



the policy does not mention books, but there is concern about the impact of the policy on junior faculty. A member recommended that a unified UC policy that publishers are notified about would be preferable to having ten different policies. It is important to move forward strategically before individual campuses begin implementing different policies. It is not clear what kind of viable campus specific policy could be implemented and having different policies will be more problematic for publishers. The policy needs to be transparent to faculty and implementation must also be clear. The current proposed policy requires faculty to do almost nothing. Part of the implementation could include working with publishers to modify their agreements so the permission to publish is already in place.

Having more information about Harvard's policy would be good. Harvard had to pass the policy multiple times. If campuses are considering policies that are substantively similar, the Academic Council or some other systemwide body could standardize them. Faculty and the University Librarians could find out if there are campuses preparing to pass a policy. UL Convenor Steel reported that the librarians have discussed specific ways to make compliance with the policy less onerous for faculty. Director Mitchell indicated that there is a tension between ease of use and accuracy. It will be important to make sure that the metadata is available. The deposit process may be simplified by allowing faculty to upload the document. eScholarship will harvest the meta data and ask faculty to confirm that it is correct. eScholarship could also serve as a gateway to other repositories. If a mistake is made with respect to the final version, eScholarship can easily take down the document.

Senate Chair Anderson predicts that the systemwide review will result in a significant number of comments from the campuses. A member commented that many faculty members already have user profiles in Google Scholar, and faculty can easily remove copies of articles they do not want people to see. CDL Director Anderson indicated that more publishers are moving toward open access for a fee and UC should consider if it wants to maintain relationships with these publishers. Humanities scholars will not be happy to pay to publish in open access. CDL has a clause in its license that states faculty are have the right to reuse their work and deposit it. To date this has not been successful with publishers but according to Director Anderson, having a systemwide UC open access policy will help. Some publishers require a fee for the deposit, and other publishers deposit directly into PubMed since it is a legal requirement.

It would be valuable to hear about Harvard and Princeton faculty experiences when they have not complied with their institutions' policies as well as positive experiences resulting from increased exposure and impact factors. A member raised concerns about the ability of faculty that have images with their articles to comply with the policy and this is particularly relevant for Humanities faculty. Publishers have an important role to play but currently they want to do these things on a subscription based model. There are alternative business models that publishers should explore. UC could advise publishers where it is willing to pay more if open access is included.

### **III. Overview of the CDL Budget Planning Exercise**

There is a change in funding streams which allows each campus to retain the funds it generates and pay a tax to UCOP. UCOP asked CDL for budget scenarios for a reduction of 25% or an increase of 25%. CDL worked on budget scenarios which were explained by CDL Executive Director Farley. CDL has taken a 20% reduction over the past three years and has lost over a dozen staff. A subcommittee of SLASIAC worked with CDL on the budget scenarios and eliminated two of five possible actions. The process included looking at what CDL provides to the larger community such as work with the Hathi Trust. One scenario calls for complete elimination of one time funding for collections. If there is an increase in funding, CDL would restore some funding for collections. CDL created a service model to

help guide faculty on how to use and manage their content. Another scenario addressed planning for sustainability. Expertise and knowledge for developing good business models could be supported with increased funding. CDL will know in March what the target budget will be and provide a detailed response to UCOP at that time. UL Convenor Steel indicated that there is significant concern about cuts to CDL in light of cuts to the campus library budgets.

**Discussion:** Two years ago there were discussions about moving eScholarship under the UC Press budget. Although the new Press director has made a number of changes, this is not one of them now and Director Mitchell indicated that the missions of the Press and eScholarship are different so this merger may not make sense. Through the funding streams process, the campuses will pay for CDL. Each campus' decisions about the allocation of funds will impact CDL's budget. The ULs have talked to the Executive Vice Chancellors about the necessity of providing funds for CDL from each campus.

#### **IV. Recent Legislative and Policy Issues of Interest to the Libraries**

Executive Director Farley reported how open access issues are coming up in different ways. CDL commented on the Research Works Act (RWA) and will comment on a new version of Federal Research Public Access Act. There is a good deal of coordination in terms of whether CDL or different units of UCOP will comment, and CDL takes the initiative whenever possible. Chair Kelty commented that individual campus library committees can also take the initiative. The RWA may be waning and has lost major supporters.

#### **V. Follow-up to the Library Planning Task Force Final Report**

The report included recommendations for rationalizing print collections and reducing the number of unnecessary duplication. The libraries are setting goals which will be discussed with campus library committees and UCOLASC. Metrics will be developed in the spring and this will be reported at UCOLASC's next meeting. Faculty will need to be informed about the significance of the print collections. The final report is ambitious and calls for more coordinated action than the libraries are used to. There is an effort to move forward thoughtfully.

**Discussion:** The recommendation for the libraries to document what they do is a good idea. The librarians discussed how to better synchronize with local initiatives and also take advantage of systemwide initiatives. The Council of ULs and CDL do more planning than many other institutions.

#### **VI. NPG Public Statement**

There have been ongoing discussions with the Nature Publishing Group. The discussions reached a point that it was clear that UC and NPG were not moving forward with the proposed model. NPG was unwilling to produce a joint public statement because of their internal discussions. There is nothing concrete to announce and the letter provides an update for people interested in what is going on and NPG had no objections to the UC letter. There will not be a huge announcement about this update and the media will not be contacted about it.

**Discussion:** NPG has come out against the Research Works Act and is experimenting with open access. Director Anderson suggested that publicizing the statement might bring more positive attention to the discussions. UC could work with NPG on a paper about opportunities for scholarships and this might be of value to other publishers. Faculty need information about whether they can legally link to an article. There was a discussion about whether the letter provides faculty with enough information about

what UC is currently paying NPG. There are instances when faculty are concerned about copyright and pay a fee to use their own works in a class.

## **VII. Consent Calendar**

**Action:** The minutes were approved with corrections.

**Action:** The committee approved adding the student representatives to the committee listserv.

## **VIII. The Research Works Act (RWA) and Federal Research Public Access Act (FRPA)**

The Research Works Act seems to be struggling in terms its supporters.

**Discussion:** The UCSC library committee drafted a letter, and a decision has to be made about how it is disseminated. UCOLASC could submit a letter to Council which would be sent to UCOP. The committee would need to ask for the communications and government relations. UCOLASC could write a letter stating that it commented on FRPA previously and would like to weigh in again. UL Convenor Steel shared that the UC Office of Government Relations. Chair Anderson indicated that if UCOLASC can submit a letter in time for next Wednesday's Council meeting

**Action:** Chair Kelty will draft a letter stating UCOLASC's position supporting the FRPA and opposing the RWA.

## **IX. Elsevier Boycott**

Chair Kelty indicated that six thousand people have joined the boycott of Elsevier, including a number of UC faculty. Michael Eisen, a UCB faculty member, has an informative blog on the issue. For faculty in some disciplines, the boycott is not problematic whereas for others the impact could be significant.

**Discussion:** A member remarked that Elsevier is being singled out because this publisher has come out in support of the Research Works Act. Elsevier also has one of the highest profit margins. Chair Kelty indicated that committee members could convey that there is support for the boycott. Elsevier and a number of other publishers went to court for an injunction against library.nu, a website that had several hundred thousand monographs as well as textbooks.

## **X. Proposed Open Access Policy (continued)**

Chair Kelty wants the discussion document available by March 1<sup>st</sup> for faculty at the campuses although this will not be an official review. Members can provide feedback on the document. By mid-April the model policy will be turned into a draft policy based on feedback from the campuses that will be submitted to Council with a request for systemwide review. A separate document will be created to address the implementation issues.

**Discussion:** There will be questions about implementation so it may be important for this document to be reviewed as well. An explanation of why the policy is written the way it is should be available. Faculty should be able to use the material for instruction without the problems currently generated by copyright assignment. Costs for students will be reduced. Implementation is not straightforward or constrained to just CDL. The benefits for faculty should be indicated first. CDL could grant a sub-

license to the libraries for support for implementation. A member asked if the policy could refer to a UC repository. One concern is whether giving CDL license to do more could be problematic. Another issue is which entity will be named as responsible for interpretation of the policy. It will need to be explained that The Regents is the only entity that can legally be granted the license. A webinar with individuals at other institutions that have open access policies could be held so UCOLASC members could ask questions about implementation and compliance issues.

Chair Kelty also indicated that when faculty submit their dossier for advancement and promotion they could be asked to provide a url to their articles in repositories. This would provide a good incentive. UCOLASC could include an embargo which might increase compliance and also alleviate concerns of publishers. The embargo would be handled by eScholarship. It would be ideal for a large number of faculty to be subject to the open access policy, and which faculty are covered by the Academic Personnel Manual needs to be clarified. The definition of scholarly article is vague which allows individual faculty members to include what they would like. The types of work that will be excluded should be listed. A member pointed out that the APM has criteria that faculty have to follow. There are complexities related to the form of the work. It was suggested that faculty should have access to someone on campus or at CDL who can advise them on whether a particular work is a scholarly communication. Committees on Academic Personnel (CAPs) could make the determination if something is a scholarly work and advise the faculty to deposit it. Keeping the scholarly article language is flexible enough to cover a variety of types of work. Another goal that should be stated in the discussion document is that the deposit creates an archive of scholarly work. There may be a separate document that provides guidance to the campus CAPs.

The proposed policy allows faculty to opt out of the open access clause but not out of the deposit, and this needs to be made very clear. Making the metadata available is not a violation of copyright. The version in eScholarship is not available to everyone. There are a number of advantages to having an article in eScholarship. The issue of using images was discussed by the committee and UCOLASC could ask campuses how they handle situations where permissions have to be acquired. This issue could have an impact on the libraries. There should be a strong argument for the creator of an article to have the right to do different things with it even if copyright has been transferred to a publisher.

There is a question about whether to put the deposit requirement first. The language regarding application of the license could be made clearer. UC requires faculty to provide citations of publications and copies of publications for employment purposes. Copyright must be discussed in the document in a carefully framed way. The question for faculty becomes whether they can do other things with their work that publishers cannot restrict. If copyright is not a part of the policy Chair Kelty does not think a policy should be pursued. One question related to implementation is whether there should be more repositories than eScholarship. For faculty at the medical campuses who deposit in PubMed, eScholarship could harvest the data from this repository. Concern was raised about whether an article might be deposited by someone who is not the author; similarly, authors have expressed concern to eScholarship about having multiple versions of an article divide the traffic between different versions.

Opting out should not come with a penalty.

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

**Santa Barbara:** There was a plan to add space to the library but the campus has learned that the additional space is not up to code. Between 20 to 25% of the collection will have to be stored off-site.

The representative is part of a committee deciding which books are placed off site. The student representative reported that students are trying to find alternative study spaces while the library expansion takes place.

**Berkeley:** One of the libraries was occupied by students after library hours were cut back and the protest was successful. For a number of reasons the campus email system has been crashing so the campus is moving to Gmail. AT&T is installing Wi-Fi for free in places at the campus that do not have it.

**San Francisco:** The committee has discussed open access and there will be a one hour open access discussion with campus library committee chair, Rich Schneider and UCSF UL Butter. One library is open extra hours without any staffing.

**Los Angeles:** The committee has spent significant time this year discussing possible goals, one of which is to increase responsiveness to faculty interests. Resources from different faculty that could be shared through the organization and access tools for faculty generated data sets and the new roles the libraries can play are being discussed. Another issue is alternative uses of the research library.

**Merced:** The committee is just now beginning to identify and discuss a variety of different issues. UCM does not have a core collection at this time.

**Davis:** The committee has discussed ? And the committee is also discussing the online instruction pilot project.

**San Diego:** In response to the budget, the campus is closing libraries. The center for library and instructional computing services which was closed, was occupied by students whose protest was successful. The committee will discuss open access and the campus is considering proceeding on its own.

**LAUC:** The issue of open access has been brought to the executive board and to the librarians. There are questions about fair use, use of materials. There are discussions about the use of physical space in the libraries. Removal of duplicate print holdings is being considered and there will be increased use of digital versions, and faculty will be informed about the shift including the need to rely less on print journals.

## **XII. New Business**

The Council of ULs discussed the online instruction pilot project. There are concerns about non-UC students' access to content at the libraries, providing reference assistance to them when they are writing papers, and other services. A task force will be formed to examine the various issues. The librarians' workload will be examined Support coming back to the libraries from their fees for the courses.

**Discussion:** The UCSB representative reported that a letter identifying issues with the project was submitted to UCOP but it has been ignored. The population being targeted for this project are not appropriate candidates for this mode of instruction. It was also noted that the project initially was for UC students and impacted majors and is now focused on making money. Chair Anderson confirmed that the courses will be taught by UC faculty and will be compensated for teaching the online course. The course now being offered at UCM has thirty-six students enrolled. The libraries existing agreement does not cover students in Extension. Chair Anderson indicated that non-matriculated students will not

be considered to be UC students so access to library materials and other resources will be cause a financial burden. Chair Kelty indicated that the online instruction pilot can be on the committee's next agenda.

### **XIII. Executive Session**

Minutes were not taken during Executive Session.

Meeting adjourned at: 4 PM

Minutes prepared by: Brenda Abrams

Attest: Christopher Kelty