

UNIVERSITY COMMITTEE ON LIBRARY AND SCHOLARLY COMMUNICATION

Teleconference Minutes

May 20, 2016

Attending: Eric Bakovic, Chair, (UCSD), Luca De Alfaro, Vice Chair, (UCSC), Sean Walsh (Irvine), Leonard Nunney (UCR), Dennis Ventry (UCD), Eileen Zurbriggen (UCSC), Candace Waid (UCSB), Diane Mizrachi (LAUC President), Lorelei Tanji (CoUL Chair), Tobie Higbie (UCLA Alternate), Thomas Shannon (UCB), Cynthia Darling (UCSF), Nina Zhiri (UCSD), Günter Waibel (Associate Vice Provost and Executive Director, CDL), Ivy Anderson (Director, Collection Development & Management, CDL), Catherine Mitchell (Director, Access and Publishing Services, CDL), Brenda Abrams (Principal Policy Analyst)

I. Chair's Announcements

Chair Bakovic reported that there is a bill in the California Legislature that would copyright government created documents. Part of the impetus is related to a case involving Yellowstone National Park. There was a bid for the contract to provide services that had been held by one group since the inception of the Park and this group lost the bid. In the process of being the concession supplier, the group had quietly acquired images and names associated with the Park. When this group lost the bid, it owned all of this material. The State was upset about this and has reacted by trying to claim ownership of the materials.

A group of librarians is arguing against this bill by pointing out that the way to prevent this type of thing from happening is by ensuring that images and state property are owned by everyone, not by the state. The chair hopes that the arguments against this legislation defeat it. Assembly Bill 2880 is designed to enable the state to assert copyright for anything produced by the government. The bill is written broadly enough to include products of the UC system, such as scholarly articles covered by the Presidential Open Access (OA) policy and documents written by UC employees. UCLA submitted a statement against the bill to its state government relations unit and subsequently forwarded to UCOP's Issues Management, Policy Analysis and Coordination unit. It is hoped that UC will support UCLA's position.

II. Consent Calendar

Action: The February minutes were approved.

III. Senate Open Access Policy ~ Working with Publishers

This item concerns the fact that a small but significant number of publishers, including the Nature Publishing Group (NPG), is reacting to Open Access policies like UC's by requiring that authors seek waivers from the institutional policy as part of the publication agreement. Peter Suber from Harvard and Ellen Finnie from MIT were in separate negotiations with NPG over this and had each come close to agreements whereby instead of requiring a waiver, NPG would require an embargo. NPG was also exploring making post-prints available so that authors would not have to find these themselves in order to comply with both NPG's requirements and the authors' institutional Open Access policies. However, these negotiations stalled when NPG's owner, MacMillan, merged with Springer.

UC is interested in having these discussions with publishers. One question is whether publishers understand that the embargo is an option that may satisfy both their requirements and Open Access policies such as those at UC, Harvard, and MIT. It is possible that some publishers who have required waivers have done so out of lack of understanding that the policy is compatible with an embargo period. Another question is how short an embargo period publishers are willing to entertain. Some publishers

seem to automatically want twelve months but it is possible that they would be satisfied with a shorter embargo. The last question is what authors are willing to compromise in exchange for automatic delivery of post-prints from publishers if they are able to offer this service.

Automatic embargos (with publishers that require them) are one possibility discussed. NPG was willing to look into delivering the post-prints automatically so that authors could have them easily available to be deposited into their institutional repositories in compliance with their Open Access policies. Chair Bakovic suggested that this would significantly increase compliance with the UC OA policy, but at what cost? If the cost is a lengthy embargo, compliance with the OA policy would be stalled. The post-print and the author's final version are the same thing but the problem is that authors do not always have easy access to this version. It is difficult enough to find the post-print version that the authors end up not complying with the deposit requirement of the OA policy, whereas the publishers can easily access the post-prints.

Discussion: The author's final version is post-peer review but pre-final formatting and labeling on behalf of the publisher, also commonly referred to as the author's accepted manuscript. Director Mitchell mentioned that NPG is the publisher requiring the most waivers from the UC OA policy. To date this year, CDL has collected and made available over 20k publications authored by UC faculty and NPG has required 562 waivers. It is not clear if publishers are requesting waivers when what they really want is an embargo. Another question is whether there is a way for UC to develop relationships with publishers that enable CDL to collect post-prints on behalf of UC faculty. Currently, individual authors have to negotiate with the publishers to agree to an embargo. It was noted that Peter Suber and Ellen Finnie were negotiating on behalf of faculty at their respective institutions. Embargos longer than twelve months may not be desirable whereas it may be reasonable to have a guarantee that within six months a paper will be deposited without the author needing to intervene much.

UCOLASC may not want to recommend that UC include embargos as a starting point in negotiations with publishers. There may be other things that UC may want to negotiate in exchange for the automated deposits. Perhaps there is something that would be beneficial to the publishers that UC can offer. CDL has discussed some strategies including sharing publication usage data that is available through the CDL's system with publishers or the CDL can point back to the publishers' version of record and make this a very visible resource. Some publishers are willing to provide the post-print versions because they already do so for NIH-funded research and others are willing to do this because they do not feel that their revenue is unduly compromised. The CDL has had conversations with a few publishers who are willing to provide the post-prints but have not pursued this, in part, because it is important for UCOLASC to discuss the embargo trade-off.

A member suggested that highlighting the post-publication version could be an interesting possibility for publishers, and that prominently displaying a link to the publisher's final version may be proposed in negotiations. There are ways that eScholarship could emphasize the fact that there is a version of record and that people are strongly urged to reference the version of record when doing professional scholarly work.

IV. Senate OA Policy ~ Strategies for Increasing Compliance

One strategy for increasing compliance could be to provide incentives to faculty. This was discussed at the last SLASIAC meeting where the idea of experimenting on a small-scale with different solutions at different campuses and then scaling solutions that are found to increase compliance up to the systemwide level. Chair Bakovic and the chair of the Council of University Librarians (CoUL) agreed to try something at UCI and UCSD and the ideas will be discussed during an upcoming conference call. At UCSD the idea is to tie compliance with the policy to something that faculty or their surrogates already do

which is updating their biobib forms. At San Diego, these forms are updated using a Microsoft Word template and part of the plan is to implement a web-based form that will ultimately be able to communicate with the publication management system.

Discussion: CoUL Chair Tanji indicated that the publication management system at UCI is able to pull information out of the faculty profile system, but not vice-versa. In addition to this technical issue, there is a challenge with the bandwidth of the campus IT and Academic Personnel departments. Syncing information both ways could help populate the faculty profiles and this would be the ideal. The UCI representative reported that the Academic Personnel system just switched from the Microsoft Word approach to web-based forms. But the faculty have complained about having to enter their information into a new system. Faculty with NSF and NIH grants already have to do this work, so some way to integrate the systems would be very helpful.

At UCD's law school, the process has been integrated for the purposes of merits although there was significant pushback. The hope is to extend this beyond the law school to the Academic Personnel system. The CDL also has a bandwidth issue because the implementation of the OA policy has turned out to be a substantial service. However, the real value of this policy is if the process can be integrated into larger campus-based processes which will result in efficiencies for faculty. Individuals who have been faculty for a long time can have very long biobibs, so giving them the option of updating only the most recent publication to the new format in the web-based system would be helpful.

V. Consultation with the Council of University Librarians (CoUL)

- *Lorelei Tanji, Chair, CoUL*

Chair Tanji shared that the memo to President Napolitano requesting funds for the Northern Regional Library Facility (NRLF) was a team effort. Chair Tanji clarified that the proposed expansion of the NRLF is intended to provide storage for all ten UC campuses. The engineering and feasibility design study is the first step and the building phase would come with costs and consequences. This process will be a long one. CoUL is optimistic about the engineering and feasibility study. Chair Tanji thanked UCOLASC for its support which was key to getting the president's approval. The aim is to provide storage for the next ten to fifteen years. The proposal also recommends that a new library collection storage evaluation is funded after the NRLF Phase 4 in an effort to plan ahead. This will continue to be of import for the whole UC system.

During the meeting with President Napolitano, the CoUL was encouraged to submit a document on the collections budget. The president mentioned that she recognized how key library collections are to supporting research, teaching, patient care, etc. and if UC really wants to be a leader this needs to be supported. A subcommittee of CoUL will be working on this white paper over the summer and shared with UCOLASC in the Fall for input before it is submitted to the president. Another white paper CoUL will prepare is on OA and how CoUL can share various issues related to OA that will help inform the president and government relations units when this is discussed in different venues. Chair Tanji also reported that CoUL will develop a white paper on the Future of the UC Libraries. The discussion with the president touched on the changing role of the libraries and President Napolitano noted that it will be important to have a visionary paper that can be used for conversations with different stakeholders with whom the UC libraries partner.

Discussion: A member asked if the memo to President Napolitano can be shared with the divisional library committees and Chair Tanji indicated that it is not publicly available but she will check with Vice Provost Carlson at UCOP. The Film and Television Archive has been moved out of the Southern Regional Library Facility so there is some available space there now, but a member pointed out that this space will fill up quickly. Since the NRLF is located in Richmond which is on the Bay, a member asked if

there has been any discussion about rising sea levels. Chair Tanji responded that building a facility in the Central Valley has been considered for the longer term. The UCB representative indicated that the facility is not located close to the shore, and reported that UCB is planning to build a futuristic global campus in the Richmond area so hopefully issues like flooding or other catastrophic events will be considered. Growth in the unique special collections is expected and these collections will not or cannot be digitized and are difficult to move around. There are also preservation concerns and these issues will need to be factored into planning.

The UCSB representative thanked Chair Tanji for the CoUL efforts and appreciates President Napolitano's involvement. A member asked if the president had any comments about the campuses with smaller libraries with less funding and whether these campuses might benefit from the report being written on collections in terms of access to packages of journals. Chair Tanji indicated that the issue of disparities among the campuses in terms of collections funding was described in the meeting with President Napolitano who immediately understood that the student experience and access to information for research then varies across the campuses. Fixing these increasing disparities with the collections budget and then working from there was the focus of the discussion.

VI. Consultation with the California Digital Library

- *Günter Waibel, Associate Vice Provost and Executive Director, CDL*
- *Ivy Anderson, Director of Collections, CDL*
- *Catherine Mitchell, Director, Publishing, CDL*

AVP and Executive Director Waibel briefly described his background, including that he began his career at UCB and his most recent position at the Smithsonian. While his current focus is to get to know his work, he looks forward to working with UCOLASC and being a productive member of the committee. Members were invited to contact AVP Waibel with any questions or concerns they might have.

Director Anderson negotiated eight large multi-year agreements this year. The CDL was successful in executing a new contract with Taylor & Francis which has acquired a number of new publishers between 2013 and today. In some of the license agreements the CDL was able to include author's rights provisions as well as text and data mining provisions. There will be an effort to make this information more public and visible. The CDL continues to be very successful in cost control with UC's very large agreements.

The CDL has done a lot of work on eBooks and a license with Cambridge was just executed and two shared print copies will be available, one in the north and one in the south. There is some concern that this is too many print copies so the usage of these materials will be assessed after a couple of years. It is logistically difficult to align purchasing of print copies with the eBook package purchasing and it will take some time to work through the mechanics of this.

In the fall, the CDL will ask for help from UCOLASC with the negotiations with Springer and NPG. The committee was reminded about the UC faculty threat to boycott Nature several years ago. Springer owns a number of journals so a lot of content is bundled together which may prove challenging in the negotiations. The CDL will gather data to help with its position in the negotiations.

Director Anderson provided an update on the CDL-UC Davis Pay It Forward project. This project ends on June 30th and the report is now being finalized. The purpose of the report is to try to determine what would happen if large research institutions like UC that are research intensive and publish a significant volume of the world's research output converted to a Gold OA model that required article processing charges. A question is whether there are scenarios under which this model would be sustainable and affordable. The process included author surveys and focus groups, surveys of publishers and the analysis

of publication and grant funding data. Harvard, the Ohio State University and the University of British Columbia partnered with UC on this grant.

A multi-payer scenario is described in the report. By triangulating data from different sources, the group thinks that \$1,800 is roughly a baseline cost for article processing charges that should be sustainable for most publishers. In the scenario, the library would pay the APC up to some threshold but probably not the full amount. It is important to develop some sort of market mechanism in any APC-driven model to encourage competition and help to control prices. The current model demonstrates that having libraries act as the sole intermediary has not been successful in sustaining prices overall. The balance would be made up by authors, not necessarily from their personal funds but from other funds they might have available, such as a grant. Authors might also be able to draw on institutional sources of funds. The key is that the person making the publishing decision has to make the choice between spending money from a grant that could be used to pay for a graduate student, for example, versus paying for a journal article. Organizing funds in this way would create more of a market mechanism and more of a dynamic that would control costs since journals compete for authors, not libraries. The analysis suggests that as long as grant funding is somewhere in this mix, this model would be sustainable for even the largest research institutions. Library funds alone will not support this model.

Director Anderson and Chair Bakovic attended the Berlin 12 Open Access meeting in December organized by the Max Planck Society. The goal was to start a discussion about developing a global consensus about moving toward large scale open access. The Society is hosting the OA2020 Initiative which has developed an expression of interest document with the hope that countries will sign. The idea is that this change will not happen on its own without global consensus that can pressure publishers to move in this direction. There are 47 signatories on the letter to date but there is no support from North America yet. The idea driving the thinking about this in Europe is the notion of developing large scale licensing agreements. Open Access is progressing and green OA is somewhat more successful but it has not undermined the market power of the publishing industry. New money is flowing into the existing system because of publication charges so publishers are capturing additional revenue. The hope is that once the system is transformed then there would be a better market dynamic that results in better cost control in the future. The question is whether this is a direction UC would want to move in.

Director Mitchell reported on the rates of deposits to the eScholarship repository. There has been a steep increase in deposit growth since launching the Symplectic publication management system. Over 20K publications have been collected in the past year. Data shows that materials are being accessed from all over the world. This year data related to the Open Access policy will be included in the annual accountability report. Symplectic is now hosted at the UCB Data Center and the CDL is eager to move it to a hosting system offered by Symplectic. The CDL expects that there will be many benefits to this move in terms of its ability to provide this service. The Elements team is using AWS, the Amazon web service and the CDL has migrated almost all of its services to AWS. This is a cloud-based service which is very beneficial. There is a question about whether campuses should adopt additional modules for storage of more sensitive data. Director Mitchell also previewed the redesign of the eScholarship website. The redesign was prompted by the implementation of the Open Access policy.

Discussion: The Cambridge contract includes unlimited use and does not place limits on printing and the online platform should provide a much better user experience. The CDL would like to hear about any problems or challenges that are encountered with the platform. In terms of author rights, there is general language about the right to deposit their articles in open access repositories including institutional repositories and the right to reuse that work for educational and scholarly purposes although the UC OA policy is not specifically cited. It is important to note that the publishers' agreement is in writing. Some of the agreements include language supporting the authors' discretion to have an embargo but does not give publishers the right to assert an embargo.

The CDL-UC Davis Pay It Forward project envisions a world where libraries are no longer paying for subscriptions and would use these funds for open access. All publishing would be open, so no one would be paying subscriptions. All institutions would be funding their authors instead of paying for subscriptions. It is not clear how long it would take to reach this model. This idea is controversial and there are some librarians who are not in favor of moving in this direction. Many questions would have to be studied and considered before it can be decided that this is the right direction in which to move. The OA2020 Initiative has established 2020 as the ideal goal to reach a subscription-free world. This project focuses on journal articles; conference proceedings and books are not included because that would complicate the model. The point was made that faculty in the Humanities do not have much in the way of grants and this disparity in the access to grant funds needs to be considered. The UCSB representative commented that subventions are being discussed on a national level and noted that there is a belief that everyone has subventions. The UCSB Senate has a small subvention program. The point was made that going through everything that it takes to get published and for authors to then have to pay for it will be a problem for some faculty. Members appreciate the forward-thinking and effort going into the project.

A member commented that it does not seem likely that distributing the market power to thousands of authors will create a better outcome. The Max Planck approach of having institution to institution agreements seems more viable. A member indicated that the typical APC in the sciences is much higher than what is in the Pay It Forward model and is closer to \$3K. Faculty who are not yet tenured will feel that it is necessary to publish in the higher-cost journals. There are concerns about the public good and desirability of continuing to support the existing publishers and whether this might suppress innovation. Hearing from more authors about how they view developments like these will be very helpful for the libraries and open discussion and dialog needs to occur. The libraries need a much better sense of whether this is a good or bad direction in which to move.

Members had positive feedback about the redesign of the eScholarship website.

VII. Campus Reports/Member Items

UCSB: The representative sent Chair Bakovic a written report on subventions, which have been mentioned during today's teleconference. Subventions are a major issue at this campus and are very important to scholarly communication. The report may be helpful to the committee and hopes that the chair will send it out. There is a strong anti-collection narrative at UCSB because there is a lack of understanding of why books or digital books are necessary for some fields.

UCB: The library committee has focused on issues specific to this campus which include a budget cut of at least \$120M. The library budget will be cut by 4% which is in addition to the 4% cut from last year. The library will revive its fundraising efforts and a development director and several gift officers will be hired. The representative asked members to share any strategies for fundraising. The undergraduate library is in various stages of renovation and repurposing. Questions include what usage patterns are and how they are changing, what students expect from a library and what purposes the library should serve. The members were asked for input on this matter as well.

UCSF: The library was not able to hire a librarian this year so the search will continue. The search team wants to broaden the search and find an individual who has a vision for transforming the research and care. This is a demanding job as the libraries are rapidly changing.

UCR: The library is looking into printing student posters for a nominal fee after learning that this is costly. The Executive Director of the UC Press visited the campus to promote its new OA journal,

Collabra, that has a very low APC, and the monograph series, Luminos, with an estimated baseline cost of \$18K. Authors are expected to pay for \$5K of this through subventions or other mechanisms.

UCLA: The library is also dealing with searches. Positions have been bundled and there was a failed search for a librarian for special collections and international collections. The high real estate prices and cost of living in Los Angeles is a challenge. The library does not have the same types of recruitment mechanisms available to conduct searches as the rest of the campus does.

LAUC: President Mizrachi announced that 2017 is the 50th year of the LAUC and multiple celebrations are being planned statewide and across the different divisions. The LAUC had a meeting in March with Google's Dan Russell, a senior research scientist, who spoke about what needs to be known in the age of Google. The librarians provided ideas about what they would like to see in Google.

Members thanked Chair Bakovic for his work during his first year as UCOLASC's chair. The analyst reminded committee members that their appointments end on August 31st. The minutes from today and the Annual Report will be sent to the committee for approval within the next couple of months.

Meeting adjourned at: 12:40 p.m.

Minutes prepared by: Brenda Abrams

Attest: Eric Bakovic