

## UCLA GRADUATE DIVISION

# Release and Embargo of Electronic Theses and Dissertations (ETD)

### The Current Situation

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Historically, when UC graduate students have filed their theses and dissertations, the campuses have made the manuscripts available to the public for free in the form of bound volumes on physical shelves in the library, and for purchase in forms that have evolved over time (microfilm and microfiche, print, digital files) through ProQuest (formerly University Microfilms), a fee-based distribution service. The introduction of electronic thesis and dissertations (ETD) and evolving technologies for distribution, such as UC eScholarship, have led to an increasing number of inquiries from authors about their rights to control the release and distribution of their documents.

There appears to be no UC-wide policy or regulation requiring graduate students to provide the university with a perpetual license to distribute the research results contained in a thesis or dissertation. Moreover, the UC does not seem to have a policy statement affirming our expectation that enrolled graduate students share publicly their manuscripts as part of our mission as a public university and the tradition of a scholarly exchange. Librarians, graduate deans and Academic Senate staff have searched many files and archives, but have not succeeded in locating either an overarching statement of principle or specific policies or process for the campuses to follow. In the absence of central guidance, the campuses have created varying policies and practices regarding electronic distribution and delayed release of theses and dissertations.

Some campus policies and regulations *imply* the right of the University or campus to distribute publicly a dissertation or thesis to foster scholarly exchange. Some UC campuses, such as UCSD, require all graduate student filers to sign a form affirming their agreement to grant a nonexclusive, worldwide, royalty-free copyright license to The Regents of the University of California to reproduce, distribute, and display their theses or dissertations. Other campuses, such as UCLA, seek to communicate and implement similar practices.

The apparent absence of a UC-wide policy, combined with the inconsistency between campus policies, has led students and faculty to question and challenge current campus practices, and even to threaten litigation. For example, some graduates are claiming the University does not have the “right” to distribute the manuscript in an open access forum such as UC eScholarship, as they, the copyright holders, have sole control over how their documents are distributed. These questions and claims point to the need for clearer policies at both the system-wide and campus levels, grounded on a shared understanding of copyright ownership in the University of California.

### Possible Next Steps

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SLASIAC may wish to consider whether the UC would benefit from a system-wide policy that:

- a) References the UC copyright policy, specifically students’ ownership of their work;
- b) Articulates the University’s commitment or requirement to make theses and dissertations available to the public through prevailing mechanisms, including bound physical copies and electronic repositories;
- c) Delineates standardized time periods for delayed release (embargo) at the time of submission;
- d) Systematizes criteria for embargo in eScholarship following ETD submission at the campus.
- e) Provides explicit guidelines or best practices for responding to post-submission embargo requests.