UNIVERSITY COMMITTEE ON LIBRARY
MEETING MINUTES
JUNE 9, 2006

I.   Chair's Announcements

Chair Crow reported that the Academic Assembly passed the Scholarly Work Copyright Rights Policy (see enclosure 1) at its May meeting. President Dynes is being asked to set up a working group to refine it and prepare it for a full Senate and Administrative review.

ACTION: (1) Chair Crow asked for volunteers to respond to the concerns regarding the SCSC white papers. (2) The role of libraries in the future will be placed on the fall UCOL meeting agenda. (3) Members endorsed UCAF's memo on "Student Freedom of Scholarly Inquiry Principles".

II.   Consent Calendar

A. Minutes from the January 31, 2006 Meeting
ACTION: The minutes were approved with minor revisions.
B. Minutes from the May 17, 2006 Teleconference
ACTION: The minutes were approved with minor revisions.

III.   UCOL Task Force on Scholarly Communication

ISSUE: Chair crow briefly explained the justification for a UCOL (UCOLASC) task force on scholarly communication. While UCOL has divisional representation, it does not have a wide specialist-type representation, which the Special Committee on Scholarly Communication (SCSC) does have. The complex nature of scholarly communication issues necessitates representation in the areas of academic personnel, budget, legal, technology, scholarly publishing, etc. Another advantage of such a task force is that its members could hold tenures longer than a single year, which is the typical amount of time that most UCOL members sit on the committee. He added that appointments to this task force will formally be made by the Committee on Committees (COC), however UCOL will be able to offer suggestions.

DISCUSSION: One member asked about the possibility of simply extending SCSC. Chair Crow responded that (1) SCSC does not have divisional representation; and (2) it has already been extended once. He also thinks that the bulk of scholarly communication issues will remain at the forefront for a number of years. Therefore, it is more appropriate to locate these issues a standing systemwide committee, rather than a special committee. At the same time, there are still substantial library issues that do not pertain to scholarly communication, which UCOL will also address.

Members discussed the frequency of task force meetings. Chair Crow initially felt that the task force should meet with its parent committee (UCOL or UOLASC) at least 50% of the time. He commented that there should be separate times in which the committee would be able to discuss pure library issues, during which time this task force would not need to be present. One member suggested simultaneous meetings in which the task force and the library committee would both

meet separately in the morning, with a joint meeting in the afternoon. If additional meetings are needed, the money for these meetings would come out of the UCOL budget, and would need to be requested by the UCOL Chair. Members noted that the incorporation of scholarly communications into UCOL may result in a net savings for the Academic Senate, since the SCSC will no longer be meeting.

The life of the task force, as well as its membership was also discussed. Chair Crow commented that it would be inappropriate to ask the Academic Council for a renewal of the task force every year. Rather, the initial proposal should numerate a finite life span for the task force, probably on an order of three to four years. Chair Crow also noted that SCSC members have developed a broad knowledge and expertise base, which would be useful to such a task force. Therefore, it may be an opportune time to recruit some members of the present SCSC into such a task force. Members stressed that it is important to get the appropriate technical expertise on the task force. Suggestions included a scholarly society member/representative (preferably one is involved in the publishing arm of a scholarly society), a faculty member in a lead editorial position for an academic journal, a consultant from a commercial publishing house, an intellectual property expert (lawyer), and the replacement for Julius Zelmanowitz's former position (Vice Provost of Academic Initiatives). Consultant John Ober noted that the Office of Scholarly Communications (OSC) has constructed a list of Elsevier and Blackwell editors.

This matter was also discussed toward the end of the meeting, by which time some members had left, with María Bertero-Barceló, who is the Executive Director of the Academic Senate. She said that instead of establishing a task force, the committee would be better served by expanding its membership. She clarified that at-large members could serve for two-year terms. She also mentioned that there are clear precedents for this type of arrangement (with additional at-large membership) in other committees. Members agreed that simply enlarging the committee might be a better way to go.

Finally, members discussed the 'preamble' to the UCOL bylaw amendment proposal, and particularly, the term 'oversight.' Members felt that this word conveyed a sense of authority or control over scholarly communication (and not in the sense of advising), which is not the intent of the proposed bylaw change. In place of 'oversight', members suggested 'advisory capacity', 'monitoring', or 'watching brief', which means holding the responsibility for observing developments in a specific area.

ACTION: Analyst Todd Giedt will redraft the UCOL bylaw.

IV.   Monograph Subventions
ISSUE: Chair Crow presented the proposal on monograph subventions from Dick Terdiman and Lynne Withey, which comes from the SCSC white paper on monograph publishing. This proposal addresses the need of junior faculty in the humanities and some social sciences to publish a first monograph in order to gain tenure. The proposal calls for UC to put five to ten thousand dollars toward the publication of such a works, once faculty members have a monograph that has been accepted by a university press.

DISCUSSION: Members discussed the vanity press issue. One member said that this may vary by discipline. For example, he noted that there are a couple of long-running monograph series in the humanities that publish a wide range of monographs in terms of quality. He differentiated these types of series from those that are true vanity presses, where authors simply publish their own works. He wondered how to best target these subventions for those faculty members who are not able to publish in the top university presses, but may be able to publish in monograph series that represent the next tier. To that end, some members felt that these subventions should be targeted towards certain fields/disciplines that have suffered significantly in terms of scholarly monograph publishing in recent years. Members also noted that it is often taken for granted that university presses always publish good monographs. Members also discussed this proposal's potential effects on personnel issues such as tenure, with some members noting that it may be useful for departments to be the final adjudicator on questions of the value of the scholarly work with regard to venue. There was also some support for linking subventions to the substance or quality of what is actually being published.

Members also wondered how subventions would change the economics of monograph publishing, and they commented that the very existence of these subventions could influence the decisions of university presses. Consultant John Ober reminded members that UC Press Director Lynne Withey has said that UC subventions would not greatly influence the university press publishing industry as a whole; subventions would need to become much more ubiquitous to do that. Members agreed that subventions alone could not increase first-time monograph publishing. They recalled that Lynne had said (at an earlier meeting) that increases in the number of first-time monographs is dependent upon (1) increased faculty involvement in press editorial work; (2) technological changes allowing smaller press runs; and (3) changes in the economics of monograph publishing (i.e. subventions, etc.). Basic data on monograph publishing (i.e. the number of books published by scholarly publishers) was also requested, which could be broken down by field and rank (assistant, associate, full professor). Such data could also indicate if there is indeed a backlog of high-quality monographs waiting to be published.

Members briefly discussed some potential unintended consequences which might arise from subvention support. First they noted that the policy may result in a disproportionate numbers of books from UC authors. Another member cautioned that some senior faculty members (who also have book projects worthy of publication) might object to a subvention policy that is intended purely for junior faculty members. Consultant John Ober mentioned that if these subventions were incorporated into start-up packages, that would avoid this kind of problem.

Members also noted that the white papers call for a range of actions to support monographs besides subventions. Chair Crow reminded members of the other recommendations made by the white papers in this regard: (1) experimenting with new publishing models; (2) leveraging editorial expertise and digital technologies, collaborating to make use of each others' strengths while maximizing the efficient dissemination of scholarship; (3) pursue and expand indicators of scholarly quality, and acknowledge the continuing value of the printed format, but remove it as a tacit form for acceptable scholarship; (4) rethink how University resources for book publishing are distributed; and (5) provide subventions for non-tenured faculty to assist in the publication of appropriately peer-reviewed high quality scholarship. While members acknowledged that they

could not address all of these issues now, they would like to send Dick Terdiman and Lynne Withey their comments on the subvention policy with a note that there are four or five criteria that need to be addressed further. On a related note, John Ober reported that SLASIAC recently discussed University support for book publishing as well. They made a motion to investigate the University's support of monograph publishing—particularly uncovering both its current distribution capacity (outside of UC Press), and what is needed for increasing output.

ACTION: (1) Analyst Todd Giedt/Chair Ben Crow will draft correspondence to Lynne Withey and Dick Terdiman outlining the committee's concerns. (2) Lynne Withey and Dick Terdiman will also be invited to the fall UCOL meeting. (3) Ben Crow will send a letter to the SLASIAC Chair suggesting a consultative role for UCOL.

V.   The Federal Research Public Access Act of 2006 (Lieberman/Cornyn Proposed Legislation)
ISSUE: Consultant John Ober noted that this legislation is still alive, and it has been referred to committee in the U.S. Senate. It is basically an extension of the NIH mandate, which dictated that all researchers funded by the NIH must make the results of their research openly available to the public. It is intended to apply to all federal agencies with research budgets of $100 million or more (includes about ten agencies such as the Department of Education, NASA, etc.) These agencies have up to six months after the initial date of publication to make research results available. The rationales cited for this legislation are (1) that since tax payers fund this research, they ought to have access to it; and (2) that open-access accelerates the research process. The bill enjoys modest momentum in the legislature, but it is facing fairly heavy lobbying against it from various commercial publishing interests. There is also a coalition of academic and non-academic groups that are supporting the bill. While there has not yet been a clear opportunity for the UC Academic Senate to comment on this legislation (since it is still in committee), UCOL will be able to opine when Congress reconvenes in the fall.

VI.   Campus Reports
ISSUE: Chair Crow asked members for brief reports from their divisional library committees.

DISCUSSION:
UC Santa Cruz
The Santa Cruz library committee recently discussed changing its name and mandate to reflect responsibility over scholarly communication issues. The UCSC member reported that there was some concern that general library issues could be pushed into the background if the committee takes on scholarly communication. The committee is currently addressing a major library remodel .

UC San Francisco
The San Francisco library committee is looking into reconfiguring its library space. At issue is conversion of part of the library into additional classroom space. They decided that it would be better to redesign such space into what they imagine libraries of the future will look like. Therefore, instead of pure classroom space per se, they would like this space to be converted into "integrated learning centers," which would incorporate technology. This space would not only be used as classrooms, but also for testing services, skills laboratories, etc. There is also a clear

consensus that regardless of what ultimately happens with the space, the library should retain control over it. Space for faculty, who often must shuttle between the different UCSF campuses, is also being discussed as part of this reconfiguration.

The San Francisco representative also reported that his divisional committee is in favor of taking on scholarly communication issues. Regarding physical access to the library, the committee recently passed a policy that restricts children under the age of 14 from being left unattended in the library. The UCSF Library is often visited by homeless people who are found sleeping in study areas or bathing in the restrooms. The campus library committee is currently working with the Chancellor and student representatives to address this problem. One possibility is to set-up an ID only entry system.

UC Santa Barbara

The Santa Barbara alternate reported that the UCSB division maintains separate divisional committees, with one being devoted purely to library issues and the other devoted to scholarly communication issues. The scholarly communication committee has been very active on the copyright issue, and has been publicizing it on campus. He also announced that Sarah Pritchard, the UCSB University Librarian, is leaving.

UC Los Angeles

The Los Angeles member reported that there was general support for the proposed revised mandate and name change. They hope that the selection of a new chancellor may represent an opportunity to infuse a new commitment to the UCLA library. Librarian expertise is another issue. There is a perception among some faculty that professional librarian expertise is becoming harder to replace due to both the pool of librarians as well as certain controversial actions on the part of the library administration. Access to physical spaces within the library is another concern (unwanted behavior, etc.). The Los Angeles member inquired about regulations restricting access at other libraries in the UC system as well.

UC Riverside

The Riverside representative reported that there was widespread support for a name and mandate change. She also noted that it is increasingly problematic getting committee members to actually fulfill their obligations to the library committee (i.e. attending meetings). New Riverside program proposals have also been lacking in terms of their statements/justifications for library resource needs/augmentations.

UC Davis

The Davis member reported that the committee held extensive discussions on the proposed mandate and name change. In the end, there was general support for the amendment, but other Davis members did have concerns with regard to 'oversight' in the preamble. In short, they did not want this to imply that the library committee had complete authority over scholarly communication, but would play more of a consultative role. The Davis recall policy was also raised. Members considered the case of an international student who failed to return a book before leaving the country. They felt that this policy is clear, but it should be made obvious to students. Finally, the committee discussed access to databases for visiting scholars. Access has proven to be problematic for visiting scholars simply because they are not in the 'system' (they

do not usually get paid, do not take classes, etc.). Finally, Davis settled on a solution that requires the respective dean to write a letter affirming the status of a visiting scholar as a member of the Davis academic community. Consultant John Ober commented that this is an ongoing challenge for libraries because they are dependent on the list of authorized users that only the Information Technology (IT) department can provide. Therefore, it is more of a campus issue, rather than a systemwide issue that UCOL can address.

UC Irvine

The Irvine representative noted that UCI is projected to grow from 25,000 students to 32,000 students in six years, which will obviously impact library planning. The committee also supports changing its mandate to include scholarly communication.

VII.   Evaluating Commercial Journal Practices

ISSUE: Consultant John Ober described progress that the University Librarians (UL's) have made towards value-based pricing of journals. He noted that this modeling is based on Ted Bergstrom's research on the prices of journal articles, which he calculates by citation and by volume. Bergstrom has normalized these prices by discipline, so that for-profit prices can be compared to median non-profit price in the same discipline The UL's have determined how much UC is currently paying for certain packages of journals from commercial publishers, and how far this price varies from the median non-profit journal price. Some journals are five to six standard deviations away from the non-profit journal price. The UL's are currently drafting an internal white paper that will eventually become a statement about the potential for value-base pricing as a negotiation tool with commercial publishers.

DISCUSSION: Members had some questions about how these price points were calculated and particularly, where the data for these calculations comes from. John Ober explained that the price points are averaged across three years of the journal. The raw data for the citation rates comes from Thompson. He also said that the model utilizes the advertised institutional list price for the journal. Even though this is rarely the actual price (that UC pays), the UL's believe that there is a high correlation between the list price and the actual price—i.e. it still represents the distribution of pricing fairly accurately.

Members also discussed impact and usage factors. One member referenced a recent article in the Wall Street Journal ("Science Journals Artfully Try to Boost Their Rankings", WSJ, 6/5/06), which reported that some publishers are manipulating impact factors to increase the prices of their journals. John added that the next step in this modeling is the inclusion other variables such as usage factors. This is complicated because on the one hand, UC does not want penalize itself by showing a direct linear relationship between price and use; which would have the effect of discouraging use of popular journals. On the other hand, impact factors can be suspect, especially if they are manipulated. He also noted that use is not consistently measured with current internet technologies.

VIII.   Outreach to other Universities and Coalitions/Communication with Publishers

ISSUE: Chair Crow asked if there are ways to coordinate the UC Senate's work on scholarly communication with other institutions. Consultant John Ober noted that while there are a number of generic resolutions from American institutions, however none of them go as far as the

SCSC white papers. He added that the <u>Committee on Institutional Cooperation</u> (CIC) will be issuing a statement on copyright in the near future.

DISCUSSION: John Ober suggested joint sponsorship (between OSC and UCOL) of an invitational workshop or symposium. Such a symposium would focus on developing next steps in addressing scholarly communication issues. Members were also interested in the efforts of UL's in this area. John commented that while these types of meetings take place on a regular basis, more faculty involvement is needed. Chair Crow also reiterated the concern of whether the white papers are ready for distribution to a wider audience. However, members agreed that such a symposium would be exploratory in nature, focusing on next steps, thereby alleviating this concern. Members also asked about joint sponsorship opportunities and other coalitions. John responded that the Association of Research Libraries hosts the <u>Scholarly Publishing and Academic Resources Coalition</u> (SPARC), which focuses on enhancing broad and cost-effective access to peer-reviewed scholarship. Finally, members briefly discussed the possibility of involving commercial publishers. While they agreed that their presence would be useful in certain discussions, it would depend on the specific nature of the meeting.

ACTION: Analyst Todd Giedt will look into Senate/administration co-sponsorship of a symposium.

IX.   Interactive Communication with Faculty
ISSUE: Chair Crow briefed members on the frequently asked questions (FAQ) document, which Consultant John Ober drafted. He said that it is a very important document that should clear up simple misconceptions about the copyright policy.

DISCUSSION: Members indicated that the FAQ should be placed on the SCSC website. They also suggested distributing it through the divisional library committees. It could also be distributed via campus newsletters. One member wondered why the FAQ does not include a question on invoking a delay in depositing scholarly work in an open access repository. He suggested that perhaps a separate question could be added addressing faculty concerns of invoking such a delay. John Ober commented that the details of the copyright policy are not spelled out in this FAQ because President Dynes is establishing a working group to refine both the policy language as well as its implementation details. He added that the FAQ is written from the perspective of the white papers (and not the final policy), which will be noted in the final FAQ. Finally, members briefly discussed how the University might negotiate with publishers who might require faculty authors to always opt out of the copyright policy. While they acknowledged that this problem might arise, they felt that it really could not be included in the FAQ at this point.

ACTION: Consultant John Ober will make additional edits to the FAQ.

X.   University Librarians Update
ISSUE: Tom Leonard (UCB), Convener of the UL's, briefed the committee on UL meeting, who were meeting on the same day as UCOL. He said the much of that meeting was devoted to the regional storage facilities and recent developments in digitization, some of which is taking place at these facilities. A number of digitization workstations have been set up at these

facilities, which are now processing about 1,000 books per week in coordination with the <u>Open Content Alliance</u>. A non-profit alliance, it has received contributions from Yahoo! (about ½ million dollars) and Microsoft (about a couple of million dollars). There is also a large private initiative to digitize the world's books, which is spearheaded by Google. Google is partnering with Stanford, the University of Michigan, the New York Public Library, Harvard, and Oxford to digitize both copyrighted and non-copyrighted (or those books for which the copyright has lapsed). A lawsuit has been filed against Google by the Authors' Guild and the American Publishers' Association, asserting that Google does not have the right to digitize books for the purposes of creating indexes that are still protected under copyright (those created after 1923) without getting permission to do so. Google takes the position that it is legitimate to record this information in order to direct people to the proper sources. In other words, Google will not offer full text, but direct readers where to find the information they are looking for (by offering 'snippets' of the digitized material).   By contrast, the Open Content Alliance is only digitizing out-of-copyright books, and will offer full-content. He also highlighted the issue of orphan works, which are works created after 1923 for which no clear copyright owner is known (especially photographs from the early twentieth century). Such works represent a grey area, as digitizers/publishers could be sued if someone claims ownership over a work that has been digitized or published. There is currently a commission that is looking into this issue.

He also mentioned that the <u>Center for Studies in Higher Education</u>, located at UC Berkeley, is releasing a study entitled, "Scholarly Communication, Academic Values, and Sustainable Models," which should be available mid-summer. The report examines how people are using new media in various fields, and how peer review addresses these new formats, among other topics. A preprint may be available in July.

DISCUSSION: Members asked when material from the Open Content Alliance would be available. Tom reported that as of June 1st, the output was approximately 6,000 works in American literature and 800 historical mathematics titles.   He said that most of this material should be going onto the Open Content Alliance website soon. Members also asked Tom to explain the main differences between the Google and Open Content Alliance models. As noted above, the first difference is that the Open Content Alliance is not digitizing material that is protected by copyright, while Google is. Second, the Open Content Alliance is making its content available free of charge. On the other hand, Google will share some of its material with its partner libraries.

XI.   Executive Session
UCOL Members did not have an executive session.

The meeting was adjourned at 4:00 p.m.

<div align="right">Attest: Ben Crow, UCOL Chair
Prepared by: Todd Giedt, Committee Analyst</div>

Distributions:
1. Proposed Scholarly Work Copyright Rights Policy