

**Society of American Archivists  
Council Meeting  
May 20-22, 2019  
Chicago, Illinois**

**Recommendation to Introduce New Rights Statement Elements to  
*Describing Archives: A Content Standard*  
(Prepared by John Bence and Becca Wiederhold)**

**BACKGROUND**

In late 2017, the Technical Subcommittee on *Describing Archives: A Content Standard* (TS-DACS) received a change proposal from Alston Coburn (East Carolina University) and Patrick Galligan (Rockefeller Archives Center) to introduce rights statements for archival description. Following the subcommittee's review process, including community feedback and revision, on February 1, 2019, TS-DACS member Matthew Gorham submitted to the Standards Committee a change proposal for adding two new required elements to *Describing Archives: A Content Standard* (DACS) and supporting documents. Following a review of the documentation provided in the submission packet, the Standards Committee vote to recommend approval of these guidelines.

**DISCUSSION**

The proposal includes the addition of a new required element to DACS for Description Control (chapter 8, element 8.2) for a Rights Statement for Archival Description. Similarly, chapter 13 would include a new Rights Statement for Archival Authority Records (element 13.10). Chapters 1 and 9 would also be updated to reflect the requirement for these elements for single-level minimum descriptive records and archival authority records.

Archival descriptions are in themselves copyrightable works. This proposal to open these descriptions for reusability would benefit researchers, as was discussed in an SAA panel at the 2016 conference. Particularly within the digital humanities, data about our collections can be used in new and interesting ways, including through text mining activities. It is necessary to standardize the ways in which cultural heritage institutions can communicate with researchers and other archivists about how archival description data can be used, thereby promoting more open and transparent access to the materials we preserve.

Accommodations for these new elements are addressed in EAD3's 1.1 release and the draft update of EAC-CPF, and a new feature request has been submitted to ArchivesSpace to create a corresponding field in the Finding Aid Information section of Resource records.

Review of the consultation process indicates an outreach to relevant SAA sections, committees, and members via listserv announcements. Feedback was received via GitHub and the SAA website form and was incorporated into the final proposed changes.

Community feedback was positive regarding the need to make these descriptions transparently reusable. Suggestions from commenters focused on acknowledging the significance of adding a required element and facilitating the hurdles to implementation. In particular, making the field required was seen as possibly challenging in the near term for some institutions. TS-DACS has proposed to allow for institutions to maintain DACS compatibility by implementing a version control system for DACS. (A working group is carrying out the version control project, currently in the project planning phase.) Institutions that are still in the process of updating descriptions to include these elements would be compliant with a previous version of DACS under this model. Proposing to introduce these rights statement elements as required would help to garner support for the implementation of these rights statements for those with technical or political constraints. For this purpose, the Standards Committee agrees with requiring these rights statement elements from the outset of their introduction into DACS. Alternatively, the Council may suggest that the elements be initially added to the standard as optional with a planned revision in the future to change their use from optional to required.

## **RECOMMENDATION**

**THAT the SAA Council approve the addition of required rights statements elements 8.2 and 13.10 to *Describing Archives: A Content Standard*.**

**Support Statement:** The Standards Committee unanimously supports the approval of this DACS change proposal to include newly required elements Rights Statement for Archival Description (8.2) and Rights Statement for Archival Authority Records (13.10), and revisions to Chapters 1 and 9 to reflect these new required elements for single-level minimum descriptive records and archival authority records. These changes will enable archives to easily open their archival descriptions and authority records and clarify restrictions on how data about collections can be reused, which will potentially increase awareness of archival collections to new researchers and research methods.

**Impact on Strategic Priorities:** Approval of this change proposal would assist in achieving SAA Strategic Goal #1 (*Advocating for Archives and Archivists*) by opening archival descriptions for reuse by researchers, thereby increasing the value of archives to communities (1.1) and improving accessibility of the historical record (1.3).

**Fiscal Impact:** None.

# *Describing Archives: A Content Standard (DACS) change proposal*

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January 2019

Submitted by Alston Coburn (East Carolina University) and Patrick Galligan (Rockefeller Archives Center)

## **Chapters to change**

Chapter 1: Levels of Description

Chapter 8: Description Control

Chapter 9: Archival Authority Records

Chapter 13: Authority Records Management

## **Proposed change**

This proposal aims to update Chapter 8 (Description Control) to include a new required [element 8.2](#), Rights Statement for Archival Description, as well as to update Chapter 13 (Authority Record Management) to include a new required [element 13.10](#), Rights Statement for Archival Authority Records. Ancillary to these changes, Chapters [1](#) and [9](#) will also be updated to reflect new required elements for single-level minimum descriptive records and archival authority records.

## **Justification for proposed change**

As Merrilee Proffitt from OCLC discussed in a Society of American Archivist (SAA) panel at the 2016 conference, opening archival descriptions for reuse is beneficial to researchers, particularly those in the digital humanities, as it allows them to use the data about our collections in new and interesting ways, such as text mining. As researchers develop new ways to interact with our collections and archival descriptions, cultural heritage institutions need standardized ways to tell researchers and future archivists the ways in which they can use archival description data. Stating these rights directly in the archival descriptions themselves affords us another way to fulfill our mission to help researchers use the archival collections with which we are entrusted. Additionally, allowing our archival descriptions to be reused aligns with our professional value to promote open and transparent cultural heritage, and brings DACS into better alignment with newly-proposed Principle 8, which calls for archival description to be easily used, reused, and shared.

The SAA Technical Subcommittee on Encoded Archival Standards has added an element to its EAD3 1.1 release in hopes of accommodating this need. A corresponding element was included in the draft update of EAC-CPF, which was released for community comment in September 2018. A new feature request has been submitted to ArchivesSpace asking for the creation of a corresponding field in the

Finding Aid Information section of Resource records. Bringing all three standards and this system that utilizes them into alignment on this point would both provide a guideline for how to implement rights as well as the ability to do so in a standardized way.

### **Impact of proposed change**

Adding this DACS element would encourage archives to open their archival descriptions and authority records by enabling them to do so easily. Since archives very clearly own the copyrights to description created by the archival repository, the lack of appropriate DACS, EAD3, and EAC-CPF elements in which to record the rights information is the only real impediment to archives that wish to open their archival descriptions and archival authority records. Clarifying the restrictions on how the data about our collections can be used also has the potential to increase the awareness of our collections and make archives relevant to new researchers and research methods.

Element 8.2 is required for single level archival descriptions. TS-DACS understands that this requirement cannot be met immediately for most institutions, because of both technical and political constraints. However, the requirement might be used to garner support and plan for implementation. In order to allow for institutions to maintain DACS compatibility , the TS is introducing a version control system for DACS. A description could therefore be compliant with a previous version of DACS while updating its descriptions to include 8.2, at which point the description would become compliant with the newly updated version of DACS. At the time of submission, TS-DACS has formed a working group to carry out the version control project, and project planning is underway.

# Documentation of the Consultation Process

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In accordance with the TS-DACS procedures manual, a change proposal for DACS 8.2 was submitted to TS-DACS. TS-DACS reviewed the requested change and decided that there was merit to the proposal. The proposal was then submitted to the archival community for feedback in April 2018. The proposed change was announced to a number of listservs including: SAA leaders, SAA Description Section, SAA TS-EAS Committee, SAA Announcements, and SAA Collection Management Tools Section.

- An accounting of the feedback received from the community via GitHub can be viewed here: <https://github.com/saa-ts-dacs/dacs/pull/14>

- Additional comments received via the SAA webform listed below:

1.

May 4, 2018 10:37 AM [SAA Website Form](#) Submitted on Friday, May 4, 2018 - 11:36am

Submitted by user:

Submitted values are:

Name: Elizabeth Nielsen

Email: elizabeth.nielsen@oregonstate.edu

Affiliation: Oregon STate University

Phone: 5417370543

Does this represent an official comment from your affiliated group? No

Comments:

I strongly endorse the proposed revision on rights statements for archival description. The inclusion of this requirement in our profession's guiding document for the description of archival materials will insure that it is

implemented across platforms and structure standards (not just EAD). As a profession that promotes openness and transparency, this is one way in which we can be clear about how the data we create about our collections can be re-used.

In fall 2016, the Oregon State University Special Collections and Archives Research Center made the policy decision to apply a CC-BY creative commons license to all our finding aids. That information is currently provided in the footer in on-line display. We look forward to incorporating this information directly into each finding aid in the future.

This year, the Orbis Cascade Alliance (of which OSU is a member) is adding the assignment of a rights statement to the best practices for encoding of finding aids that are part of the Archives West consortial database. These best practice guidelines allow for exceptions (such as images or the text of biographical notes) to be called out as needed.

Thank you to TS-DACS for preparing this proposal.

2.

May 4, 2018 6:12 PM [SAA Website Form](#) Submitted on Friday, May 4, 2018 - 7:12pm

Submitted by user: milesnimer

Submitted values are:

Name: Cory Nimer and Gordon Daines

Email: cory\_nimer@byu.edu

Affiliation: Brigham Young University

Phone: 801-422-6091

Does this represent an official comment from your affiliated group? Yes

Comments:

We agree that there is value in providing our users with clear rights statements regarding finding aid and catalog record content, since they are copyrightable works

[\(\[repository.jmls.edu/cgi/...\]\(http://repository.jmls.edu/cgi/...\)\)](http://repository.jmls.edu/cgi/...)

and without a clear statement should be assumed to be copyrighted. In order to provide clear guidance for reproduction and reuse, we agree with @John-Rees that the rights statement should be recorded in each record individually. This seems to be the use case supported by the forthcoming EAD3 1.1 element.

However, we do have some concerns about the proposal for adding a Description Control subelement for rights statements to DACS at this point. The first of these is simply that DACS was developed as the American implementation of ISAD(G) (DACS Preface; [www2.archivists.org/standards/DACS/preface](http://www2.archivists.org/standards/DACS/preface)), which currently does not include a data element for rights statements. Description control elements are also not included in the current draft of Resources in Contexts (RiC) model ([www.ica.org/sites/default/files/RiC-CM-0.1.pdf](http://www.ica.org/sites/default/files/RiC-CM-0.1.pdf)), though it could be included in the finalized version of the model. In order to maintain compatibility with international standards, adding the element to DACS now may be premature pending the completion and approval of RiC.

There are also practical considerations that might need to be looked at, particularly in terms of cooperative cataloging programs. As suggested by @KateBowersHarvard, the inclusion of rights statements may introduce conflicts in both displays and in adherence to consortial agreements. For institutions that participate in consortial cataloging systems where the system administrators or other contributors are permitted to correct or enrich records belonging to other participants, the inclusion of an incompatible rights statement may complicate their continued involvement.

There is the added difficulty that there is not currently a MARC field specifically meant to hold rights information about the record content itself. While this could be recorded in a 5XX field, such notes are usually related to the materials being described in the record, not about the record itself. The addition of a field for rights statements would need to be proposed by the SAA representative to the MARC Advisory Committee (Weatherly Stephan; [saa.archivists.org/4DCGI/committees/...](http://saa.archivists.org/4DCGI/committees/...) and approved by that group.

Should these not be seen as insuperable challenges, we would still recommend a couple of changes to the proposal. First would be to make the element initially optional, as suggested by @rovinghistorian. This would allow flexibility for some of the other changes above to be addressed before institutions became out of compliance with the standard.

Secondly, we would recommend that instead of making rights statements Section 8.1 and moving the current 8.1 to 8.2, that the rights statement be made Section 8.2 instead. This would again help institutions with implementation, requiring fewer documentation revisions for institutions that decide not to use the element initially.

Finally, we would recommend that a matching change be made in Part II of DACS to allow recording of rights statements for archival authority records. This would also necessitate changes in EAC-CPF to parallel the EAD3 structure, though we believe this work is already underway ([github.com/SAA-SDT/eac-cpf-schema/issues/46](https://github.com/SAA-SDT/eac-cpf-schema/issues/46)).

## Commentary

The TS discussed the proposal via conference call on May 16, 2018. Minutes of the discussion can be found here:

[https://docs.google.com/document/d/1gXU\\_5ZiKEz3ykKTIWTcPjRfFzycBU8joxvbHGVJQWYg/edit?usp=sharing](https://docs.google.com/document/d/1gXU_5ZiKEz3ykKTIWTcPjRfFzycBU8joxvbHGVJQWYg/edit?usp=sharing)

The members of the TS reached consensus that the proposal is supported by the community and therefore the committee pushes it forward for approval from Standards and Council.

Most of the feedback received was positive. In fact no one outright opposed the introduction of a rights statement element. A number of issues were raised, which are outlined below. Included is the justification or amendment TS-DACS is making to the pull request in order to meet needs.

- The impact of element 8.2 as a single-level-minimum required element in terms of DACS compliance
  - TS-DACS is working to develop a version control system for DACS, which will enable repositories to declare compliance with a previous version of the standard while it updates its descriptions to make them compliant with a newly-updated version.
- System level rights statements - does a rights statement need to be embedded in a descriptive record, or can it be stated at a system level?
  - TS-DACS asked the submitters to revise their proposal to include an example of a system-level statement for element 8.2.
- Compliance with ISAD(G) and/or RiC

- TS-DACS co-chair Dan Michelson reached out to EGAD member Daniel Pitti, who assured him that this proposal would not be out of bounds in relation to RiC.
- Creation of a corresponding element for Archival Authority Records, to be added to DACS Part II
  - TS-DACS requested that the submitters update their proposal with this element, which is included with this submission as an update to DACS Chapter 13 (element 13.10).
- Accomodation within MARC
  - Ex-officio member of TS-DACS, Weatherly Stephan, is working within her community to add a corresponding field within MARC.

# Create License Archival Description Section #14

New issue

Open p-galligan wants to merge 15 commits into saa-ts-dacs:master from p-galligan:patch-1

Conversation 17 Commits 15 Checks 0 Files changed 4

Changes from all commits File filter... Jump to... +56 -0

```
1 part_I/chapter_1.md
```

---

### Single-level Required

A single-level description with the minimum number of DACS elements includes:

- Reference Code Element (2.1)
- Name and Location of Repository Element (2.2)
- Title Element (2.3)
- Date Element (2.4)
- Extent Element (2.5)
- Name of Creator(s) Element (2.6) *(if known)*
- Scope and Content Element (3.1)
- Conditions Governing Access Element (4.1)
- Languages and Scripts of the Material Element (4.5)
- Rights Statements for Archival Description (8.2)

### Single-level Optimum

A single-level description with the optimum number of DACS elements has all of the elements included in Single-level Minimum above, plus the following:

```
29 part_I/chapter_8/2_rights_statements_archival_description.md
```

---

## 8.2 Rights Statements for Archival Description (Single-Level Minimum Required)

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### Purpose and Scope

This element identifies the conditions under which the archival description itself is available for use and reuse. Repositories should establish a consistent policy about the rights granted.

If a formal license is used, this element should include both the source of the license and the institutional policies governing the type of license chosen. Repositories should establish a consistent policy regarding the type of license chosen and its format.

If an institution wishes to claim rights on archival description outside of a specific license, the repository should create explicit and consistent rights statements.

## Exclusions

8.2.1 Rules about the use of the archival materials themselves (Conditions Governing Use and Conditions Governing Access elements) are found in DACS 4.4.

## Sources of Information

8.2.2 Take the information from institutional policies and if applicable, the rules governing the licensing source or rights jurisdiction.

## General Rules

Except where otherwise noted, record the necessary information documented by the selected license.

For a specific finding aid:

Guide to the Dr. Hector P. Garcia papers by Special Collections and Archives, Mary and Jeff Bell Library, Texas A&M University-Corpus Christi is licensed under a [Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License] (<https://creativecommons.org/licenses/by-nc-nd/4.0/>).

For a whole repository of finding aids:

Pursuant to its Open Metadata Policy, the Harvard Library makes this set of bibliographic records and the metadata contained therein (together, the "Metadata") available for public use under the [CC0 1.0 Public Domain Designation] (<https://creativecommons.org/publicdomain/zero/1.0/>).

25 ■■■■■ part\_II/chapter\_13/10\_rights\_statement\_for\_archival\_authority\_records.md

## 13.10 Rights Statement for Archival Authority Records (Required)

### Purpose and Scope

This element identifies the conditions under which archival authority records are available for use and reuse. Repositories should establish a consistent policy about the rights granted.

If a formal license is used, this element should include both the source of the license and the institutional policies governing the type of license chosen. Repositories should establish a consistent policy regarding the type of license chosen and its format.

If an institution wishes to claim rights on archival authority records outside of a specific license, the repository should create explicit and consistent rights statements.

### Sources of Information

13.10.1 Take the information from institutional policies and if applicable, the rules governing the licensing source.

## General Rules

Except where otherwise noted, record the necessary information documented by the selected license.

100 Adams, Lillian, 1914-1934 \$a Person. ARC-ID 46786454 is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License.

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Adherence to ODC Attribution instructions for the correct assertion of attribution is encouraged. The preferred form of attribution for VIAF is: "This [title of report or article or dataset] contains information from VIAF (Virtual International Authority File) which is made available under the ODC Attribution License." Special cases: In circumstances where providing the full attribution statement above is not technically feasible, the use of canonical VIAF URIs is adequate to satisfy Section 4.3 of the ODC Attribution License.

1 ■■■■■ part\_II/chapter\_9.md



### Minimum

An authority record with the minimum number of DACS elements includes:

- Authorized form of name (see 10.1)
- Type of entity (see 10.2)
- Dates of existence (see 11.1)
- Authority record identifier (see 13.2)
- Rights Statement for Archival Authority Records (see 13.10)

### Added Value

An authority record using DACS elements to provide added value for researchers has all of the elements included in Minimum above, plus any other elements the repository wishes to include.



💡 **ProTip!** Use `n` and `p` to navigate between commits in a pull request.

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# Create License Archival Description Section #14

[New issue](#)

[Open](#) p-galligan wants to merge 15 commits into `saa-ts-dacs:master` from `p-galligan:patch-1`

[Conversation](#) 17  
 [Commits](#) 15  
 [Checks](#) 0  
 [Files changed](#) 4  
+56 -0 █



p-galligan commented on Nov 27, 2017

DACS Change Request  
 Submitted by Alston Cobourn, Patrick Galligan

Brief description of the component of DACS to be changed as well as the proposed change.

We are writing to request the creation of a new required DACS element 8.1 called "License for Archival Description" in Chapter 8 that would proceed the existing value added "Description Control" element. Repositories would use this element to declare that they are making the finding aid itself available under a license, such as machine actionable Creative Commons licenses. We propose the following text:

2. Justification for the proposed change.
 

As Merrilee Proffitt from OCLC discussed in a Society of American Archivist (SAA) panel at the 2016 conference, opening finding aids for reuse is beneficial to researchers, particularly those in the digital humanities, as it allows them to use the data about our collections in new and interesting ways, such as text mining. As researchers develop new ways to interact with our collections and finding aids, cultural heritage institutions need standardized ways to tell researchers and future archivists the ways in which they can use finding aid data. Placing licenses on our finding aids affords us another way to fulfill our mission to help researchers use the archival collections with which we are entrusted. Additionally, promoting open licensing aligns with our professional value to promote open and transparent cultural heritage.

The SAA Technical Subcommittee on Encoded Archival Standards has added a element to its EAD3 1.1 release in hopes of accommodating this need. This release is now out for community review. I have submitted a new feature request to ArchivesSpace asking for the creation of a corresponding field in the Finding Aid Information section of Resource records. Bringing both standards and this system that utilizes them into alignment on this point would both provide a guideline for how to implement licenses as well as the ability to do so in a standardized way.

3. Impact of the proposed change.
 

Adding this DACS element would encourage archives to open their finding aids by enabling them to do so easily. Since archives very clearly own the copyrights to their finding aids and generating Creative Commons licenses is simple, the lack of appropriate DACS and EAD3 elements in which to record the license information are the only real impediments to archives that wish to open their finding aids. Clarifying the restrictions on how the data about our collections can be used also has the potential to increase the awareness of our collections and make archives relevant to new researchers and research methods.

**Reviewers**  
No reviews

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**Assignees**  
No one assigned

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**Labels**  
None yet

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**Projects**  
None yet

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**Milestone**  
No milestone

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**15 participants**

p-galligan added some commits on Nov 27, 2017

- [Create License Archival Description Section](#) Verified `cdff7e8`
- [Change to description control to 8.2](#) Verified `e0abb24`



rockivist commented on Nov 27, 2017

I heartily second this change request.

The only objection from the community that I would anticipate is whether or not it should be required. I'm in favor of this being a required element, but I think the statement underestimates the impact of the proposed change. Adding a CC (or other) license to existing description wouldn't be onerous. For some institutions, negotiating a clear policy with their legal counsel could be. It's important, even essential, to do, but as this is discussed in the community we shouldn't underestimate or downplay the potential political hurdles to full implementation.

That concern aside, let's do it.



**anarchivist** commented on Nov 27, 2017

I'd like to offer a suggestion that we potentially expand this proposal to consider not just licenses, but also rights statements for the description itself. It is a subtle but important distinction. A few cases come to mind:

- Institutions still want claim copyright explicitly without issuing description under a specific license.
- Outside the US, data publishers may have both copyright and database rights on datasets they publish, and may need to assign more than one license or rights statement as part of that. (See [here](#) for potentially useful info.)



3

Update language to make room for copyright and rename ...

Verified

6839c82



**p-galligan** commented on Feb 28, 2018

Author

Updated change request to attempt to make room for [@anarchivist](#)'s comments about rights statements outside of licenses.

Updated DACS Change Request  
Submitted by Alston Cobourn, Patrick Galligan

Brief description of the component of DACS to be changed as well as the proposed change.

We are writing to request the creation of a new required DACS element 8.1 called "Rights Statement for Archival Description" in Chapter 8 that would proceed the existing value added "Description Control" element. Repositories would use this element to declare that they are making the archival description itself available for reuse. Repositories could use a machine actionable Creative Commons license to articulate the terms of use, but they are not limited to this.

### 2. Justification for the proposed change.

As Merrilee Proffitt from OCLC discussed in a Society of American Archivist (SAA) panel at the 2016 conference, opening archival descriptions for reuse is beneficial to researchers, particularly those in the digital humanities, as it allows them to use the data about our collections in new and interesting ways, such as text mining. As researchers develop new ways to interact with our collections and archival descriptions, cultural heritage institutions need standardized ways to tell researchers and future archivists the ways in which they can use archival description data. Stating these rights directly in the archival descriptions themselves affords us another way to fulfill our mission to help researchers use the archival collections with which we are entrusted. Additionally, allowing our archival descriptions to be reused aligns with our professional value to promote open and transparent cultural heritage. The SAA Technical Subcommittee on Encoded Archival Standards has added a element to its EAD3 1.1.1 release in hopes of accommodating this need. This release is now out for community review. I have submitted a new feature request to ArchivesSpace asking for the creation of a corresponding field in the Finding Aid Information section of Resource records. Bringing both standards and this system that utilizes them into alignment on this point would both provide a guideline for how to implement rights as well as the ability to do so in a standardized way.

### 3. Impact of the proposed change.

Adding this DACS element would encourage archives to open their archival descriptions by enabling them to do so easily. Since archives very clearly own the copyrights to description created by the archival repository, the lack of appropriate DACS and EAD3 elements in which to record the rights information is the only real impediment to archives that wish to open their archival descriptions. Clarifying the restrictions on how the data about our collections can be used also has the potential to increase the awareness of our collections and make archives relevant to new researchers and research methods.



**KateBowersHarva...** commented on Apr 20, 2018 • edited ▾

I agree with the requirement, but I would like to see a small amendment to the language.

DACS is applied not just to archival inventories and EAD, but to single-level descriptions that may be encoded in MARC in library systems or descriptions in other systems where system-level sharing licenses or institutional-level terms of use are in place. The change I suggest is to amend the language to make it clear that the requirement is met merely by having the data in a system that provides license or terms of use for its content, and clearly noting that it is not necessary to add text to individual descriptions if it is system-supplied. It is desirable to avoid putting license text in individual descriptions when it is system-supplied. If individual descriptions contain license or terms-of-use text in a system where it is also supplied, there is potential for conflicts when system-level terms or licenses change.

For an example of a system-level term of use a statement see: <https://library.harvard.edu/open-metadata#Bibliographic-Dataset-Use-Terms>



**seth-shaw-unlv** commented on Apr 20, 2018

[Appendix C Crosswalks](#) should also be updated to reflect the numbering change for Description Control (8.1->8.2).



**helrond** commented on Apr 25, 2018

Contributor

Strongly in support of this change - it's high time we started taking reuse of our intellectual labor seriously! Regarding [@KateBowersHarvard](#)'s comment - I'm not sure the rule as written precludes that interpretation, and more generally, I'm not sure DACS cares whether a human or a machine supplies the content of a particular descriptive element.

Two very small administrative changes:

1. Examples should be wrapped in a `<pclass="dacs-example">` tag (see other examples throughout the text).
2. [Single-level minimum requirements](#) need to be updated as well.



[KateBowersHarva...](#) commented on Apr 25, 2018

[@helrond](#) -- agree, and I had thought of that. However, strongly hope that at either a note or at least one example includes the our-entire-MARC-data-has-this-license scenario.



[rovinghistorian](#) commented on Apr 30, 2018

I second [@rockivist](#)'s mention of making this a required element. At least in the beginning, I think this would be better as an optional element in order to help institutions transition and grapple with some of the issues at their institutional level; making it required could be revisited a couple/few years down the line in a review.



[John-Rees](#) commented on May 1, 2018

This will be a great benefit not only to data reuse but also to authorship attribution as expressed by [@helrond](#).

This topic has come up during many of the aggregator brownbags at SAA, It will help disambiguate rights to the archival description content vs that of any discovery software or institutional branding wrappers. My concern about [@KateBowersHarvard](#) use case, if I understand it correctly, is rights statements should be explicitly recorded within each individual description itself and not inferred from external sources such as a FAQ or Help page. Machine processing of our descriptions such as that performed by aggregators or linked data use cases would continue to be a challenge with inferred data.

I also second [@rovinghistorian](#) comment about making the element optional, but mandatory if available.



1



KateBowersHarva... commented on May 1, 2018

My concern stands that it will be impossible to manage rights statements at scale or at an institutional level if they are also added as text to some individual descriptions (i.e. keyed into 500 notes in MARC).

RE:

My concern about @KateBowersHarvard use case, if I understand it correctly, is rights statements should be explicitly recorded within each individual description itself and not inferred from external sources such as a FAQ or Help page.

An individual archivist working in a parent institution is creating work for hire (disclaimer: I'm not a lawyer). The license or terms of use for the records they create while being paid by that institution cannot differ from the those that parent institution grants (disclaimer: I'm still not a lawyer), unless the institution facilitates this. At scale, attempting to manage two statements will probably result in conflicts in which the keyed-in statement makes rights legally indefensible (disclaimer: I continue to not be a lawyer), misleading, or at least confusing.

The best answer, I suspect, would be to include the applicable rights statement (or better, a URI to the rights statement) upon export of the discovery metadata from such a system. Should the terms and conditions change, there will inevitably be conflicting statements.

At scale, this is a display, public UI, and metadata sharing exercise.



phirtle1 commented on May 1, 2018

This is a much needed change. May I suggest, however, that the example of use be slightly changed to include the qualification that "Except where otherwise noted, this work is available under [license version]." This would be a subtle reminder to authors of finding aids that if they are including material from outside sources (photographs, biographical descriptions, etc.), they need to separately mark that content.



erussey commented on May 2, 2018

I write in strong support of this proposal. I agree with @helrond that we should avoid being prescriptive in the rule as to how repositories should implement the requirement. I also agree that the rule should not be required at first, but the proposal should include a timeline for adding that requirement in. I'd suggest that in addition to Creative Commons, RightsStatement.org be added as a possible vocabulary for these types of statements. While it is ideal that archives provide a license to their metadata, it is important for researchers to know what the rights status for the description is, even if it is unknown or indicates no use is allowed. The point is having the statement, not what's in it.

To the point made by @KateBowersHarvard, I think the MARC example would be problematic. If the system were RDF-based, it might be possible to supply a single rights statement that all records link to, but MARC harvesting probably wouldn't enable that kind of linked source of information. If someone harvested a group of records from a consortial system (where each repository might have different rights requirements), it would be really time-consuming for the end user to track those down if they're not in the individual records.



gwiedeman commented on May 7, 2018

I strongly support this proposal. Adding permissive rights statements will facilitate access not just to archival description, but also enable further access to archival materials through new uses of archival description.

By requiring statements within DACS, archivists are also ensuring that this information will be maintained along with the description itself, and persist long into the future.

While I think some repositories may not be able to implement this change immediately, requiring it should not be difficult in our case. If the element is not required initially, I would support an explicit review timeline where that decision would be revisited.



save4use commented on May 7, 2018 • edited ▾

I agree with the proposal, including @anarchivist 's and @KateBowersHarvard's suggestions. However, I am not in favor of making it a required field, for the reasons @rockivist noted. There are many reasons a repository may not be able to provide a statement, including having a significant barrier to getting internal institutional buy-in (some places I've worked would have required this to go through central legal counsel or licensing, a process which could take months or years, would have required significant resources that could have been used elsewhere, and may not have resulted in the outcome we wanted). Since this is not something that many places can just choose to immediately implement, I don't think it should be required.



ngerth commented on May 7, 2018

I also write in support of the proposal. As many others point out, this move will help foster innovative use of descriptive metadata and, as a result, more access to materials.

In terms of making the field required, I think that laying out an explicit timeline for adoption or revisiting the decision, as suggested by @gwiedeman, makes a great deal of sense. For some institutions, the legal considerations will take some time, especially if counsel is bogged down with other matters, see the post by @save4use above. A timeline will help keep this important change from falling off the radar, while also giving institutions time to foster buy-in.



jallibunn commented on May 8, 2018

As one of the individuals who worked with Merrilee on this project (and with CC licenses for finding aids on Archives West <http://archiveswest.orbiscascade.org/> live as of tomorrow!), I heartily support this change. In most cases, the application of a CC0 or CC-BY is a simple decision; the fact that there are barriers of institutional buy-in or bureaucracy should not be a barrier to moving forward with this change and encouraging adoption. I appreciate the work of all of those involved and look forward to having this fully reconciled in DACS, ASpace, and EAD3.



hannahfrost commented on May 14, 2018

As a member of the Collections as Data project team, I strongly support this proposal. Last week the project team hosted the National Forum 2 at UNLV with a diverse set of practitioners, including archivists, metadata librarians, and humanities faculty. A clear outcome of one of the exercises we conducted is that explicit license statements (along with right statements) are deemed critically necessary to advance the possibilities and opportunities afforded by computational access to collections and the metadata about them. The consensus of those present was that this is low hanging fruit and has high value as a means of increasing exposure to archival collections by discovery systems broadly speaking.

🔖 michelsd referenced this pull request on Aug 6, 2018

Revised Preface and Principles #20

🔗 Open

📁 p-galligan added some commits on Sep 25, 2018

- 🔗 update chapter 8 ... Verified a5e23c6
- 🔗 Rename 1\_rights\_statements\_archival\_description.md to 2\_rights\_statem... ... Verified 76e1b65
- 🔗 Update 2\_description\_control.md Verified dabff1a
- 🔗 Rename 2\_description\_control.md to 1\_description\_control.md Verified b335f44
- 🔗 Add section 10 chapter 13 ... Verified 5088e4e
- 🔗 Update 10\_rights\_statement\_for\_archival\_authority\_records Verified 0f149e0
- 🔗 Rename 10\_rights\_statement\_for\_archival\_authority\_records to 10\_right... ... Verified b241e6c
- 🔗 Update single level minimum ... Verified e908f14
- 🔗 Update 10\_rights\_statement\_for\_archival\_authority\_records.md Verified ed0b5cf

📁 p-galligan added some commits on Jan 15

- 🔗 add required text ... Verified ff66611
- 🔗 add rights statement for archival authority ... Verified ab606bd

  change required wording ...

Verified

d2085e0