



POLICY ON OPEN ACCESS TO SCHOLARLY ARTICLES
UMBC Policy #IV- 2.20.02

I. POLICY STATEMENT

This Policy on Open Access to Scholarly Articles (the “Policy”) affirms the commitment of the University of Maryland, Baltimore County (“UMBC” or the “University”) to removing financial and permission barriers that limit access to scholarly research.

II. PURPOSE FOR POLICY

UMBC is committed to maximizing the visibility, readership, and impact of its scholarly output in furtherance of its mission of teaching, research, and public service, and to ensuring institutional compliance with the public access requirements of federal and other funding agencies.

III. APPLICABILITY

This Policy applies to all Scholarly Articles authored or co-authored by UMBC Employees and accepted for publication after the Effective Date of this Policy.

IV. IMPACT STATEMENT

The adoption of this Policy will maximize research impact for the University and UMBC Employees by enhancing the global reach and readership of Scholarly Articles. Furthermore, this policy will support compliance with federal public access requirements. It also aims to strengthen UMBC’s long-term preservation of scholarly work via the University’s digital repository while respecting author copyright.

V. CONTACTS

Direct any general questions about this University Policy first to your department’s administrative office. If you have specific questions, call the following offices:

Subject	Contact	Telephone	Email
Policy Clarification	Digital Scholarship Services Librarian	410-455-3544	scholarworks-group@umbc.edu

VI. UNIVERSITY POLICY

A. Open Access License

1. **Automatic Prior License Grant.** Each UMBC Employee automatically grants to the University an irrevocable, worldwide, royalty-free, nonexclusive license to exercise any and all rights under copyright relating to each of their Scholarly Articles, in any medium now known or later developed. This Open Access License is granted immediately upon the Scholarly Article's acceptance for publication. Open access to Scholarly Articles will be achieved by an Open Access License.
2. **Purpose of License.** The purpose of the license is to authorize the University to make the Author Accepted Manuscript (AAM) of the Scholarly Article widely and publicly available in the University's digital repository, and to authorize others to do the same, provided that the articles are not sold for a profit.
3. **Copyright Retention.** This Policy does not transfer copyright to the University; rather, it establishes a nonexclusive Open Access License that permits the University to make the Scholarly Articles publicly available.

B. Deposit

1. **Deposit Requirement.** The UMBC Employee will provide an electronic copy of the Author Accepted Manuscript of the Scholarly Article to the UMBC Library in an appropriate format for digital access (e.g., PDF), promptly upon acceptance for publication, and no later than the date of publication.
2. **Optional Creative Commons License.** Upon written direction by the UMBC Employee, the Scholarly Article will be made available on a Creative Commons License.
3. **Deposit Assistance.** Questions regarding the deposit process should be referred to the UMBC Library.
4. **Public Access.** The UMBC Library will make the Scholarly Article publicly available in a digital repository at no charge to the UMBC Employee, using the rights granted by the Open Access License.

C. Waiver and Access Delay

1. **Policy Waiver (Opt-Out).** Upon written direction by a UMBC Employee submitted to the UMBC Library using the prescribed form, the Open Access License may be waived by UMBC for a Scholarly Article. For federally funded work subject to a federal open access policy, such waiver will not be available.
2. **Access Delay (Embargo).** Upon written direction by a UMBC Employee, the UMBC Library may agree to remove, delay, or embargo access to a

Scholarly Article for a specified period of time. Notwithstanding the foregoing, public access will be made immediately available in the digital repository if required by federal or other funding agency mandate.

D. Opt-In

1. UMBC students and other individuals not covered by this policy may choose to participate by executing a written opt-in agreement with the UMBC Library.

VII. DEFINITIONS

Author Accepted Manuscript (AAM)	The version of a Scholarly Article that has undergone peer review and has been accepted for publication by the publisher.
Creative Commons License	Legal documents created by a non-profit dedicated to an open World Wide Web that anyone can use to give some or all of the rights to a work to anyone in the world. They are widely used by publishers, repositories, and individual authors.
Open Access License	The removal of permission and cost barriers related to the open discoverability, retrieval, and use of UMBC's scholarly articles.
Scholarly Article(s)	A work that describes the fruits of UMBC Employees' scholarship and research, is deemed a form of "Traditional Scholarly Works" as further defined in Section V.B.1. of the UMBC Intellectual Property Policy, and is given to the world for the sake of inquiry and knowledge by the UMBC Employee without expectation of payment. Such articles are typically presented in peer-reviewed scholarly journals and conference proceedings.
UMBC Employee	Any individual employed by UMBC, including regular Staff Employees and Faculty as defined by USM II-1.00 Policy on Appointment, Rank, and Tenure of Faculty .
UMBC Library	The unit charged with ensuring that the Scholarly Articles addressed in this Policy are appropriately collected, organized, provided, and preserved. It administers and manages UMBC's digital repository.

VIII. APPROVAL AND PROCEDURES

- A. Pre-approval: Not Applicable
- B. Approval: Not Applicable
- C. Procedures: [UMBC Library Research Guide](#)

IX. RESTRICTIONS AND EXCLUSIONS

- A. **Pre-existing Scholarly Articles.** This Policy does not apply to those Scholarly Articles completed and published prior to the Effective Date of this Policy that were not otherwise subject to federal policy requirements, nor does it apply to Scholarly Articles subject to incompatible publisher licensing or assignment agreements entered into prior to the Effective Date of this Policy. As used herein, the “Effective Date” shall mean that date this Policy is Approved by the President.
- B. **Student Work.** This Policy does not apply to scholarly works authored by a student solely in their capacity as a student, including, but not limited to, theses, dissertations, and independent personal research projects. Where the student author is also a UMBC Employee, and the work is authored in their capacity as a UMBC Employee (e.g., research assistantships or employment-related duties, Graduate Assistants (“GAs”)), they are covered by this policy.

X. RELATED ADMINISTRATIVE POLICIES AND PROCEDURES

[USM #IV-2.00](#) Policy on Solicitation and Acceptance of Sponsored Projects

[USM #IV-2.20](#) Policy on Classified and Proprietary Work

[UMBC #IV-3.20.01](#) [UMBC Policy on Intellectual Property](#)

[Office of Science and Technology Policy \(OSTP\) Ensuring Free, Immediate, and Equitable Access to Federally Funded Research Memo](#)

Administrator Use Only

Policy Number: IV- 2.20.02

Policy Section: Research

Responsible Administrator: Library Associate Director & Head of Technical Services

Responsible Office: Library

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