

# Open Access Policy for Scholarly and Creative Works

## Summary

The University at Buffalo endorses the practice of university authors depositing a preprint, post-print, or final version of each scholarly or creative work in the open access digital repository maintained by the University Libraries.

## Policy Statement

The University at Buffalo (UB, university) is committed to providing the greatest possible reach and impact of the research and scholarly and creative works produced by its faculty, staff, and students. The university recognizes the value of and supports university authors retaining the rights to their intellectual property, while encouraging them to make their works freely and widely available. The university endorses the practice of university authors depositing a preprint, post-print, or final version of each scholarly or creative work in an open access (OA) digital repository.

Participating university authors grant to the university permission to make available copies of their scholarly and creative works (and related products, when possible), and to exercise a copyright license to those works for the purposes of preserving and making them freely and widely available in an OA repository. More specifically, participating university authors retain any rights not already transferred to a publisher and grant to the university a non-exclusive, worldwide, royalty-free license to reproduce and distribute their scholarly or creative works, in any format, for the purposes of preserving and making works openly available.

University authors reserve the right to choose where to publish their work and whether to make it freely and openly available to the public, subject to copyright law and publisher sharing policies. This is an opt-in rather than an opt-out policy for university authors.

Participating university authors are encouraged to deposit electronic and accessible to screen reader copies of their scholarly or creative works in an OA repository within one calendar year of the date of publication, presentation, or transmission, unless the publisher requires a longer embargo. The University Libraries will maintain OA repository services. University authors may also deposit their works in a State University of New York (SUNY) or disciplinary OA repository; however, University at Buffalo repository services are the default for this policy.

Nothing herein should prevent individual units from developing their own OA policies as long as they do not result in more restrictive access to scholarly and creative works than what is envisioned in this policy. The policy does not supersede existing SUNY policies concerning intellectual property.

## Background

On March 22, 2018, Chancellor Dr. Kristina M. Johnson issued a memorandum directing all SUNY institutions to develop and implement campus-specific OA policies for the scholarly and creative works of their faculty, students, and staff.

The background and reasoning for SUNY's directive are as follows:

- Unfettered dissemination and sharing of scholarly and creative works is a cornerstone of communication among scholars
- OA improves the visibility and impact of scholarly and creative works, and furthermore, it improves the standing of those who produce that work and their institutions
- OA to scholarly and creative works is inherently a societal good
- OA to scholarly and creative works improves SUNY's global engagement
- Traditionally published scholarly materials have become increasingly cost-prohibitive for SUNY faculty, staff, and students, and for the libraries that support them
- A significant proportion of SUNY-generated research and scholarship is supported by either direct federal agency grants or federal funding channeled through state agencies, and an increasing number of federal agencies are instituting requirements about public accessibility to the final work product of efforts they fund

## Applicability

This policy applies to all university authors and their units, preprints, post-prints, and final versions of works created while university authors are faculty or staff members, or affiliated students.

Works produced by affiliated students solely to fulfill course requirements are outside the scope of this policy.

## Definitions

### **Embargo**

Specified period before the preprint, post-print, or final version of a scholarly or creative work that has been deposited into an OA repository is made freely available to the public. Under this policy, university authors may specify the length of an embargo or honor publisher requests or stipulations for them.

## **Final Version**

Also known as a “publisher version” or a “version of record.” A post-peer reviewed manuscript that has been typeset and laid out for publication in a journal, book, conference proceedings, or other scholarly product.

## **License or Copyright License**

A grant of rights made in accordance with Copyright Law (U.S. Code, Title 17), allowing specific uses of copyrighted work.

## **Non-Exclusive License**

A grant of rights made by authors that can be granted to multiple parties. Non-exclusive rights are granted to the university in this policy.

## **Open Access**

The free availability of scholarly or creative works on the internet, permitting users to read, download, copy, distribute, print, search, or link to the full texts for any lawful purpose, without financial, legal, or technical barriers other than access to the internet.

## **Open Access Repository**

A digital archive or platform designed to make scholarly or creative works freely available on the internet with clearly defined legal restrictions on their use or circulation. University at Buffalo repository services are the default for this policy.

## **Post-print**

Commonly understood as an “accepted manuscript.” A post-peer reviewed manuscript, but not necessarily the typeset or PDF version. Each discipline may have its own standards for what is reasonably interpreted as a final version of a scholarly or creative work. Does not include materials related to patents, trademarks, or comparable kinds of intellectual property.

## **Pre-print**

Commonly understood as “author’s original manuscript” or “submitted manuscript.” A pre-peer-reviewed manuscript.

## Scholarly or Creative Works

Generally, articles, books, book chapters, conference papers, or other scholarly, creative works considered finished products by the standards of a discipline. The scope of the policy does not encompass student works produced solely to fulfill course requirements.

## University Author(s)

University at Buffalo faculty or staff, or affiliated students, who author scholarly or creative works. University authors are covered by this policy whether or not they own the copyright to a scholarly or creative work.

## Responsibility

### President, Provost, Vice Provost for Faculty Affairs, Vice Provost for University Libraries, Deans, Department Chairs, and Supervisors

- Implement practices to support compliance with the policy by university authors.
- Provide University Libraries with the resources to successfully implement and administer this policy.

### University Libraries

- Educate university authors on the policy and support compliance.
- Administer repository services; assist university authors with depositing preprints, post-prints, or final versions of their scholarly or creative works.
- Interpret the policy, resolve related problems, and if necessary, revise in consultation with Faculty Senate leadership and the Office of the Provost.
- Report to Vice Provost for University Libraries on policy compliance and implementation.

### University Authors

- Deposit preprints, post-prints, or final versions of their scholarly or creative works in a UB or other appropriate OA repository if choosing to participate.
- Determine that deposited works comply with publisher sharing policies.

## Contact Information

Contact An Expert		
Contact	Phone	Email
Christopher Hollister, University Libraries		
Jeff Good, Department of Linguistics		

## Related Information

### University Links

- [The Graduate School - Policy Library - Public Access of Theses and Dissertations](#)
- [University Libraries - Institutional Repository](#)

### Related Links

- [Budapest Open Access Initiative](#)
- [Copyright Law of the United States \(Title 17\)](#)
- [Expanding Access to the Results of Federally Funded Research \(White House Memorandum\)](#)
- [Fair Access to Science and Technology Research Act of 2017](#)
- [State University of New York Memorandum - Campus Open Access Policies and System Repository](#) Download pdf

## Presidential Approval

*Signed by President Satish K. Tripathi*

*Satish K. Tripathi, President*

2/28/2020

*Date*