

SUNY Old Westbury Draft Policy on Open Access (11/25/2019)

I. Overview

The Faculty of the College at Old Westbury State University of New York is committed to an environment that cultivates critical thinking, empathy, creativity, and intercultural understanding. Old Westbury endeavours to stimulate a passion for learning and a commitment to building a more just and sustainable world. The College is committed to disseminating its research, scholarship and creative works, and has therefore created this Policy on Open Access. This document outlines policies and guidelines regarding the submission of content to the SUNY Old Westbury Digital Repository, including submission criteria and procedures, author and user rights, procedures for removing posted content, and administration of the Repository.

Hosted through a SUNY-wide platform, DSpace, the SUNY Old Westbury Digital Repository collects, preserves, and provides online access to selected scholarship produced at SUNY Old Westbury. Our repository contains special collections documents, faculty research, master's theses, and faculty sponsored student research projects.

For each work voluntarily (opt-in) deposited in the institutional repository, the author grants to The College at Old Westbury, State University of New York, nonexclusive permission to make that article (research/artwork, etc..) available for open access. The Old Westbury Library will make the work available to the public in an open access repository, adhering to all embargoes and restrictions by the primary academic publisher.

The Old Westbury Library will be responsible for resolving disputes concerning interpretation and application of the policy and recommending changes to the policy to the faculty. The Old Westbury Library provides the day-to-day services to assist the Old Westbury community to utilize the SUNY Old Westbury Digital Repository.

II. Submission

To best represent the spectrum of Old Westbury's scholarly communications, the SUNY Old Westbury Digital Repository maintains an inclusive collection policy based on the principle of open access, which emphasizes broad electronic dissemination of scholarly works. Faculty of the OW community interested in submitting materials should review the policies and guidelines below prior to submission. Detailed submission criteria and procedures can be found under "Submitting Work" on the Open Access LibGuide, www.libguides.oldwestbury.edu/oa

A. Content Type

- The work must be creative, scholarly in nature, research oriented, or of institutional significance.
- The work should have lasting value for the college's history, mission, or body of scholarly work.
- It is the responsibility of the submitter to ensure the submitted material complies with human subject protection requirements, animal use, biosafety and other ethical

standards outlined by the guidelines developed by the United States Department of Health and Human Services' Office of Human Research Protections (OHRP) and via communication of the College's Institutional Review Board (IRB).

- Examples of qualified content include:
 - Published articles or preprints when copyright and/or license allow
 - Books or book chapters when copyright and/or license allow
 - Journals produced by the Old Westbury community
 - Conference papers
 - Technical reports
 - Honors projects, master's theses, and other student works presented at external conferences, symposiums and scholarly meetings.
 - Datasets
 - Institutional or organizational newsletters, reports, and related materials
 - Image collections or audiovisual materials, either primary or supplementary

B. *Contributors*

- The work must be original, produced and submitted, or sponsored by, a full-time faculty or staff member, organization or department of SUNY Old Westbury.
- Contributors may include non-affiliated scholars if they are co-authoring with Old Westbury authors, are affiliated closely with the college, or are submitting via an Old Westbury-sponsored publication, conference, or event.
- For co-authored material, approval of all contributors is required.
- Content produced by students requires the approval of all the students involved in the creation of the work. Student work must be submitted by faculty or staff mentor.

C. *Copyright*

- The author must own the copyright to all components and content within the work, or have received and shown permission to have the material available in the SUNY Old Westbury Digital Repository.
- The author or representative of the organization or department must accept the terms and conditions that are presented upon submission prior to material being uploaded to the repository, granting SUNY Old Westbury the right to distribute and preserve the material via the SUNY Old Westbury Digital Repository, unless subsequently requested to be withdrawn. Refer to the "Submitting Work" tab and subsection "Withdrawal" in the Open Access LibGuide for further information.

D. *Format*

- The work must be in digital form, including supplementary materials.
- The file formats accepted are vast. Please consult with the Digital Librarian concerning format and file size. The Library will work with authors to ensure appropriate file types are used.
- The repository will not link out to content that exists on other websites or through subscription databases. However, when work is available on other repositories it may be acceptable to link to that content.

The following content is not permitted for submission/publication:

- FERPA-protected information, including student email addresses.
- HIPAA-regulated information (protected health information), including any information related to the past, present or future physical or mental health of an individual, except only if the individual has authorized release of his or her information in writing, and such release is in the hands of the publisher.
- Content barred by law or regulation from publication.
- Intellectual property for which the submitter does not have permission to submit and distribute.
- Non-public, personally identifiable financial or contact information of any kind, including, but not limited to, social security numbers, credit/debit card numbers, account numbers, account balances, and private residential addresses, except only where such records pre-exist as legitimate publicly accessible records outside the college.
- Photographic depictions of individuals in areas where a reasonable expectation of privacy exists, except only if all individuals depicted have given written consent to publication of their image.
- Records protected by state privacy laws. Please note that privacy laws vary by state, and protect their residents even when they are out of state.

III. Author's Rights & Responsibilities

- The author retains the copyright for all works submitted. SUNY Old Westbury strongly advocates using the Creative Commons Licenses to clarify how the work that will be submitted can be used. License guidelines are made available in the LibGuide.
- The author is free to reuse the content, but it is his or her responsibility to check the terms of the publication agreement if a document published in the SUNY Old Westbury Digital Repository is published elsewhere.
- The author may update and add to existing works.

- Since the author maintains copyright of their works published in the SUNY Old Westbury Digital Repository, works may be submitted for publication elsewhere. It is the author's responsibility to notify the publisher that the work has been previously published in an institutional repository.
- The author must adhere to the [State University of New York Copyright and Patent Policy](#).
- Although most content is open access, some material may be the subject of a publishing embargo for a fixed period.

IV. User's Rights & Responsibilities

- All users must respect the intellectual property rights of the copyright holder.
- For previously published works (journal articles, book chapters, etc.) for which the publisher retains copyright, permission has been granted (where necessary) to post this material in the SUNY Old Westbury Digital Repository. For any use which exceeds personal use or fair use under U.S. copyright law, permission may be required by the copyright owner of the material.
- For previously unpublished scholarly or creative works, the right to download or print any portion of this material is granted by the copyright owner only for personal or educational use. The author/creator retains all proprietary rights, including copyright ownership.
- Material may not be copied, distributed, displayed, altered, or used for commercial purposes, unless specified by Creative Commons License or explicit written permission of the copyright owner.
- Except as provided above, or for any other use that is allowed by fair use ([Title 17, §107 U.S.C.](#)), you may not reproduce, republish, post, transmit or distribute any material from this repository in any physical or digital form without the permission of the copyright owner (not necessarily the author) of the material.

V. Administration of the Repository

- The SUNY Old Westbury Digital Repository is administered at the local level by the Old Westbury Library. Please refer to the LibGuide for contact information. The SUNY-wide DSpace digital repository is administered by SUNY's Office of Library and Information Service (OLIS).

The OW College Library would like to thank the SUNY College of Environmental Science and Forestry Research, SUNY College of Brockport, and the SUNY New Paltz Libraries for permission to adapt their Digital Commons @ ESF, Digital Repository and Student Research Symposium DSpace Submission, respectively, policies and guidelines.