



Failing FAIRness: A Survey on ETD Embargo Periods in Institutional Repositories

Abstract. Open access to dissertations in institutional repositories has been shown to increase the impact of academic research and scientific findings; yet, institutions of higher education provide mechanisms for students to restrict access to or embargo their work for a certain period of time. Reasons that institutions provide embargo options vary. This study aims to identify and categorize these reasons through a qualitative approach.

1 Context

Over the past three decades, institutional repositories have become one of the key tools for making information resources and research findings accessible to researchers, policymakers, business managers, and the general public. Considering the purpose of these repositories, which is to collect, make available, and preserve all forms of an institution's scholarship and creative work, repositories contain a wide variety of material types, from books to articles and from presentation slides to podcasts and videos [1]. However, and contrary to the initial open access goal of making information widely and readily available to society [2], many open repositories are not fully open; one part of the repository content is metadata (records) without documents while other documents are embargoed.

This lack of openness is a special problem for electronic theses and dissertations (ETDs); while other information resources may be available through alternative channels (academic publishing platforms, social networks, etc.), ETDs most often are not, and open (mostly institutional) repositories often remain the only way to access them. Past empirical evidence confirmed that ETDs are disseminated via repositories with different status types – some are freely available, others are under embargo, confidential, restricted to on-campus access (encrypted or not), or not available at all [3, 4]. Although publishing research findings in theses and dissertations (TDs) right after completion, mostly through institutional repositories, is very important and increases the impact of the research, sometimes authors or institutes prefer to distribute TDs after a certain period of time; for instance, six months, one year, two years or (even) more. Library and information science professionals call this period an "embargo". Therefore, the embargo is a delay period required by some authors/publishers before they will allow open access on a (piece of) work [5].

The nature and reason for the embargo period is controversial and often not well-understood. Many researchers and professionals suggest that short or longer embargo periods are necessary for (economically) sustainable scientific communications [5]. In science, a 6-12 months period is normal for embargoing research findings and perhaps, a longer period is considered unreasonable by the community, and not in the public interest

[6, 7]. Conversely, there are opponents who believe that in the era of rapid communication, such delays are unwarranted [8]. The question, and the aim of this study, is whether institutional policies address these controversies sufficiently?

Van Wyk [9] alludes that legal requirements must be considered when availing research in OA repositories, and expands that copyright is not the only legal issue to be considered in the application of an embargo period. There is also the issue of intellectual property, right holders agreements, and possible registration of patents. According to research on students and faculties' reasons for requesting an embargo [10, 11], deriving and publishing articles in the future and/or patenting results described in the work are highlighted as the significant reasons. However, at the institutional level, some institutions have their own policies for applying embargo periods for master theses or Ph.D. dissertations. For example, according to Georgia Southern University, embargoes are intended only for TDs that meet one or more of the following criteria: (1) includes potential patent pending information, (2) includes prospective trade secrets, and (3) includes sensitive security information that could be detrimental to the institution, agencies, state, or country if released. Yet, in many instances, institutional guidelines lack clarity about the application of embargo periods, and authors are often ill-informed about protecting their rights.

Considering the goals of developing institutional repositories, one of which is to make information resources and researchers' scientific findings accessible for interested parties easily and rapidly [12], embargoing TDs challenge the ability of institutional repositories to achieve this goal. Worded differently, applying embargo periods for ETDs does not let the users access the information resources and research findings through institutional repositories immediately.

Although applying embargoes to ETDs has a significant impact on readership and usefulness of new research findings and threatens the open access movement, the reasons higher education institutions choose to allow their students to embargo TDs have not been explored in previous research. Therefore, this study aims to identify and cluster the main reasons for applying embargo periods for ETDs through reviewing institutional policies and guidelines.

2 Methodology

To obtain this objective, through a random sampling technique, 100 higher education institutes will be selected to investigate their policies/guidelines for thesis and dissertation embargoes. Collected policies/guidelines will be imported into MAXQDA software (software for analyzing qualitative data) for more analysis and consideration. Policies and guidelines related to embargoing TDs will be coded through the content analysis method. Eventually, categories representing key reasons for applying embargo periods for TDs will be extracted based on the diversity of identified codes.

3 Expected results

The findings could be useful for policymakers (at the national or institutional level) and managers, who are in charge of the administration of research department, academic library, institutional repository, graduate office in a higher education institution, etc. However, many policies might not address (reasons for) embargoes at all. The study seeks to understand the reasons for this and explores effective solutions to shorten or remove the embargo periods. In addition, students and faculties can benefit from the findings of this study and make a more informed decision about the embargo on their TDs. In addition, the

findings may help various stakeholders in order to perform trade-off analysis between embargoing and distributing TDs. Last but not least, institutions that do not yet have a thesis and dissertation embargo policy can use the findings of this study to develop these policies in an effective and more standardized way. Managing issues and guidelines around embargoes will enhance open access to new research, whilst protecting researchers against exploitative publishers.

References

1. Crow, R. 2002. The case for institutional repositories: a SPARC position paper. https://ils.unc.edu/courses/2014_fall/inls690_109/Readings/Crow2002-CaseforInstitutionalRepositoriesSPARCPaper.pdf
2. The Berlin Declaration. 2003. Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities. <https://openaccess.mpg.de/Berlin-Declaration#:~:text=Berlin%20Declaration%20on%20Open%20Access,the%20English%20version%20shall%20prevail.>
3. Schöpfel, J. and Prost, H. (2013). Degrees of secrecy in an open environment. The case of electronic theses and dissertations. *ESSACHESS - Journal for Communication Studies*, 6 (2). <http://www.essachess.com/index.php/jcs/article/view/214>
4. Joachim Schöpfel, Hélène Prost, Marjorie Piotrowski, E. Hilf, Thomas Severiens, et al. 2014. Restricted vs open access for electronic theses and dissertations - a challenge for public science. ETD2014 17th International Symposium on Electronic Theses and Dissertations, NDLTD; University of Leicester, Jul 2014, Leicester, United Kingdom. <https://hal.univ-lille.fr/GERIICO/hal-01588042>
5. Eve, M. P. 2014. *Open Access and the Humanities: Contexts, Controversies and the Future* Cambridge: Cambridge University Press.
6. Swan, A. 2012. *Policy Guidelines for the Development and Promotion of Open Access*. Paris: United Nations Educational, Scientific and Cultural Organization (UNESCO).
7. Chowdhury, G. G. 2014. *Sustainability of Scholarly Information*. UK: Facet Publishing.
8. Hartley, J. 2008. *Academic Writing and Publishing: A practical handbook*. New York: Routledge.
9. Van Wyk, B. 2016. *Trends in Digital Scholarship Curation in Public and Private Higher Education*. Ph.D., University of Pretoria.
10. Thoms, B. 2021. Why, oh why, do students embargo their ETDs?. 11th Annual Conference on Electronic Theses and Dissertations (USETDA 2021) - Making Connections: Scholarly Communication in the Digital Age. Virtual Conference, September 22-23, 2021. Retrieved August 01, 2021 from <https://www.ocs.usetda.org/index.php/USETDA/USETDA2021/paper/view/262>
11. White, N. 2021. The nature and prevalence of embargoes on ETDs at Canadian universities: Results of a national survey. 11th Annual Conference on Electronic Theses and Dissertations (USETDA 2021) - Making Connections: Scholarly Communication in the Digital Age. Virtual Conference, September 22-23, 2021. Retrieved August 01, 2021 from <https://www.ocs.usetda.org/index.php/USETDA/USETDA2021/paper/view/277>

12. Nemati-Anaraki, L. and Tavassoli-Farahi, M. 2018. Scholarly communication through institutional repositories: proposing a practical model. *Collection and Curation*, 37 (1): 9-17. <https://doi.org/10.1108/CC-01-2018-002>