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Balances of Power Between IP Creators: Ethical Issues in Scholarly Communication

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Comments

This presentation was presented as part of the SCORE (Scholarly Communication and Open Resources for Education) Interest Group showcase, "The Right to be Forgotten: Scholarly Communication and Ethics", at the California Academic & Research Libraries (CARL) conference in Redwood City, CA in April 2018. Slides from the full presentation will be available on [CARL's website](#). If citing, please cite the full presentation.

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Balances of Power Between IP Creators: Ethical Issues in Scholarly Communication

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Ethical Issues Encountered with Co- Authored Works

- Often encountered when IP is owned by multiple individuals with an imbalance of power between them.
 - Faculty working with students
 - Educators working with underage students/parents

Student Research Day Abstracts and Posters

- Voluntary system by which we place abstracts and posters from our Student Research Days into our IR.
- The first semester used an opt-in system at the time of registration.
 - Form did not allow much explanation of issues surrounding IP rights, and this was completely new territory for most of the participants (mainly undergraduate students).
 - Did not allow for input from faculty advisors, many of whom were research collaborators on the projects.

Student Research Day Abstracts and Posters

- Switched to an opt-in system at the time of presentation, after getting faculty buy-in.
 - Faculty advisors are emailed first for permission to reach out to the students, regardless of whether they are collaborators/co-own the IP.
 - If there is affirmative consent from the faculty advisor, the student is invited to submit their materials.
 - Detailed email explains benefits, links to materials explaining their IP rights, licensing options, etc.

Student Research Day Abstracts and Posters

- Ethical issues:
 - Balance of power between faculty and student researchers: who owns the IP and gets to make the decision?
 - Some faculty never respond to emails requesting permission to ask the student, preventing those students from being approached.
 - Students may own 100% of the IP, but current policy does not allow them to be asked if they would like to submit their poster.

Student Research Day Abstracts and Posters

- Ethical issues:
 - Mission of library vs. will of IP owner(s)
 - By placing these materials into the IR, the library is striving to make them accessible in perpetuity.
 - However, sometimes the IP owner(s) will want them removed down the line.

Student Research Day Abstracts and Posters

- Reasons for requests for removal:
 - Sometimes it is out of concern that their work will not be publishable if disseminated as a poster.
 - Sometimes it is out of fear that someone will swipe their results before they can publish.
 - Occasionally, it can be due to discomfort with the attention the poster has received.
 - One group of students asked that we remove their poster about ISIS after seeing that it was frequently downloaded in affected areas and becoming uncomfortable with their names being associated.

Student Research Day Abstracts and Posters

- Outcomes:
 - A few posters from early on were removed by request of the IP owner(s).
 - A few more were placed under restricted access, so the poster is only downloadable by Chapman affiliates.
 - Many students never get the opportunity to disseminate their posters because faculty objections or silence present them from receiving the opportunity.
 - Much of this important scholarly work will thus be lost in the long term.

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- University students in the *Teaching of Writing K-12* course partner with junior high students in a journalism class at a local academy.
- The two classes collaborate over four months to create a collection of features, editorials, and news articles around a central theme.
- The writings are produced as a bound volume for the participants and also disseminated through Chapman's IR.

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- Ethical issues:
 - The university students grant permission for their writings to be posted as part of the course, but it gets a bit trickier with the junior high students, who are minors and cannot legally consent on their own.
 - It required creating an annotated version of the permission form that explained the legalese better for the parents of the students to sign.

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- Ethical issues:
 - Fear of incrimination of interview subjects.
 - Many of the kids wrote on controversial issues, including immigration, drug use, etc.
 - Even with pseudonyms, there is a fear that individuals in the students' communities could be targeted.

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- Outcomes:
 - A few pieces were redacted from the digital versions of the collections in the archive to protect students and/or interview subjects.
 - Minors may object to inclusion once older.
 - Their work will thus need to be removed if they request it.
 - Must they be legal adults before they can do make such a request?

Thank you!

- Student Research Day Abstracts and Posters:
https://digitalcommons.chapman.edu/cusrd_abstracts
- Yorba-Chapman Writing Partnership Anthology of Journalistic Writing:
<https://digitalcommons.chapman.edu/yorba-chapman/>
- Questions? Email laughtin@chapman.edu!