Perpetual access rights

The perpetual access problem

LOCKSS, a digital preservation organization, offers a nice summary of the perpetual access problem:

In the paper world a library's subscription to a journal or purchase of a book meant that the library obtained a copy of the content. The copy was theirs to keep, and their readers could access it. In the web world a library's readers' access to past content depends on the library continuing to subscribe to future content. The post-cancellation access problem can be stated as “how can libraries retain access to the past content for which they paid after budget cuts mean that they can no longer afford to subscribe to future content?”

Source: http://www.lockss.org/post-cancellation-perpetual-access/

One way that libraries and publishers attempt to solve this problem is by negotiating perpetual access rights as part of a purchase. Both parties agree that the purchase of a journal or ebook includes perpetual access to all or some of the content, even if the library ends its ongoing subscription. Exactly what content the library will receive perpetual access to is usually defined as part of a license agreement -- though some publishers may have more informal policies.

How is perpetual access maintained?

If a library cancels its subscription to a title that includes perpetual access, there are several ways that the library can continue to offer access to the content purchased in perpetuity:

1. Libraries can rely on the publisher to supply access post-cancellation. Publishers may charge a fee to continue to provide this access, although the fee is often waived if the library continues to maintain other subscriptions on the publisher’s platform. This is the most common scenario at NCSU.

2. Libraries can find a way to host the content locally. The publisher may provide copies of content on a CD-ROM, external hard drive, or other physical medium. The library can place copies of this content on it's own server and make it available to library users. This scenario is quite rare at NCSU.

3. Libraries can use third party services to preserve access to content they have purchased in perpetuity. The most common services are:
   - LOCKSS (Lots of Copies Keeps Stuff Safe) allows libraries to make copies of materials to which they have subscribed using a special web crawler and store them on the LOCKSS network. Copies of material stored with LOCKSS can only be accessed by libraries who have previously purchased that material.
   - Portico stores a dark archive of journal content that becomes available to members only under specific conditions, including a publisher ceasing operations, a publisher discontinuing all access to a title, and catastrophic failure of a publisher's platform for a sustained period.

NCSU is a member of both LOCKSS and Portico, though we have not had many opportunities to test the effectiveness of these services yet.

What are some common perpetual access scenarios?

1. Perpetual access to subscribed years only

   In this scenario, the library gets access to a span of content while it maintains a current subscription, but only retains perpetual access to the years when it paid for that subscription.

   Example: Based on a current subscription to Human Performance from Taylor & Francis, we have access to this title from 1997-Present. If we were to cancel this title as of 2015, we'd retain only access for only those years for which we had an online subscription, 2005-2014.

2. Perpetual access back to a certain year

   In this scenario, the perpetual access is granted beginning with a certain year and carried through the last subscribed year.

   Example: Based on a current subscription to Computational Intelligence from Wiley-Blackwell, we have access to this title from 1997-Present. If we were to cancel this title as of 2015, we'd retain access from 1997-2014.

3. No perpetual access

   In this scenario, no perpetual access is offered and a cancellation means that all access will be lost upon cancellation. Some times this content is referred to as "leased."

How do I determine perpetual access rights?

Perpetual access generally becomes an issue when a library cancels a subscription to a title. In this cases, the library will need to consult its license agreement with the publisher to determine what type of perpetual access rights they have negotiated.

At NCSU, this information is listed as part of our journal package profiles. You can also consult the list of common publisher policies.

Depending on the type of perpetual access rights negotiated, you may also need to research our subscription history with the title to determine the subscribed years.
If you are not sure of a publisher’s perpetual access policy, you can also consult with a member of the license team to figure it out.

**How do I determine subscription years?**

Start with the PO. Remember, the further you go back in our POs, the more inconsistent they are in terms of documenting e-access. There’s no one specific thing to look for. It’s a combination of detective work and, sometimes, hunches. The tips below should help.

- Search on title, not PO# and if you get bib records for print and electronic, look at the print title POs first. E-access was recorded on those back in the day.
- Our subscription history is not limited to just one publisher. Perpetual access should include all subscribed years of the title, regardless of who was publishing it.
- Different combinations of the following can indicate that we had an electronic subscription, but not all these things have to be present.
  - PO attached to electronic bib record
  - Orderline tab
    - PEREPE or EPER material type
    - Consistent notes indicating some sort of e-access (Older notes on print POs may read like, "POLINE LIBRARY: electronic journal (Ingenta)", "ELECTRONIC ACCESS MAINTAINED BY Ingenta", or "Includes electronic access through MetaPress").
  - Segments tab
    - LSEJL fund code
    - ONLINE holdings code
- If the above sources don’t present a clear enough history, you can look at EBSCO.net, but remember that their records don’t go back very far. You can also check licenses in E-Matrix or the Rotofile, but remember that licenses don’t always include title lists.
- Note if the subscription does not run on the calendar year. If it’s an October/September subscription, we are only entitled to perpetual access starting in October.