# Panel 3 - I don't want to wait: defending open scholarship

- Moderator: Andrea Szwajcer, COPPUL Scholarly Communication Working Group member
- Panelists:
    - Sonya Betz, University of Alberta
    - Tara Stephens-Kyte, University of British Columbia
    - Nicole White, Simon Fraser University

## Summary

The discussion centered on secondary publishing rights (SPR) and arising issues with publisher interpretation, practices, and policies and their impact on author rights and open access publishing. They also discussed the challenges of navigating publisher policies for deposit and sharing of academic works, and the need for education and clarity in publisher policies. Finally, the panel discussed the opportunities and challenges surrounding open access and national IR platforms, and emphasized the need for a national conversation, incentives, and a community of practice to support compliance and infrastructure.

## Chat Summary

*'A little bit of rage is good'*

- Paper relevant to topic: "More Obstacles for the Graduate Student Author: Open Access ETDs Trigger Plagiarism Detectors" doi: https://doi.org/10.59942/2995-9063.1002
- Recommended guide relevant to topic: "Major Academic Publishers* and Standard Policies Related to Academic Theses"
- A few participants commented that they suspect that quite a few ETD authors (electronic theses and dissertations) are requesting 'just in case' or pre-emptory embargoes – would like to have opportunity to discuss with submitters publisher policies without merely acquiescing to the request
- A few participants endorsed the idea to 'crowdsource a database of publishers that use bad AI to reject article submissions'
- One participant with an IR management role indicated they were considering what responsibilities they had in relation to content scraping by AI training bots

## Discussion Details

- Two of the panelists are managers of open publishing activities and initiatives at their institutions; the third is a digital repository manager
- All panelists have not fielded communication from publishers directly regarding concerns related to content/authors' secondary publishing rights; concerns are from authors navigating vague or contradictory self-archiving publisher's policy. Contradictory examples include: hidden all rights reserved language in a self-archiving 'support statement' or statement that authors retain copyright; publishers that prohibit third party licensing which prohibits deposit in the institutional IR. Such examples likely come from a cobbled together policy from other sources and so do not hold consistently as a whole.
- Certain publishers were identified as re-interpreting share and reuse for their own commercial ends that do not in fact contain the core tenets of share and reuse principles.
- One panelist stated that they fielded very few embargo requests from ETD (electronic theses and dissertations) authors

- Education was noted as necessary for new editors/editorial teams publishing diamond journals at their institution around self-archiving rights of their authors; to assist in understanding how their own policies intersect with use cases when they involve digital repositories (clarifying that repositories are an acceptable vehicle for sharing)
- Outreach approaches to try to head off ETD author confusion/anxiety/fear of thesis deposit and future publishing intentions of ETD content: documentation that advisors/authors/committee complete that stipulates the ETD open deposit obligation; graduate studies process and procedure guidelines that state when deposit is expected and in what circumstances embargos are permitted (i.e. requests for embargos are conditional). Other approaches included targeting ETD advisors on deposit to assist them in learning what the impact of publisher policies have on their research.
- A panelist suggested that those involved in supporting diamond publishing at their institution encourage their publications to make their policies available in Sherpa Romeo as well as having each article clearly display their CC license permissions
- It was noted that anxieties regarding SPR could be extended to anxiety in general regarding open access. That said, IR managers are faced with turning away depositors wishing to deposit content that is inadmissible due to policy/licensing conflict – which risks turning people off self-archiving. It puts the manager in a difficult position as they do not wish to defend or 'make a business decision that would support publishers making open access less accessible'
- Panelists and participants shared experiences of publishers using AI detection of open access content to determine article submissions as 'self plagarism' to justify rejection or request retrospective or pre-emptive embargo of open access content. The concern is that AI, such as iAuthenticate, is being used to put a 'chill' on immediately open ETDs or that institutions are 'letting publishers set policy about how institutions and their authors manage their content'. Advocacy include writing letters on behalf of authors to the editor/publisher clarifying the principles of reuse in different forms of expression, and their own policies that support submission of content from author's own theses; discussions with editors/advisors regarding recourse and publishing policies; education with students and faculty regarding definitions of self-plagarism, duplicate publishing
- A related issue was ethical use of open theses and AI harvesting of open content without due acknowledgment or respect of a CC license; concerns around recourse, what is the institutional obligation and responsibility to defend a license if it has been violated, defense against AI harvesting without permission
- Panelist shared a [response from some Canadian scholarly communications librarians to the Tri-Agency Review of the Open Access policy](#) that summarized both support/mediate open access and concerns.
- It was noted that there appears to be a disconnect between the stated preference of green/diamond OA, and what the OA environment is and how it functions and is resourced. As observed in the previous panel, commercial publishers are shifting from subscription to an APC (article publishing cost) cost model, gradually eliminating the green OA option. If green OA is preferred, then more resource support for repositories is required; if diamond OA is preferred, then support for non-commercial venues is required.
- If universally immediate OA is the ideal that the revised Policy is aspiring to be, there needs to be a national conversation of its implications, the required resourcing, and incentivizing of university administration and authors for policy compliance and encouraged use of established infrastructure.
- In the discussion regarding the future of relationships between universities, authors, and commercial publishers, there was the expressed anticipation of more article-based theses (or

'sandwich' theses); more conversations and outreach to graduate students and advisors regarding secondary publishing rights and self-archiving; wrestling with the implications of AI, transparency in the use of AI from all sectors. There was concern that institutions are ill-prepared to respond to the big disruption that includes both OA and AI – it requires them to have a radical reassessment in resourcing/investment of open scholarship practices and infrastructure. Tipping point indicators that were noted include: more conversations about investing in national infrastructure; potential of diamond OA; librarians invited to national policy conversations regarding these issues.