



Oregon State University Libraries and Press

Valley Library

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Notes and Background

1. This statement of principles comes out of a working group (library faculty) and advisory committee (faculty from the colleges) convened by the Provost in spring 2019. The Open and Sustainable Scholarly Communication group was charged with establishing a formal set of principles that outline OSU's commitment to open scholarship.
2. The group has focused its work on defining a set of principles that will:
 - a. define OSU's commitment to open scholarship; and
 - b. position OSU librarians to negotiate aggressively with publishers to secure licensing agreements that benefit OSU researchers.
3. **The Open and Sustainable scholarship group is asking for:**
 - a. Input on and reactions to the draft principles.
 - b. OSU faculty, staff and students to indicate their support for the principles by signing a petition (coming soon).
 - c. Support for an OSU Faculty Senate resolution expressing support for OSU library negotiators as they apply these principles in their negotiations with publishers.
4. To establish the principles, we used the [MIT Framework for Publisher Contracts](#) as a starting point. The MIT Framework has been [widely endorsed](#) across the US. We have used similar guidelines from the [University of Washington](#) and the [University of Pittsburgh](#), as well as a [Best Practices document created by the Orbis Cascade Alliance](#) (of which OSULP is a member) to develop additional language.
5. We added three additional principles of particular importance to OSU and OSULP:
 - a. Fair use and sharing: When we license content, our researchers must be able to use that content in their research and teaching. And OSULP must be able to participate in the sharing networks that are essential for any academic library to function.
 - b. Authorized users: As a publicly supported, land-grant institution, OSU has an obligation to serve the state of Oregon broadly, and our licenses must reflect this mission.
 - c. Privacy and user data: Increasingly [corporate publishers are collecting and selling user data](#). The right to privacy and confidentiality is a core value of libraries. We must place limits on how our outside vendors can use the data generated when researchers access licensed content.
6. Many faculty senate resolutions express support for academic libraries in specific publisher negotiations (e.g. [Texas A&M](#), and [SUNY](#)). For an example of a faculty senate resolution expressing the broader support we are seeking, see [Sustainable Scholarship at the University of Washington](#).

Principles Guiding Negotiations with Journal Vendors

Authorized Users

Authorized users include all current students, faculty, and staff of Oregon State University. Authorized users must be defined by their affiliation with the University regardless of their geographic location or campus. As a public, land grant institution with a broad mandate to serve the State of Oregon, “authorized users” also include any other library users accessing OSU’s collections onsite.

Open Access

No author will be required to waive any institutional or funder open access policy to publish in any of the publisher’s journals. If the publisher has the ability to do so, they will directly deposit scholarly articles into Oregon State University’s ScholarsArchive@OSU repository immediately upon publication. If they do not have the ability to directly deposit articles, they will provide tools or mechanisms that facilitate immediate deposit.

Author’s Rights

OSU authors will not be required to relinquish copyright. OSU authors will retain a nonexclusive, irrevocable, royalty-free, worldwide license to exercise any and all rights under copyright relating to each of their scholarly articles, in any medium, and to authorize others to do the same, provided that the articles are not sold.

Preservation and Accessibility

Publishers will ensure the long-term digital preservation and accessibility of their content through participation in trusted digital archives. All resources provided by vendors must meet or exceed accessibility standards defined by the Web Accessibility Initiative Web Content Accessibility Guidelines.

Transparency

OSULP will pay a fair and sustainable price to publishers for value-added services, based on transparent and cost-based pricing models. Publishers will not require non-disclosure agreements, confidentiality clauses, or any other methods that prevent OSULP from sharing contract information with our colleagues and our stakeholders.

User Data

Usage data should be made available on-demand. Usage data should be [COUNTER](#) compliant and adhere to the most recent [COUNTER Code of Practice](#). Usage data should be made available on-demand via a web-based portal and accessible via [SUSHI](#).

Confidentiality of user data generated by their use of licensed materials must be maintained. Usage data must not be disclosed or sold to any third party.

Research Support

Any publisher that has the technological ability to provide computational access to researchers will provide this access to subscribed content for OSU researchers content as a standard part of all contracts.

Sharing and Fair Use

Publisher licenses must not include clauses that try to limit Fair Use provisions of the United States and international law. Agreements should allow for: the printing, downloading and copying activities that are inherent in scholarly work, linking to resources in course management systems, and scholarly sharing of reasonable amounts of content with third party colleagues. Licenses must allow authorized users to incorporate reasonable portions of licensed content in print and electronic course packs, electronic reserve collections, or other educational materials.

OSULP must be able to use electronic resources for the purpose of fulfilling interlibrary loan requests in accordance with the Interlibrary Loan Provision of sections 107 and 108 of the US Copyright Act.