

UNIVERSITY OF CALIFORNIA  
UNIVERSITY COMMITTEE ON LIBRARY AND SCHOLARLY COMMUNICATION  
ACADEMIC SENATE  
MINUTES OF MEETING  
FRIDAY, OCTOBER 17, 2008

**Attending:** Larry Armi, Chair (UCSD), Richard Schneider, Vice-Chair (UCSF), Alan Weinstein (UCB), Shane Butler (UCLA), Ignacio Lopez-Calvo (UCM), John Baez (UCR), Stefan Tanaka (UCSD), James Frew (UCSB), Elise Knittle (UCSC), Mark Sugi (Graduate Student Representative, UCLA), Colleen Phillips (Undergraduate Student Representative, UCD), Laine Farley (Interim Executive Director, California Digital Library), Sam Dunlap (LAUC), Karen Butter (University Librarian and Assistant Chancellor, UCSF), Ivy Anderson (California Digital Library), Mary Croughan (Academic Council Chair), Harry Powell (Academic Council Vice Chair), Martha Winnacker (Academic Senate Executive Director), Brenda Abrams (Policy Analyst)

**I. Chair's Announcements – *Larry Armi***

Chair Armi welcomed the committee and gave a brief overview of the committee structure. Important issues are budgetary problems and open access. Open access would increase the public's awareness of UC faculty's research. The National Institutes of Health (NIH) has the most successful policy, mandating open access publications. Voluntary policies have not been successful.

**Discussion:** Any statement on open access would be made through Academic Council to the Office of the President. Implementation of the policy involves libraries coordinating with research offices, but it is not being done through contracts and grants. A draft UC policy went through systemwide review last year and many campuses were opposed to it. The policy placed a burden on faculty and was based on copyright. Unlike Harvard's open access policy, UC should require that the final version of the publication is available. Implementing open access will require negotiations with each publisher and faculty support should be leveraged. A wider view requires considering alternatives and thinking about different types of peer review or criteria for credentialing. It is not a given that open access agreements are the best solution. Scholars depend on the publishing industry for diverse and varied peer review, and therefore they need to be offered an alternative to this that involves faculty participation. EScholarship currently provides UC faculty with peer review in 30 open access journals. UCOLASC might suggest to other committees that evaluation criteria should be carefully examined.

The cost of open access was discussed. Since only those articles by UC contributors would be available through open access, libraries would still need to subscribe to the journal, resulting in no cost savings. There might be a cost to faculty if they lose opportunities to publish in certain journals that do not agree to the open access requirement. The cost to UC for the peer review process and name recognition will remain. Open access is a threat to the publishers' income and publishers are behind the Fair Copyright in Research Works Act. UCOLASC should ask President Yudof to lobby in opposition to this Act.

The one-year embargo in the NIH policy satisfies publishers, and without the it a subscription would not be required. A new model of open access would have no embargo. Page charges would be paid upfront and a subscription by the library would not be required. Instituting this model could be a long term goal for UCOLASC. The scholarly societies are another stakeholder in this issue and are concerned that open access would lead to loss of membership dues. An effort to get the support of scholarly organizations for an open access policy should be made. This issue might vary by discipline and the extent to which the society's subscription base is outside academia. Some societies have moved toward open access and others feel threatened by it. Open access has benefits to potential students, the general public and colleagues.

## **II. Consent Calendar**

**Action:** The committee approved the minutes from June 17, 2008.

**Action:** The committee approved the 2007-2008 annual report.

## **III. Campus Reports and Member Items**

**San Francisco:** One of the biggest issues is loss of library space. Space at the new Mission Bay campus has been reallocated recently. At Parnassus Heights, library space has been converted to classrooms and forward-thinking teaching spaces.

**San Diego:** The library sponsored open access day, and there was a series of speakers at the faculty club.

**Davis:** There is a greening movement at the library and a room has been converted into a computer lab increasing the number of computers available.

**Merced:** The library is fairly new and is acquiring digital articles and books.

**Los Angeles:** There is a focus on building a collaborative relationship with the new library director. There is also a call for transparent budget numbers for the library and the system. The Chair commented that as of last year the total library expenditure is \$300 million annually systemwide, and the distribution across the campuses is uneven. Library budgets should be reviewed annually. There are changes aligned with open access: iTunes University and the YouTube website provide access to course materials.

**Berkeley:** This campus is dealing with the loss of library space and competing interests in terms of usage. UCB's ability to add to its collection is decreasing. Strategies for collaboration within UC and other institutions should be considered. Many library staff are close to retirement and the budget situation will impact the ability to hire. The representative noted that there is no mention of libraries in the accountability framework.

**Riverside:** A library and the southern regional storage facility are approaching capacity.

**Santa Cruz:** The main library is undergoing a major renovation. The library committee would like to add scholarly communication to its charge and will research why the UCSC library is not a member of the Association of Research Libraries.

**Santa Barbara:** Concerns include public access policies and the price of journals. Work on organizing the library's IT infrastructure supporting research and education continues.

#### **IV. Introduction to Open Access**

The Chair observed that there are limits to what UCOLASC can do within a year and open access and related budget issues should be prioritized.

**Discussion:** Instead of a policy, UCOLASC could produce a set of principles upon which faculty can agree. The statement would represent faculty. Implementation of the principles through OP for lobbying and on the contract negotiations of journal subscriptions are separate efforts. The costs and benefits to UC should be summarized. UCSF has collected data on the extent of scholarship coming out of UC, where it is published, and the cost of those journals. The committee discussed the potential negative impact that open access could have for different disciplines and concerns that faculty in some fields will have a difficult time getting published. Restricted ability to publish would be a problem for tenure. Faculty should be educated about the costs of subscriptions which is approximately \$7,000 per faculty FTE. UC's policy should be a model and its replication by institutions globally will lead to meaningful change.

**Action:** UCOLASC will draft a statement asking the OP to support open access.

#### **V. The Threat to Open Access and the NIH, and Implementation of the NIH Policy by the University Libraries – Karen Butter, University Librarian and Assistant Vice Chancellor, Library Services and Instructional Technology, UCSF**

The University Librarian described the background of the NIH open access policy. In 2004, NIH decided to institute an open access mandate but the effort was successful only in gaining the support of a Republican congressman. In 2005 a bill for a voluntary policy was passed that requested that articles resulting from a grant be deposited into PubMed Central. Analysis several years later showed limited voluntary compliance: of an estimated 80,000 articles per year from grant projects, only 7% were deposited. The second effort to get an open access mandate started in early 2007, resulting in a bill that was signed into law in December 2007 and became effective in the spring of 2008. Articles are not open access during the 12-month embargo included in the bill which preserves the publishers' domain.

UC Librarians primarily took the lead, working with the Vice Chancellors for Research, to support faculty compliance with the mandate. Principal investigators are required to include the PubMed identifier on articles when submitting a new grant to indicate that the articles were deposited. Librarians are working with NIH to make the three ways to deposit easier. The best way is when publishers make the deposit, which some of the

larger ones are doing. If the deposit is not done by the publisher, faculty upload the article and authorize its deposit and the embargo does not apply here. Since the final manuscript is deposited, it may be different from the article in the journal. The third way is to publish in a journal that deposits NIH funded articles into PubMed without author involvement.

NIH is trying to address publishers' concerns and ongoing threats, but is committed to the deposits into PubMed. While NIH wants a permanent archive, it is not feasible for publishers to have this role, and who will be the archive for electronic documents is unclear. NIH wants to manage the research investment and make it available. There is a desire to link the article to other NIH databases. Local institutional repositories exist but there are currently no easy linkages between UC's eScholarship and PubMed Central. Faculty are unhappy with the extra work, though the deposit is not difficult and the libraries help. NIH is the only government organization in the U.S. with an open access requirement, and the National Science Foundation (NSF) will move in this direction only if it is legislated. Implementation requires support from the top and the bottom.

**Discussion:** The impact on publishers will eventually be monitored to see if subscriptions are being canceled. The intent is not to put publishers out of business but to use a new business model. Publishers should recognize the faculty contribution through pro bono reviews. The bill for NIH resulted from significant lobbying efforts by advocacy groups and an organized campaign focused on key representatives. Advocating at the state or federal level, and whether the UC lobbyist could help, was discussed. University Librarian Butter met with staff of Senators Boxer and Feinstein and Congresswoman Pelosi who are supportive of open access. UC could work with the Association of Research Libraries and the Scholarly Publishing and Academic Resources Coalition on strategies to advance open access with NSF. UCOLASC should carefully consider what it asks of the state legislature. There was a discussion about the focus on science and health, and the unique issues related to public access and support for the research.

## **VI. Role of CDL and Contract Negotiations** – *Ivy Anderson, Director, Collections, California Digital Library and Laine Farley, Interim Director, California Digital Library*

The licensing arrangements and the implications for open access were explained. One arrangement is with Springer Journals and the other deals with the Elsevier negotiations. UC contracts systemwide with a number of major publishers, the three largest being Elsevier, Wiley-Blackwell and Springer. Combined these are the three most expensive contracts. Elsevier's contract represents 34% of all the journals licensed and 27% of the electronic journal content journals and other content. Wiley-Blackwell and Springer are respectively the second and third largest contracts. Systemwide contracts are negotiated by CDL in coordination with the campuses.

There are three tiers of acquisitions: tier one is systemwide acquisitions for all the campuses; tier two is multi-campus acquisitions driven by campuses with support from CDL; and the third is individual campus acquisitions not involving CDL. Typically the journals are licensed through tier one but CDL finds that campuses sometimes license on their own. CDL tries to coordinate licensing because of the impact on the budget. Money

for licensing at all tiers is from the campus budgets to some degree, with the money flowing through CDL. CDL manages approximately \$35 million in systemwide expenditures out of a systemwide collections budget of \$64 million. The licensing strategy is working and \$15 million has been saved since 2003.

The policies associated with the various contracts were described. All UC articles will be open access in Springer journals effective the start of the 2009 publishing year. An online submission system will give the submitting author the option of open access. This is being treated as experimental with a cap of 2,000 articles annually until the risk and likely volume are determined. The Office of Scholarly Communication will publicize this policy to faculty and the libraries. There is no increased cost with the new provision. Springer is not publicly held which makes a difference in their willingness to offer open access. Director Anderson will be serving on Springer's library board.

The contract with Elsevier is being negotiated now and usage of Elsevier journals systemwide is greater than usage of any other journals. Elsevier has taken limited steps toward sponsored open access at the request of the editors (about 41 of 1,800). Elsevier's business model is conservative, and negotiating within this set of journals may be the best place to start. There are about 1,200 faculty serving in an editorial capacity for Elsevier and the CDL will explore involving them in a conversation about this matter. Sponsored open access involves a cost to the author and a subscription cost to the library.

**Discussion:** Faculty are engaged as much as possible in discussions about how the contract negotiations should be handled so that systemwide decisions can be made. A decision to cancel a contract would significantly impact faculty and students. Ending particular contracts would be devastate the ability of faculty in certain fields to publish. There are pros and cons of various strategies for negotiating contracts. Local library committees could help identify the faculty serving as editors. Elsevier should be encouraged to offer more open access journals. Open access means there will clearly be a final version of the article. The CDL publishing unit is exploring new models of dissemination and faculty will need to make different choices about where they publish.

Libraries no longer store content locally but articles are archived through a third party, Portico, which is not owned or operated by publishers. Portico came out of research libraries, and UC and the publishers pay membership fees. CDL negotiated that if UC cancels a journal, the old content could still be accessed through Portico. Elsevier is complying with the new NIH policy but attempting to identify flaws in the practice. Elsevier employs a consistent approach to negotiating throughout the market and change would require implementation of an embargo across their journals. UC's rights to the content after cancellation of a subscription vary contract to contract.

## **VII. Consultation with the Academic Senate Office**

Chair Croughan provided a brief overview of the issues effecting UC and the Senate, and rules and procedures for the committee. There is a budget deficit beyond the real cost of running the University. A cut of \$33 million this week is on top of the \$110 million

deficit and another cut will happen in early 2009. The faculty salary plan is off the table and the \$20 million on the table for retention and recruitment is probably going to the deficit. The only new money is \$10 million for graduate student support. The president is a partner in shared governance and communicates and consults with the Chair regularly. The Chair discussed the restructuring of Academic Affairs and reported there is an effort to minimize the impact on students, faculty and staff.

**Discussion:** The statement on open access was described. A statement through Council can request that the Vice President of Federal Government Relations lobby. At the state level, one strategy might be to develop a higher education initiative with the CSUs and community colleges. Chair Croughan suggested inviting Steve Juarez, with UC's State Government Affairs office, to the next meeting. The president is interested in the role of research as a product and economic driver. The Vice President of External Relations is seeking stories from faculty about their contributions. Open access would increase public awareness of research. The committee discussed a statement that emphasizes the value of open access in public relations. UCOLASC will meet in February with the University Librarians and could develop a joint letter supporting open access. The committee was cautioned against asking the state legislature to mandate that research is made available through open access. Steve Juarez can shed light on good strategies at the federal level. UCOLASC's letter can recommend federal legislation mandating open access at NSF.

**Action:** The analyst will send the accountability framework to the committee again with a request for comments. Steve Juarez will be invited to the next meeting. UCOLASC will draft a letter outlining the benefits of open access.

### **VIII. Continued Discussion of Open Access**

There will be a one paragraph statement supporting open access as a general principle and defining it. A second letter will address implementation through lobbying by UC through the Office of the President at the federal level and in contract negotiation. There should be pressure on private funding sources as well. The problems that faculty in disciplines other than medicine or science would experience with open access, even with an embargo, were noted again. The pros and cons of open access for UC, such as the differential impact on the academic review process, will be described in the statement. A member pointed out the need to change the credentialing process and for a diverse alternative system of review. Including books in the open access policy complicates the issue and last year's policy was limited to peer reviewed journal articles. The new policy should be applied to the disciplines where it makes sense, and problems and unresolved issues will be articulated. UCAP needs to create more flexibility and find ways to recognize efforts to publish in an open access journal. Members should review last year's failed policy and the statement by the Chair and Vice Chair. The statement on open access principles should be generic enough to garner faculty support.

Potential strategies for implementation of open access may differ by campus and by discipline. Education for faculty about the costs of journals and encouraging UC journal editors to request open access journals are possible strategies. UCB's Vice Chancellor for

Research and library have made a limited amount of money available to cover open access journals' publication charges and access charges for optional open access, but this does not help the system and the publisher still receives money. The committee commented on the importance to the researcher of maintaining copyright. An advisory committee to the Provost approved a resolution on changing scholarly communication which includes principles and implementation mechanisms. The Chair raised the issue of how quality is measured and established using the example of the H index. As new models of open access journals emerge, the quality of the peer review and the reputation of the journal need to be considered. Short and longer term goals should be identified.

A third statement to the president will delineate why open access is important to UC and describe a public relations strategy to increase the public's awareness of research in the UC system. This letter can request that leadership makes a concerted effort to educate faculty about the benefits. Open access will make research more available to the public. The changing nature of libraries and models of disseminating knowledge was noted.

**Action:** Committee members volunteered to draft the three statements. The one paragraph statement supporting open access as a general principle will be drafted by Professors Schneider, Frew, and Butler. The statement on implementation will be drafted by Professors Armi, Weinstein, and Baez. The third statement about benefits to the public will be drafted by Professors Knittle, Tanaka, and Lopez-Calvo. The statements should be available for the February meeting with the University Librarians.

## **IX. New Business**

The Interim Executive Director of the CDL, Laine Farley, informed UCOLASC that UC libraries are involved with the new HathiTrust initiative. This is a repository of digital materials focused on UC's mass-digitized books. It provides an avenue for the participating universities to pool the content of material that is in the public domain and work together to preserve these materials. This effort is being done on a trial basis and will be evaluated as it moves forward. Eventually new ways to access and analyze text will be developed. The repository includes materials that differ from how Google presents material. It will include about four million volumes. A pilot with WorldCat Local is underway throughout the system and this system may replace the Melville Library Catalog.

A proposed agenda item for the final UCOLASC meeting includes podcasts of lectures and concerns about intellectual property.

Meeting adjourned at 3:50 p.m.  
Minutes taken by Brenda Abrams  
Attest: Larry Armi