Understanding Open Access

Audience FAQs & Answers for Presenters

# Is open access compatible with peer review and prestige?

Yes. Peer review, selective submission standards, and other attributes of prestigious publication are independent of the openness of the publication. Some open access publications apply the highest standards of quality control, some proprietary publications publish low-quality works, and vice versa. While it is true that some new open access publications do not yet command the same level of prestige as the best established conventional publications, this will likely lessen as open access publishers establish their reputations and proliferate across disciplines. In the meantime, conventional publication and open access are not mutually exclusive. As we discussed in the presentation, some conventional publishers will allow authors who publish with them to also upload the authors’ final versions of their works to open access repositories, and they may also agree to release the work on open access terms.

# Do authors always have to pay to make their works openly accessible?

Although some open access publications charge a fee to cover the cost of publishing a work, many authors make their works openly accessible without incurring any costs. In fact, the majority of open access journals charge no author-side fees at all. Even where publishers charge publication fees, there are many ways that authors can mitigate those costs. For example, your institution or funding entity might have funds available to pay for open access publication fees, and some journals may offer a publication fee waiver. Moreover, depositing a work in an institutional open access repository is always free for authors.

# Are open access options available for book authors?

Open access book publication options are increasingly available, and many book publishers are developing programs to make books openly accessible. For example, the University of California Press recently launched Luminos, an open access publishing program for monographs. Open Humanities Press has also launched an open access program for monographs, making the books it publishes in print available as full-text digital editions published under open licenses. Book authors can also negotiate with conventional publishers to publish their books in print but also retain the right to openly license their books, and authors who have already assigned their rights can negotiate to get their rights back and make their works openly available.

# Can I require attribution if I make my work openly accessible?

The vast majority of authors who make their works openly accessible select license terms that require others to give them credit for their works. Furthermore, even if unattributed copying of an open access work does not amount to copyright infringement, it may still amount to plagiarism—thus running afoul of longstanding norms within scholarly and publishing communities.

# How can I preserve the integrity of my work if I make it openly accessible?

Authors can use license terms to control how others are allowed to use their works (subject to some limitations, such as fair use). Open access licenses often include provisions that protect against misuse, prevent loss of integrity, and protect author reputation. For example, Creative Commons licenses require attribution, unless the author does not want to be attributed; include an obligation to indicate whether an author’s work has been modified or not, even if those modifications are trivial; and require users to link back to the original if a link is provided. In addition, authors who do not want to permit others to modify their works can select license terms that allow free access and distribution of verbatim copies but not adaptations. Finally, scholarly norms for citation and regarding plagiarism are not supplanted when authors openly license their works.

**What can I do if I want to incorporate third-party content in my openly accessible work?**

Some third-party content that you want to use in your work may be in the public domain, meaning it is not protected by copyright and you are therefore free to use it without charge and without permission (unless other restrictions apply, such as those imposed by contractual terms).

If, on the other hand, the third-party content you want to use in your work is protected by copyright, there are still options that may enable you to incorporate this content in your openly accessible work:

1. **Rely on fair use, when appropriate:** Some uses that authors may wish to make of third-party content are permitted by “fair use.” Fair use is an exception to U.S. copyright law that gives authors the right to use copyrighted material without permission or payment in some circumstances. For example, quoting from a letter in a biography or reproducing a painting that is the subject of an article may be fair use, especially when the amount used is reasonable in light of your purpose and your use will not undermine the market for the original work. Making fair use of a work is not infringement.
2. **Request permission:** Copyright owners of third-party content may readily grant an author permission to use their work—sometimes without charge—particularly if the content is attributed to them.

**How can I navigate contractual restrictions or high permission costs to include third-party works in my openly accessible work?**

If your use of the third-party content is subject to contractual restrictions, you may find it more challenging or costly to use that third-party content in your work. Some archives or museums that control access to works place contractual restrictions on the use of images of those works, even when the work is in the public domain. Authors who want to include images of these works in their writings often encounter high permission costs. For example, art history scholars often pay high fees to museums and archives for permission to use images of artwork in their articles and books. Even if your use of a work is not subject to contractual restrictions, permission costs for in-copyright works can pose a challenge for some authors.

Here are some strategies you might try to reduce permission costs that might otherwise prevent you from making your work openly accessible:

1. **Negotiate:** Authors may wish to negotiate with the institutions or individuals that control the use of the third-party content they would like to include in their works. Particularly when the third-party content is in the public domain or when the institution controlling access to the work has a public interest mission, authors can ask the institution to consider reducing or eliminating permissions costs. Authors of scholarly works, for example, might succeed in persuading a public interest institution that including images of items from its collection in a scholarly work would further the institution’s mission by increasing public access to—and appreciation of—these pieces.
2. **Use alternatives that are in the public domain and free from contractual restrictions, or are openly accessible:** Authors may choose to reduce permissions costs by incorporating third-party content that is already freely available. Many art galleries, museums, and other cultural heritage institutions are now making images of works in their collections freely available to the public.
3. **Take advantage of grants and institutional funding:** Where available, authors may obtain “subventions,” or grants that can be put towards permissions costs. Some grants are available for the specific purpose of reducing the expense that authors might otherwise incur when acquiring images for publication.
4. **Reference the image:** Authors may direct a reader to the original source of third-party content, rather than including the third-party content itself in their own works. Similarly, authors may choose to include third-party content in the restricted-access print version of their works, for which permissions costs may be lower, but remove the third-party content in the version uploaded to an open access repository or personal website.

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