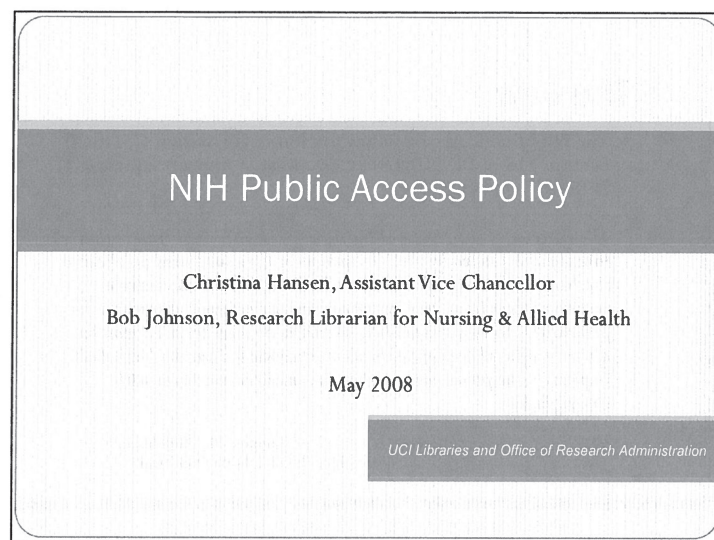


Presentations

5/29/09

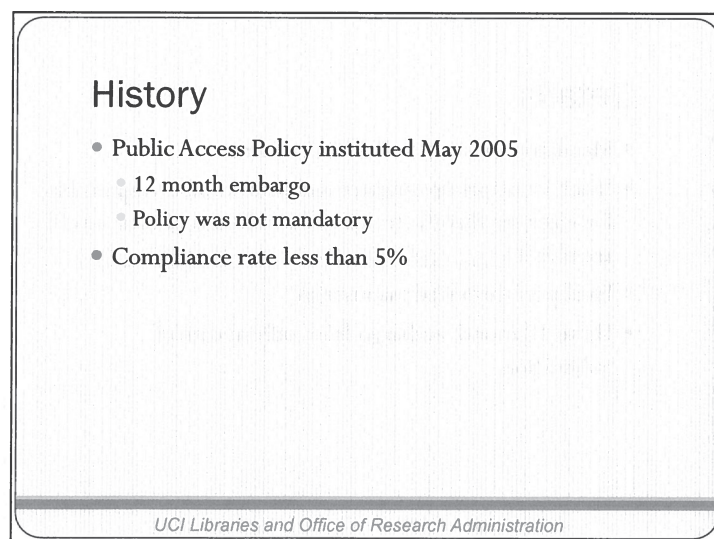


NIH Public Access Policy

Christina Hansen, Assistant Vice Chancellor
Bob Johnson, Research Librarian for Nursing & Allied Health

May 2008

UCI Libraries and Office of Research Administration



History

- Public Access Policy instituted May 2005
 - 12 month embargo
 - Policy was not mandatory
- Compliance rate less than 5%

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The Law

- The NIH Public Access Policy implements Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008). The law states:

The Director of the National Institutes of Health shall require that all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication: Provided, That the NIH shall implement the public access policy in a manner consistent with copyright law.

NIH Guide Notice for Public Access (January 11, 2008 <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-08-033.html>)

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Details

- Mandatory posting to PubMed Central
- “Each Principal Investigator and Institution is responsible for ensuring that the terms and conditions of their award are met” (<http://publicaccess.nih.gov/FAQ.htm#e4>)
- Final peer-reviewed manuscript
- Up to 12 month embargo from official date of publication

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Goals of the NIH Policy

- **ACCESS** – Provide free electronic access to NIH-funded research publications
- **ARCHIVE** – Provide permanent archive of vital NIH-funded biomedical research results
- **ADVANCE SCIENCE** – Expand information resource for scientists to use in innovative ways
- **ACCOUNTABILITY** – Allow NIH to manage research productivity more effectively and transparently

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Does This Mean Me?

- Yes, if any of the following are true:
 - Directly funded by an NIH grant or cooperative agreement active in Fiscal Year 2008 (October 1, 2007- September 30, 2008) or beyond
 - Directly funded by a contract signed on or after April 7, 2008
 - Directly funded by the NIH Intramural Program
 - NIH pays your salary

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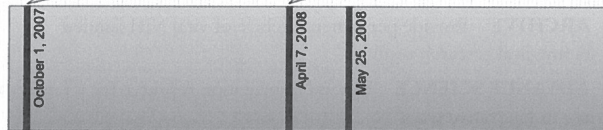
3

5/29/09

Timeline

Applies to NIH grants and cooperative agreements active as of this date

Applies to contracts signed on or after this date

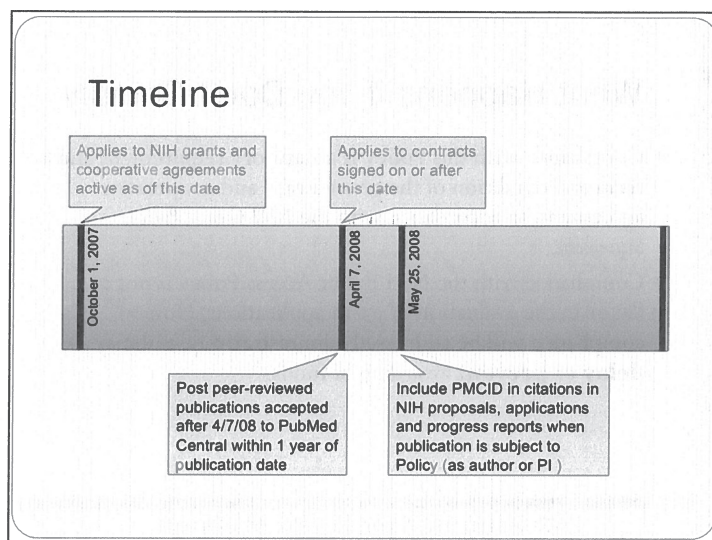


Important Dates

- **April 7, 2008**
 - Submission is required for papers accepted for publication arising from NIH funding on or after this date
- **May 25, 2008**
 - NIH applications, proposals, and progress reports must include the PubMed Central reference number (PMCID) when citing an article that falls under the policy and is authored or co-authored by the investigator, or arose from the investigator's NIH award

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What You Need to Do to Comply

- **Address the Copyright.** Ensure that your copyright transfer agreement with the publisher allows for submission to NIH's PubMed Central.
- **Submit to NIH.** Have your article submitted to NIH through the NIH Manuscript Submission system either by yourself, by a third-party, or by the publisher.
- **Cite the PubMed Central Reference.** Use the PMCID when citing your articles in NIH applications, proposals, or progress reports that fall under the policy.

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What Happens if You Don't Comply

- Compliance with this Policy is a statutory requirement and a term and condition of the grant award and cooperative agreement, in accordance with the *NIH Grants Policy Statement*.
- Compliance with the NIH Public Access Policy is not a factor in the evaluation of grant applications. Non-compliance will be addressed administratively, and may **delay** or **prevent** awarding of funds.

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How Can UCI Help?

- Advise authors and answer questions on complying with the NIH policy
- Assist in amending copyright transfer agreements
- Research publisher's policies on PMC or institutional repository submissions
- Identify publishers (in your subject area) that submit to PMC on the author's behalf
- Locate citation information and PMCIDs
- Provide group or personal presentations on the NIH policy and/or Open Access issues.

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Support From UCI

- Informational websites
 - UCI Libraries
<http://www.lib.uci.edu/scamp/nih-guide.html>
 - UCI Office of Research
<http://www.research.uci.edu/ora/sp/NIHopenaccess.htm>
- Email
 - nihgroup@uci.edu
- [University of California Letter To Publishers](#)
Signed by William Tucker, Executive Director, Research Administration and Technology Transfer

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Retaining Your Author Rights

- Review your copyright transfer agreements carefully
 - NIH recommends that authors check agreements prior to submitting to a particular publisher for article review
- Must contain language that allows submission to PubMed Central
- If agreement does not allow NIH submission:
 - Insert NIH suggested language, OR
 - Use the [University of California Letter to Publishers](#)

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Retaining Your Author Rights

- Add the following language recommended by the NIH:
Journal acknowledges that Author retains the right to provide a copy of the final manuscript to the NIH upon acceptance for Journal publication, for public archiving in PubMed Central as soon as possible but no later than 12 months after publication by Journal.
- Sign Copyright Transfer Agreement
- Immediately below your signature add: Subject to added language
- Attach the [University of California Letter to Publishers](#) to your copyright transfer agreement
- Sign the Copyright Transfer Agreement
- Immediately below your signature add the following: Subject to attached addendum

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Article Submission

- Submit your article using the NIH Manuscript Submission form. The following information is needed for the submission:
 - PI name and email address
 - Title of the journal
 - Title of manuscript
 - Grant number(s)
 - Manuscript files (Word, Excel, PPT, TIFF, GIF, JPEG, PDF, etc.)
 - Embargo/Delay Time period

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Final Manuscript Vs. Final Article

- **Final Peer-Reviewed Manuscript:** The Investigator's final manuscript of a peer-reviewed article accepted for journal publication, including all modifications made by the author from the peer review process.
- **Final Published Article:** The journal's authoritative copy of the article, including all modifications from the publishing peer review process, copyediting and stylistic edits, and formatting charges.

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Submission Process Overview

- Authors or a third party can log on to the NIHMS to submit a copy of the accepted peer-reviewed manuscript and associated files (e.g., Microsoft Word document and figures).
- The submitter designates the NIH funding that supported the manuscript.
- The PI of the designated funding approves the submission, and affirms that copyright allows deposit to PMC.
- The NIHMS will convert the deposited files into a standard PMC format, and will email the PI to review the PMC-formatted manuscript to make any necessary corrections and approve its release.
- The NIHMS will automatically send the article to PubMed Central for public posting after the delay period specified during submission.

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5/29/09


Contacts

- Office of Research
 - Contract and Grant Officer assigned to your department
 - General information number – 949-824-4768
 - Assistant Vice Chancellor Christina Hansen – 949-824-5677

- UCI Libraries
 - nihgroup@uci.edu
 - Reference Desks
 - Grunigen Medical Library – 714-456-5583
 - Langson Library – 949-824-4976
 - Science Library – 949-824-3705

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NIH Public Access Policy Mandate



Background and Action Steps
by the
University Libraries and
Office of Grants and Contracts

University Libraries and Office of Research April 30, 2008

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OUTLINE

- NIH Mandate: Significance and Implementation
- Author Rights: Resources, Education and Outreach for Faculty and Students
- ScholarWorks@UMass Amherst digital repository
- Resources

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NIH Public Access Policy: Significance

- First Open Access (OA) mandate for major US funding agency
- First OA mandate for any government agency in the world adopted by legislature rather than by agency itself
- Sets precedent for other government funding agencies
- NIH is largest non-military funder of scientific research in world

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NIH Public Access Policy:
When, What, Who

- Took effect April 7, 2008
- Original peer-reviewed articles including graphics and supplemental materials
- Funded by NIH grants, awards or contracts
- Deposited in PubMed Central (PMC) at time of acceptance for publication
- To be posted within one year of publication

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NIH Public Access Policy
Compliance on Campus

- Responsibility rests with grantees (institutions) and to Principal Investigators (PI's) for each grant
- Know your grant recipients
- Library and Office of Research are logical pairing
- Include Administration Folks

- Education program – this is the first of potentially many federal grant funding mandates
- Provide easy-access information sources
- Create tools for authors to use
 - Sample notification letter
 - Sample wording for copyright transfer agreement

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NIH Public Access Policy
Compliance Requirements

Grantees (institutions) and **Principal Investigators** responsible for compliance

Three actions required:

1. Make sure publishing agreement allows compliance with NIH policy
2. Submit post print version of manuscript to PubMed Central at the time of acceptance for publication
3. Include PMC ID number in NIH applications and reports when citing articles covered by policy

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NIH Public Access Policy
Publishing Agreement

1. Make sure **publishing agreement** allows compliance with NIH policy
 - Inform publisher of NIH requirements when submitting manuscript
 - Ensure transfer of copyright to publisher allows compliance with policy
 - If publisher will not allow compliance, find another publisher

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NIH Public Access Policy
PubMedCentral (PMC)

2. Submit post-print version of manuscript to PMC at time of acceptance for publication
 - Author can deposit manuscript in NIH Manuscript Submission System (NIHMSS); author verifies content
 - Publisher can deposit manuscript in NIHMSS; author verifies content
 - Publisher with established relationship with PubMed Central can deposit manuscript in NIHMSS; no author verification needed

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NIH Public Access Policy
PMC ID number

3. Effective May 25, 2008, anyone submitting application, proposal, or progress report to NIH must include PMC ID Number or NIH Manuscript Submission reference number when citing applicable articles that arise from their NIH funded research

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NIH Public Access Policy
Opportunities for information and help

Libraries can offer:

- Websites with information, links, people to contact
- Classes on copyright issues, author's rights and the mandate
- Forums on these topics
- Outreach to departments and labs

Office of Research can help:

- Modify formal guidelines for NIH grant recipients
- Offer quality assurance checks in the grant management process

Administration can:

- Set broad guidelines for how the institution will support authors and ensure compliance
- Provide support and resources for educational efforts

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Action Steps for Faculty

- Manage copyright / retain author rights
- Select journals and publishers with access friendly policies
- Self-archive in UMass Amherst's digital repository <http://scholarworks.umass.edu>

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Manage Copyright

- Retain Author Rights <http://www.arl.org/sparc/author/>
 - Reproduction
 - Distribution
 - Public performance
 - Modification of original work
- Modify publisher contracts
 - SPARC Authors Addendum <http://www.arl.org/sparc/author/addendum.html> or http://scholarworks.umass.edu/for_authors.html or
 - Scholar's Copyright Addendum Engine(SCAE) from ScienceCommons <http://scholars.sciencecommons.org/>

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Journals With Access-friendly Policies

- How to determine
 - SHERPA / RoMEO website
<http://www.sherpa.ac.uk/romeo.php>
 - Publisher websites
- Journals that submit articles to PMC
http://publicaccess.nih.gov/submit_process_journals.htm
- Publishers who will submit to PMC upon request
UMass Library staff can help you determine these journals
- Submit manuscript yourself when accepted for publication <http://www.nihms.nih.gov/>

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SHERPA / RoMEO example

Springer

Pre-print: "tick" author can archive pre-print (ie pre-refereeing)
Post-print: "tick" author can archive post-print (ie final draft post-refereeing)

Conditions:

- * Author's own final version only can be archived
- * On author's website or institutional repository or funders designated website/repository
- * Published source must be acknowledged
- * Must link to publisher version
- * Set phrase to accompany link to published version (The original publication is available at www.springerlink.com)
- * Articles in some journals can be made Open Access on payment of additional charge

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Resources: NIH Public Access Policy

- NIH Public Access Policy from NIH
<http://publicaccess.nih.gov/>
- NIH Public Access Policy from ARL
<http://www.arl.org/sc/implement/nih/guide/>
- NIH Extramural Nexus
<http://grants.nih.gov/grants/partners/0108Nexus.htm>
- NIH Public Access Policy Implementation – Current Details from SPARC
<http://www.arl.org/sparc/advocacy/nih/>
- Alliance for Taxpayer Access – NIH Public Access Policy
<http://www.taxpayeraccess.org/nih.html>

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Resources: NIH Public Access Policy, more...

- Complying With the NIH Public Access Policy – Copyright Considerations and Options
<http://www.arl.org/sparc/advocacy/nih/copyright.html>
- NIH Public Access Site (Includes extensive FAQ)
<http://publicaccess.nih.gov/>
- Skill Kit NIH Manuscript Submission System – Get the Help You Need (NLM Tech Bulletin)
http://www.nlm.nih.gov/pubs/techbull/jf08/jf08_skill_kit_manuscript.html
- Complying with the National Institutes of Health Public Access Policy: Copyright Considerations and Options” White Paper by Michael Carroll from ARL, SPARC and Science Commons
<http://www.arl.org/sparc/advocacy/nih/copyright.html>
- The NIH Mandate: An Open Access Landmark. CR&L News, February 2008 by Ray English and Heather Joseph
<http://www.ala.org/ala/acrl/acrlpubs/crnews/backissues/2008/february08/nihupdate.cfm>

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Questions?

- **Office of Grants and Contracts**
 - Bruce McCandless, mccandless@ora.umass.edu, 413-545-5283
 - Carol Sprague, sprague@research.umass.edu, 413-545-0698
- **University Libraries**
 - Liaison librarians for academic departments
www.library.umass.edu/reference/liaisons.html
 - Marilyn Billings, mbillings@library.umass.edu, 413-545-6891

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NIH Public Access Policy

What are the implications for Penn State?

Important Dates

- **April 7, 2008**
As of April 7, 2008, all articles arising from NIH funds must be submitted to PubMed Central upon acceptance for publication.
- **May 25, 2008**
As of May 25, 2008, NIH applications, proposals, and progress reports must include the PubMed Central reference number when citing an article that falls under the policy and is authored or co-authored by the investigator, or arose from the investigator's NIH award. This policy includes applications submitted to the NIH for the May 25, 2008 due date and subsequent due dates.
- **The Law**
The NIH Public Access Policy implements Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008) which states:
SEC. 218. The Director of the National Institutes of Health shall require that all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication: Provided, That the NIH shall implement the public access policy in a manner consistent with copyright law.

Does the NIH Public Access Policy apply to me?

The Policy applies to you if your peer-reviewed article is based on work in one or more of the following categories:

- Directly funded by an NIH grant or cooperative agreement active in Fiscal Year 2008 (October 1, 2007- September 30, 2008) or beyond;
- Directly funded by a contract signed on or after April 7, 2008;
- Directly funded by the NIH Intramural Program.
- If NIH pays your salary.

What does this mean?

- The author must ensure the publication agreement allows for submission to PubMed Central. The PI must ensure the article is submitted to PMC within the 12 month time frame.
- Must submit the accepted, peer reviewed manuscript.
- Must include the PubMed Central reference number when citing an article in NIH applications, proposals and progress reports.

This doesn't sound so bad, what's the big deal?

- Copyright –
 - Inform the journal that the article is subject to the Public Access Policy when submitting it for publication.
 - Make sure that any copyright transfer or other publication agreement allows the article to be submitted to NIH in accordance with the Policy. Authors should work with the publisher before any rights are transferred, to ensure that all conditions of the NIH Public Access Policy can be met.

Continued....

- **What is the difference between a final peer-reviewed manuscript and final published article?**

Final peer-reviewed manuscript: The Investigator's final manuscript of a peer-reviewed article accepted for journal publication, including all modifications from the peer review process.

Final published article: The journal's authoritative copy of the article, including all modifications from the publishing peer review process, copyediting and stylistic edits, and formatting changes.

Submit the manuscript

- to the NIH Manuscript Submission (NIHMS) system (<http://www.nihms.nih.gov/>). There are detailed online instructions for the NIHMS at <http://www.nihms.nih.gov/web-help/index.html>. As an overview, here is how the NIHMS is used to collect articles for PubMed Central.
 - Authors or someone in their organization (e.g., an assistant or a librarian) can log on to the NIHMS to submit a copy of the accepted peer-reviewed manuscript and associated files (e.g., Microsoft Word document and figures).
 - The submitter designates the NIH funding that supported the manuscript.
 - The Principal Investigator (PI) of the designated funding approves the submission, and affirms that copyright allows deposit to PMC.
 - The NIHMS will convert the deposited files into a standard PMC format, and will email the PI to review the PMC-formatted manuscript to make any necessary corrections and approve its release.
 - The NIHMS will automatically send the article to PubMed Central for public posting after the delay period specified during submission.
 - Some journals will deposit peer-reviewed manuscript files on behalf of their authors through the NIHMS. When this happens, authors still have to provide the associated award information, and review and approve the article. The NIHMS will contact them by email to do so.
- The Harrell Library is offering "How to" classes. Check with the library for time and place.

Must include the PMCID

- **Cite.** As of May 25, 2008, when citing an article in NIH applications, proposals, and progress reports that falls under the Policy, and was authored or co-authored by you or arose from your NIH award, you must include the PubMed Central reference number (PMDCID). This policy includes applications submitted to the NIH for the May 25, 2008 due date and subsequent due dates.

What are we doing?

- Created a Penn State wide website that will support our faculty as they navigate the submission process.
<http://www.hmc.psu.edu/library/PMC/pmc1.htm>
- Developed training sessions that will provide step-by-step instructions for submitting manuscripts. Contact the library for time and place.
- Developed a model addendum agreement that faculty can use to negotiate retention of their copyrights.
<http://www.hmc.psu.edu/library/PMC/amendment.pdf>

Continued

- Working with Dr. Alan Snyder & Dr. Eva Pell to ensure this is a system wide resource that provides consistent information across all campuses.
- Keeping abreast of ongoing changes to the process.

Remember!

- The Principle Investigator or Grantee is responsible, whether or not he/she is an author on a particular manuscript, to make sure personnel, even subcontractors, adhere to the NIH Public Access Policy.

More Info

- For more information visit the NIH Public Access Policy page: <http://publicaccess.nih.gov/FAQ.htm>
- ARL: Guide for Implementing NIH Public Access Policies
<http://www.arl.org/sc/implement/nih/guide/index.shtml>
- Chart: When do NIH funded authors need to comply?
<http://becker.wustl.edu/pdf/NIHChart.pdf>