

## **UCLA Graduate Thesis and Dissertation Public Dissemination Policy**

### **Affirmation of Open Access**

The submission of a thesis or dissertation is the last step in an academic program leading to the award of a graduate degree. The manuscript is a scholarly presentation of the results of the graduate student's research and/or creative work. UCLA requires that research and scholarly work conducted by graduate students and incorporated into theses and dissertations be made publicly available through the University of California's institutional repository, eScholarship (<http://escholarship.org/>). The UCLA Graduate Council hereby affirms the principle that graduate students have a responsibility to share their work with scholars in all disciplines and the general public, and stands by the University's commitment to ensuring open access to master's theses and doctoral dissertations. The policy of the University of California is that graduate students own the copyright to their original works of authorship. The license granted to UCLA as required by the Thesis and Dissertation Public Dissemination policy is fully consistent with University copyright policy. (See <http://copyright.universityofcalifornia.edu/>.)

### **Public Dissemination**

As one of the requirements for conferral of a degree, a graduate student must submit his/her thesis or dissertation to UCLA through both ProQuest ([www.proquest.com](http://www.proquest.com)) and the institutional repository eScholarship (<http://escholarship.org/>). The ProQuest and the institutional repository make the manuscript available several months after the graduate student submits it. A graduate student must adhere to the Graduate Council policy regarding delayed public dissemination (also known as an "embargo") in both ProQuest And UC eScholarship.

Upon submission of his or her thesis or dissertation as a requirement for conferral of the degree, the graduate student shall grant a nonexclusive, worldwide, royalty-free, perpetual license to The Regents of the University of California ("University") as set forth in the UCLA Thesis and Dissertation Submission Agreement, a copy of which is provided as Attachment A.

### **Author Warranties**

Upon submitting the thesis or dissertation as a requirement for conferral of a degree, the graduate student shall affirm that the Work: (a) is the graduate student's original work and that s/he has full power to enter into an agreement; (b) does not infringe copyright, intellectual property rights, or privacy rights of another; (c) contains no material that is libelous, defamatory or other unlawful material; and (d) the graduate student has not made, and will not hereafter make, any contract or commitment contrary to the terms of the agreement with UCLA or in derogation of the license granted to the University hereunder. The graduate student shall indemnify, defend and hold the University harmless from any losses, claims, damages, awards, penalties or injuries incurred, including reasonable attorney's fees, which arise from any claim by any third party of an alleged infringement of copyright or any other property right arising out of the access and use of the Work.

### **Delayed Public Dissemination (Embargo) Requests**

#### **Policy**

Delayed public dissemination, commonly known as an "embargo," postpones public distribution of the thesis or dissertation that has been approved and filed with the University. In some cases, it may be reasonable and appropriate to put in place an embargo that delays public release, but only in narrowly prescribed

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circumstances affecting intellectual property rights (such as when a patent is being filed), to satisfy requirements for the review of grant-sponsored research, or to protect data being utilized by a team of researchers of which the graduate was a member. Such an embargo must be limited in time.

If delayed public dissemination is necessary due to the purposes set forth in the previous paragraph, a graduate student should select this option when uploading the thesis or dissertation to ProQuest. The delayed release requested at the time of submission will postpone public distribution of a thesis or dissertation via *both* ProQuest and UC eScholarship. UCLA policy limits embargoes to 6 months, 1 year or 2 years.

If a thesis or dissertation has a delayed release, ProQuest and UC eScholarship will display only the graduate's citation and abstract for the duration of the embargo. The full text of the graduate's thesis or dissertation will become available for public access only after the embargo expires. The California Digital Library will archive and preserve the manuscript in perpetuity.

### **Exception Requests for Extended Embargoes**

Under rare circumstances and prior to the filing of the thesis or dissertation, the Dean of the Graduate Division may approve requests for time-delimited embargoes beyond the two-year limit. A request for such an exception to UCLA policy should be made as soon as the graduate student's master's or doctoral committee is aware of the need to do so.

The Graduate Division is the first point of contact for exception requests, forwarding any approved exceptions to the Library as applicable. The graduate student and her/his committee chair must submit a formal request for a time-delimited extended embargo using the Request for Extended Delayed Release form available from the Graduate Division. The request must be made prior to filing the thesis or dissertation. Each request will be evaluated on a case-by-case basis. The Graduate Division's review of such requests will take the following factors into consideration:

- Are there serious mitigating circumstances whereby publication of the thesis or dissertation would cause undue risks or potential harm to the author or subjects?
- Will the data generated through the student's research support other in-progress publications from people on the student's research team, which could be impacted by public dissemination?
- Is the student applying for a patent based on research that is discussed in his/her dissertation?
- Is the data or material in the thesis/dissertation subject to review by the sponsor or grantor prior to publication?
- Is there a need to prevent disclosure of information about persons, institutions, technologies, etc.?
- Is there an academic or commercial press that has documented its requirement of manuscript embargo in order to acquire the rights to publish the thesis/dissertation as a book?

When an exception request is approved by the Graduate Division, the Library will be notified to ensure that UC eScholarship suppresses access until the end of the approved extended embargo period.

*Requests for permanent embargos will only be approved under truly extraordinary circumstances.*

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### Post-Submission Requests for Delayed Public Dissemination

#### Policy

Students who wish to delay public dissemination must select this option at the time they submit their theses or dissertations to the Graduate Division via ProQuest. Requests to embargo a thesis or dissertation *after* the manuscript has been filed generally are not allowed. Post-submission embargo requests to UC eScholarship are permissible only in exceptional circumstances, and require Graduate Division and Graduate Council review and approval.

#### Procedure

The Graduate Division is the first point of contact for post-submission embargo requests to UC eScholarship. To make such a request, which is considered only for *exceptional* circumstances, the graduate student must submit a Post-Submission Request for Delayed Release to the Graduate Division detailing the reason for the request for an embargo and the reason for the delay in seeking the embargo, and including an explanatory letter from the thesis/dissertation committee chair. Each request will be reviewed on a case-by-case basis.

ProQuest allows the graduate student to embargo his or her manuscript at any time and for any duration, but cautions that “the rules and policies around dissemination related to a university’s institutional repositories are created and managed separately by the university.”<sup>1</sup> ProQuest will notify the Graduate Division of each request for a post-submission embargo. Upon receiving the notification from ProQuest, the Graduate Division will send an email to the graduate student reminding him/her of the University policy restricting delayed release. Graduate Division will approve of such post-submission requests in accordance with the procedure set forth below for Review of Post-submission Requests.

**Review of Post-submission Requests:** The review of a post-submission embargo request by the Graduate Division and Graduate Council will take the following factors into consideration:

- Are there serious mitigating circumstances such that publication of the thesis or dissertation would cause undue risks or potential harm to the author or subjects?
- Is there a need to prevent disclosure of information about persons, institutions, technologies, etc.?
- Is there good cause for the failure to seek delayed public dissemination at the time of submission?
- Is the work already accessible via eScholarship?

In the rare cases in which a post-submission embargo request is approved by the Graduate Division and Graduate Council, the Graduate Division will notify the Library and UC eScholarship to withhold release for the approved embargo period.

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<sup>1</sup> ProQuest, “Embargoes and Restrictions”, [http://www.etsadmin.com/UMI\\_EmbargoesRestrictionsGuide.pdf](http://www.etsadmin.com/UMI_EmbargoesRestrictionsGuide.pdf)