

# INSIDE HIGHER ED

## Whose Dissertation Is It, Anyway?

Balking at a requirement to upload a copy of his doctoral thesis to an online database run by library services company ProQuest, one student pushes back.

By [Lindsay McKenzie](#)

May 23, 2019



Rob Schlesinger is not your typical college student. A lawyer who worked in higher education administration for more than 25 years, he decided to take

time off from his day job two years ago to pursue a doctorate degree in education at Manhattanville College in Purchase, N.Y.

Getting an Ed.D. degree is a lifelong dream for Schlesinger. He defended his dissertation proposal, "Ethics Education in the Undergraduate Curriculum: An Action Research Analysis," earlier this year. He said his experience at the college has been mostly positive, but it recently took an unexpected turn.

In an article published on the blog *The Scholarly Kitchen* last month, Schlesinger wrote of the shock he felt upon learning that all doctoral students at Manhattanville are required to submit their dissertations to an online database run by for-profit library services company ProQuest.

Schlesinger was even more surprised by the reaction he received from faculty members, administrators and fellow students when he voiced his objection to this policy.

"One would think that I was Oliver Twist asking for more porridge or I had said that I was writing my opus in crayon," he wrote.

Requiring students to publish dissertations, particularly online, may put vulnerable students who have been victimized, threatened or stalked at risk, said Schlesinger. He believes it could also jeopardize the safety of people mentioned in the research, even if they are anonymized.

"My legal -- and moral -- concerns about this practice stem from the issues it raises with privacy and intellectual property rights, as well as contract law," he said.

Aside from privacy concerns, Schlesinger believes that as the author of his dissertation, he should have the right to decide how his work is published and

distributed. He also questions whether it is defensible under contract law for colleges to make the publication of a dissertation a degree requirement. "My argument here is not against publishing online; rather, it is for giving dissertation authors -- the doctoral students themselves -- a say in the disposition of their work," wrote Schlesinger.

Ray Harris, director of the law firm Fennemore Craig, said Schlesinger raises valid concerns about privacy, but Harris notes issues around anonymity in qualitative research can usually be identified and resolved early on through discussions about appropriate research design.

If the candidate and the university cannot reach agreement, then the candidate is left with a "Hobson's choice" of risking harm or withdrawing from the degree program.

Harris expects that most universities would be willing to accommodate serious concerns about publishing students' work online because it is the right thing to do, and because of the liability risk institutions face if harm results from a publication.

"If the university insists on publication in exceptional circumstances where publication is objectively inappropriate, then I believe courts should deal with that situation under traditional contract doctrines," he said.

The requirement for students to upload their doctoral theses to ProQuest is "bordering on universal" at U.S. institutions, said Rick Anderson, associate dean for collections and scholarly communications at the Marriott Library at the University of Utah.

"This practice amounts to outsourcing the digital archiving of locally produced theses and dissertations," Anderson said in an email. By putting dissertations

in a virtual space that is curated by another entity, institutions can free up institutional server space and staff time for other uses, he said.

“I don’t have a problem with this system being the default arrangement, but I think students should have the option to decline,” said Anderson. “A thesis or dissertation is the author’s original work, and it should be treated as such -- not institutional property. At the very least, if the institution is going to impose such a requirement on its graduate students, that fact should be made very clear before the student matriculates, and an agreement to that effect should be made in writing.”

Barbara Fister, a librarian at Gustavus Adolphus College in Minnesota (who also blogs for *Inside Higher Ed*) noted that this is not the first time scholars have voiced concern at the requirement to publish their work with ProQuest. In the past, scholars have been surprised to learn that their work was being sold by ProQuest through third-party retailers such as Amazon.

ProQuest **stopped selling dissertations** on Amazon in 2014 following a number of complaints.

People forget that it is a long-standing practice for hard copies of doctoral theses to be made available in libraries for anyone to read, Fister said by email. “It’s public proof of your attainment of knowledge and your membership in the discipline. It was never controversial so far as I know,” she said. When dissertations started to become widely available online, however, the situation changed. Some publishers became hesitant about publishing commercial books from authors who had recently published their doctoral thesis on the same topic, said Fister.

“Ownership per se is not at issue here. Authors retain copyright,” said Fister. “The issue is the nonexclusive right to distribute copies of a dissertation.

ProQuest pays royalties on sales and dissertations may be embargoed, but that appears to be a decision made by institutions rather than individual authors or ProQuest.”

Jessica Horowitz, director of academic relations at ProQuest, said the company publishes dissertations and theses from more than 3,100 universities.

“The universities we work with set their own policies on publication requirements, and while we can’t give exact numbers, we find that many do require their students to publish with ProQuest,” she said in an email. Publication with ProQuest benefits universities because it boosts the visibility of their graduate programs and makes their research widely available, said Horowitz.

“Most dissertation authors welcome the added visibility that dissemination through ProQuest offers,” she added.

ProQuest Dissertations and Theses Global, as the database is officially called, has been a designated off-site dissertation repository for the U.S. Library of Congress [since 1999](#). All dissertations sent to ProQuest become part of the official national collection.

ProQuest is committed to offering flexibility to authors, said Horowitz.

“Authors’ agreements are nonexclusive with ProQuest. Authors retain copyright and full control of their work and may submit it anywhere they wish,” she said. “ProQuest is governed by any embargo that the author or university places on a work and can, upon request, remove online works within 24 hours.”

After speaking with his advisers, Schlesinger was granted an exception to the requirement to publish with ProQuest. He has encouraged other students to request the same but said none have yet done so.

Students should be made aware of the requirement to publish with ProQuest at the beginning of their studies, said Schlesinger. He also objected to the college encouraging students to have their work professionally edited to meet ProQuest's standards, which he considers an unfair and costly expense. Schlesinger said he objected to publishing his work online because it hampered the ability of his research interviewees to speak openly with him. When he shared this concern, his supervisors suggested he was "not masking his data well enough." He argued it is often very easy to unmask anonymous sources in educational research, particularly if they are identified as college presidents or deans.

By not publishing online, Schlesinger is not saying he doesn't want others to benefit from his research. In fact, he wants the opposite.

"For practitioners, dissertations and journal articles aren't that helpful," he said. "If I identify useful information in my dissertation, I want to boil it down into articles and practice guides that will likely be much more widely read." Manhattanville's School of Education has since revised its [dissertation policy](#) to say that "should a student appeal electronic filing, then a bound copy would be required."

Tracy Muirhead, interim vice president for institutional advancement at Manhattanville, said in an email that filing with ProQuest is "not a graduation requirement" but doctoral students are "very strongly encouraged to use the electronic filing option."

She said the college's doctoral faculty members will be discussing the issues raised by Schlesinger at an upcoming retreat. But faculty members generally support uploading dissertations to ProQuest and believe it "helps to share with others, both externally and internally, the research that Manhattanville doctoral students have undertaken."

While he is happy he doesn't have to publish his dissertation online, Schlesinger said he wants the college to make it clearer to other students that they also have the option to make an appeal. Many students are still under the impression that filing with ProQuest is mandatory, he said.

"I can see the argument for encouraging students to publish their dissertations on ProQuest, and have spoken with several faculty members who believe that it is a really good thing for the students' careers," said Schlesinger. "But to gloss over the situation does not do the issue, or the college itself, justice."

*Read more by*

*Lindsay McKenzie*

[http://www.insidehighered.com/news/2019/05/23/rejecting-requirement-publish-dissertations-online?utm\\_source=Inside+Higher+Ed&utm\\_campaign=3c1e9d7dd1-WNU\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_1fcbc04421-3c1e9d7dd1-199133009&mc\\_cid=3c1e9d7dd1&mc\\_eid=6f67a838c9](http://www.insidehighered.com/news/2019/05/23/rejecting-requirement-publish-dissertations-online?utm_source=Inside+Higher+Ed&utm_campaign=3c1e9d7dd1-WNU_COPY_01&utm_medium=email&utm_term=0_1fcbc04421-3c1e9d7dd1-199133009&mc_cid=3c1e9d7dd1&mc_eid=6f67a838c9)