Open Access Publication and Embargoes

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Agenda

- Digital Submission Requirement
- Open access publication
- Copyright and Fair Use
- Delays of publication
Digital Submission Requirement

“Dissertations must be made available to the public.[*] A list of ways of doing this is available from the Office of Graduate Studies. The student may request permission from the graduate dean to temporarily delay making the dissertation available to the public in order to protect patent or other rights. This request must be supported by a written recommendation from the dissertation supervisor. The graduate dean makes the final decision regarding delayed publication.”

*Applies also to master’s theses and reports
ETD Submission and Publication timeline

• Student uploads electronic thesis or dissertation (ETD) to Texas Digital Library (TDL) and brings required paperwork to MAI 101 by submission deadline.
  – Signature page with signature of all committee members, Statement on Research with Human Subjects, Statement on Travel in Restricted Regions, Copyright tutorial (doctoral students)
    • If you used human subjects, you must attach IRB approval showing you were PI or CoPI. If you used data from a study you were not attached to, you must get a letter from the PI stating you were authorized to use that data.

• Office of Graduate Studies (OGS) checks in the document.
  – If there are format corrections needed, you have 1 semester to make them.
  – If requested changes not made after 1 semester, a disclaimer page will be attached to the ETD and it will be published as is.

• After grades are run, OGS certifies degrees.

• After degrees are certified, all approved ETDs* are put into the publication queue and published Open Access to Texas ScholarWorks by librarians.

• The entire process from time of submission to publication is typically 2-4 months.
  – If there are required format changes, that can delay the publication process.

*Does not include ETDs that are embargoed.
Open Access publication

- Open Access (OA) = the entire text of your ETD is made fully available to the public for free via Texas ScholarWorks.
- [https://repositories.lib.utexas.edu/](https://repositories.lib.utexas.edu/)
- Cannot opt out of OA publication of ETD. It is a requirement for graduation.
Texas ScholarWorks

Established to provide open, online access to University research and other scholarly output.

Preservation of these works for future generations.

Several collections: Conference proceedings and journals, student works, faculty works, electronic theses and dissertations.

ETD collection at https://repositories.lib.utexas.edu/handle/2152/4
Your rights as copyright owner

- You must agree to TDL license agreement when uploading your ETD.
- “I grant the Texas Digital Library...my home institution...and my academic department...the non-exclusive rights to copy, display, perform, distribute and publish the content I submit to this repository...and to make the Work available in any format in perpetuity as part of a TDL, Institution or Department repository communication or distribution effort.”
- Non-exclusive rights means you are giving us a license to publish your work, but you are free also to use your work in any way that you wish.
  - “I understand that the Work's copyright owner(s) will continue to own copyright outside these non-exclusive granted rights.”
  - If you wish to publish journal articles or turn your book into a monograph, you are free to do so.
Copyright and Fair Use

• TDL license agreement also states
  – The Work does not infringe any copyright, patent, or trade secrets of any third party
  – The Work does not contain any libelous matter, nor invade the privacy of any person or third party
  – That no right in the Work has been sold, mortgaged, or otherwise disposed of, and is free from all claims.

• If your work in any way violates one of the above, UT and TDL are held harmless should there be a claim.
Fair Use

• Permits use of copyrighted works in certain circumstances.
• No absolute standard, but a “weighing and balancing” test.
  – Nature of work: commercial v. non profit/educational
  – Type of work: factual v. creative
  – How much of work used
  – Effect of use on market for or value of the work
• See also http://guides.lib.utexas.edu/copyright.
• Proof of completion of Copyright Tutorial required as part of ETD submission. https://utexas.instructure.com/enroll/F6HD7M/.
• For other questions, contact Colleen Lyon, UT’s Scholarly Communications Librarian at c.lyon@austin.utexas.edu.
Wait, don’t publish your ETD yet!

Temporary delay of publication

- Cannot opt out of OA publication of your ETD, but we can temporarily delay publication.
  - Must have approval of supervisor.
  - Common reasons for embargoes include pending patent applications, publication of ETD either as journal article(s) and/or monograph.

- “The student may request permission from the graduate dean to temporarily delay making the dissertation available to the public in order to protect patent or other rights. This request must be supported by a written recommendation from the dissertation supervisor. The graduate dean makes the final decision regarding delayed publication.”*

- Will delay publication of ETD for up to 2 years.

*2015-2017 Graduate Catalog
How to request an embargo

• When uploading ETD to TDL, you must select an embargo option.
  – If an embargo option is not selected, your ETD will be published.

• You must submit Request for Initial Delay of Publication form. Available on our website at [https://gradschool.utexas.edu/academics/forms](https://gradschool.utexas.edu/academics/forms).
  – Signed by both you and your Supervisor.
  – We will not delay publication of your ETD without receipt of this form.

• Initial embargo period is 2 years from graduation month.

• After approval of embargo request, you and your supervisor will receive an email verification.

• You must provide a permanent email address in TDL that will be valid for the entire 2 year period.
  – Many UT email addresses expire upon graduation. You may claim an @utexas.edu permanent email address, or use gmail or other permanent email.
Requesting extension of embargo

- When embargo period expires, you and your supervisor will receive an email from OGS.
- If no further embargo is needed, there is no required action on your part. Your ETD will be put into the publication queue when the embargo expires.
- If you need an extension, your supervisor must request it in writing by the deadline provided.
  - Extensions are granted rarely, so the letter must explain in detail why a further 1 year period is needed. It should detail what actions have been taken so far, and why a further embargo period is needed. Any documentation supporting the request should be attached to the letter. Extensions are only granted for 1 additional year.
  - Letters should be addressed to Dean Neikirk, and emailed directly to Renee Babcock at r.babcock@austin.utexas.edu.
- If extension not granted, you and your supervisor will receive an email and the ETD will be put into the publication queue.
- If the extension is granted, you and your supervisor will receive notification.
Questions?

CREATE DISTRACTION WITH PICTURE OF SCIENCE CAT...

(AVOID PEOPLE ASKING DIFFICULT QUESTIONS).

http://memegenerator.net/instance/57968364