

## AGREEMENT TO PROVIDE EDITORIAL SERVICES

THIS AGREEMENT made the 1st day of March 2019, by and between the Orthopaedic Section of the American Physical Therapy Association ("Section") of La Crosse, Wisconsin, and Independent Study Course Editor ("ISCE").

WHEREAS, the Section desires to contract with ISCE to provide required editorial services for the publication of Section Independent Study Courses ("ISC"); and

WHEREAS, ISCE desires to contract with the Section to provide the editorial services necessary on the terms set forth in this agreement.

THEREFORE, in consideration of the mutual covenants set forth herein, the parties hereto agree as follows:

1. Duties. ISCE shall provide the Section with editorial services as may be necessary to produce quality, professional monographs known as the Orthopaedic Section Independent Study Course, such services to at least include the following:
  - a. To exercise control and management of the editorial content of the Independent Study Course series and be responsible for the solicitation and acceptance of monographs for publication. In view thereof, ISCE shall not submit for publication any matter if it is defamatory or otherwise actionable. ISCE shall indemnify and hold harmless the Section from and against all claims, damages, losses and expenses arising out of or relating to the publication of any defamatory or otherwise actionable matter, unless the Section is negligent and/or fails to meet its responsibilities listed in Attachment B.
  - b. To work directly with the ISC Associate Editor (ISCAE).
  - c. To work directly with the ISC Managing Editor and Executive Director of the Section.
  - d. To comply with the schedule specified by the Independent Study Course Editor and ISC Managing Editor.
  - e. Additional responsibilities and duties are listed on Attachment A.
2. Services from the Orthopaedic Section. A list of the Section's responsibilities is shown in Attachment B.
3. Property Rights. The Section will retain and shall have all copyright and author ownership rights of the monographs for 2 years after the initial publication date of the monograph.
4. Compensation. The Section shall compensate ISCE as determined in Attachment C.

5. Term of Agreement. This agreement shall be effective as of March 1, 2019 and shall remain in effect until February 28, 2022. The appointment of the ISCE will be a three (3) year term with one 3-year extension, if approved by the Board of Directors. A national call for the position will occur during the second term. The sitting editor may re-apply as part of the national search for one additional 3-year term.
6. Termination. The initial term of this agreement shall be for 3 years beginning March 1, 2019. Either party may terminate this agreement at any time without cause by giving written notice of election to terminate to the other party at least one hundred twenty (120) days prior to such termination. In addition, the Section may terminate this Agreement immediately if ISCE materially breaches this Agreement or if the Section, in its sole discretion, believes the continued performance of editorial services by ISCE under this Agreement would have a substantial adverse effect upon the reputation of the Orthopaedic Section.
7. Assignment. No assignment of this agreement by ISCE without the Section's prior written consent shall be valid.
8. Limitation of Liability. The Section and ISCE agree and acknowledge that the ISCE is an independent contractor and shall be responsible for any withholding or other requirements of state and federal governments. The Section shall work with its insurance agent to provide adequate insurance coverage for claims against ISCE for negligent acts of ISCE in its performance of services under this Agreement.
9. Amendment. No amendment of the terms of this agreement is binding unless in writing and signed by the Section and ISCE.

Dated this   1st   day of   March  , 2019.

Independent Study Course Editor

Orthopaedic Section of the  
American Physical Therapy  
Association, Inc.

BY: \_\_\_\_\_

BY: \_\_\_\_\_

Executive Director  
March 1, 2019

## ATTACHMENT A

### **EDITOR Responsibilities and Duties for Orthopaedic Section Independent Study Courses**

#### Development of Course

1. Develop the topic area of new courses, with consideration of membership suggestions and Advisory Panel input, approximately 2 years prior to the date the course will be published.
2. Present proposed topics to the Board of Directors for their approval at the Combined Sections Meeting each year. This includes a list of monograph titles and potential authors.
3. Identify appropriate authors and make initial contact. The monograph topic and scope should be determined during the initial contact. Deadline dates will be determined by the Managing Editor. The deadline date for monographs must be mutually agreed upon and adhered to by all parties.
4. Obtain Subject Matter Expert(s) (SME) if needed.
5. Provide a list of authors, addresses, phone numbers, and monograph titles to the Managing Editor 6 months or more before the 1<sup>st</sup> deadline.
6. Review the outline and learning objectives submitted by the author. Then offer suggestions and guidance regarding refinement of the scope and content of the proposed monograph.

#### Marketing the Course

1. With the Managing Editor, determine the target audience based on the topic. This information is needed in advance for the development of the ISC budget.
2. Supply a course description and learning objectives on or before the deadline set by the Managing Editor to ensure brochures are printed and mailed in a timely manner.

#### Production of Monographs (as described in the ISC publication flowchart attached)

1. Review the completed 1<sup>st</sup> draft monograph after it has been submitted to the Section office. The Editor will edit the monograph for clarity, accuracy, content, and overall quality. Final approval of the monograph is wholly within the discretion of the Independent Study Course Editor.
2. Complete editorial review and return revisions to the Managing Editor within 3 weeks. If the Editor requires a longer time for review, a new date will be established with the Managing Editor.
3. The Editor will review the 2<sup>nd</sup> draft monograph within 2 weeks to ensure content revisions have been satisfactorily made.
4. The Editor will review and provide final approval of each monograph prior to production.

5. The Editor will review the pdf proof before finalizing for xml translation and uploading to the publishing platform.
6. Follow-up with late authors per the Managing Editor's request.
7. Receive a complimentary copy of each independent study course.

### Final Prep Work

1. Review and approve final examination questions. Editor will ensure that the answers are correct and they can be found in the text.
2. Receive registrant course comments at the conclusion of the course. This includes suggestions for future topics.
3. Receive author comments at the conclusion of the course.

### Administration

1. Provide input into the strategic plan.
2. Arrange 2 ISC Advisory Panel conference calls per year before APTA Combined Sections Meeting and the Fall BOD Meeting. Prepare the agenda for these calls.
3. The Editor is responsible to the Board of Directors of the Orthopaedic Section.
4. The Editor is directly accountable to the ISC Board Liaison and Executive Director of the Orthopaedic Section.
5. The ISC Board Liaison of the Orthopaedic Section will negotiate all contracts with the Editor with the advice of the Board of Directors.
6. Maintain open communication with the Managing Editor, Executive Director, and ISC Board Liaison.
7. Provide notification in times of absence from the normal workplace, or notify the Managing Editor if you will be unavailable for an extended period of time.
8. Attend the APTA Combined Sections Meeting and report to the Section Board of Directors on the status of independent study courses. The Section will reimburse Editor travel and three (3) days of lodging/meals in accordance with the Section reimbursement policy.
9. Attend the Orthopaedic Section Board of Directors monthly conference calls.
10. Submit a written status report update on the independent study courses prior to the APTA Combined Sections Meeting and the Section's Fall Board Meeting.
11. Write and submit motions and discussion items for BOD meetings per recommendations made by the ISC Advisory Panel.
12. Responsible for his/her own employees, staff, equipment, office space, etc. required to perform duties under the contract.
13. Communicate via e-mail and handle general correspondence.
14. Respond to inquiries regarding monographs and review exam questions from authors and registrants as needed.
15. Be familiar with the Instructions to Authors and AMA Style Guide, 10<sup>th</sup> edition.

## ASSOCIATE EDITOR RESPONSIBILITIES

1. Insure ISC learning objectives for each monograph are high level and measurable.
2. Insure that all review and final exam questions meet format criteria and are valid and referenced in the text.
3. Establish direct access credit approval for monographs that meet this criteria.
4. Communicate with the ISC Editor, Board of Directors ISC Liaison, and Advisory Panel to refine topic proposals.
5. Establish timely communication with the Managing Editor.

## ATTACHMENT B

### **ORTHOPAEDIC SECTION Responsibilities and Duties for Orthopaedic Section Independent Study Courses**

#### **Administration**

1. The ISC Board Liaison of the Orthopaedic Section will negotiate all contracts with the Editor with the advice of the Board of Directors.
2. The ISC Board Liaison and Executive Director will conduct all performance reviews of the Editor with input from the ISC Managing Editor, ISC Associate Editor, authors, subject matter experts, and Board of Directors.

#### **ISC Manager Editor Responsibilities**

##### **Development of Course**

1. Send introductory e-mail that acknowledges interest in writing, Instructions to Authors packet, and a sample monograph to potential authors. Contact the author after receipt of these materials to confirm interest and determine a deadline date. Review instruction packet with author to verify the author understands the commitment.
2. Send second letter acknowledging intent to write along with contract information and other required forms.
3. Obtain Work for Hire agreement, W-9 form, and author's and SME's preferred name, credentials, and work affiliation.
4. Send the SME and Editor a list of the titles, authors, and author contact information for monographs within the course. Obtain outline and objectives from author, and forward to SME and Editor.
5. Send confirmation letter, contract agreement, Instructions to Author packet, and sample monograph to SME if applicable.

##### **Marketing the Course**

1. Develop a marketing strategy for each course. In collaboration with the Editor, determine the target audience based on the topic.
2. Compile information about the course and submit it to the printer for development of a brochure.
3. Plan advertising to include brochures and 1-page journal ads, in collaboration with the Editor.
4. Advertise each course by mailing brochures and placing ads in JOSPT and OPTP.

### **Budgetary Process**

1. Develop the budget for each course with the Executive Director and input from the Editor by May 1 of each year.
2. Examine the current budget expenses for each course monthly and discuss them with the Executive Director.
3. Review monthly statements.

### **Production of Monographs**

1. Verify that the monograph submitted is complete. If all items on Author Checklist are not complete notify the author of missing items.
2. Send complete monograph to the Associate Editor along with a deadline date to return revisions to the Managing Editor.
3. Send complete monograph to the SME or Editor for review along with a deadline date to return revisions to the Managing Editor.
4. Return monograph to the author for content-related changes along with a deadline date to return revisions to the Managing Editor.
5. Receive 2<sup>nd</sup> draft monograph and return to Editor to assure that content revisions are satisfactory.
6. Copyedit approved 2<sup>nd</sup> draft.
7. Send content and copyedited queries to author along with a deadline to return final copy.
8. Send final copy monograph to the printer for first-page proofs.
9. Review first-page proofs and send a copy to the author for review. Return revisions of first-page proofs to printer.
10. Review second-page proofs and send them to the ISC Editor for review. Return revisions to printer.
11. Review final-page proofs.
12. Request final native files from the graphic artist.

### **Final Prep Work**

1. Contact authors regarding exam questions and have them verify that the answers are correct and locate them in the text.
2. Develop the course evaluation form.
3. Compile exam and send it to the editor for approval.
4. Assign DOIs to each individual monograph and ISBNs to each ISC.
5. Upload native files, author biographies, and author photos to the ftp site for translating content to xml and eventual posting to the publishing platform.
6. Send author thank yous at the conclusion of the course to include registrant comments, certificate, and author evaluation form.

### **Administration**

1. Communicate with the authors regarding the status of monographs, deadlines, and questions about photographs, graphs, tables, figures, etc.

2. Respond to questions from authors regarding style and format issues.
3. Communicate with the Editor regarding monograph, copyediting, and printing status.
4. Maintain communication with the author regarding approaching deadlines.\*
5. Ensure that authors, Editor, AE, SMEs, copyeditors, and printers adhere to the production schedule so monographs are published timely.
6. Obtain verification from the author that guarantees the matter to be published is in no way an infringement on the copyright of others or the laws governing copyrights, and the material may be published without restriction.
7. Upon request, the Managing Editor will provide reasonable assistance to the author in completing necessary revisions.
8. Keep the author apprised of the status of the monograph.
9. Review and update the policies and procedures manual for independent study course authors.
10. Review and update the Instructions to Authors packet, with input from the Editor.
11. Suggest ways to enhance the success of the ISC series, promote registrations, and solicit authors.
12. Send reminder emails and make phone calls as necessary to authors to ensure deadlines are met.
13. Arrange for payment of honorarium and expense reimbursement upon the monograph's final approval.
14. Keep archive files at the Section office.
15. Process print on demand orders through Sheridan Press' ftp site.

\*Note: Unless otherwise agreed upon, all correspondence will be sent only to the principal author. The principal author is expected to communicate as required with the coauthor(s).

#### ISC Publishing Assistant

1. Process all necessary paperwork (Work for Hire Agreement, Photo/Table/Figure Copyright Release, Subject Consent Form).
2. Verify all reference citations within PubMed.
3. Develop acronym lists.
4. Assist with proofing.
5. Obtain state approvals for registrant CEUs.
6. Serve as back up to ISC Processor/Receptionist in fulfilling and shipping orders.

#### ISC Processor/Receptionist

1. Enter course registrations in iMIS and file registration
2. Receive and grade failed examinations; process re-take fee.



3. Answer registrant email and phone queries.

## ATTACHMENT C

### EDITOR COMPENSATION

#### **Compensation for the Independent Study Course Editor (ISCE) shall be:**

1. The ISCE shall be paid the following amount which shall be designated as an editorial allowance for the performance of all services required hereunder: One Thousand Five Hundred Dollars (\$1500) per monograph, if the monograph is received by the mutually agreed upon deadline.
2. Section will reimburse ISCE for travel and lodging/meals, in accordance with Section reimbursement policy and budget, to attend the APTA Combined Sections Meeting.
3. Annually the Executive Director and the ISC Board Liaison, with input from the Board of Directors, will conduct an annual performance evaluation of the ISCE based on the responsibilities outlined in Attachment A.