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To: Office of Science and Technology Policy Executive Office of the President  
725 17th Street Room 5228  
Washington, DC 2050

From: Raymond C. Johnson, Doctoral Student in Mathematics Education School of Education, University of Colorado at Boulder

Re: Response to the White House RFI on OA publications

I am a researcher, concerned citizen, and a supporter of open, public access to publicly-funded research. I speak for myself and not on behalf of my colleagues or my institution, although I believe I express ideas and opinions shared by many researchers and educators.

In response to the White House Office of Science and Technology Policy request for information on "Public Access to Peer-Reviewed Scholarly Publications Resulting From Federally Funded Research," I urge you to preserve policies that require public access (such as from the National Institutes of Health) and expand similar policies to other federal funding agencies such as the National Science Foundation, a key source of funding for education research in mathematics, science, and technology. Currently it is with great jealousy I see the growth of open access publishing in areas such as health and medicine; as an education researcher I wish I had the ability to share the latest research with teachers and administrators, most of whom cannot afford the high fees charged by publishers of education research. Unfortunately, open access journals in education are relatively rare and undervalued. A change in policy, one that would require public access to federally-funded research, would quickly change the perceived valuation of open access publishing outlets and bring much-needed information to educators everywhere.

Prior to my becoming a researcher I was a high school mathematics teacher for six years in high poverty, rural Colorado school districts. I did not have the benefit of a nearby university or a district support staff with access to recent or prominent research. My main link to information was a powerful one: the internet. However, it seemed that my searches for research about teaching methods, curriculum, education policy implementation, etc., all eventually led me to paywalls put up by publishers to "protect" their work, requesting fees I could not afford to pay. Now, as a researcher, I realize that the authors of education research -- much of it funded with federal dollars -- are asked to give their copyrights to publishers in exchange for so-called "widest possible dissemination" of that research. Researchers neither receive nor expect any pay or rewards for giving away their work, other than some scholarly esteem and the hope their research somehow reaches and benefits students and educators. While that publishing model might have made sense twenty years ago, it does not any more. Any claim of "widest possible dissemination" that currently does not include searchable, full-text publication on the public internet is false, at best, and fraudulent, at worst.

In response to the eight questions in the RFI, I encourage you to consider the arguments and recommendations made by Harvard University in their response (<http://osc.hul.harvard.edu/stp-rfi->

[response-january-2012](#)). Their expertise in these matters far exceeds mine. However, I do wish to make the following amendments to their responses for questions (2) and (7):

(2) What specific steps can be taken to protect the intellectual property interests of publishers, scientists, Federal agencies, and other stakeholders involved with the publication and dissemination of peer-reviewed scholarly publications resulting from federally funded scientific research? Conversely, are there policies that should not be adopted with respect to public access to peer-reviewed scholarly publications so as not to undermine any intellectual property rights of publishers, scientists, Federal agencies, and other stakeholders?

Harvard's response refers to a need to divide and share rights between researchers and publishers. My recommendation beyond their statement is that any discussion of copyright include Creative Commons (<http://creativecommons.org/>), an organization dedicated to creating and defending content licenses that allow creators to reserve some, but not all, of their copyrights. Their expertise should be invaluable in any discussion about the sharing of intellectual property rights.

The Harvard response includes a recommendation of a Creative Commons license at the end of their response to question 1. I also urge you to consider the expertise of SPARC (<http://www.arl.org/sparc/>), the Scholarly Publishing & Academic Resources Coalition.

(7) Besides scholarly journal articles, should other types of peer-reviewed publications resulting from federally funded research, such as book chapters and conference proceedings, be covered by these public access policies?

In Harvard's response, they say they "could support mandatory public access" for non-journal works, but consider these to be "secondary issues" and are "not prepared to list all the types of content to which a federal public-access policy ought to apply." I worry that this position is short-sighted and leaves too much room to abuse public access policies. Often the events that lead to research becoming a book chapter instead of a journal article are entirely matters of circumstance, and not a basis of quality or public importance. In fact, the entire distinction between article and chapter relates to a paper-based publishing economy, one that is increasingly irrelevant in a digital age. After all, if we were still limited to publishing on paper it is unlikely that this kind of public access policy discussion would even exist. If the spirit of these policies is to give the public access to research they have funded through federal tax dollars, there is no need to worry about "types of content" other than to say the research will consist of bytes and files traveling the internet. Furthermore, if the policy only requires "journal articles" to be published openly, what is to keep publishers from re-branding themselves as something other than a journal? By relabeling their products as books, magazines, or something entirely new, unwanted loopholes around public access are sure to emerge.