

CHAPTER 8

Uniting Policy, Advocacy, and Education:

Reframing the Open Access Policy as a Statement of Values in a Time of Funder Mandates

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Introduction

Open access policies are statements of advocacy, a way for institutions to express their values of openness, collaboration, and sharing, and a statement of commitment to our communities and the scholarly and creative process. We have progressed beyond open access policies being compliance tools, as funder mandates have emerged to serve that purpose. An institution's open access policy operates hand in hand with the requirements of governments, funders, and disciplines to work in a manner that demonstrates transparency and returns knowledge and value to all.



Local Case Study

At the University of Oregon Libraries (UO Libraries), we have supported open access publishing in a variety of ways over the past two decades. Academic institutions have made declarations in support of open access, and the University of Oregon (UO) has contributed to this literature periodically by addressing issues related to furthering open access and suggesting actions that faculty could take to advance the cause. This history deeply informed and bolstered our efforts from 2020 through the present, including the passage of an Open Access Policy in 2021.

The context in which the UO Libraries has been exploring and promoting open access publishing is that of the broader evolution of the open access movement from 2000 to 2020.¹ Launching enthusiastically into the open access landscape in March 2001, the UO University Library Committee completed *Crisis in Commercial Scholarly Publishing and Serials Costs*² and sent related recommendations to the University Senate. These recommendations included: retaining copyright; identifying high-cost duplicate journals held by the UO, Oregon State University (OSU), and Portland State University (PSU) and establishing target amounts for cancellation; educating faculty and graduate students about unethical pricing structures and lobbying professional societies to put pressure on publishers of inordinately costly publications; and making sure that promotion and tenure evaluation criteria hold faculty harmless for declining to publish in journals with business models detrimental to the free circulation of ideas. Recommendations were promptly adopted by the University Senate. Furthering this work, in early 2008, the University Senate passed further initiatives to protect the rights of faculty authors of scholarly publications.³ This motion established an ad hoc working committee that submitted a report to the University Senate focused on the issue of author addendums.⁴

The university's first foray into open access policymaking came in 2009 when the faculty of the University Libraries was the first body on campus to pass a resolution committing itself to self-archiving professional publications in the university's open-access repository, Scholars' Bank. Shortly thereafter, the faculty of the Department of Romance Languages passed a mandate committing itself to the same.⁵ This move was praised by Peter Suber, director of the Harvard Office for Scholarly Communication and director of the Harvard Open Access Project, who described the department's mandate as "one of the strongest policies anywhere."⁶ In 2010, under the direction of the dean of libraries, a fund was established to subsidize article processing charges (APCs) for researchers who wished to publish in open access journals with APCs. Despite these efforts, little headway was made to galvanize the University of Oregon faculty as a whole. The lack of broad consensus was offset by acceptance in disciplines where open practices gained more attention and priority (e.g., psychology and biology).

UO Libraries administrators were intent on promoting the case for taking a stronger stand on open access and attended a working forum at UC Berkeley in October of 2018.

The workshop, “Choosing Pathways to Open Access,”⁷ followed the release of a call to action by the UC Systemwide Library and Scholarly Information Advisory Committee in 2018. The UC system laid out the “urgent need to reduce costs to levels that the university can sustain” and “to transform research production and dissemination to make research outputs openly accessible.”⁸ The workshop elucidated various models for achieving these goals and laid the foundation for the UC’s historic and well-publicized decision to cancel its more than \$10 million contract with Elsevier in March 2019.

Stemming from this activity and related UO campus efforts, in December 2019, the UO senate president, UO senate president-elect, and the university’s senior vice-president and provost created the Senate Subcommittee on Open Access (SSOA). This subcommittee was charged with undertaking “an investigation into the state of open access trends and practices and the role they play in the process of research and dissemination of scholarly resources and works at the University of Oregon.”⁹ They were also asked to examine the nature of the libraries’ relationship and contract with Elsevier and to suggest options for the renegotiation process before the expiration of the current agreement.

A smaller working group, also chaired by Psychology Professor David Condon, and an advisory committee were charged with supporting the subcommittee’s activities. The working group comprised additional faculty members representing the natural and social sciences and four representatives from the UO Libraries, including the authors. The Open Access Advisory Committee (including the authors) advised on the open access landscape and liaised with UO Libraries’ personnel for input and data about local scholarly publishing initiatives and expenditures.

Among its first tasks, the working group created a website (openaccess.uoregon.edu) to document its progress. It began working on the SSOA Open Access White Paper to provide a background on the landscape of open access trends and practices for the wider UO community and to describe the role that open access plays in researching and disseminating scholarly resources and works at the UO. The white paper became an important tool, not just for its original intended purpose of informing UO stakeholders on open access, but also to solicit informed input for making suggestions about the renegotiation process with Elsevier. Through the completion of this initial charge, the SSOA was successful at bringing the UO community together around a mutually agreed-upon definition of open access and advanced further adoption of open access principles and practices at the University of Oregon. One particularly critical adoption was an Open Access Policy, which was passed nearly unanimously (with one abstention) through the University Faculty Senate in May 2021.

To achieve this advancement, the SSOA mounted a strong educational campaign, promoting the white paper with an executive summary,¹⁰ commissioning an animated video¹¹ about green open access, and hosting multiple town halls for audiences ranging from the UO Libraries, UO Faculty Senate, and the general campus community. Based on the feedback received from these stakeholders, the SSOA developed a policy that didn’t

follow the Harvard model of nonexclusive rights assignment but instead encouraged the deposit of a journal-allowed version in the repository of the author's choice. We found common ground in the cause of open access by uniting the university's ethics of academic freedom and individuality with the dissemination, preservation, and application of knowledge. These same priorities had to be considered in developing the policy, which was the first major campus action related to open access in more than a decade. Asserting rights, even nonexclusive ones, over scholars' work was not an appropriate way to restart this conversation, nor were the libraries' staff prepared to manage an exponential increase in mediated deposits. This statement of values has raised awareness and allowed staff to build new workflows, experiment with automation, and plan for future steps that build on the trust that shared values and common goals will bring.

Sentiment toward the University Libraries is generally positive, with satisfaction indicators increasing year over year in LibQual surveys.¹² An Ithaka S & R survey completed in 2019 suggested that UO faculty members overwhelmingly recognized and supported the need for additional library funding for resources.¹³ Indeed, open comments from the Ithaka survey offered exhortations to the university administration to restore funding from years of cuts to library services and reflected sadly on how fewer resources seemed to be available than in earlier years or at other institutions. This parallels the feedback received in 2001 with the Senate Library Committee's report, "Crisis in Commercial Scholarly Publishing and Serials Costs," and in 2022 and 2023 following unsuccessful negotiations between the University of Oregon, Oregon State University, Portland State University, and Elsevier. These conversations with Elsevier have been built on the work done by other institutions in demanding more equitable deals with scholarly publishers, budgetary analysis, including bibliometric factors clearly demonstrating the double-dipping phenomenon of hybrid article processing charges (APCs), and the statement of values that rings clearly from the university's open access policy and the 20,000 individuals and counting who have boycotted Elsevier since 2012.

We have looked outside the subscription versus APC paradigm for ways to stretch our open access dollars further. We work with Oregon State University on a shared installation of the Public Knowledge Project's Open Journal System platform for library-led open access publishing initiatives, supporting new and extant open titles and encouraging editors to make the switch to open access through the availability of free-to-them software and a basic level of publishing services and support. The UO Libraries have provided sustaining funding to arXiv and PsyArXiv preprint servers, for new models of journals like SCOAP3, Nucleic Acids Research, and Open Library of the Humanities, and collective purchasing agreements like Knowledge Unlatched and Reveal Digital. However, the highest profile open access initiative remains the UO Libraries Open Access Article Processing Charge Award¹⁴ (in a second iteration launched in 2020) and, to a lesser extent, its equivalent for books. Despite the strict requirements for how funds may be spent, there have been no issues expending the annual budget of the award fund, with excellent

representation across the disciplines and preference given to early career researchers and graduate students.

While federal grants have permitted the inclusion of publication fees into grant budgets for at least a decade, timing publications to use these funds before the end of the grant period can be difficult. Furthermore, prioritizing article processing charges over research assistants, summer pay, and the many necessities of grant-funded work is difficult to ask of busy researchers, making funds like the UO Libraries Open Access APC Award relevant even as funders are making public access requirements ever more robust.

Funder Mandates and Legislation

Mandates from funders, whether federal, state, or private entities are a significant driver in the push toward open access. While funder mandates don't necessitate local policy implementation, they place requirements on researchers who may need to change their practice. With an institutionally based open access policy and workflows built to accommodate it, we can better address changing needs and support our researchers in their compliance with these mandates.

Today, federal mandates for taxpayer-funded research come from guidance to research agencies provided by the US Office of Science and Technology Policy (OSTP). OSTP has published two memos in the past decade: the 2013 Holdren Memo¹⁵ and the 2022 Nelson Memo,¹⁶ which provide progressively stronger mandates for public access and accessibility (in all senses) to research funded by taxpayer money.¹⁷ Most notably, the 2022 Public Access Memo requires immediate, free access to research for the public with no embargoes and new rules for research integrity, metadata, and persistent identifiers, and machine-readable formats for access via assistive devices, with an effective date of August 2025.¹⁸

For any organization in the position of seeking and receiving federal grants, this places them in the position of needing to support researchers throughout the research lifecycle. Some organizations have been developing infrastructure for this purpose over the last two decades. Still, others don't have the scale of research and/or the resources to implement institutional research infrastructure. Depending on the granting agency, there may be a federal repository that can be used for research outputs. If not, there may be a disciplinary repository, or a co-author might have access to an institutional repository. Yet, if the researcher is working in an interdisciplinary field, few good options may be available. Funder requirements for repositories are also evolving, with new rules for research integrity, metadata, persistent identifiers, and machine-readable formats for accessibility. Systems, system administrators, research support personnel, and researchers are all in the position of needing to align with emergent standards. With the 2022 Nelson Memo, the embargo period for making research publicly accessible has been eliminated, so determining plans for access post-publication will no longer be feasible.

cOAlition S was founded in 2018¹⁹ by eleven national research funding organizations in Europe to accelerate the transition to a fully open access future through a series of policies known as Plan S.²⁰ Charitable funders like the Bill and Melinda Gates Foundation, the Howard Hughes Medical Institute, and the Wellcome Trust signed on, using their influence and positionality to assert the importance of open access. Plan S provides for a brisk implementation period (one year from the point of adoption) and an outcomes-focused set of principles that acknowledges the realities of extant models for APCs, monographs, and transformative arrangements, but values the maintenance and development of infrastructure and intrinsic merit over impact factor.

The Andrew W. Mellon Foundation, a private charitable foundation in the United States, “encourages wide dissemination of, and equitable access to, grant-funded work products”²¹ through the use of a Creative Commons license. Wherever possible, grantees must agree to use open source licensing for any software created with grant funds. This language gestures toward the arts, humanities, community and civic engagement, and cultural heritage sectors where Mellon frequently works contrasted with the scientific bent of the other funders involved with Plan S. Making some work available open access could prevent a charitable organization from creating or maintaining a revenue stream that would help with financial stability. It acknowledges that open access is not a universal good, that some work is meant for specific communities, specific moments, and specific media—and is not intended to be online, for everyone, forever.

This evolving landscape of funder mandates can be confusing to researchers and those who support them. In developing our Open Access Policy, we were determined not to have an additionally confusing and frustrating institutional policy to navigate. Johns Hopkins Sheridan Libraries is experimenting with an interesting system, the Public Access Submission System (PASS), which uses a system where researchers submit their manuscript once and it is distributed to multiple systems as required for grant compliance.²² This system shows significant promise in helping address some of this confusion by ensuring continued use of the institutional repository and appropriate deposit into federal repositories, where available.

State legislatures in Illinois and California enacted their own open access mandates in 2015, the first and thus far only states to do so.²³ Illinois requires faculty at state-funded institutions of higher education to make a final version of their published articles available, while California now requires that research funded through the state’s research agency be made available through an approved repository.²⁴ Many other states, including Oregon, have legislation regarding the disposition of state records and have legislative initiatives regarding affordable education and open educational resources (OER). In Oregon, our state records law requires the permanent retention of PhD dissertations,²⁵ which has become the backbone of our electronic theses and dissertations program at the University of Oregon²⁶ as we stopped collecting print dissertations. Additionally, a series of bills passed by the Oregon legislature has focused on open educational resources with the goal

of improving textbook affordability.²⁷ UO Libraries staff advocate regularly to renew that funding in partnership with Open Oregon, the state's open educational resources program, and services funded by the Community College and Workforce Development Office of the Higher Education Coordinating Commission and the Oregon State Legislature,²⁸ as it is directly impactful on the University of Oregon's work toward textbook affordability as laid out in the UO Textbook Affordability Strategic Plan.²⁹ Our next generation of scholars is working, learning, and graduating in an environment that demonstrates the value of openness in research, teaching, and learning. And this has the potential to create strong allies in the promotion of open access. Our students and early career faculty are growing to not just appreciate open resources but also to expect them.

Advocacy and Education

As librarians, we have a unique role in this policy environment to support access and preservation. We help translate policy into practice, connect individuals with infrastructure, and develop services that scale appropriately. This work requires institutional advocacy to implement policy, allot resources, and support changes in individual practice through education. For those in the initial phases of advocacy work, the Coalition of Open Access Policy Institutes,³⁰ SPARC,³¹ and the Association of College and Research Libraries³² each provide useful resources specifically on the topic of advocacy for open access policies.

As noted in our case study, through the Senate Subcommittee on Open Access, and thanks to the advocacy work of library leaders before us, we had the unique opportunity of being charged with appraising the scholarly publishing and open access landscape for the faculty and administrators of the University of Oregon. From this, we developed an education and advocacy campaign, which led to the proposal and eventual adoption of an open access policy for faculty.

To promote open access publishing in general, the passing of our open access policy at the UO, and the uptake of compliance with the policy, we have used data about the costs of scholarly publishing with our campus community as important talking points. Yet, while these concepts are often met by our research and administrative community with outrage at the publishing industry and eagerness for a new model, faculty also have concerns about their individual publishing efforts on their way through their promotion and tenure processes.³³ By supporting newer models of funding, such as subscribe-to-open³⁴ and funding partnerships and memberships, many critical and long-respected scholarly journals and publishers are switching their content over to being open access so that researchers do not have to concern themselves with compliance with mandates and policies much at all nor change their individual publishing practices. These changes are not coming as quickly or as universally as we might like, however, so we have also used information about the open access citation advantage (OACA)³⁵ to persuade researchers about the value of publishing their work in open venues.

It is worth noting that there is some debate and question about whether open access truly poses a significant advantage over publications behind paywalls. SPARC ceased tracking studies of OACA in 2015. Recent work, such as a 2021 article in PLOS One (itself an open access publication) has shown inconclusive findings but point to noteworthy factors such as citation metrics only tracking citations in scholarly journals and not tracking wider impact beyond that—i.e., the actual spread of and impact of a publication—and recommends that an “open access altmetrics advantage” would be worth researching.³⁶

However, citation metrics only measure the use of a study in the academic world. The goal of OA is to enable broader access to research; these uses may not be captured through citations. Scholars wish to publish in the venues that reach their audiences, for example, to reach practitioners who do not have institutional access to subscription resources.³⁷

Earlier research, such as Tennant et al.’s in their 2016 *The Academic, Economic and Societal Impacts of Open Access: An Evidence-Based Review*, found that articles either published originally in OA venues or with separate OA copies available elsewhere after publication are cited more than articles posted only to publishing venues behind paywalls (i.e., in fee-based subscription journals). The mechanisms behind the citation advantage likewise benefit the audience as well. The most intuitive benefit stems from global access to read and to publish research.³⁸ Without OA, access to research within academia is restricted to the terms negotiated through one’s institutional affiliations. The ability to gain access to prior research varies widely depending on the size of the institution, prioritized areas of research, subscription contracts, and interlibrary loan policies. Outside of academic institutions, access is further restricted. Students who have graduated find themselves without the access to which they learned to do research. Unaffiliated researchers must piece together access through OA outlets or gray market options.

A second benefit to the research audience beyond increased access is improved accessibility (e.g., by incorporating principles of universal design that do not discriminate on the basis of ability).³⁹ Many PDFs and other scholarly materials are not accessible or WCAG-compliant sometimes by design, due to the use of digital rights management (DRM) tools that block the use of accessibility tools.⁴⁰ While OA PDFs often require additional work to follow best practices in accessibility, principles of OA have significantly helped to further these best practices. There is also substantial benefit to members of the general public outside of academia, and many have argued the importance of providing this audience broader access to publicly funded research. In recent years, an increasing proportion of publicly funded research has become subject to an OA mandate from federal governments around the globe, though the procedures for meeting these requirements have at times been unclear and unevenly enforced.

In the United States, the 2022 Nelson memo initiated a new era of requirements for federally funded research agencies. As these agencies' requirements are announced and implemented throughout 2024 and 2025, we can expect more specificity and enforcement in the future. By leading campus conversations about open access through advocacy and education, librarians can position themselves to support researchers and the research lifecycle as they align with these and future federal and funder mandates—and imagine a different kind of scholarly communication ecosystem.

Conclusion

Open access publishing has become much more common over the past decade, worldwide as well as in our local community. We, of course, cannot claim all of the credit for this from our advocacy and policy efforts—open access has been advanced from many fronts. Yet our experience of educating ourselves and our community about open access has helped to prepare our university community for the many outside mandates and measures. And the process of promoting an open access policy likewise gave us a concrete reason (in the eyes of our campus partners) for our advocacy and educational campaign. As open access models and the whole landscape of scholarly communication change, we have a better chance to explore new paths forward with an informed community. And, as more mandates for open publishing, open data, and so forth are imposed upon our research communities, we gain an increasingly willing audience for our efforts.

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Notes

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