyright permissions activities appear to be in a formative stage. At the same time, the informality of the workflows may also be indicative of the open access philosophy that underlies the development of IRs. Copyright clearance workflows may be seen largely as a stop-gap solution on the way to greater rights retention by authors and openly accessible publication venues.

Ideally, authors would retain the right to deposit their work, either by institutional mandate, professional practice, or personal conviction, and publishers would make their policies for IR deposit as transparent as author submission guidelines, thus reducing the need for repositories to seek permissions for the IR deposit of individual



publications. Short of that, there are steps the IR community can take to more fully share information, thus reducing the need for redundant copyright clearance activities. There are areas that could be productively streamlined, such as standardized language in the permissions letter, more consistent documentation of publisher responses, and an increased awareness of—and improved practices for—the use and sharing of policies in copyright clearance directories. Institutional repository managers should more fully leverage professional contacts in the IR and scholarly communication communities and use “these relationships to spread risk (and rewards) to advance the goals of all participants, finding scalability, safety, and economy in numbers.”¹⁶

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There are specific challenges within the copyright clearance sphere; namely the time and resources involved in copyright clearance activities. Further efforts should focus on improved tools, methods, and guidelines to unify and broaden the reach of individual copyright clearance activities. Efforts such as the *bibapp* tool developed by the University of Illinois and the University of Wisconsin, and the University of Utah’s in-house IR workflow tool, University Scholarly Knowledge Inventory System (U-SKIS), may serve as examples of formalizing permissions workflows. Both applications build rights management into their workflows. *bibapp* automatically checks citations for deposit policy in SHERPA/RoMEO, further highlighting the importance of shared rights management tools.¹⁷ U-SKIS is designed to “assist in the workflow of other digital collections dealing with rights management, communications, authors, and creators.”¹⁸ Similar systems could be deployed at other institutions, which could then be augmented by the development of common, sharable tools and workflows for rights management, with cross-institutional collaboration on permissions clearance.¹⁹

Several for-profit entities have identified a niche to draw together copyright information in one place. For example, OCLC launched a WorldCat Copyright Evidence Registry²⁰ and the Copyright Clearance Center has had a history of serving as a clearinghouse for ILL permissions. But these entities are unsuitable for the type of permissions required for IR deposit, where the rights of the author are being renegotiated, as opposed to republication rights by a third-party or other similar uses.

The popularity of SHERPA/RoMEO and other copyright indices demonstrates the fundamental importance of sharing copyright information through existing venues. But SHERPA/RoMEO and other copyright indices are not sufficient alone, due to the inevitable gaps in publisher coverage—gaps that could conceivably be covered by organizing the permissions work that IR managers already conduct.

The library profession may consider developing IR copyright clearance “best practices” in order to supplement and augment existing copyright directories. This would not



only advance our current permissions clearance and IR deposit practices, but, because we would be actively and systematically seeking permissions, it would have a greater impact on the availability of open access scholarship, and could provide an opportunity to further engage authors in this issue. Joyce Ogburn articulated the impetus for this challenge in 2009, saying, “Librarians should ask themselves whether they want the

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future of scholarship to be owned by the many or the few, to be open or closed, and then how they see themselves contributing to this future. An open future depends on active professional engagement and personal commitment, as well as institutionalizing the open movement.”²¹ Library professional organizations, such as ACRL, ARL-SPARC, and others who have a stake in scholarly communication issues could be ideal vehicles to generate formal profes-

sional support for increased integration of institutional repository practices.

Although few conclusions can be inferred about the practices of all IR managers, the results of our survey suggest that the “institutionalization” of copyright workflows for IR deposit is still a work in progress. Growth of IRs may lie in improved copyright clearance workflows and practices of library IR managers. In one scenario, better use of existing tools like SHERPA/RoMEO, through increased sharing of publisher policies and standardized protocol for seeking permissions, could eventually lead to clearer policies from more publishers and less redundant permissions activities across libraries. However, given the difficulties reported in contacting publishers and conveyance of permissions, it may be that libraries simply need to see copyright clearance as integral to the management of IRs. Furthermore, there should be a focus on formalizing those practices, rather than continuing to approach them in an ad hoc fashion.

This survey reveals many common copyright clearance practices among IR managers, and the barriers to broader sharing of permissions. Further studies are necessary to resolve how to better organize copyright clearance activities in order to continue to populate IRs with published scholarship.



Appendix A

Survey Questions

- R1. What copyright clearance workflow models are repositories following?
 R2. Who is typically responsible for IR copyright clearance activities?
 R3. What common tools or approaches are employed in the copyright clearance workflow models?
 R4. How are repositories recording and sharing the copyright clearance policies that they collect through the course of their copyright clearance activities?

1. I am voluntarily participating in this survey
 - a. I agree

2. (R1) Does your institution engage in copyright clearance activities with third party entities (such as publishers) in order to make published faculty research and scholarship available in your IR?
 - a. Yes
 - b. No

3. (R1, R2) What is the primary manner in which published faculty research and scholarship is added to your IR?
 - a. Author self-deposit
 - b. Deposit on behalf of the author
 - c. Combination of author self-deposit and deposit on behalf of the author
 - d. Other

4. (R1, R2) At your institution, who is responsible for the following copyright clearance activities? (Please indicate the copyright clearance activities that apply to each role. More than one activity may be selected for each role.)

Roles:	Activities:
Author	Locates publisher copyright policy
Librarian	Reviews publisher copyright policy
Library Staff	Reviews author license agreements
Student Assistant	Contacts publishers for permission to deposit materials in IR
Legal Counsel	Records publisher copyright policy
Other	

5. (R1, R3) What resources or services does your institution use to determine publisher IR deposit policies? (Check all that apply)
 - a. SHERPA/RoMEO
 - b. OAKList
 - c. Copyright Clearance Center
 - d. Copyright policies from publisher website
 - e. Author license agreements downloaded from publisher website
 - f. Other

6. (R3) Do these resources or services satisfy your institution's information needs in order to complete copyright clearance activities?
 - a. Yes
 - b. No
7. (R3) If you answered no to the previous question, what kinds of information are you seeking that are not available? (Check all that apply)
 - a. Author license agreement
 - b. Publisher policy on self-archiving in compliance with funding regulations
 - c. Publisher policy on IR deposit
 - d. Publication version allowed for deposit (e.g. pre-print, post-print, publisher's PDF, author's version)
 - e. Other
8. (R1) Does your institution contact publishers for permission to deposit published materials in the IR?
 - a. Yes
 - b. No
 - c. Don't know
9. (R1, R3) How are publishers contacted? (Check all that apply)
 - a. E-mail
 - b. Hardcopy letter
 - c. Phone
 - d. Fax
 - e. Other
10. (R1, R3, R4) If publishers are contacted through written means, is a standardized letter used?
 - a. Yes
 - b. No
11. (R1, R3, R4) If you answered yes to the previous question, what kinds of information are included in the standardized letter? (Check all that apply)
 - a. Name(s) of the author(s)
 - b. Full citation of the article(s)
 - c. Name of your institution
 - d. Request for the publisher policy
 - e. URL to your IR
 - f. Your IR's policies
 - g. Request to use publisher PDF
 - h. Request for permission to apply publisher policy to future published work
 - i. Other
12. (R1, R4) Are the publisher responses retained by your institution?
 - a. Yes
 - b. No
 - c. Don't know



13. (R1, R3, R4) If you answered yes to the previous question, what tools are used to record the publisher responses? (Check all that apply)
 - a. Spreadsheet
 - b. Database
 - c. E-mail
 - d. GoogleDocs
 - e. Hard copy printout
 - f. Other
14. (R1, R3, R4) If you answered yes to question #12, what types of data are typically recorded from the publisher responses? (Check all that apply)
 - a. Publisher name
 - b. Journal title
 - c. Publisher policy on IR deposit
 - d. Publisher policy on self-archiving in compliance with funding regulations
 - e. Date the information was collected
 - f. Link to publisher's copyright policy
 - g. Link to publisher's website
 - h. Link to journal website
 - i. Other
15. (R1, R4) Are records updated based on new data from publishers (such as revised policies following a merger, etc)?
 - a. Yes
 - b. No
16. (R4) Are publisher responses shared with other IRs?
 - a. Yes
 - b. No
17. (R4) If you answered yes to the previous question, how are publisher responses shared with other IRs?
 - a. Open-ended responses
18. (R1) What are the top copyright clearance challenges faces by your IR? (Check all that apply)
 - a. Determining the identity of the publisher
 - b. Obtaining publisher copyright policies
 - c. Interpreting publisher copyright policies
 - d. Creating a scalable model for copyright clearance
 - e. Educating authors on copyright
 - f. Limited time for copyright clearance activities
 - g. Limited copyright expertise
 - h. Limited staffing for copyright clearance activities
 - i. Other

19. (R1, R3) Some publishers will grant permission to deposit published materials in your IR on the condition that a fee is paid. Is there a dedicated annual budget for copyright clearance costs for the IR?
 - a. Yes
 - b. No
 - c. Don't know
20. (R1, R3) If you answered yes to the previous question, what is your annual budget for IR copyright clearance costs? (Please enter response in US dollars)
 - a. Open-ended responses
21. (R3, R4) Does your institution share publisher policy information with SHERPA/RoMEO, a global index of publisher permissions?
 - a. Yes
 - b. No
 - c. Don't know
22. (R4) If you answered "No" or "Don't Know" to the previous question, what kind of barriers would need to be resolved locally within your institution before publisher policy information is regularly shared with SHERPA/RoMEO or its equivalent? (Check all that apply)
 - a. Time
 - b. Expertise
 - c. Staff
 - d. Legal liability
 - e. Internal workflows
 - f. Other
23. (R4) If you answered "No" or "Don't Know" to question 21, what kinds of considerations would need to be addressed before your institution regularly shares publisher policy information with a global index (such as SHERPA/RoMEO)? (Check all that apply)
 - a. Governance/oversight of the index
 - b. Currency of the information
 - c. Reliability of the information
 - d. Improved methods for sharing of data
 - e. Multilingual interface
 - f. Version tracking for entries
 - g. Other
24. Please enter any additional comments about your institution's copyright clearance activities that you feel are relevant to this survey.
 - a. Open-ended responses
25. (Demographics) Where is your university or institution located?
26. (Demographics) How many full-time students (undergraduate and graduate) are currently enrolled at your institution?



27. (Demographics) What software platform(s) do you use for your IR?
 - a. DSpace
 - b. Fedora
 - c. EPrints
 - d. DigitalCommons
 - e. CONTENTdm
 - f. Greenstone
 - g. Other
28. (Demographics) How many years has your IR been operational?
29. (Demographics) Approximately how many items are currently in your IR?

Notes

1. Clifford A. Lynch, "Institutional Repositories: Essential Infrastructure for Scholarship in the Digital Age," *Association of Research Libraries: A Bimonthly Report*, no. 226 (February 2003), <http://www.arl.org/resources/pubs/br/br226/br226ir.shtml> (accessed February 10, 2011).
2. Charles W. Bailey Jr., *Open Access Bibliography: Liberating Scholarly Literature with E-Prints and Open Access Journals* (Washington DC: Association of Research Libraries, 2005), <http://digital-scholarship.org/oab/oab.pdf> (accessed February 10, 2011)
3. Tyler O. Walters, "Reinventing the Library: How Repositories are Causing Librarians to Rethink Their Professional Roles," *portal: Libraries and the Academy* 7, 2 (April 2007): 213–225.
4. Karen Markey, Soo Young Rieh, Beth St. Jean, Jihyun Kim, and Elizabeth Yakel, "Census of Institutional Repositories in the United States," *MIRACLE Project Research Findings* (Washington DC: Council on Library and Information Resources, 2007), 62, Table 7.3, 49, Table 6.3; Carole L. Palmer, Lauren C. Teffeau, Mark P. Newton, "Identifying Factors of Success in CIC Institutional Repository Development—Final Report" (August 2008), <http://hdl.handle.net/2142/8981> (accessed February 10, 2011) 14.
5. Palmer et al., "Identifying Factors."
6. *ibid.*
7. Mark Bide and Alicia Wise, "21st-century Rights Management: Why Does it Matter and What is Being Done," *Learned Publishing* 23 (2010): 26.
8. "Growth of the OpenDOAR Database," *OpenDOAR*, <http://www.opendoar.org> (accessed February 10, 2011).
9. See for instance Mary Case, "Principles for Emerging Systems of Scholarly Publishing," *Association of Research Libraries: A Bimonthly Report*, no. 210 (June 2000), <http://www.arl.org/bm~doc/principles.pdf> (accessed February 10, 2011); Stevan Harnad, "The Self-Archiving Initiative," *Nature*, 410 (April 2001): 1024–1025, doi:10.1038/35074210; Elizabeth Gadd, Charles Oppenheim, and Steve Proberts, "RoMEO Studies 1: The Impact of Copyright Ownership on Academic Author Self-Archiving," *Journal of Documentation* 59, 3 (2003): 243–277.
10. Walters, "Reinventing the Library."
11. Raym Crow, "The Case for Institutional Repositories: A SPARC Position Paper" (2002), http://www.arl.org/sparc/bm~doc/ir_final_release_102.pdf (accessed February 10, 2011).
12. Jean-Gabriel Bankier, "Perceptions of Developing Trends in Repositories: Survey Results for the SPARC Digital Repositories Meeting" (November 2008), http://works.bepress.com/jean_gabriel_bankier/6 (accessed February 10, 2011).
13. Jihyun Kim, "Faculty Self-Archiving: Motivations and Barriers," *Journal of the American Society for Information Science and Technology* 61, 9 (September 2010): 1909–1922 doi: 10.1002/asi.21336, 1917.

14. Sarah L. Shreeves and Melissa H. Cragin, "Introduction: Institutional Repositories: Current State and Future," *Library Trends* 57, 2 (Fall 2008): 92. <http://hdl.handle.net/2142/10679> (accessed February 10, 2011)
15. Laurel Kristick, "Using Journal Citation Reports and SHERPA RoMEO to Facilitate Conversations on Institutional Repositories," *Collection Management* 34, 1 (2009): 51; Anne Morrow and Allyson Mower, "University Scholarly Knowledge Inventory System: A Workflow System for Institutional Repositories," *Cataloging and Classification Quarterly* 47, 3-4 (April 2009): 287.
16. Joyce L. Ogburn, "Moderately Risky Business: Challenging Librarians to Assume More Risk in an Era of Opportunity," in *Risk and Entrepreneurship in Libraries: Seizing Opportunities for Change* (ALA/ALCTS, 2009), 37.
17. "Bibapp," University of Illinois and University of Wisconsin, <http://bibapp.org/> (accessed February 10, 2011).
18. Morrow and Mower, "University Scholarly Knowledge Inventory System."
19. Helen Muir, "eResearch: the IR experience at Queen Margaret University, Edinburgh," *SCONUL Focus* 46 (2009): 51-54, <http://www.sconul.ac.uk/publications/newsletter/46/13.pdf> (accessed February 10, 2011); Morrow and Mower, "University Scholarly Knowledge Inventory System," 286-296.
20. <http://www.worldcat.org/copyrightevidence> (accessed February 10, 2011).
21. Ogburn, "Moderately Risky Business," 41.