

Framework for Publisher Contracts... (and much more).

Courtney Crummett

Massachusetts Institute of Technology Libraries

Thursday Feb 20 2025

CERN-UNESCO-NRF Open Science School

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The MIT Libraries logo is positioned in the bottom left corner. The rest of the bottom section features a complex network of thin, overlapping lines in yellow and teal, creating an abstract geometric pattern that resembles a stylized mountain range or a network diagram.

Today's plan:

~Presentation~

MIT and MIT Libraries

MIT Libraries Negotiation Team

Principled Negotiations

MIT Framework for Publisher Contracts

~Break~

2 Case studies

~Activity~

Negotiations Planning Document

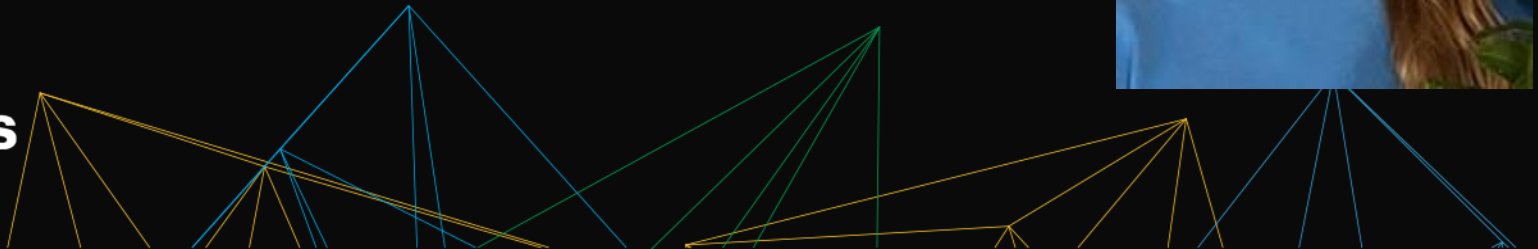
Sharing outcomes

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The MIT Libraries logo is positioned in the bottom left corner. The rest of the bottom half of the slide features a dark background with a network of thin, light-colored lines (yellow, blue, and green) that form a complex, abstract geometric pattern, possibly representing a network or a data structure.

# Courtney Crummett

- **Collection Strategist for Science and Engineering in the Scholarly Communications and Collection Strategy department**
- MIT Libraries Negotiation team lead negotiator
- 17 years at MIT, current role for 4 years
- Previously Biosciences Liaison
- On negotiation team for 7 years





**BOS**

**JNB**



# MIT Libraries



MIT  
Libraries



Openness at MIT has a long history

MIT OpenCourseWare 2001

First Open Access Policy in US 2009

60% of MIT authored papers open

MIT theses and dissertation open by default

Relentless pursuit of more open and equitable scholarly  
landscape

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The bottom of the slide features the MIT Libraries logo on the left, consisting of the text "MIT" stacked above "Libraries" in a white, sans-serif font. To the right of the logo is an abstract geometric pattern of thin, light blue and yellow lines forming a series of interconnected triangles and polygons, creating a network-like structure.

# Senior Leadership Organizational Chart

Updated: 8/14/24



**Director of Libraries**  
Founding Director,  
CREOS  
Chris Bourg




**Director of Development**  
Kaija Langley



**Director and Publisher, MIT Press**  
Amy Brand




**Executive Assistant**  
Shannon Hunt



**Associate Director, Administrative Services**  
Stephanie Richardson



**AD, Research, Learning & Strategic Partnerships**  
Alexia Hudson-Ward



**AD, Collections & Faculty Relations Strategy**  
Erin Stalberg



**AD, Technology & Strategic Planning**  
Heather Sardis



**Deputy Director, CREOS**  
Sue Kriegsman



**Director of Human Resources**  
Marie Polymise

**Director, Community Building & Engagement Program**  
Vacant



**Head, Technical Services**  
Kim Maxwell



**Head, Information Technology Services**  
Mohamed El Ouiridi



**Director of Communications**  
Brigham Fay



**Director of Research Data Services**  
Peace Ossom



**Head, Distinctive Collections**  
Emilie Songolo



**Head, Discovery and Engagement Platforms**  
Tina Pappas



**Facilities Administrator**  
Maria Rodrigues



**Head, Information Delivery & Library Access**  
Felicity Walsh




**Head, Scholarly Communications and Collection Strategy**  
Laura Hanscom



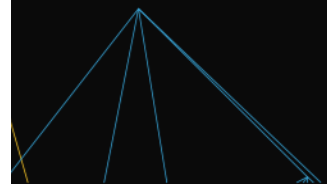
**Interim Head, Liaison, Instruction & Research Services**  
Lisa Horowitz



**Director of Copyright Strategy**  
Katie Zimmerman



**Head, Lewis Music**

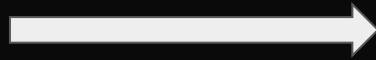




# FROM

Scholarly Communications  
Program and the  
Collections Budget  
working independently

TO



Collection Budgets placed  
underneath the Scholarly  
Communications Program

**New Name: Scholarly Communications & Collections Strategy Department**

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# Negotiations Team Members



**Laura Hanscom**  
Department Head of  
Scholarly Communications  
and Collection Strategy



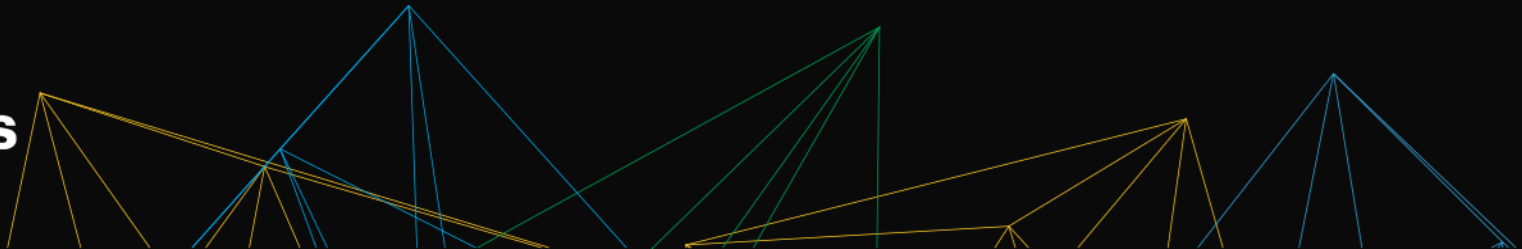
**Katie Zimmerman**  
Director of Copyright  
Strategy



**Kim Maxwell**  
Department Head of  
Technical Services



**Courtney Crummett**  
Collection Strategist for  
Science & Engineering



# Principled Negotiation Methods

It is a technique designed to meet the needs of both sides as much as possible, quickly, while maintaining or improving relationships.

Principled negotiations focuses on basic interests, mutually satisfying options, and fair standards.

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**PROGRAM ON NEGOTIATION**

H A R V A R D L A W S C H O O L

# Principled Negotiation Methods

4 points to a Principled Negotiation:

People: Separate the people from the problem

Interests: Focus on the interests, not positions

Options: Invent multiple options looking for mutual gains

Criteria: Use objective standards

How do we do principled negotiations?

People: Separate the people from the problem

**We make and manifest the commitment to do this**

Interests: Focus on the interests, not positions

**We express our interest, values, and aims**

**(via the Framework for Publisher Contracts)**

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Options: Invent multiple options looking for mutual gains before deciding what to do. (Via the negotiations planning document)

**We explain that we are open to options and experimentation**

Criteria: Refer to standards and guidelines

**COUNTER statistics**

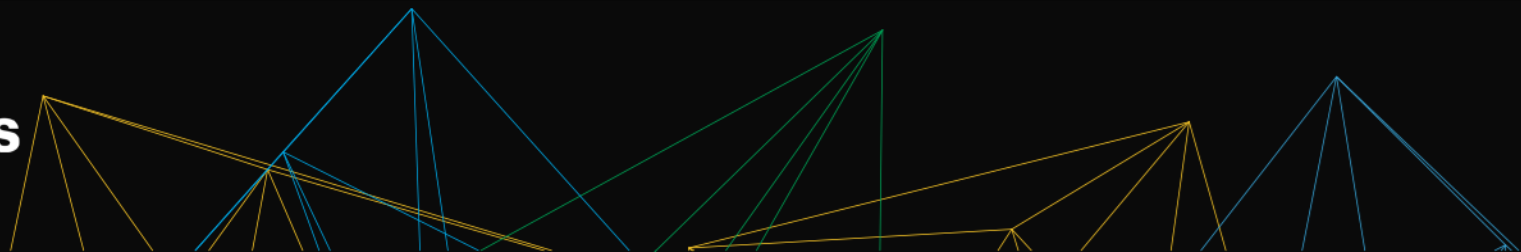
**IASTM Publisher guidelines for reuse of figures and text**

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# Questions?

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# What are our principles?

## MIT Framework for Publisher Contracts

- Established in 2019
- Written by faculty, students, post docs
- Direct result of MIT-wide task force on open access to MIT's research.
- Publisher contracts are a main tool that Libraries can use to advance openness
- Endorsed by over 200 libraries, organizations, and consortia
- 6 elements aimed to transform scholarly communications



- No author will be required to waive any institutional or funder open access policy to publish in any of the publisher's journals.

The MIT Open Access Policy that was established by the Faculty in 2009 means that MIT authors can post their author manuscripts in our Open Access Repository, DSpace@MIT. If a publisher requires MIT authors to waive this policy (or any other similar policy) they are not in alignment with this principle.

As you are thinking about what your own principles are, this might not be relevant if you don't have an open access policy. This IS relevant if your authors are funded by agencies with open access requirements.

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**Framework**



- No author will be required to relinquish copyright, but instead will be provided with options that enable publication while also providing authors with generous reuse rights.

MIT Authors should retain their rights over their scholarly work. We want our authors to be presented with non exclusive publisher agreements as opposed to agreements that transfer copyright from the author to the publisher.

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**Framework**



- Publishers will directly deposit scholarly articles in institutional repositories immediately upon publication or will provide tools/mechanisms that facilitate immediate deposit.

When the faculty established the open access policy, the Libraries were charged with implementation. We do that through populating and maintaining our Open Access Repository, DSpace@MIT. To remove the burden of deposit for authors, we want publishers to deposit the manuscripts into DSpace@MIT automatically. We refer to this as “autodeposit.”

Again, if your institution doesn't have an open access policy, this may be less relevant and not a principle that would be useful.

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- Publishers will provide computational access to subscribed content as a standard part of all contracts, with no restrictions on non-consumptive, computational analysis of the corpus of subscribed content.

Computational access to our collections is part of our Libraries' mission and we aim to enable ways for researchers to analyze the scholarly literature we are paying for which is an amount that is beyond what the human eye can read.

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- Publishers will ensure the long-term digital preservation and accessibility of their content through participation in trusted digital archives.

This is usually the easiest element for publishers to align with as digital preservation is a standard practice through CLOCKSS, Portico, and other platforms.

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**Framework**



- Institutions will pay a fair and sustainable price to publishers for value-added services, based on transparent and cost-based pricing models.

We are asking publishers to share details of what we are paying for and how the cost of those services and infrastructure are determined. As we work to transform scholarly communication, we want to ensure that instead of paying a price that the publisher thinks the market will bear, we instead pay a price that reflects the costs of doing business, with specific pricing for services that add value to the publishing process. Publishers provide valuable services (e.g. editorial oversight, curation, and coordination of the submission and peer review processes), for which we want to pay a fair and sustainable price.

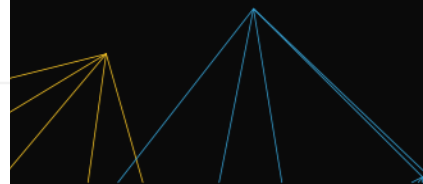
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**Framework**



# Open Investment Statements and Principles

Title & Link to Resource	Organization	Category
<a href="#">Investing in Open: Our Approach</a>	Brock University Library	Collections
<a href="#">CRKN Licensing Program Principles</a>	CRKN Canadian Research Knowledge Network	Licensing principles
<a href="#">Sustainable Scholarship</a>	East Carolina University	Broad OA support
<a href="#">Principles for Advancing Openness through Journal Negotiations</a>	Iowa State University University Library	Licensing principles
<a href="#">Collections &amp; Open Strategies Policy</a>	Iowa State University University Library	Collections
<a href="#">Open Values Statement</a>	IUPUI University Library	Broad OA support
<a href="#">Open Access: Five Principles for Negotiations with Publishers</a>	LIBER	Licensing principles
<a href="#">MIT Framework for Publisher Contracts</a>	MIT Libraries	Licensing principles





What about consortiums?

NERL has “NERL demands a better deal” principles.

Staff from member libraries work on teams to negotiate consortium level deals.

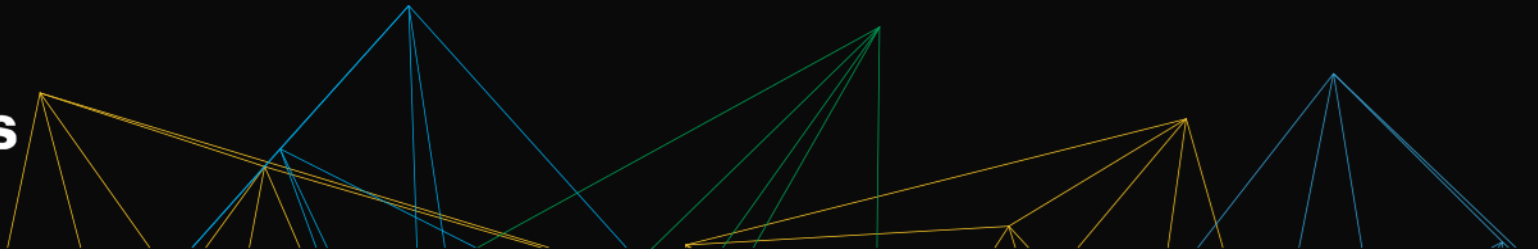
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A network diagram at the bottom of the slide, featuring a complex web of interconnected lines in yellow and blue. The lines form a series of overlapping triangles and polygons, representing a network structure. The text "MIT Libraries" is positioned to the left of this diagram.



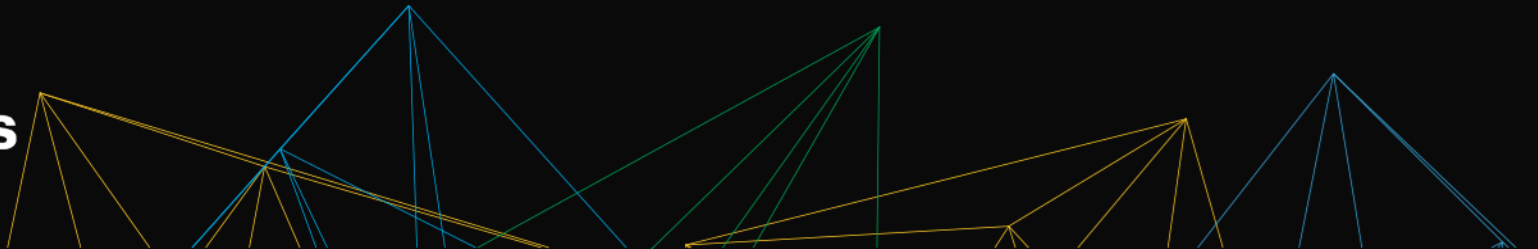
Questions?

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Let's break for 10 minutes

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The MIT Libraries Negotiation Team uses **principled based negotiation techniques** using the **Framework for Publisher Contracts** to push the landscape of scholarly communication towards more openness....

But how do we actually do that work? What does it look like day to day?

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- Weekly meetings
- Internal wikis logging all communication and summary of current agreement
- Negotiation planning template
- Establish meeting schedules for publisher check-ins and negotiations
- 15 minute meetings before after each publisher meeting for prep and debrief

# Internal Wiki

## Summary:

- Length of agreement
- Cost with increases
- Details of the agreement such as gold/hybrid, number of articles included, etc
- Major accomplishments
- Framework alignment with new agreement
- List of future work to tackle over the course of agreement or during next renewal
- Link to license

Date	Communication
Communications are posted in reverse chronological order so we know what happened most recently	We post every email communication
Wiki can be searched by date and text	The wiki allows us to post attachments such as proposals, publication data and more.

# Negotiation planning template

Generates the **options** in principled based negotiations. Brainstorming, strategizing, and organization tool that we use to plan our negotiations.

The template helps to identify **interests, priorities and alternatives** of you and the other party. Among those, it helps to identify which are in **conflict, shared or tradable**.

SPOILER ALERT: we will use the template later today in a group activity

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A network diagram consisting of several interconnected nodes and lines, rendered in yellow and blue, positioned at the bottom of the slide.

**Publisher:**

**Renewal deadline:**

### Values alignment of current subscription/agreement

*Include your Libraries value statement or principles and align that against the current subscription or agreement. Use the alignment and the remaining questions to guide your negotiation.*

**Publisher's options** *List the various outcomes, interests and priorities below, include all extremes and ideas.*

List your guesses of what the other party's alternatives to their proposal could be and what their best alternative to a negotiated agreement is.

List your guesses of the other's party's interest and priorities.

### Shared or tradeable options

Are there any interests or priorities that you share with the publisher?

Are there any interests or priorities that you do not share with the publisher?

Can any of the above interests or priorities be traded to reach a successful agreement?

**Your options** *List the various outcomes, interests and priorities below, include all extremes and*

*List alternatives to the proposal provided by the publisher, including your best alternative if negotiation fails.*

List your interests and priorities regarding future agreements. *Some may overlap with a*

### Agenda and strategy

*List your plan for the first meeting including the talking points and strategy that you have developed from identifying priorities, interests, and alternatives.*

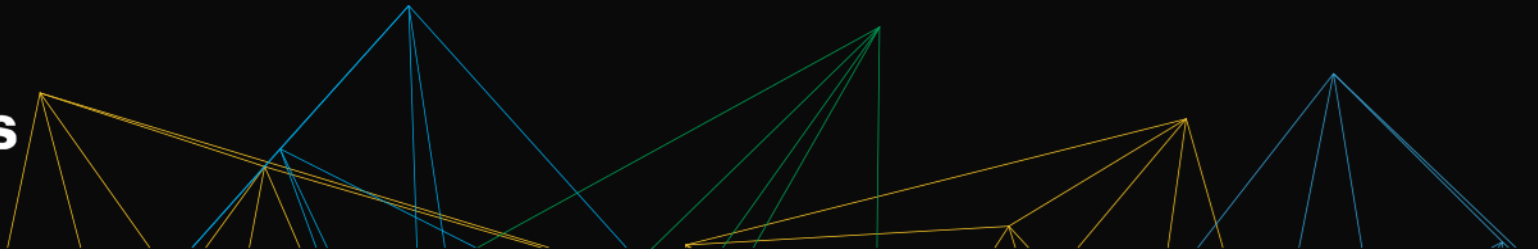
# Closing thoughts...

- We are a very tight team and that is really rewarding to be a part of.
- The work has a tangible impact
- It's hard to herd cats (publisher/vendor)
- Principled negotiation methods deliver results
- Having established principles (The Framework) is an advantage
- We are building strong relationships with publishers



Questions?

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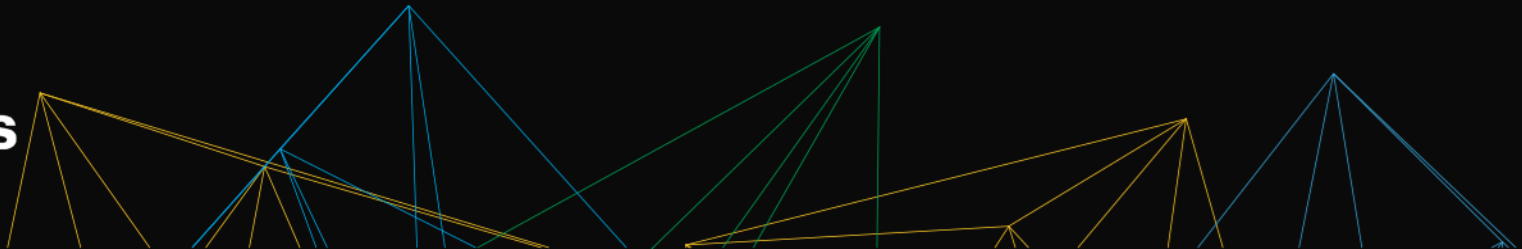


# Case studies

1.



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# Sage Publications Case Study

- MIT Libraries subscribed Title by Title (TbT), no packages, no OA.
- Our title subscriptions were interdisciplinary, but less in science and engineering.
- MIT authors published less in Sage when compared to similar publishers
- We were attracted because Sage is a charitable Trust and cannot be sold (to a commercial)
- Sage also publishes a S2O journal and we thought there might be room to experiment in that area with them.

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# Sage Negotiations Planning Template

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## Sage Negotiation Outcome

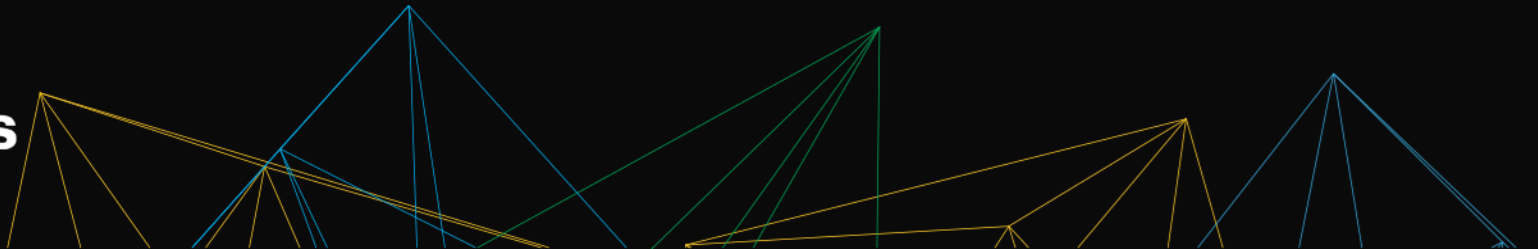
- 3 year Read & Publish agreement (2024-2026)
- Increased read access from TbT to all Sage journals
- MIT authors can publish hybrid OA at no cost to them
- No article cap on hybrid OA articles
- Commitment to autodeposit articles under agreement
- Price increase to get into R&P was under 5%
- Added computational access language to contract
- Agreement included an investment in Sage S2O journal focused on climate change.

# Sage progress toward alignment with Framework for Publisher Contracts

- **No author will be required to waive any institutional or funder open access policy to publish in any of the publisher's journals.**
  - **Yes, no waiver**
- **No author will be required to relinquish copyright, but instead will be provided with options that enable publication while also providing authors with generous reuse rights.**
  - **Yes, with some exceptions ([information here](#))**
- **Publishers will directly deposit scholarly articles in institutional repositories immediately upon publication or will provide tools/mechanisms that facilitate immediate deposit.**
  - **Yes, autodeposit is included in this agreement. Currently, due to technical constraints, it is limited to articles made OA under this agreement, and we hope to expand that in the future**
- **Publishers will provide computational access to subscribed content as a standard part of all contracts, with no restrictions on non-consumptive, computational analysis of the corpus of subscribed content.**
  - **Yes, we added a text mining clause to our license for the first time for Sage content**
- **Publishers will ensure the long-term digital preservation and accessibility of their content through participation in trusted digital archives.**
  - **Yes, via Portico**
- **Institutions will pay a fair and sustainable price to publishers for value-added services, based on transparent and cost-based pricing models.**
  - **Partially; R&P pricing was based on historical spend and Carnegie tier. There was high transparency in the R&P, and it is not APC-based, but it's also not strongly cost-based. The S2O experiment is highly cost-based and transparent**

Questions?

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## Elsevier Case Study

- MIT Libraries subscribed Title by Title (TbT), no packages, no OA
- Our Elsevier subscription was a large portion of our subscription costs
- Subscription titles were interdisciplinary, heavy on science and engineering.
- MIT authors publish a lot in Elsevier
- Elsevier does require authors to sign waivers for institutional policies

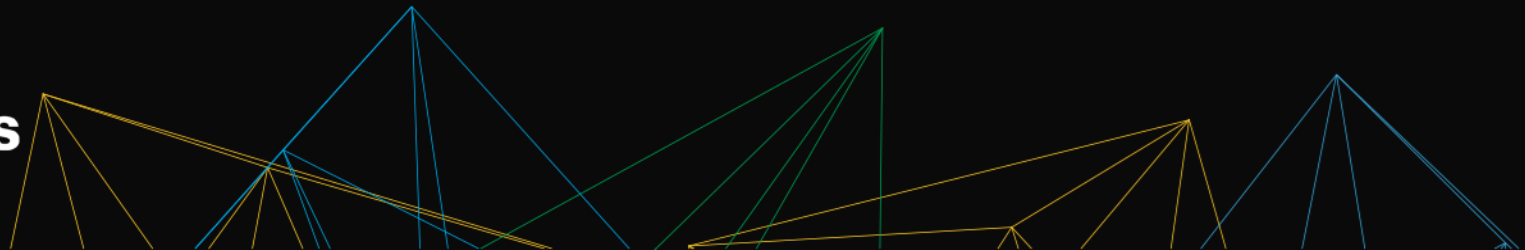
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# Elsevier Negotiations Planning Document

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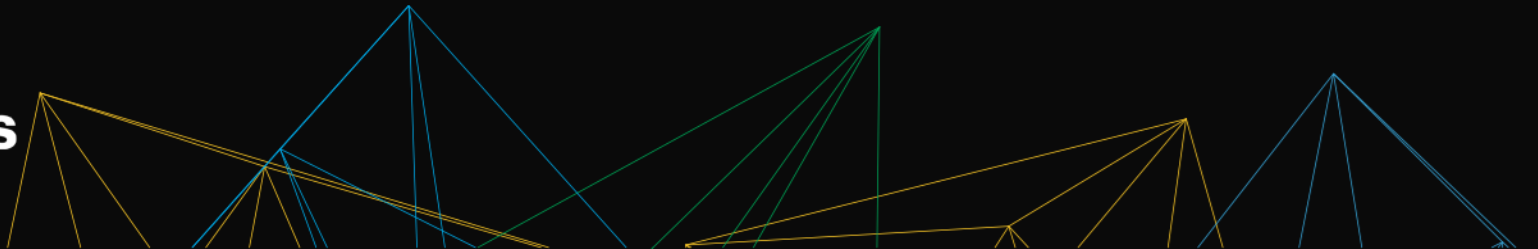


## Elsevier Negotiation Outcome

- We have been out of contract since 2020
- We have perpetual access to our previous subscriptions
- We are paying for per article service using Reprints Desk to fulfill requests for content we previously subscribed to from 2020 forward
  - 92% of articles are arriving in less than a minute
- This pay per articles service is costing 10% of the original subscription contract from 2020

Questions?

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## Small group activity:

- Break out into small groups
- Review the scenario on the next slide
- Use the [blank negotiation planning template](#) to strategize your negotiations for the following scenario
- Use principles that make the most sense to you—you can use the Framework, your Library's mission statement, or pick from the Sparc List.
- We will regather in 25 minutes to share out.
- No wrong answers!

**Small group activity:** Use the [blank negotiation planning template](#) to strategize your negotiations for the following scenario:

You have a title by title subscription with a mid to large sized commercial publisher, your subscription includes some titles but not all, and the subjects are interdisciplinary.

The Publisher has provided a proposal with an OA publication component that enables your authors to publish OA articles in hybrid journals at no cost to them. The OA proposal provided is a 10% increase from your subscription cost.

See you in ~25 minutes.

## Web links and image credits

Campus Map: <https://whereis.mit.edu/>

MIT Facts: <https://facts.mit.edu/>

MIT OpenCourseWare: <https://ocw.mit.edu/about/>

Image credit: [MIT Libraries Staff Directory](#)

Image credit: [Umbrella Dollar Sign](#)

Harvard Program on Negotiation: <https://www.pon.harvard.edu/>

MIT Libraries Framework for Publisher Contracts: <https://libraries.mit.edu/scholarly/publishing/framework/>

Institute-wide task force on open access to MIT's research: <https://open-access.mit.edu/>

MIT OA Policy <https://libraries.mit.edu/scholarly/mit-open-access/open-access-policy/>

MIT Repository <https://dspace.mit.edu/handle/1721.1/49433>

CLOCKSS <https://clockss.org/>

Portico: <https://www.portico.org/>

Sparc's list of Open Investments Statements and Principles <https://sparcopen.org/our-work/negotiation-resources/strategic-priorities-working-group/open-investment-statements-and-principles/>

NERL <https://nerl.org/working-with-nerl/>

Blank negotiations planning template

[https://docs.google.com/document/d/1kfg\\_bZgigFvJZc06cc0Q5C3mSNLELkSpy6jOEgdGaXo/edit?usp=sharing](https://docs.google.com/document/d/1kfg_bZgigFvJZc06cc0Q5C3mSNLELkSpy6jOEgdGaXo/edit?usp=sharing)

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