Minutes of Meeting

Friday October 27, 2023

Present: Maria DePrano (Chair), Mark Hanna (Vice Chair), Naoki Saito (Davis), Mike Fortun (Irvine), Kathrin Plath (UCLA), Jeffrey Gelfand (San Francisco), Jeff Erbig (Santa Cruz), Christopher Ojeda (Merced), Chris Shaffer (CoUL Chair), Sven Spieker (UCSB), Déborah Blocker (Berkeley), Curt Burgess (Riverside), Jared Blackwell (undergraduate student representative, UCSD), Mark Lawrence Clemente (CDL), Jessica Nusbaum (Director of Communications and Marketing, UC Davis Library, PTWG), Erik Mitchell (University Librarian, UCSD), Jeff MacKie-Mason (University Librarian, UCB), Agnes Balla (Director, Research Policy Analysis and Coordination), Katie Fortney (Copyright Policy and Education Officer, CDL), Danielle Kane (LAUC President), Günter Waibel (AVP and Executive Director, CDL), Danielle Watters Westbrook (CDL), Miranda Bennett (Director of Shared Collections, CDL), Morgan Bernstein (Senior Strategic Advisor, Strategy and Program Management Office, UCOP). James Steintrager (Chair, Academic Council), Stefani Leto (Analyst)

I.   Consent Calendar, Chair's Announcements

Action: UCOLASC approved the October 27, 2023 agenda

II.   Welcome from the Chair/Committee Introductions

Chair DePrano thanked members for their service. Members introduced themselves.

III.   CDL Update

Günter Waibel, Associate Vice Provost and Executive Director, CDL noted that UCOLASC has been deeply involved in open scholarship. An emerging collaboration between the CDL and the Presidential Post-Doctoral Fellowship Program (PPDFP) led to a project asking fellows about their experience with open scholarship. Many fellows had accessed open scholarship and data, and had positive expectations for open scholarship's effect on their future academic work. CDL presented information about open access to a gathering of Fellows and hopes to continue the relationship.

The Systemwide Office of Scholarly Communications launched the Legacy Toolkit so that faculty could gather their scholarly work in one place, open to others. The project helps faculty navigate copyright and other concerns as they assemble their work in eScholarship. Committee members were encouraged to provide feedback about their experience with the toolkit.

IV.   Project Transform Working Group (PTWG) Update, part 1: background

Günter Waibel AVP/EP, Jeff MacKie-Mason, University Librarian UCB, Jessica Nusbaum, Director of Communications and Marketing, UC Davis Library and PTWG, Mark Clemente, Open Access publisher Agreements Manager, CDL provided an overview of the history of the UC and negotiated open access agreements, including the benefits of publishing open access

and the increasing compliance dimension of open access publishing. About half of all UC-published articles are now eligible for open access under one of UC's publisher agreements.

Both library subscription costs and UC author payments for open access publishing were increasing each year, so the UC libraries have been working to rationalize and combine those payments into a single funding stream to save the University money. To that end, the UC libraries have been able to redirect existing journal subscription funds into agreements that help authors pay for open access publishing in addition to the reading access the libraries have always provided.

Despite the fact that UC authors can typically receive full coverage of the open access publishing fee from the libraries if they do not have research funds available, about one in three authors continue to opt-out of open publishing, choosing to keep their article subscription-only access (behind the publisher's paywall) instead. The most common reason authors cite is concern over the cost of open access publishing, and that they do not have the funds to pay for it. Given that authors can publish open access at no cost to them under most of UC's agreements, they do not need to decline for this reason—they just need help to better understand the offer that is really on the table for them.

The Office of Scholarly Communication has worked to improve online information for UC authors, via campus and UC systemwide websites as well as publishers' portals. UCOLASC can help by collaborating with the OSC and their campus libraries to bring presentations to their local library committees, and to encourage their library committee members to help open the door for presentations to department chairs and other leaders within their colleges and schools. The goal is to inform authors about these open access options, and the benefits that are available to them at UC.

Action: UCOLASC resolved to bring this information to their campuses, using materials provided by OSC. Experts from CDL/OSC are available to partner on presentations to local campus Senate Library Committees upon request.

V.   Consultation with Senate Leadership

Jim Steintrager, Academic Council Chair, noted issues before the Systemwide Senate, including online education, APC workgroups, and budget issues.

Pressure for the UC to offer fully online undergraduate degrees has grown over the past few years; last year, the Senate passed a modification to Senate Regulation 630, changing a residency requirement to a campus experience requirement in response to the growing ability of students to create a fully online degree by using online classes. That modification blocks the creation of fully online degrees. Some Regents were dismayed by this limitation. Online degrees impact accreditation processes and financial aid eligibility. The Senate suggested a joint Senate-Administration task group on UC Quality and Online Degrees. In addition to questions about course quality, student services, library access, health care provisions, copyright issues for course materials, and workload issues remain unclear. The Senate has offered variances to campus requests for online degrees.

An APC workgroup on the future of doctoral education at the UC has completed an interim report presented at the Provost's Congress on graduate education. The workgroup considered delimiting academic and paid work, exploring cost issues, and enrollment management.

Another APC workgroup on faculty workload balance post-pandemic has not yet met. During the pandemic faculty may have prioritized teaching over research and now hope to resume those activities. Greater faculty workloads without increased compensation or time burden faculty. Chair Steintrager expressed gratitude to UCOLASC members for their service.

A proposed total remuneration study should provide useful data on faculty and staff salaries. The Senate expects an increase in the next budget to salaries for both faculty and staff, as well as increases in the cost of health benefits.

VI.   Project LEND Update

University Librarian Erik Mitchell and AVP/ED Günter Waibel noted that Project LEND, designed to expand lawful access to digital materials, is investigating expanded use cases. Project LEND is focusing on four areas: 1) User requirements; understanding what uses are most important to faculty and students; 2) Legal analysis examining the frameworks around digital borrowing; 3) Technology requirements to serve digital use; and 4) Collection scope, to clarify which materials are key to the project. Artificial intelligence has added richness to some of the work of the group. The project hopes to spark a national discussion on these topics. Findings and draft recommendations from the project are anticipated in late fall 2024.

VII.   Project Transform Working Group Update (PTWG), Part 2: Specific Agreements

Miranda Bennett, Director of Shared Collections, CDL, and Jeff MacKie-Mason, University Librarian, UCB shared updates on ongoing open access publishing agreements.

1. The committee was briefed on a new agreement with Wiley, to be publicly announced in December. For UC researchers, the agreement is expected to continue the status quo from 2023, both in terms of journal reading access and funding support for open access publishing.

2. Last year, the PTWG discovered that some publishers were abrogating author rights under articles published with a CC-BY license; authors thought they were simply preventing commercial use, but the licensing agreements required by some publishers purported to devolve those rights to the publishers.

3. The UC Libraries have terminated an agreement entered into in July 2022 with the Institute of Electrical and Electronics Engineers (IEEE) because the agreement terms, combined with low levels of author participation in open access, were creating unsustainable financial risk. Author opt-out rates for open access have been much higher in this agreement than others, leading to the libraries spending over $100,000 per year to cover shortfall payments. Additionally, page charges for articles over a specified length were built into the agreement, which meant authors did not have to pay the additional charges, but the libraries were unable to recoup those costs due to the lower than projected participation in open access publishing. Since many UC authors publish through IEEE, PTWG had hoped to continue the agreement, but could not justify the cost considering the low rates of author participation over the first year and a half of the agreement. Access to IEEE Electronic Library content will continue without interruption.

4. Taylor & Francis is a top publisher for UC humanities authors. The current contract provides access to roughly 2600 journals and is the fourth most costly systemwide journal package subscription. Although a wide array of titles are supported, 90 percent of usage is in about 50 percent of the package, with UC publishing even more concentrated. Negotiations

are currently underway, and PTWG leadership will keep UCOLASC leadership apprised of any developments that may have an impact on faculty.

> ➢ It was noted that humanities and qualitative social science authors might be interested in the Taylor & Francis family of publications, since much of the open access work seems skewed to STEM fields. The first open access agreement was with the Cambridge University Press.
> ➢ The University has perpetual access rights to content previously purchased, so authors would not lose access retroactively should there be a period when UC is out of contract with Taylor & Francis.

VIII. UC Libraries Systemwide Annual Plans and Priorities for FY2023-2024

Chris Shaffer, CoUL Chair, shared the systemwide libraries' annual plans and priorities. Near-term goals are often part of multi-year efforts and plans.

One important priority is to transform scholarly publication and communication. Libraries plan to set up a fund for UCSF authors to pay article processing fees (APCs) rather than attempting separate transformative agreements with smaller publishers. Planning and designing a UC service to improve access to digital books is another priority (Project LEED). The libraries will continue their work in collection management planning and adjustment, including supporting the shared libraries, and performing data analysis about collection use and management as well as the costs to support the remote library facilities. Artificial intelligence and machine learning are emerging areas of interest to the libraries.

IX. Project to Analyze Regional Library Facilities (RLF) Operations Funding: Update from the Phase 2 Team

Morgan Bernstein, Senior Strategic Advisor, Strategy and Program Management Office, and Danielle Watters Westbrook, Director of Systemwide Library Planning, California Digital Library, provided an update on the regional library facilities funding analysis team. The university has two RLFs, high-density, climate-controlled storage for over 15 million books, journals, maps and other materials. Holdings are searchable and available UC-wide. Total costs for 2022-23 were $5.67M, which is less expensive than other choices, but is significant for the University.

In Phase 2, the team affirmed shared principles, such as incentivizing the common good, capitalizing on the RLFs as cost-effective solutions to lessen costs for campuses. Ongoing consultation with stakeholders will help the team plan their final funding recommendations.

> ➢ UCLA is concerned that the campus has been bearing a disproportional part of the cost for facility maintenance, as well as capacity concerns. The process that the team is engaging in has hopes to equitably share funding through a systemwide approach.
> ➢ UCOLASC asked whether submissions are decided centrally or at the campus level. While strategic optimization is coordinated, it is still a campus decision.

X. Review of Federal and UC Policy Landscape

Günter Waibel, AVP and Executive Director, CDL, Agnes Balla, Director, Research Policy Analysis and Coordination, and Katie Fortney, Copyright Policy and Education Officer, CDL, reviewed the policy landscape designed to enhance openness in data and publications.

Regulations have become clearer and larger in scope. Compliance with OSTP guidance is specific, "deposit in 'agency-designated repositories without any embargo or delay.'" Libraries cannot directly affect this guidance, but they can encourage ongoing dialogue with granting agencies and publishers. This policy may incentivize publishers to engage in models that pay them for open access publishing, as the paywall model may diminish in importance.

UC open access policies cover more authors than similar policies at any other institution in the world. The Senate policies cover Senate members; the Presidential policy covers more and different kinds of authors. These policies do not cover books, dissertations, or software. They cover the author's final version of scholarly articles, rather than the publisher's version. Items go into eScholarship via the UC Publication Management System, which provides authors ongoing use data for their work. Since authors are required to deposit in varying places, Publication Management System developers are always looking for opportunities to leverage these other deposits to limit duplicative work.

Research data also has UC specific policies. The Academic Personnel Manual (APM) in 1958 established that "notebooks and other original records of the research are the property of the University." An advisory committee began researching policy update needs in 2017, distributing a draft policy that was reviewed for a second time in 2022, leading to a policy effective in 2022. The Regents own the research data created during university research, and the policy tasks VCRs, University Researchers, and PIs. The policy covers the eventuality of a researcher leaving the university as well. The policy enumerates those items such as informal notes and preliminary analyses which are not considered research data by the policy.

The policy allows the university to protect and share data through its ownership of the data.

The NIH has a public access and data management and sharing policy effective at the beginning of the year. Researchers must be able to articulate how they plan to manage and share data, maximizing the appropriate sharing of scientific data. Other funding institutes may add additional sharing policies atop the NIH policy. Proactive data management and sharing is now standard protocol. The CDL has multiple tools to help UC researchers plan data management and sharing, including Dryad and the Data Management Plan Tool (DMPT).

> ➤ A member wondered about whether the UC would pay for data storage as it asserts ownership over researcher's data. A systemwide effort to procure a data backup system has been underway.

XI.   Campus Updates

UC Berkeley's library has been steadily defunded since 2003, increasingly so after 2015-2017 — and is now in what many stakeholders have called "a state of crisis." In late April 2023, a Work Group on the University Library (WGUL) was convened and tasked with examining the situation of the library overall and making recommendations to the Senate and the administration about addressing the library's current and future needs, the Work Group met during May-June 2023, and delivered its report on June 30, 2023. The WGUL report makes clear that the finances of the library have been fragile for two decades and are now precarious. The library's budget, which since 2003 has fallen by 47% in inflation-adjusted funding per student, has become increasingly inadequate to support its essential expenditures. The WGUL's figure of $95M as the optimal annual budget to restore the library to a level of excellence appropriate to the UC is more than 50% higher than the current $62.5M budget. As

a result of this lack of funding, the library's collections are endangered by cutbacks in acquisitions. Staff numbers have steadily dropped, depriving the library of expertise, requiring professional librarians to take on increased duties in the wake of attrition and retirements. Since 2003, the library's staff has shrunk by more than 40%.

UC Davis asked about safety plans on other campuses for library staff and users from outside patrons. Competing uses for library space is an emerging issue on the Davis campus.

UCLA has ongoing concerns about the cost for the RLF thus far borne primarily by the campus.

UC Merced is concerned about the level of library funding for collections and operations. COLASC visits to schools and departments to promote and inform about open access have been successful and will continue.

The UC Riverside library has lost a third of staff and collection since 2017. The new financial system failed to upload vendor information and the campus asked the library to redo the database by hand. The committee plans to investigate shortfalls in library services identified by faculty. The COLASC will encourage academic integrity teams on campus to share information. Physical plant limitations and concerns expanded after a catastrophic library roof leak. Although there is no funding available to do so, the library building is in such bad repair that the campus needs a new building.

UC San Diego has a long-range library plan after a retrospective study. The main issue facing the campus is that the number of undergraduates has increased, with attendant student use space issues.

UC San Francisco has established a successful pilot for a writing support center at the library. The campus has expressed concern about reproducibility of research findings, and the library has asked for institutional support to maintain research materials. Clinical data management and sharing is a key issue on campus. The library is undergoing renovation.

UC Santa Barbara is planning a summit to discuss campus plans for data management. Like other campuses, the Santa Barbara library has had an ongoing budget deficit. Campus representatives want input indicating how UCOLASC can best advocate for library funding.

UC Santa Cruz has been working to inform campus members through a webinar and survey about open access and the COLASC is attempting to participate in the strategic plan process.

The student representative noted that undergraduate students are not generally aware of scholarly communication resources and fostering a community to empower undergraduates to participate more broadly in scholarly communication would help with that.

The meeting ended at 4:01pm
Minutes prepared by Stefani Leto, Committee Analyst
Attest: Maria DePrano, Committee Chair