

Reasons for Embargoing Academic Publications in Institutional Repositories

Case study of Theses and Dissertations

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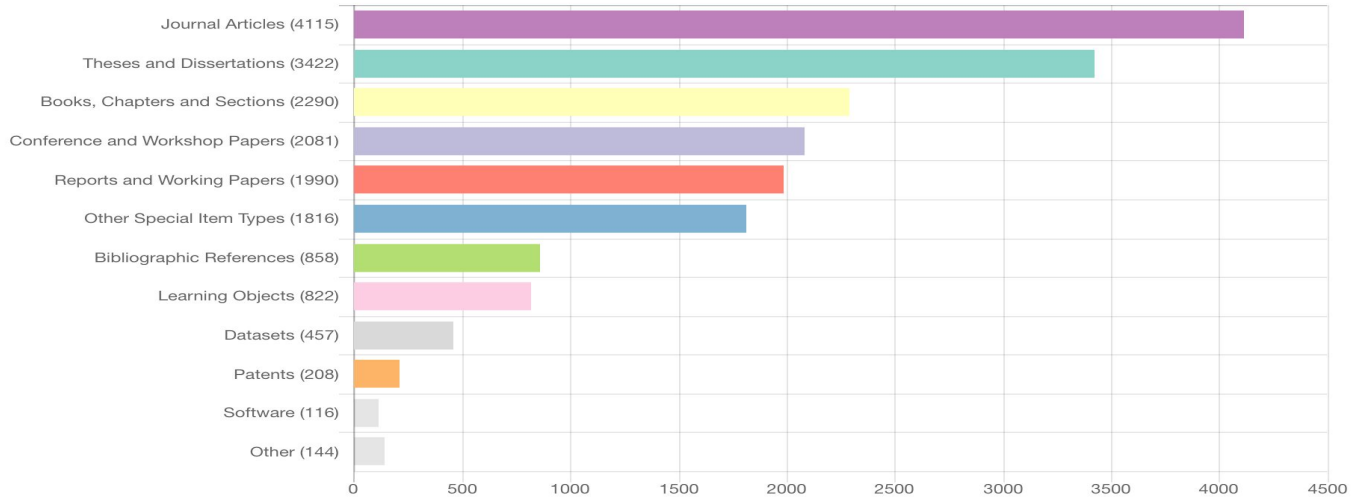
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Agenda

- Background and Purpose
- Methodology
- Findings
- Analysis and discussion of findings
- Recommendations
- Conclusions

Content Types Overview



- 3422 OA repositories contain ETDs
- 60% of OA repositories

*OpenDOAR. https://v2.sherpa.ac.uk/view/repository_visualisations/1.html CC BY-NC-ND 4.0

Theses and Dissertations

- Advance science;
- Represent the scholarly legacy of institutions;
- OA repositories serve as the world's most important platform for the preservation and dissemination of TDs;
- OA increases TDs readership, use, and impact;
- Many Higher Education Institutes (HEIs) restrict access to TDs for a certain time period, intentionally.

Embargoes

- Universities, Grad Schools, Libraries provide mechanisms for them to be embargoed.
- This is especially a problem for T/Ds because there is no other way to access them.
- As with other research outputs, findings in embargoed TDs have timely impact (e. g. Covid-19 vaccine);
- Why embargo?



<https://historyofyesterday.com/the-zoo-that-locks-humans-in-cages-instead-of-animals-49c7630cfa4a>

Legal reasons for embargoes

VanWyk & Du Toit (2016):

- Possible quality and plagiarism issues
- Patents that still need to be registered
- Publisher requirements
- Copyright disputes

To what degree
HEIs pay attention
to embargo policies
and guidelines



**Research
Objectives**

To identify and
categorize the
reasons institutions
of higher education
allow embargoes

Methods and Research Sample

- Acquiring tacit knowledge from institutional policies through a qualitative content analysis of embargo policies;
- 100 universities from around the world with IRs that contain TDs
- Randomly selected, ensuring representation of different geographical regions
- The samples were from 37 individual countries and seven different regions, namely Europe & Central Asia (n=37), East Asia & Pacific (n=28), North America (n=19), South Asia (n=6), Latin America & Caribbean (n=5), Middle East & North Africa (n=3), and Sub-Saharan Africa (n=2)

Data Collection and Analysis

- HEIs' websites were searched to access relevant policies;
- Google was searched for finding relevant policies via a query: (restriction OR disclose OR "restricted access" OR withhold OR stay OR embargo) (theses OR thesis OR dissertation) site:[HEI URL (for example:rmit.edu.au)];
- Information gathered
 - Institution name, country, Shanghai ranking, policy URL, language, title;
 - Voluntary or mandatory, minimum and maximum length, permanent embargoes;
 - Alternative access, component restriction, by subject area, by educational level, by decision-maker;
 - Criteria/Reasons for Embargoes
- Policies/guidelines were imported into 'MAXQDA 2020' for further investigation

MAXMaps Code Matrix Browser Code Relations Browser Code Map Document Map Document Comparison Chart Document Portrait Codeline Word Cloud

Document Browser: Bocconi University (20 Paragraphs)

University of Rochester	1
Florida State University	3
University of Bath	5
Linnaeus University	3
University of the Witwatersrand	2
University of Oslo	2
National University of Singapore	5
University of Palermo	4
Bocconi University	5
University of Delhi	1
Budapest University of Technology and ...	2

Code System

Submitting Journal Article	6
Ethical Issues	1
Prevention of Plagiarism	1
Publishing Conflicts	1
Protecting Participant Information	8
Authors Rights	2
Funding Contracts/Agreement	3
Publisher's Refusal to Publish	5
Protecting Proprietary Information	4
Security	1
Public Security	2

ons\Commercialization\Protecting Business Secrets

14 **1st hypothesis: use and economic exploitation**

15 that the thesis, in addition to having the requisites of novelty and originality of an intellectual work in the field of ..Commercialization
....., as confirmed/
recognized by the Advisor Prof.
shows evident, concrete and immediate use perspectives and economic exploitation perspectives;

16 **2nd hypothesis: publication contract**

17 that the undersigned has stipulated/intends to stipulate a publication contract containing appropriate clauses guaranteeing the transferred rights, with which the rights of publication of the thesis or parts of it have been transferred;

18 **3rd hypothesis: implementation of commercial potential**

19 that there is the intention to use the intellectual work commercially through (specify procedure)
.....

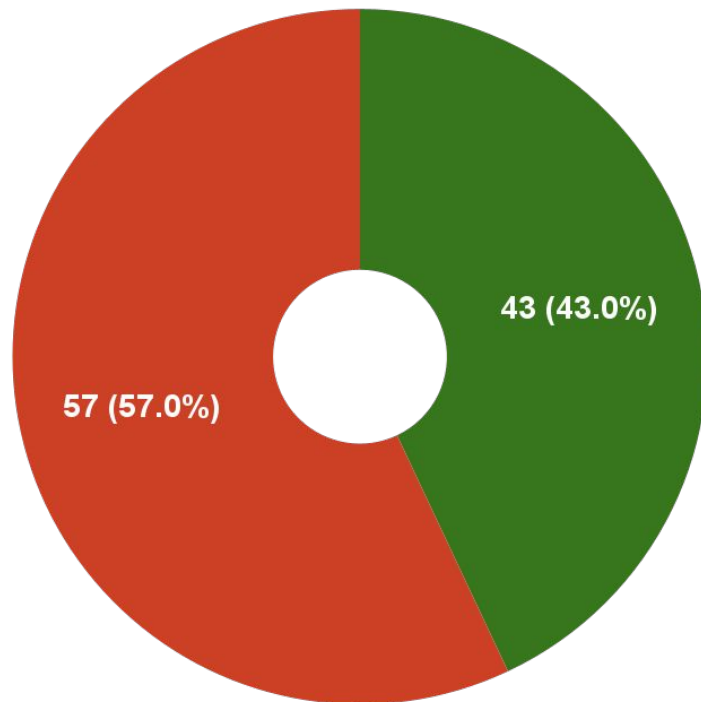
20 in actual implementation of its commercial potential.

Findings

Who has an embargo policy?

Yes: 43

No: 57



● HEIs with accessible embargo policy ● HEIs without accessible embargo policy

Findings

Who has an embargo policy, by region?

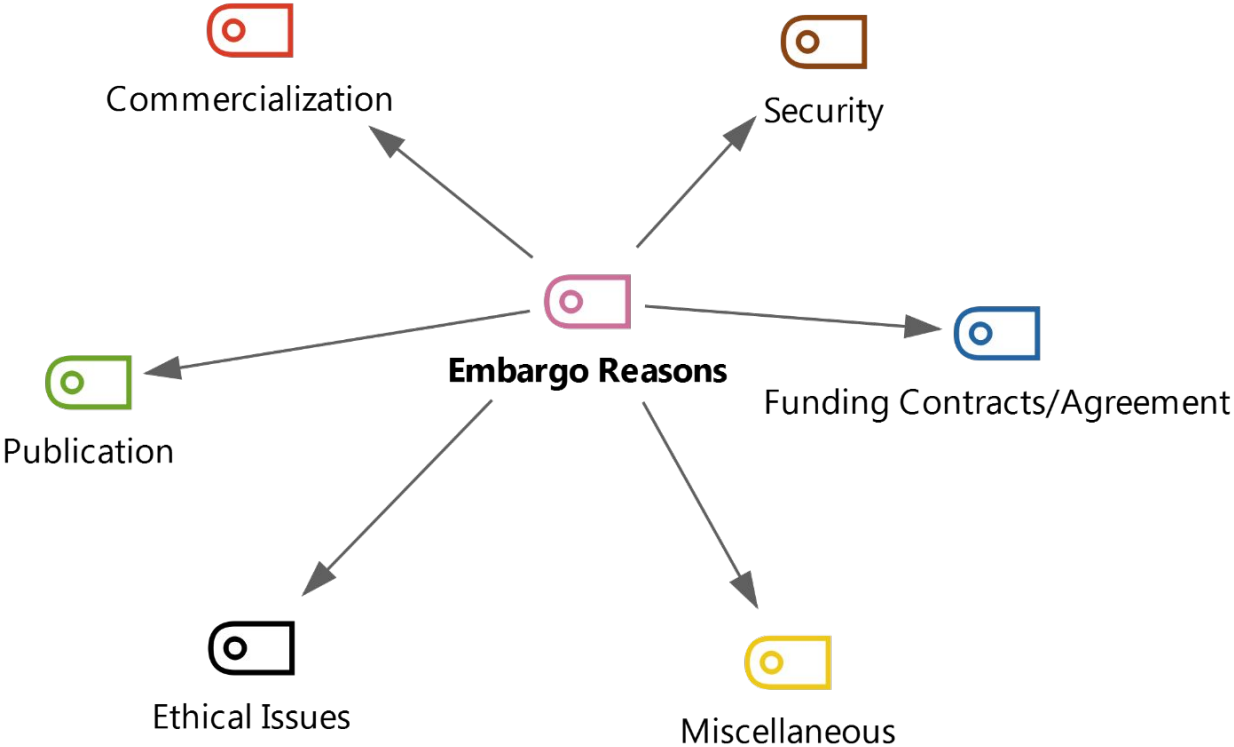
Region	# of selected HEIs	# of HEIs without embargo policy	# of HEIs with embargo policy
East Asia & Pacific	28	24	4
Europe & Central Asia	37	21	16
Latin America & Caribbean	5	4	1
Middle East & North Africa	3	2	1
North America	19	2	17
South Asia	6	4	2
Sub-Saharan Africa	2	0	2
Grand Total	100	57	43

Findings

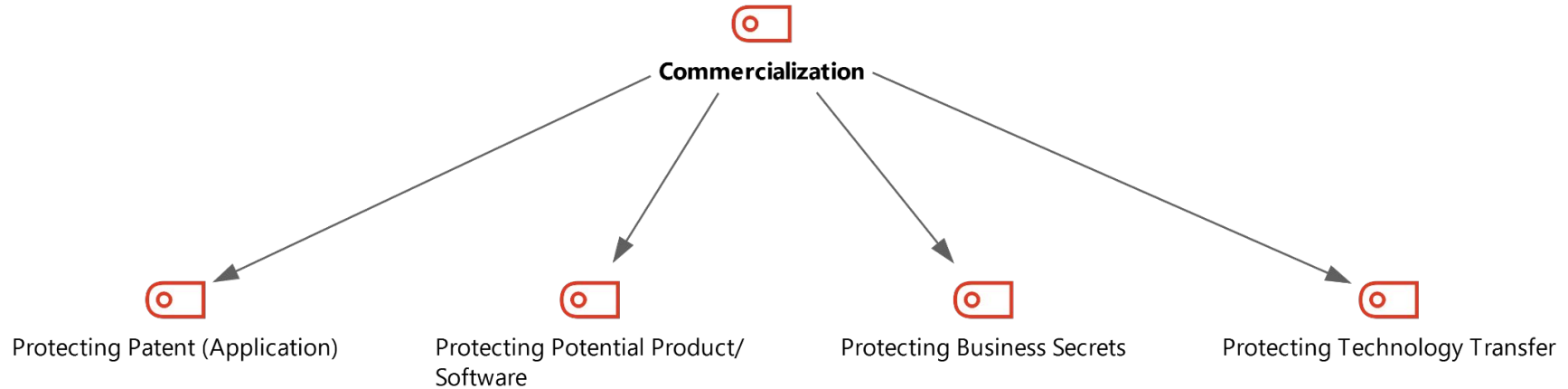
- 36 of the 42 policies were written in English;
- Of the 43 HEIs with a policy for embargoing TDs, only 12 (28%) have a standalone and dedicated policy for embargoes;
- In most cases, HEIs integrate embargo policies in a broader policy; for example guidelines for approving/submitting/depositing/publishing TDs (15 HEIs), graduate studies regulations (9 HEIs), copyright and authorship regulations (2 HEIs), university rules (2 HEIs), open access regulations (2 HEIs), and e-publishing (1 HEI);
- Most embargo policies lack clarity and do not cover all aspects of embargo procedures (such as, embargo period, criteria, confirmation process, etc.)

Findings

Reasons for embargoing TDs (main themes)



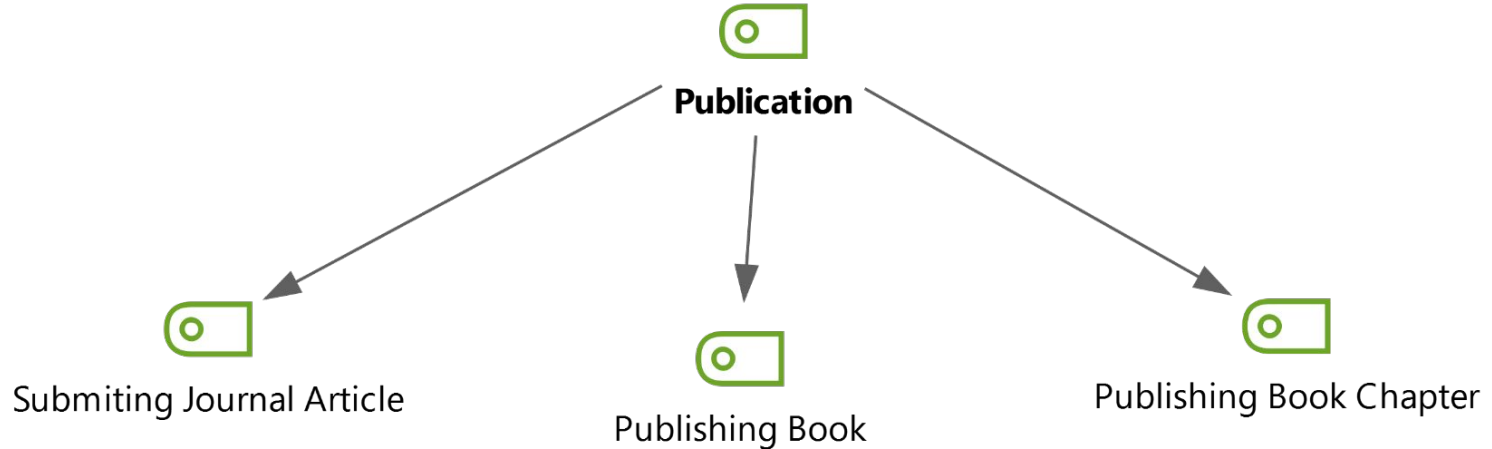
Findings: Reasons for embargoing TDs: Commercialization



"A restricted access decision is only to be granted where it can be established that important legal or economic interests of the student are at risk through public access to the scientific work."

"thesis contains third party proprietary/confidential intellectual property (including without limitation to patent(s) and/or software) and has not obtained the relevant consent." In another case, Georgia Southern University allows a student to embargo his/her work that *"includes prospective trade secrets."*

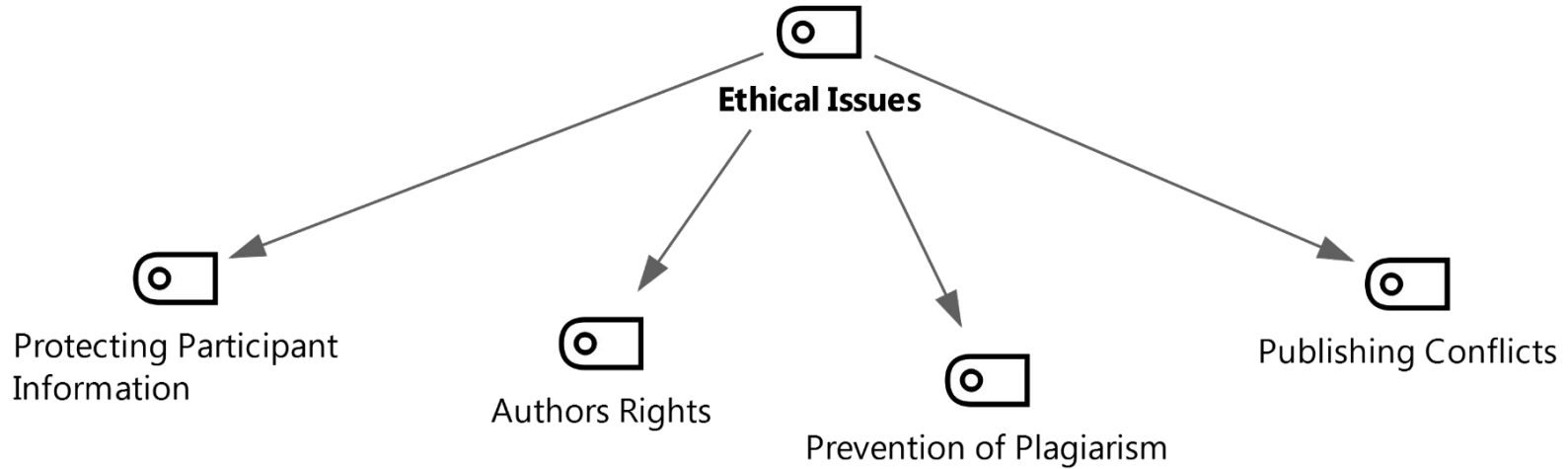
Findings: Reasons for embargoing TDs: Publication



"provides[s] sufficient time [for students] to publish their dissertation in book form."

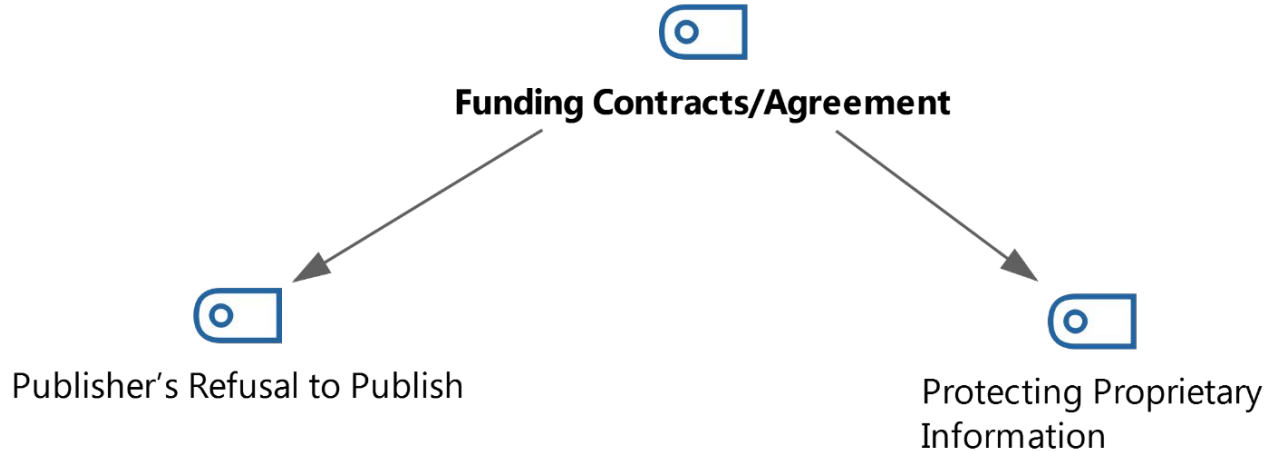
"part of a future publication –to support such a case, please provide details of your publishing plans: whether the paper is currently in draft form, under review, or has been accepted; the typical lag time from acceptance to publication in your chosen journal, and information about the journal's position on pre-publication within a thesis (usually included within a publisher's 'information for authors')."

Findings: Reasons for embargoing TDs: Ethical issues



"occasionally, there are circumstances in which you prefer that your dissertation not be published immediately. Such circumstances may include ... similar disclosures detrimental to the rights of the author, or disclosures of facts about persons, institutions, or locations before professional ethics would permit."

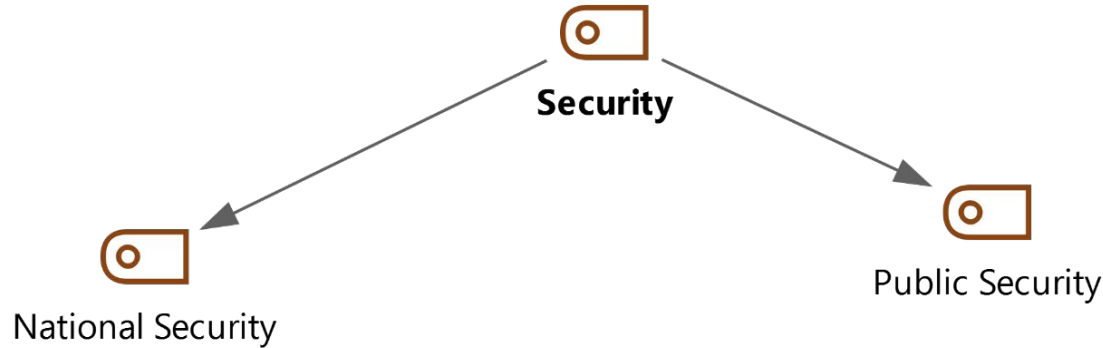
Findings: Reasons for embargoing TDs: Funding contracts/agreements



"such postponement may be permitted when the research training has been partially or completely funded by an external party."

TDs can be embargoed when *"the candidate provides evidence that they have permanently re-assigned copyright of their submission to a third party and this assignment explicitly disallows the publication of the submission in the research repository."*

Findings: Reasons for embargoing TDs: Security



"a doctoral thesis and its abstracts containing qualified data pertaining to national security shall be disclosed publicly ensuing the lapse of the period relating to the qualification due to national security."

"public or national security reasons".

Other findings

- Many policies are vague - only state extraordinary circumstances
- Policies lack specifics
- Policies are unclear
- Policies lack documentation about processes to manage embargo periods

Limitations

- In this research only those policies are reviewed that are available, findable, and accessible on HEIs' websites.
- It is possible that an institution has its own policies relevant to TD embargoes, but it's not available on its website; these policies are not included in this study.
- Several countries (e.g. India, Iran, and Pakistan) have a national policy on embargoing academic publications. This study neglected these policies.

Conclusions

- Embargoes limit the impact and usefulness of research findings;
- Embargoes are ad hoc;
- Embargoes are often established in reaction to publisher requirements or concerns about potential publisher requirements;
- Many HEIs do not have a policy for embargoing TDs in IRs;
- There is a lack of policy standardization in terms of language and embargo circumstances;
- Commercialization is the most common reason for HEIs to allow embargoes.

Recommendations

- Create a standard, guidelines, and glossary for embargo policies.
- Negotiate with publishers that ETDs must not be considered previously published.
- Expand policies to include procedure details.
- Allow authors to embargo individual parts/sections/chapters or their TDs.
- Open Access advocacy to universities and to students is necessary.

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