LTER Data Access Policy Revisions

As adopted at the May 19, 2017 Science Council Meeting, based on recommendation of the Environmental Data Initiative (EDI) and the LTER Network Communications Office (LTER NCO)

We recommend that:

1. LTER Sites adopt text specifying either CC0 or CC-BY statements (see EDI default text below).
    a. That each site determines its own Intellectual Rights section within each metadata document. EDI will insert default intellectual rights if none are supplied.
    b. That these Intellectual Rights sections do not purport to "require" any actions that cannot be enforced within the LTER data repository infrastructure; but do strongly recommend actions that are appropriate and in accordance with funding agency requirements and general adherence to the goals of making LTER data more findable, accessible, interoperable, and re-usable. (E.g., clauses prohibiting redistribution, prevent the LTER repository from sharing them with other data services)
2. The LTER network delete the '**LTER Network Data Access Requirements**' within the LTER Data Access Policy as currently found at https://lternet.edu/policies/data-access to reflect this new policy (see below).
3. The LTER network update the '**Data Use Agreements**' within the LTER Data Access Policy as currently found at https://lternet.edu/policies/data-access to reflect this new policy (see below).

EDI will insert the following default text when Intellectual Rights are missing in metadata:

This information is released to the public domain under Creative Commons CC-BY "Attribution" (see: https://creativecommons.org/licenses/by/4.0/) The consumer of these data ("Data User" herein) has an ethical obligation to cite the data set appropriately in any publication that results from its use. The Data User should realize that these data may be actively used by others for ongoing research and that coordination may be necessary to prevent duplicate publication. The Data User is urged to contact the authors of these data with any questions about methodology or results. Where appropriate, the Data User is encouraged to consider collaboration or co-authorship with the authors. The Data User should realize that misinterpretation of data may occur if used out of context of the original study. While substantial efforts are made to ensure the accuracy of data and associated documentation, complete accuracy of data sets cannot be guaranteed. All data are made available "as is." The Data User should be aware that data are updated periodically and it is the responsibility of the Data User to check for new versions of the data. The data authors and the repository where these data were obtained shall not be liable for damages resulting from any use or misinterpretation of the data.

LTER Data Access Policy (revised May 19, 2017):

Long Term Ecological Research Network Data Access Policy

The LTER data policy is designed to express shared network policies regarding the release of LTER data products, user registration for accessing data, and the licensing agreements specifying the conditions for data use.

1. LTER Network Data Release Policy

Data and information derived from publicly funded research in the U.S. LTER Network, totally or partially from LTER funds from NSF, Institutional Cost-Share, or Partner Agency or Institution where a formal memorandum of understanding with LTER has been established, are made available in a community accepted data repository (e.g., LTER Repository, EDI Repository, Arctic Data Center, BCO-DMO) with as few restrictions as possible, on a nondiscriminatory basis. LTER Network scientists should make every effort to release data in a timely fashion (see below) and with attention to accurate and complete metadata.

1.a. Data

There are two data types:

Type I – data are to be released to the general public according to the terms of the general data use agreement within 2 years from collection and no later than the publication of the main findings from the dataset.

Type II - data are to be released to restricted audiences according to terms specified by the owners of the data. Type II data are considered to be exceptional and should be rare in occurrence. The justification for exceptions must be well documented and approved by the lead PI and Site Data Manager. Some examples of Type II data restrictions may include: locations of rare or endangered species, data that are covered under prior licensing or copyright (e.g., SPOT satellite data), or covered by the Human Subjects Act. Researchers that make use of Type II Data may be subject to additional restrictions to protect any applicable commercial or confidentiality interests.

While the spirit of this document is to promote maximum availability for ecological data in either Type I or II status, there are criteria by which priority for data release may be determined. Primary observations collected for core research activities directly supported by LTER research must receive the highest priority for data release. Data collected by other sources to which LTER supported research has added value is also a high priority. Other types of data including non-LTER data that was acquired for LTER research, student thesis data, schoolyard LTER data, or legacy data that already suffer from inadequate documentation or format obsolescence may be ranked a lower priority by a site with justifications provided in their data management policy. Finally, some data may be determined to be of lowest priority for archiving, on the grounds that they were interim data that led to final products that carry the scientific value. These might include data files created during stages within an analytic workflow, highly redundant or arcanely codified (e.g. per second voltage readings from a thermal sensor), or individual outputs from stochastic models.

1.b. Metadata

1. Metadata documenting archived/online data sets of all types listed above will be made available when, or before, the dataset itself is released according to the terms above.
2. All metadata will be publicly available regardless of any restrictions on access to the data.
3. All metadata will follow LTER recommended standards and will minimally contain adequate information on proper citation, access, contact information, and discovery. Complete information including methods, structure, semantics, and quality control/assurance is expected for most datasets and is strongly encouraged.

Change:

Delete: **LTER Network Data Access Requirements**

Update: **2. Data Use Agreements**

The 'Intellectual Rights' within each metadata document determines the exact data and metadata use agreement between the data user and the LTER site releasing the data.

LTER data and metadata may be released under the license:

CC BY - Attribution (https://creativecommons.org/licenses/by/4.0/)

This license lets others distribute, remix, tweak, and build upon your work (even commercially), as long as you are credited for the original creation. This is the most accommodating of licenses offered, and is recommended for maximum dissemination and use of licensed materials.

Alternatively, LTER data and metadata may be released into the public domain:

CC0 - No Rights Reserved (https://creativecommons.org/share-your-work/public-domain/cc0/)

CC0 states that data are placed in the public domain, so that others may freely build upon, enhance and reuse the works for any purposes without restriction under copyright or database law. It is usual practice for major databases to make data freely available under CC0.

In either case it is recommended to include this text:

The consumer of these data ("Data User" herein) has an ethical obligation to cite it appropriately in any publication that results from its use. The Data User should realize that these data may be actively used by others for ongoing research and that coordination may be necessary to prevent duplicate publication. The Data User is urged to contact the authors of these data if any questions about methodology or results occur. Where appropriate, the Data User is encouraged to consider collaboration or co-authorship with the authors. The Data User should realize that misinterpretation of data may occur if used out of context of the original study. While substantial efforts are made to ensure the accuracy of data and associated documentation, complete accuracy of data sets cannot be guaranteed. All data are made available "as is." The Data User should be aware, however, that data are updated periodically and it is the responsibility of the Data User to check for new versions of the data. The data authors and the repository where these data were obtained shall not be liable for damages resulting from any use or misinterpretation of the data. Thank you.